

PENNSYLVANIA BULLETIN

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The Courts
Delaware River Basin Commission
Department of Agriculture
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Transportation
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Legislative Reference Bureau
Pennsylvania Gaming Control Board
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
State Employees' Retirement Board
State Ethics Commission
Susquehanna River Basin Commission
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 593, April 2024

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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 2024.

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1952, 2069, 2073, 2076

THE COURTS

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CH. 1]

Proposed Amendment of Pa.R.J.C.P. 161, 170, and 172

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pennsylvania Rules of Juvenile Court Procedure 161, 170, and 172 governing expungement procedures 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.

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 May 31, 2024. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Juvenile Court
Procedural Rules Committee*

JUDGE ANDREA MARCECA STRONG,
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 161. Inspecting, Copying, and Disseminating Juvenile Probation Files.

[**A.**] (a) *Inspecting and Copying.* Except as provided in [**paragraph (C)**] **subdivision (c)**, juvenile probation files shall be open to inspection [**and/or**] **and** copying only by:

1) the juvenile or the juvenile's attorney of record in the instant proceeding;

- 2) the attorney for the Commonwealth;
- 3) the State Sexual Offenders Assessment Board;
- 4) the Juvenile Court Judges' Commission; or
- 5) any other person, agency, or department by order of court.

[**B.**] (b) *Juvenile Probation Information.*

1) Information maintained by juvenile probation offices other than juvenile probation files shall be subject to inspection [**and/or**] **and** copying only pursuant to court order.

2) Each juvenile probation office shall create a document, which describes the information that is maintained by the juvenile probation office concerning each juvenile. This document shall be open to inspection and copying pursuant to [**paragraph (A)**] **subdivision (a)**.

[**C.**] (c) *Contents of Order.* The order shall:

- 1) specify who shall be permitted to inspect the file, information, or any portion thereof;
- 2) specify who shall be permitted to copy the file or information;
- 3) state that the file or information received shall not be disseminated to any person, agency, or department not listed in the court order; and
- 4) state that dissemination of any file or information received is a violation of the court order.

[**D.**] (d) *Disseminating.*

(1) The juvenile probation office has discretion to disseminate portions of its files or information to the juvenile, service providers, placement facilities, and courts and courts' professional staff of other jurisdictions when facilitating placement, the delivery of services, treatment, or transfer of the case to, or supervision by another jurisdiction consistent with applicable Federal or state law.

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

(e) Expungement Information. Upon written request by an eligible juvenile for the purpose of expungement, and without the necessity of a court order, the juvenile probation office shall provide the juvenile the following within 30 days of the request:

- (1) a list of recipients to whom the juvenile probation office has disseminated the juvenile's record;**
- (2) the identification of the records disseminated; and**
- (3) any other information reasonably necessary to expunge the juvenile's record.**

Comment:

Documents contained in the juvenile probation files are not a part of the official court record unless the juvenile probation office officially files the documents in the official court record. Those documents placed in the official court record are governed by Rule 160 and 42 Pa.C.S. § 6307.

Juvenile probation files containing a juvenile's disclosures for the purpose of treatment should be reviewed for potentially privileged communications prior to dissemination. *See, e.g., Commonwealth v. Carter*, 821 A.2d 601 (Pa. Super. 2003).

The notes of a juvenile probation officer, which describe the officer's impressions or personal observations, but which are not included in a report to the court or other report, are not considered a component of a juvenile probation file that is open to inspection [**or**] **and** copying under [**paragraph (A)**] **subdivision (a)**. "Juvenile probation files," as used in [**paragraph (A)**] **subdivision (a)** and defined in Rule 120, is intended to include files existing in whole or in part in either paper or digital form.

Nothing in this rule is intended to preclude the juvenile probation office from sharing information with the juvenile.

[**Official Note: Rule 161 adopted May 21, 2012, effective August 1, 2012. Amended August 23, 2012, effective immediately. Amended March 15, 2019, effective July 1, 2019.**]

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 161 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012).

Final Report explaining the amendments to Rule 161 published with the Court's Order at 42 Pa.B. 5734 (September 8, 2012).

Final Report explaining the amendments to Rule 161 published with the Court's Order at 49 Pa.B. 1512 (March 30, 2019).]

PART C(3). EXPUNGING OR DESTROYING RECORDS, FINGERPRINTS, AND PHOTOGRAPHS

Rule 170. Motion to Expunge or Destroy Records.

[**A.**] **(a)** *Motion*. Upon motion, or *sua sponte*, expungement proceedings may be commenced:

- 1) if a written allegation is not approved for prosecution;
- 2) if the petition is dismissed by the court;
- 3) in consent decree and informal adjustment cases:

[**a**] **(i)** when six months have elapsed since the final discharge of the juvenile from supervision; and

[**b**] **(ii)** if no proceeding seeking adjudication or conviction is pending;

4) [**when**] **if** a juvenile has been discharged from court supervision pursuant to Rule 631:

[**a**] **(i)** five years have elapsed;

[**b**] **(ii)** the juvenile has not been convicted or adjudicated delinquent for a felony or misdemeanor;

[**c**] **(iii)** no court proceeding is pending seeking such conviction or adjudication; and

[**d**] **(iv)** the delinquent act is not an act precluded from expungement pursuant to 18 Pa.C.S. § 9123(a.1); or

5) [**when**] **if** the attorney for the Commonwealth consents to the expungement.

[**B.**] **(b)** *Contents of Motion*. A motion, which shall include a proposed court order, shall contain the following information:

- 1) the name of the juvenile;
- 2) the date of birth of the juvenile, if known;
- 3) the juvenile's case docket number, if any;
- 4) the allegations or offenses to which the order pertains;
- 5) the law enforcement agency that initiated the allegations;
- 6) the reference number of the police report or written allegation to be expunged or destroyed, including the juvenile offense tracking number (JOTN), if available;
- 7) the date of arrest;
- 8) the disposition of the written allegation or petition;
- 9) the reasons and statutory authority for expunging or destroying the documents, fingerprints, or photographs; [**and**]

10) **the identification of records to be expunged or destroyed; and**

(11) the [**agencies**] **recordkeepers** upon which certified copies of the court order shall be served.

[**C.**] **(c)** *Service of Motion*. In addition to the service required by Rule 345, the movant shall serve the motion on the chief juvenile probation officer.

[**D.**] **(d)** *Answer*.

1) The attorney for the Commonwealth, and any other person upon whom the motion was served, may file an answer to the motion.

2) If objections to the motion are not made within [**thirty**] **30** days of the filing of the motion, they shall be deemed waived.

[**E.**] **(e)** *Court's Response to the Motion*. The court shall conduct a hearing or grant or deny the motion after giving consideration to the following factors:

- 1) the type of offense;
- 2) the individual's age, history of employment, history of academic or vocational training, delinquent or criminal activity, and drug or alcohol issues;
- 3) adverse consequences that the individual may suffer if the records are not expunged; and
- 4) whether retention of the record is required for purposes of public safety.

[**F.**] **(f)** *Inter-County Transfer Cases*.

1) A motion to expunge or destroy records shall be filed in the county in which the adjudication of delinquency was entered.

2) A motion regarding the records of a juvenile whose disposition did not involve an adjudication of delinquency shall be filed in the county in which the disposition occurred.

3) The court entering an order to expunge or destroy records shall direct the order to any other court possessing records pertaining to the case.

Comment:

[Paragraph (A) provides that a motion to expunge or destroy records, files, fingerprints, or photographs, or the court, *sua sponte*, may commence expungement proceedings.] The juvenile or the juvenile probation office may initiate an expungement proceeding in accordance with this rule.

Under [paragraphs (A)(1) & (2)] subdivisions (a)(1)-(a)(2), the written allegation or petition may be dismissed for several reasons, including, but not limited to, when: 1) a juvenile completes an informal adjustment or diversionary program; 2) the attorney for the Commonwealth declines to prosecute; 3) probable cause is not found at the detention hearing pursuant to Rule 242(C)(1); 4) there is no finding on the offenses pursuant to Rule 408(B); or 5) there is no finding of a need for treatment, supervision, and rehabilitation pursuant to Rule 409(A)(1). Expungement proceedings may be commenced upon these dismissals of the written allegation or the petition.

For expungement of summary offenses heard by a magisterial district court or criminal court, see Pa.R.Crim.P. 490 and 490.1 (truancy). For eligibility for expungement, see 18 Pa.C.S. § 9123(a); 24 P.S. § 13-1333.3(h) (truancy).

For the information required by subdivision (b), see Pa.R.J.C.P. 161(e) (requesting expungement information from the juvenile probation office).

Under [paragraph (B)(6)] subdivision (b)(6), any number assigned to police papers helpful in tracking the police report or written allegation that would assist the law enforcement agency in expunging or destroying the document is to be listed. A reference number could be a juvenile offense tracking number, district control number, crime control number, incident number, Philadelphia identification number, or another number assigned by the law enforcement agency to track the document.

Pursuant to [paragraph (B)(9)] subdivision (b)(9), the reasons for expunging the records or destroying fingerprints and photographs are to be included in the motion, specifically citing which provision of [paragraph (A)] subdivision (a) applies.

“Expunge” or “expungement” is defined by Rule 120, which means to erase legally, or the process of legal erasure of an item making it permanently not available to the public but where some information may be retained only for limited purposes by agencies or departments. See [Rule 173. See also Comment to Rule 120] Pa.R.J.C.P. 173; Pa.R.J.C.P. 120, cmt.

Rule 173 provides for the retention of certain information that is crucial for: 1) determining compliance with the order to expunge; 2) determining eligibility in a court program, determining the grading or penalty of an offense, or for other purposes as provided by law; 3) maintaining statistical and research information; 4) maintaining intelligence and investigative information; and 5) financial audits.

Pursuant to [paragraph (D)] subdivision (d), the attorney for the Commonwealth is given an opportunity to respond to the motion. The attorney for the Common-

wealth should specify its position on whether items should be expunged or destroyed. Expunged items remain available to law enforcement agencies and the attorney for the Commonwealth in limited circumstances, whereas destroyed items are permanently erased. The attorney for the Commonwealth should consent to expunging records unless the attorney for the Commonwealth demonstrates good cause for the retention of records. See *In re A.B.*, 987 A.2d 769 (Pa. Super. 2009).

The reasons for maintaining information pursuant to Rule 173 do not qualify as good cause against expunging records under this rule. Maintenance of specific information is different from the maintenance of the official court record or other official records of the juvenile probation office or a law enforcement agency. Pursuant to Rule 173, a separate document, file, or database is to be created. See [Rule 173 and its Comment] Pa.R.J.C.P. 173.

If the attorney for the Commonwealth objects to expunging or destroying the records, the court should conduct a hearing on the motion.

Pursuant to [paragraph (E)(3)] subdivision (e)(3), the court is to consider adverse consequences that an individual may suffer if the records are not expunged. Adverse consequences are discussed in The Pennsylvania Collateral Consequences Checklist instituted by Pennsylvania Juvenile Indigent Defense Action Network in conjunction with the initiative the Models for Change System Reform in Juvenile Justice. This checklist may be accessed on the Supreme Court's website at <https://www.pacourts.us/courts/supreme-court/committees/rules-committees/juvenile-court-procedural-rules-committee/juvenile-court-committee-rules-and-forms>.

The attorney for the Commonwealth in the county in which a motion is filed in an inter-county transfer case pursuant to [paragraph (F)] subdivision (f) should provide notice of the motion to, and communicate with, the attorney for the Commonwealth and the juvenile probation office in the county to which, or from which, the case was transferred.

Notwithstanding this rule, [see] see 18 Pa.C.S. § 9123(a.1) for cases that are ineligible for expungement proceedings. [See also] See also 42 Pa.C.S. § 6341 for destruction of fingerprints and photographs.

[Official Note: Rule 170 adopted April 1, 2005, effective October 1, 2005. Amended July 28, 2014, effective September 29, 2014. Amended February 12, 2015, effective immediately. Amended March 1, 2019, effective July 1, 2019.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 170 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 170 published with the Court's Order at 44 Pa.B. 5447 (August 16, 2014).

Final Report explaining the amendments to Rule 170 published with the Court's Order at 49 Pa.B. 1142 (March 16, 2019).]

Rule 172. Order to Expunge or Destroy.

[A.] (a) *Contents.* Any order to expunge or destroy the official court record, juvenile probation files, docket entries, law enforcement records, or fingerprints and photographs shall include the following information:

- 1) all items contained in Rule [170(B)] 170(b);
- 2) a directive specifically identifying which items shall be expunged or destroyed, including all law enforcement records, juvenile probation files, official court records, other juvenile records, fingerprints, photographs, and any other information pertaining to the arrest;
- 3) a directive that the keeper of the juvenile records shall expunge or destroy such items;
- 4) a directive that each [agency, department, or office] recordkeeper[, upon request,] shall notify the court or its designee, within 30 days of service of the order and in writing, of the action taken in response to the order to expunge or destroy;
- 5) a directive to a school building principal or his or her designee to destroy information received from the court pursuant to Rule 163 and to comply with the notice requirement of subdivision (a)(4);
- 6) the printed name and signature of the judge issuing the order; and
- 7) the date of the court order.

[B.] (b) *Service.* In addition to the service required by Rule 167, the clerk of courts, court administrator, or other court designee shall serve certified copies of the order on the chief juvenile probation officer, the Pennsylvania State Police, the Juvenile Court Judges' Commission, and any other person or agency as directed by the court.

Comment:

Pursuant to [paragraph (A)(2)] subdivision (a)(2), the court is to list specifically which items are to be expunged and which items are to be destroyed. Specific information retained pursuant to Rule 173 should be expunged but not destroyed. In most instances, the court should order that the fingerprints and photographs be destroyed and that the remaining records and documents be expunged.

Pursuant to [paragraph (A)(4)] subdivision (a)(4), an agency, department, school, or office [may be requested] is required to produce evidence of compliance with the court order to expunge or to explain why compliance cannot be made. The court's designee to receive written notice under this subdivision can be the juvenile probation office. Non-compliance may result in a finding of contempt of court.

Pursuant to [paragraph (A)(5)] subdivision (a)(5), the school is to destroy all information received from the court. Because the school is required to store this information separately under Rule 163(F), destruction should not be difficult. *See* [Rule 163 and its Comment] Pa.R.J.C.P. 163. [The court may also require the school to provide written notice of the action taken.

Official Note: Rule 172 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended July 28, 2014, effective September 29, 2014. Amended March 1, 2019, effective July 1, 2019.

Committee Explanatory Reports:

Final Report explaining the amendments to Rule 172 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 172 published with the Court's Order at 44 Pa.B. 5447 (August 16, 2014).

Final Report explaining the amendments to Rule 172 published with the Court's Order at 49 Pa.B. 1142 (March 16, 2019).]

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

PUBLICATION REPORT

**Proposed Amendment of Pa.R.J.C.P. 161,
170, and 172**

The Juvenile Court Procedural Rules Committee ("Committee") is considering proposing the amendment of Pennsylvania Rules of Juvenile Court Procedure 161, 170, and 172 to facilitate the complete expungement of delinquency court records.

The Committee previously published a proposal to revise the required contents of an expungement order to direct that all records be expunged or destroyed and to provide the juvenile court with the discretion to establish a compliance deadline. *See* 49 Pa.B. 7293 (December 14, 2019). That proposal was intended to address concerns of undue delay in compliance with expungement orders and incomplete expungements.

During the course of rulemaking, the Pennsylvania Juvenile Justice Task Force was formed. Released in June of 2021, the Task Force's Report and Recommendation included proposals changing the expungement eligibility criteria and making the juvenile probation office responsible for initiating the expungement process. Responsive legislation was introduced as Senate Bill 170, Regular Session 2023-2024, to amend the Juvenile Act. Consequently, the Committee paused further rulemaking.

The Committee was informed that the concerns giving rise to the original proposal continue to exist. Accordingly, the Committee opted to reopen rulemaking to address those concerns while remaining mindful of the pending legislation.

First, "incomplete expungements" occur when the motion and order fail to identify all the recordkeepers to be served and all the records to be expunged or destroyed. This is a particular concern in counties where the burden of initiating the expungement process is placed on the juvenile because often the juvenile does not know "who received what" as it is typically the juvenile probation office (JPO) disseminating records, including those in the manner of "service inquiries" to prospective providers of services.

Second, there should be a "feedback loop" requiring the recordkeepers to act on the expungement order by a date certain. Anecdotally, the information in the expungement order may not match the recordkeeper's required identifiers, *e.g.*, Offense Tracking Number, so there is no expungement. However, the feedback that an expungement cannot occur based upon the information in the order is not communicated to the juvenile or the court.

The Committee proposes amending Pa.R.J.C.P. 161 to add subdivision (e) to permit an eligible juvenile to submit a written request to the JPO to disclose informa-

tion to the juvenile that is necessary to expunge the juvenile's records. The JPO has 30 days to respond to that request. The requirements for the content of an expungement motion set forth in Pa.R.J.C.P. 170(b) would be amended to include identification of the records to be expunged and the recordkeepers to be served with the expungement order.

The Committee also proposes amending Pa.R.J.C.P. 172 to require recordkeepers to respond in writing within 30 days of service of the expungement order about the action taken in response to the order. This amendment is intended to provide the necessary feedback to ensure compliance with expungement orders and to detect whether additional information is needed to effectuate the expungement.

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

[Pa.B. Doc. No. 24-534. Filed for public inspection April 19, 2024, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CH. 16]

Proposed Amendment of Pa.R.J.C.P. 1601 and 1608

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pennsylvania Rules of Juvenile Court Procedure 1601 and 1608 governing "potential kinship care resource" 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.

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 May 31, 2024. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Juvenile Court
 Procedural Rules Committee

JUDGE ANDREA MARCECA STRONG,
 Chair

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart B. DEPENDENCY MATTERS

CHAPTER 16. POST-DISPOSITIONAL PROCEDURES

PART A. SUMMONS, NOTICE, AND REPORTS

Rule 1601. Permanency Hearing Notice.

[A.] (a) At least [fifteen] 15 days prior to the hearing, the court or its designee shall give notice of the permanency hearing to:

- 1) all parties;
- 2) the attorney for the county agency;
- 3) the child's attorney;
- 4) the guardian's attorney;
- 5) the parents, child's foster parent, preadoptive parent, [or] relative providing care for the child, **or a potential kinship care resource**;
- 6) the court appointed special advocate, if assigned;
- 7) the educational decision maker, if applicable; and
- 8) any other persons as directed by the court.

[B.] (b) If a party intends to request a goal change from reunification, then either the notice shall state this purpose or the party shall give separate notice of the intended goal change in accordance with [**paragraph (A)] subdivision (a)**.

Comment:

Regarding subdivision (a)(5), see 42 Pa.C.S. § 6302 for the definition of "potential kinship care resource." Once a potential kinship care resource has addressed the court as to the individual's qualifications, the court is to decide whether the potential kinship care resource may receive notice of, or participate in, future hearings. See Pa.R.J.C.P. 1608(d)(1)(xviii). If the court decides that the potential kinship care resource is not to receive notice of future hearings, notice to that individual pursuant to subdivision (a)(5) is no longer required.

Given the significance of discontinuing the goal of reunification, the requirement of [**paragraph (B)] subdivision (b)** is to ensure that parties, counsel, and interested persons have notice of the purpose of the hearing and are able to prepare for and attend the hearing.

[*Official Note*: Rule 1601 adopted August 21, 2006, effective February 1, 2007. Amended April 29, 2011, effective July 1, 2011. Amended May 17, 2018, effective October 1, 2018.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1601 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1601 published with the Court's Order at 41 Pa.B. 2413 (May 14, 2011).

Final Report explaining the amendments to Rule 1601 published with the Court’s Order at 48 Pa.B. 3321 (June 2, 2018).]

PART B(2). PERMANENCY HEARING

Rule 1608. Permanency Hearing.

* * * * *

(d) Court’s Findings.

1) Findings at all Six-Month Hearings. At each permanency hearing, the court shall enter its findings and conclusions of law into the record and enter an order pursuant to Rule 1609. On the record in open court, the court shall state:

* * * * *

(xvi) whether sufficient steps have been taken by the county agency to ensure the child has been provided regular, ongoing opportunities to engage in age-appropriate or developmentally-appropriate activities, including:

(A) consulting the child in an age-appropriate or developmentally-appropriate manner about the opportunities to participate in activities; and

(B) identifying and addressing any barriers to participation; [and]

(xvii) whether the visitation schedule for the child with the child’s guardian is adequate, unless a finding is made that visitation is contrary to the safety or well-being of the child[.]; and

(xviii) if a potential kinship care resource has addressed the court as to the individual’s qualifications, then whether the potential kinship care resource may receive notice of, or participate in, future hearings.

* * * * *

Comment:

See 42 Pa.C.S. §§ 6341, 6351.

* * * * *

Pursuant to subdivision (d)(1)(xv), the county agency is to testify and enter evidence into the record on how it took sufficient steps to ensure the caregiver is exercising the reasonable and prudent parent standard. For the definition of “caregiver” and the “reasonable and prudent parent standard,” see Rule 1120. Pursuant to subdivision (d)(1)(xvi), when documenting its steps taken, the county agency is to include how it consulted with the child in an age-appropriate or developmentally-appropriate manner about the opportunities of the child to participate in activities. For the definition of “age-appropriate or developmentally-appropriate,” see Rule 1120. These additions have been made to help dependent children have a sense of normalcy in their lives. These children should be able to participate in extracurricular, enrichment, cultural, and social activities without having to consult caseworkers and ask the court’s permission many days prior to the event. See also Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183), 42 U.S.C. §§ 675 and 675a (2014).

Regarding subdivision (d)(1)(xviii), see 67 Pa.C.S. § 7507(c) for Kinship Care Program.

* * * * *

SUPREME COURT OF PENNSYLVANIA JUVENILE COURT PROCEDURAL RULES COMMITTEE

PUBLICATION REPORT

Proposed Amendment of Pa.R.J.C.P. 1601 and 1608

The Juvenile Court Procedural Rules Committee (“Committee”) is considering proposing the amendment of Pennsylvania Rules of Juvenile Court Procedure 1601 and 1608 to implement the Act of December 14, 2023, P.L. 412, No. 48, concerning “potential kinship care resource.”

Effective February 12, 2024, the Act added the definition of “potential kinship care resource” to the Juvenile Act, 42 Pa.C.S. § 6302. The Act also amended 42 Pa.C.S. § 6336.1(a) to require the county agency to provide notice of permanency hearings to potential kinship care resources. The potential resource then has the right to be heard at the hearing as to the resource’s qualifications to provide kinship care. Thereafter, the court must decide whether the resource may receive notice of, or participate in, future hearings.

To reflect the Act, Pa.R.J.C.P. 1601(a)(5) is proposed to be amended to include “potential kinship care resource” as a person to receive notice of the permanency hearing. Additionally, a new subdivision (d)(1)(xviii) is proposed to be added to Pa.R.J.C.P. 1608 to require a finding on whether the potential kinship care resource should receive notices of future hearings.

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

[Pa.B. Doc. No. 24-535. Filed for public inspection April 19, 2024, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 300]

Proposed Rescission and Replacement of Pa.R.Civ.P.M.D.J. 319

The Minor Court Rules Committee is considering proposing to the Supreme Court of Pennsylvania the rescission and replacement of Pa.R.Civ.P.M.D.J. 319, pertaining to the appearance of the parties at the civil hearing 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 include the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be officially adopted by the Supreme Court.

Deletions to the text are bold and bracketed.

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

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

All communications in reference to the proposal should be received by June 12, 2024. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Minor Court Rules Committee

HONORABLE JAMES R. EDGCOMB,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 300. CIVIL ACTION

(*Editor's Note:* Rule 319 as printed in 246 Pa. Code reads "Official Note" rather than "Note.")

Rule 319. [**Failure of a Party to Appear**] **Parties' Appearance** at the Hearing.

[A. If a plaintiff who has been given notice of the defendant's intention to defend does not appear at the hearing, but the defendant does appear, the magisterial district judge shall enter judgment for the defendant or continue the case for cause. If the plaintiff does not appear at the hearing and the defendant does, but the plaintiff has not been given notice of the defendant's intention to defend, the case shall be continued.

B. If the defendant does not appear at the hearing, the magisterial district judge shall, whether or not the plaintiff appears, enter judgment for the plaintiff or continue the case for cause. If judgment is entered for the plaintiff, the magisterial district judge shall assess damages for the amount to which the plaintiff is entitled if it is for a sum certain or which can be made certain by computation, but if it is not, the damages shall be assessed by the magisterial district judge at a hearing at which the issues shall be limited to the amount of the damages. If such a hearing is to be held, the magisterial district judge shall give the defendant written notice of the time and date of the hearing, which shall be not less than ten (10) days from the date of the notice.

Note: The first sentence of subdivision A of this rule provides for a judgment for the defendant rather than merely a dismissal of the plaintiff's complaint. This provision is intended to prevent the plaintiff from bringing the action again before a magisterial district judge, although he can appeal. The continuance called for in the second sentence of subdivision A will constitute a form of notice to defend and if the plaintiff does not appear at the second hearing judgment will be entered against him.

As to the provisions concerning assessment of damages in subdivision B, compare Pa.R.C.P. Nos. 1037(b) and 1047(b).]

The deleted rule text is replaced in its entirety with the following rule text.

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

(a) *Notice of Intent to Defend Given.* If the plaintiff has been given written notice of the defendant's intent to defend pursuant to Pa.R.Civ.P.M.D.J. 318:

(1) *Plaintiff Appears.* If the plaintiff appears at the hearing and the defendant does not appear, then the magisterial district judge shall enter judgment for the plaintiff, subject to subdivision (d)(1).

(2) *Defendant Appears.* If the plaintiff does not appear at the hearing and defendant appears, then the magisterial district judge shall enter judgment for the defendant.

(3) *Both Parties Appear.* If both parties appear at the hearing, then the magisterial district judge shall conduct the hearing in accordance with Pa.R.Civ.P.M.D.J. 321.

(4) *Neither Party Appears.* If neither party appears at the hearing, then the magisterial district judge shall enter judgment for the defendant.

(b) *Notice of Intent to Defend Not Given.* If the plaintiff has not been given notice of the defendant's intention to defend pursuant to Pa.R.Civ.P.M.D.J. 318:

(1) *Plaintiff Appears.* If the plaintiff appears at the hearing and the defendant does not appear, then the magisterial district judge shall enter judgment for the plaintiff, subject to subdivision (d)(1).

(2) *Defendant Appears.* If the plaintiff does not appear at the hearing and the defendant appears, then the magisterial district judge shall continue the case.

(3) *Both Parties Appear.* If both parties appear at the hearing, then the magisterial district judge may conduct the hearing in accordance with Pa.R.Civ.P.M.D.J. 321 or continue the case.

(4) *Neither Party Appears.* If neither party appears at the hearing, then the magisterial district judge shall enter judgment for the plaintiff, subject to subdivision (d)(1).

(c) *Continuances.* The magisterial district judge may grant a continuance upon good cause shown in any case notwithstanding the appearance of a party or parties at the hearing.

(d) *Hearing on Unascertained Damages.*

(1) *Generally.* If plaintiff's damages are not for a sum certain or cannot be computed, the magisterial district judge shall assess damages at a separate hearing at which the issues shall be limited to the amount of the damages.

(2) *Notice of Damages Hearing.* The magisterial district judge shall give the parties written notice of the time and date of the damages hearing, which shall be at least ten days from the date of the notice.

Comment:

See Pa.R.Civ.P.M.D.J. 209 pertaining to continuances, generally. Entry of a continuance is required by subdivision (b)(2) if the magisterial district judge determines from the docket that the plaintiff was not provided with written notice of the defendant's intention to defend. This

outcome is necessary to allow the plaintiff to prepare for an adversarial hearing. Similarly, if the plaintiff was not provided with written notice of the defendant's intent to defend and both parties appear, the magisterial district judge may conduct the hearing, or elect to continue the case at the request of the plaintiff or the judge's own accord if court scheduling cannot accommodate the hearing at that time. *See* Pa.R.Civ.P.M.D.J. 319(b)(3).

In most cases, the amount of damages will be certain and calculable because the plaintiff is required to state the amount claimed in the complaint. *See* Pa.R.Civ.P.M.D.J. 304B(2). However, a separate damages hearing under subdivision (d) may be required in limited circumstances, *e.g.*, when a party has not appeared at the initial hearing and the case is for civil fines or penalties. As to the provisions concerning assessment of damages in subdivision (d), compare Pa.R.Civ.P. 1037(b).

**SUPREME COURT OF PENNSYLVANIA
Minor Court Rules Committee**

PUBLICATION REPORT

**Proposed Rescission and Replacement of
Pa.R.Civ.P.M.D.J. 319**

The Minor Court Rules Committee ("Committee") is considering proposing to the Supreme Court of Pennsylvania the rescission and replacement of Pa.R.Civ.P.M.D.J. 319 relating to appearance of the parties at the civil hearing.

Currently, Pa.R.Civ.P.M.D.J. 319 prescribes case outcomes relating to the parties' appearance at the hearing. In addition to being determined by the appearance of the party, the consequences are also determined by whether or not the plaintiff was given written notice that the defendant intends to appear at the hearing and defend against the complaint, *i.e.*, files a "notice of intent to defend." The substantive language of Pa.R.Civ.P.M.D.J. 319 has not changed since it took effect in 1970, notwithstanding changes to the title of the presiding jurist. *See*, *e.g.*, Order of January 6, 2005, Judicial Administration Docket 1, No. 269 (changing the title of "district justice" to "magisterial district judge" throughout court rules).

A Committee member suggested that the Committee review Pa.R.Civ.P.M.D.J. 319B, relating to the outcome of a case when the defendant fails to appear at the hearing. The rule currently provides, among other things, that "[i]f the defendant does not appear at the hearing, the magisterial district judge, shall, *whether or not the plaintiff appears*, enter judgment for the plaintiff or continue the case for cause." Pa.R.Civ.P.M.D.J. 319B (emphasis added). The discussion was driven, in part, by the number of complaints determined solely by the nonappearance of the defendant. There is also a perception that some plaintiffs may engage in litigation strategies utilizing Rule 319B for purposes of obtaining default judgments and taking a *de novo* appeal should a defendant appear. While such strategies are authorized by the current rules, the Committee questioned if that should remain the case.

The Committee discussed these perceived shortcomings of Pa.R.Civ.P.M.D.J. 319B. Some members took the position that: (1) failure of a plaintiff to appear in court for an action he or she initiated reflects a lack of respect for the court; (2) there should not be a greater burden on the defendant to appear than the plaintiff; and (3) there should be consistent procedures across the civil and landlord-tenant rules. However, other members disagreed

with this position, finding that requiring the presence of the plaintiff in the absence of the defendant may constitute "form over substance" if the plaintiff is not further required to give testimony and prove the elements of the complaint. The Committee considered at length whether the plaintiff should be required to appear and meet his or her evidentiary burden prior to a judgment for the plaintiff. *Compare* Pa.R.Civ.P.M.D.J. 512 ("The landlord shall appear at the hearing and present testimony in an action for the recovery of possession of real property."). Ultimately, the Committee agreed to keep the current practice relative to appearance but change the outcomes to better reflect the expectations of the parties based on whether the plaintiff has been notified that the defendant intends to defend against the action.

The rules prescribe a process for the defendant to notify the court of his or her intention to defend against the complaint. In the hearing notice served on the defendant with the complaint, the defendant is directed that: "If you intend to enter a defense to this complaint you should so notify this office immediately." Pa.R.Civ.P.M.D.J. 305(4)(a) (pertaining to setting the date for hearing and delivery for service). The Comment further provides that "giving the notice mentioned in subdivision (4)(a) is necessary if the defendant is to obtain judgment under [Pa.R.Civ.P.M.D.J. 319A] because of a plaintiff's failure to appear." Pa.R.Civ.P.M.D.J. 305, cmt. Upon receipt of a defendant's notice of intent to defend, the magisterial district court is required to "promptly give written notice that the defendant intends to enter a defense." Pa.R.Civ.P.M.D.J. 318. The docket entries of the magisterial district court will reflect whether the defendant gave the court notice of intent to defend and, in turn, whether the magisterial district court then gave written notice of the defendant's intent to defend to the plaintiff. *Id.*, cmt. Thus, a key element in determining the outcome of a case when a party fails to appear is whether the magisterial district court provided the plaintiff with written notice of the defendant's intent to defend.

Ultimately, the Committee agreed that the rule is ripe for both stylistic and substantive changes. The Committee proposes restructuring the rule into a set of outcomes that depend on whether a notice of intent to defend was given to the plaintiff. The Committee further delineated the outcomes of those two subgroups into four subdivisions: (1) the plaintiff appears and the defendant does not appear; (2) the plaintiff does not appear and the defendant does appear; (3) both parties appear; and (4) neither party appears. *See* proposed Pa.R.Civ.P.M.D.J. 319(a)—(b).

Proposed subdivision (a) addresses the scenario when the defendant has filed a notice of intent to defend with the magisterial district court and the court has given written notice of the defendant's intention to the plaintiff. If the plaintiff appears at the hearing but the defendant does not, then the magisterial district judge shall enter judgment for the plaintiff. *See* proposed Pa.R.Civ.P.M.D.J. 319(a)(1). The Committee thought that this is the correct outcome because the plaintiff appeared to plead his or her case upon learning that the defendant intended to defend the matter. In contrast, if the plaintiff does not appear at the hearing but the defendant does, then the magisterial district judge shall enter judgment for the defendant. *See* proposed Pa.R.Civ.P.M.D.J. 319(a)(2). The Committee agreed upon this outcome because the plaintiff knew the defendant intended to defend the matter yet elected not to appear. Proposed subdivisions (a)(1) and (a)(2) are consistent with the current practice.

While not incorporated in the current rule, the Committee added a new subdivision (a)(3) addressing the scenario when both parties appear at the hearing. In the instance when the plaintiff is given notice of the defendant's intent to defend and all parties are present in court, the magisterial district judge will proceed with the civil hearing. While this outcome may seem patently obvious, the Committee thought its absence from the permutations of attendance may raise questions among some readers.

If neither party appears at the hearing, then the magisterial district judge shall enter judgment for the defendant. *See* proposed Pa.R.Civ.P.M.D.J. 319(a)(4). Currently, when neither party appears, the court enters judgment for the plaintiff. The Committee disagreed with this approach when the plaintiff has been advised that the defendant intends to defend the case, believing that the plaintiff has an obligation to appear before the court upon learning that the defendant intends to defend the case.

Proposed subdivision (b) addresses the scenario when the court docket does not reflect that the plaintiff was provided with a notice of intent to defend as required by Pa.R.Civ.P.M.D.J. 318. This may be because: (1) the defendant did not give the magisterial district court notice of intent to defend; or (2) the magisterial district court did not promptly give the plaintiff such notice. The outcomes in subdivision (b) are largely consistent with current practice. If the plaintiff appears at the hearing and the defendant does not, then the magisterial district judge shall enter judgment for the plaintiff. *See* proposed Pa.R.Civ.P.M.D.J. 319(b)(1). If the plaintiff does not appear at the hearing but the defendant does, then the magisterial district judge shall continue the case. *See* proposed Pa.R.Civ.P.M.D.J. 319(b)(2). This outcome is necessitated by judicial fairness. Without notice of the defendant's intention to defend, the plaintiff may have reasonably anticipated entry of judgment in his or her favor.

Similar to subdivision (a)(3), the current rule does not address the scenario when both parties appear at the hearing but the plaintiff has not received notice of the defendant's intention to defend. Proposed subdivision (b)(3) would give the plaintiff the opportunity to proceed with the civil hearing if they are willing and prepared for the hearing. Alternatively, the court may elect to enter a continuance at the request of the plaintiff or on the court's own accord. The plaintiff may request a continuance to prepare for an adversarial hearing, which they may not have anticipated in the absence of notice. Likewise, the court may not have allotted time for an adversarial hearing if the presence of the defendant was not expected.

If neither party appears at the hearing, then the magisterial district judge shall enter judgment for the plaintiff. *See* proposed Pa.R.Civ.P.M.D.J. 319(a)(3). The Committee agreed that this is the proper outcome because the defendant gave no indication that he or she intended to defend the matter and should bear the consequences of that decision.

Currently, there are numerous continuance provisions throughout the rule. *See* Pa.R.Civ.P.M.D.J. 319. The Committee agreed to add a new subdivision (c) to provide generally that the magisterial district judge may continue

a case for good cause shown instead of entering judgment for a party. *See* proposed Pa.R.Civ.P.M.D.J. 319(c).

Similarly, current Pa.R.Civ.P.M.D.J. 319B contains a provision relating to hearings on unascertained damages that does not strictly pertain to subdivision (a) or (b). The Committee believes this provision pertaining to unascertained damages may have limited application because Pa.R.Civ.P.M.D.J. 304B(2) requires the plaintiff to state "the amount claimed" in the civil complaint. It likely applies to damages sought in a case involving a civil fine or penalty authorized by statute. *See* Pa.R.Civ.P.M.D.J. 304B(3)(c). The Committee agreed the unascertained damages provisions would be better located in a standalone subdivision. *See* proposed Pa.R.Civ.P.M.D.J. 319(d). Cross-references to proposed subdivision (d)(1) were added to proposed subdivisions (a)(1), (b)(1), and (b)(4) to reflect that while judgment may be entered for plaintiff, a separate damages hearing may need to be held if damages are unascertainable.

* * * * *

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

[Pa.B. Doc. No. 24-536. Filed for public inspection April 19, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Local Rules of Judicial Administration, L5101—L5105, Custody of Exhibits; MsD No. 2024-40087

Administrative Order of Court

And Now, this 4th day of April, 2024, in accordance with Pa.R.J.A. 5101—5105, it is hereby Ordered and Decreed that Butler County Local Rules of Judicial Administration L5101 through L5105 are approved and adopted and made a part of the Butler County Local Rules of Court for use in the Court of Common Pleas of Butler County, Pennsylvania, the 50th Judicial District of Pennsylvania, effective thirty (30) days after publication of the Rules in the *Pennsylvania Bulletin*.

In accordance with Pa.R.J.A. 103, the District Court Administrator is Ordered and Directed to:

1. File one (1) certified copy of this Administrative Order of Court with the Administrative Office of the Pennsylvania Courts.
2. File two (2) certified copies of this Administrative Order of Court with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Forward one (1) copy of this Administrative Order of Court to the Administrative Office of the *Butler County Legal Journal* for publication as that organization deems appropriate.
4. Distribute a copy of this Administrative Order of Court to the Judges of the Court of Common Pleas of Butler County, Pennsylvania.
5. Forward one (1) copy of this Administrative Order of Court to the Butler County Law Library.

6. Keep continuously available for public inspection copies of this Administrative Order of Court in the Office of the Prothonotary of Butler County, Pennsylvania.

By the Court

S. MICHAEL YEAGER,
President Judge

Rule L5101. Custody of Exhibits in Court Proceedings. Definitions.

(a) The following words and phrases when used in these rules shall have the following meanings unless the context clearly indicates otherwise, or the particular word or phrase is expressly defined in the chapter in which the particular rule is included:

(1) “*Court Proceeding.*” Any trial, hearing, argument or similar event before a judge, panel, or hearing officer where evidence, if entered, is on the record. It does not include a proceeding before a magisterial district court, a judicial arbitration matter pursuant to Pa.R.Civ.P. 1301 et seq., a hearing before a Register of Wills pursuant to Pa.R.O.C.P. 10.3, or any matter in which the proceeding is not of record;

(2) “*Custodian.*” The person or persons designated by local rule of judicial administration to safeguard and maintain exhibits offered into evidence in a court proceeding. The custodian shall either be a member of court staff, e.g., Court Reporter, Clerk of Court, hearing officer, or the proponent of the exhibit. Custodian shall also include the custodian’s designee;

(3) “*Exhibit.*” A document, record, object, photograph, model, or similar item offered into evidence, whether or not admitted, in a court proceeding;

(4) “*Proponent.*” A party seeking the admission of an exhibit into the record in a court proceeding; and,

(5) “*Records office.*” The entity with the responsibility and function to maintain and retain the official case file and list of docket entries as required by rule or law.

Rule L5102(a). Custody of Exhibits During Court Proceedings. General Provisions.

(1) The Court Reporter for all of a court proceeding shall be designated as the “Custodian” of all documentary exhibits, photographs, photographs of non-documentary exhibits, and non-documentary exhibits accepted or rejected during the court proceeding and submitted during that period. The presiding judge or the Custodian may seek the assistance of the Sheriff’s Office of Butler County, Pennsylvania, to secure any dangerous items.

Rule L5102(b). Custody of Exhibits After Court Proceedings. General Provisions.

(1) At the conclusion of a court proceeding, if the proponent of a non-documentary exhibit is:

(a) *The District Attorney’s Office.* Said office shall retain custody of non-documentary physical evidence after a court proceeding as set forth in the retention schedule for criminal matters.

(b) *The Public Defender’s Office.* Said office shall retain custody of non-documentary physical evidence after a court proceeding as set forth in the retention schedule for criminal matters.

(c) *Private Counsel.* The Court Reporter shall retain custody of non-documentary physical evidence after a court proceeding, until such time that custody is transferred to the appropriate records office.

Rule L5102(c). Custodian.

(1) *Custodian.* The Custodian shall:

(i) Except as provided herein, retain or take custody of all documentary exhibits, photographs, photographs of non-documentary exhibits, and non-documentary exhibits accepted or rejected during the court proceeding; and,

(ii) Except as provided herein, file all documentary exhibits, photographs, photographs of non-documentary exhibits, and non-documentary exhibits accepted or rejected during the court proceeding with the records office within five (5) business days of the conclusion of the court proceeding unless otherwise directed by the court;

(2) *Index of Exhibits.* The Custodian filing the exhibits with the records office shall include a numbered list of exhibits, and for each exhibit identify the proponent, whether the exhibit was admitted or rejected from evidence, and a textual description or identification of the exhibit. The exhibits and standardized Exhibit Index Form set forth in Appendix I shall be typewritten and filed with the appropriate records office within five (5) business days from the conclusion of the proceeding.

(3) *Relief.* If the custodian does not file the exhibits as required by subdivision (c)(1)(ii), the proponent, if not designated as the custodian or in possession of the exhibits by local rule, may seek appropriate relief with the court.

(4) *Multiple Custodians.* If multiple successive custodians are involved with a proceeding, the first custodian shall provide the subsequent custodian (and so on, if more than two successive custodians) with the submitted exhibits and index of exhibits. The custodian at the conclusion of the proceeding shall file with the appropriate records office a typewritten Exhibit Index Form. The exhibits and standardized Exhibit Index Form set forth in Appendix I shall be typewritten and filed with the appropriate records office within five (5) business days from the conclusion of the proceeding.

(d) *Transferring Exhibits.* When exhibits are transferred from the custodian to a subsequent custodian or filing office, a Transfer of Possession Form shall be completed and signed by both the custodian and the subsequent custodian or records office accepting the Exhibit Index Form and exhibits. The Transfer of Possession Form is set forth in Appendix II.

Rule L5103. Custody of Exhibits. Special Provisions.

(1) If directed by the presiding judge, an exhibit book, witness list, or a list of obscure terminology shall be provided by a party or parties, and a copy shall also be provided to the Court Reporter and the judge’s law clerk. If required:

(a) Each party shall prepare a tabbed exhibit book, in advance of trial, containing each exhibit the party plans to show to a witness, to introduce through a witness, or to otherwise proffer as evidence.¹ At the commencement of

¹ Do not include portions of medical records or other voluminous records that will not be specifically referenced through testimony.

the trial, in advance of opening arguments, copies of the exhibit book shall be provided to the presiding judge, his or her law clerk, opposing counsel/unrepresented parties, and the Court Reporter.

The inclusion of an exhibit in the exhibit book does not impose any obligation to introduce the exhibit and the failure to do so shall not be commented on by other counsel.

(b) One week prior to trial, each party shall provide to the court and the Court Reporter a complete list of potential witnesses and a list of any unusual names of other individuals, places, or things likely to be referenced during testimony.

This list should additionally note any witness whose testimony will be received by deposition or video tape, and the particular area of expertise of any expert witness.

(c) Each party shall provide to the court and the Court Reporter a list of obscure or case specific terminology likely to be referenced during testimony.

(2) Documentary exhibits larger than 8 1/2 × 11 inches that are part of the record shall be reduced to 8 1/2 × 11 inches, and all tangible objects that are part of the record shall be photographed in color by the by the proponent, the photograph converted to 8 1/2 × 11 inches, and the photograph appropriately marked.

Four (4) 8 1/2 × 11-inch copies of the reduced documentary exhibits and photographs of tangible objects must be produced during the court proceeding: one (1) copy for the presiding judge, one (1) copy for the judge's law clerk, one (1) copy for opposing counsel/unrepresented parties, and one (1) copy for the Court Reporter for inclusion in the documentary record. The proponent who provides a reduced copy of an oversized exhibit shall ensure the reproduced document is clear and capable of further reproduction.

(3) Any digital exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the record on a Universal Serial Bus (USB) flash drive (or other format if expressly approved by the court). If one party has multiple digital exhibits, they may be submitted together on one USB flash drive. Three (3) Universal Serial Bus (USB) flash drives replicating the exact content shall be produced during the court proceeding: one (1) copy for the presiding judge, one (1) copy for opposing counsel/unrepresented parties, and one (1) copy for the Court Reporter for inclusion in the evidentiary record.

(4) If a proponent offers into evidence a photograph, the proponent shall ensure that the original or a copy of the photograph in lieu of the original (no larger in size than 8 1/2 × 11 inches) is entered into the record. A proponent who provides a copy of a photograph shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(5) Exhibits comprised of weapons, cash, other items of value, drugs, or other dangerous materials are prohibited from viewing in the jury room. The court may direct alternative viewing arrangements for such exhibits upon the request of the jury.

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

(1) *Non-criminal matters.* After trial or other record proceeding, exhibits admitted into evidence shall be retained by the filing office until it is determined whether an appeal has been taken from a final judgement.

(2) *Criminal matters.* After trial or other record proceeding, exhibits admitted into evidence shall be retained by the filing office as set forth in the schedule below:

i. *Homicides.* Retain exhibits 75 years.

ii. *Summary cases.* Retain exhibits 5 years.

iii. *Other cases.* Retain exhibits 5 years after completion of sentence.

(7) *Disposition Documentary Exhibits After Trial.* After trial or, hearing, exhibits admitted into evidence shall be retained by the applicable filing office as follow:

If an appeal has been taken, no earlier than sixty (60) days from the receipt of disposition of appeal from the appellate court(s), and provided that all matters in the case have been finally disposed of, the applicable filing office shall Motion for an Order of Court to destroy or dispose of proffered exhibits in sixty (60) days if no Motion to Reclaim Exhibits is filed. All interested parties shall be given notice of such Motion and must file a Motion to Reclaim Exhibits within thirty (30) calendar days of service of the Motion. If no Motion to Reclaim Exhibits is filed, an Order of Court granting the destruction or disposal of proffered exhibits shall be issued.

If an appeal has not been taken within the time frame allowed under the Pennsylvania Rules of Appellate Procedure or Statue and sixty (60) days have lapsed since the final date on which an appeal was to be taken, the applicable filing office shall Motion for an Order of Court to destroy or dispose of proffered exhibits. All interested parties shall be given notice of such Motion and must file a Motion to Reclaim Exhibits within thirty (30) calendar days of service of the Motion. If no Motion to Reclaim Exhibits is filed, an Order of Court granting the destruction or disposal of proffered exhibits shall be issued.

Prior to destruction or disposal of exhibits under any Order of Court, the applicable filing office shall ensure an electronic copy of all documentary exhibits is created for retention in the file.

Rule L5104. Prohibition.

(a) Proceedings before hearing officers in divorce, custody, support, delinquency, and dependency matters that can be appealed de novo to the Court of Common Pleas or upon which exceptions or objections can be filed to the Court of Common Pleas shall be excluded from these general rules.

Rule L5105. Confidentiality. Exhibits Under Seal.

(a) Any exhibit containing confidential information or the equivalent to any of the categories enumerated in Pa. Access Policy § 8.0 must be prepared by the proponent and include a Confidential Document Form attached to a 9 × 12 unsealed envelope, in accordance with Local Rule L100 so that the document can be properly sealed by the record office.

(b) Any exhibit sealed by the court during the court proceeding shall not be accessible to the public.

Appendix I

EXHIBIT INDEX FORM												
Case Number:							Appearances					
Type of Proceeding:							Plaintiff:					
Judge:												
Hearing Date:												
Case Caption:												
							Defendant:					
Witnesses												
PLAINTIFF EXHIBITS					DEFENDANT EXHIBITS							
No.	Mark	Admit	Rej.	Description	No.	Mark	Admit	Rej.	Description			
1					A							
2					B							
3					C							
4					D							
5					E							
6					F							
7					G							
8					H							
9					I							
10					J							
11					K							
12					L							
13					M							
14					N							
15					O							
16					P							
17					Q							

Appendix II

TRANSFER OF CUSTODY FORM

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

Plaintiff, vs. Defendant. Case No.:

I, _____, designated as the "Custodian" of exhibits as defined by Pa.R.J.A. 5101(a)(2) and L5101(a)(2) for all documentary exhibits, photographs, photographs of non-documentary exhibits, and non-documentary exhibits accepted or rejected during the court proceeding in the above-captioned matter, hereby transfer all documentary exhibits, photographs, photographs of non-documentary exhibits, and non-documentary exhibits accepted or rejected during the court proceeding to the appropriate filing Office or the Successor Custodian. Included with the exhibits being transferred is the Exhibit Index Form containing a numbered list of exhibits, the identification of each exhibit's proponent, a checkmark indicating whether the exhibit was admitted or rejected from evidence, and a textual description of each submitted exhibit in accordance with L5102.

Date Custodian

Date Accepting Filing on Behalf of:

- Prothonotary
Clerk of Court
Successor Custodian

[Pa.B. Doc. No. 24-537. Filed for public inspection April 19, 2024, 9:00 a.m.]

Title 25—LOCAL COURT RULES

CARBON COUNTY

Fee Schedule For Prothonotary's Office; No. 24-CV-0234

Order of Court

And Now, to wit, this 3rd day of April, 2024, upon consideration of the Petition for Increase of the Fee Schedule of the Carbon County Prothonotary, Kayla M. Semmel, and in accordance with 42 P.S. § 21071.1, it is hereby

Ordered and Decreed that the Fee Schedule of the Carbon County Prothonotary's Office is amended effective June 1, 2024.

It Is Further Ordered and Decreed that the Fee Schedule of the Carbon County Prothonotary's Office, a true and correct copy of which is as follows to this Order and which has been prepared and submitted by the Prothonotary, is approved by the Court and adopted effective June 1, 2024.

It Is Further Ordered and Decreed that the District Court Administrator of Carbon County shall file this Order and cause it to be published on the Carbon County Court website and in the Carbon County Law Journal and the Pennsylvania Bulletin.

By the Court

STEVEN R. SERFASS, President Judge

THE COURTS

CARBON COUNTY PROTHONOTARY'S OFFICE

2 Broadway
P.O. Box 130

Jim Thorpe, Pennsylvania 18229-0130
(570) 325-2481
Fax (570) 325-8047

Kayla M. Semmel, Prothonotary
Kelly S. Solt, First Deputy
Heather L. Williams, Second Deputy
Karen Flexer, Clerk/PFA Coordinator
Daphne Gasker, Automation/Passport Clerk
Attorney James R. Nanovic, Solicitor

FEE SCHEDULE

EFFECTIVE June 1, 2024

ACKNOWLEDGEMENTS:

Sheriff, Treasurer or Tax Claim Bureau \$ 13.90

APPEALS:

To Supreme, Superior or Commonwealth Court \$ 129.40
(Plus \$90.25 payable to said court)

License Appeal \$ 239.90

Tax Assessment Appeal \$ 178.75

From Arbitration (\$50,000 limit) (exclusive of arbitrators' compensation, Pa.R.C.P. No. 1308) \$ 42.65

From Magisterial District Judge \$ 178.75

From Zoning Hearing Board \$ 178.75

AUDITOR'S REPORT \$ 49.10

BONDING COMPANY \$ 49.10

BUILDING AGREEMENTS:

Waivers, Stipulations & Agreements \$ 33.25

CERTIFICATIONS:

To Bureau of Traffic Safety \$ 13.90

Docket entry & judgment \$ 25.85

Exemplified Record \$ 25.85

Certified Copy (court order/divorce decree, etc.) \$ 13.90

COMMENCEMENT OF ANY ACTION:

Commencement of any action at Law or Equity regardless of procedure, unless otherwise specifically provided for \$ 178.75

Any action or proceeding to open/strike a judgment \$ 178.75

Objections to Tax Sale \$ 178.75

Proceedings on Lien other than revival (e.g., Mechanic's Lien Complaint) \$ 178.75

CONTINUANCE \$ 24.10

CUSTODY:

Complaint/Petition \$ 207.80

Master Deposit \$ 150.00

Complaint w/agreement \$ 207.80

Petition to Modify Custody \$ 26.20

DISCONTINUANCE IN A CASE \$ 13.90

DIVORCE:

Complaint \$ 188.75

Additional Counts (each) \$ 86.50

Custody Count \$ 95.75

Property Settlement/Agreement \$ 17.45

Inventory Appraisal/Income & Expense \$ 17.45

THE COURTS

2075

Appointment of Master (deposit)	\$ 500.00
Praecipe to Transmit	\$ 17.45
	(+Law Clerk Fee \$25.00)
Retake Maiden Name	\$ 13.90
INITIAL PLEADING IN CASE —unless otherwise indicated	\$ 15.00
EXECUTIONS (includes filing of any praecipe for a writ of execution, including attachment, possession or any other writ of execution not herein specifically provided for)	\$ 43.55
JUDGMENTS:	
Final decrees, order of judgment	\$ 25.85
Assignments/Substitution of Party	\$ 13.90
Judgment notes & transfer other counties	\$ 60.35
Transcript from Magisterial District Judge	\$ 60.10
Satisfaction or Release of judgment	\$ 13.90
Subordination or postponement of lien	\$ 13.90
Complaint & confession of judgment	\$ 101.55
Default judgment	\$ 39.85
LETTER OF ATTORNEY:	
Filing	\$ 22.35
Revocation	\$ 13.90
LIENS:	
Municipal, Mechanics	\$ 51.40
Pennsylvania or Federal (Satisfaction additional fee \$13.60)	\$ 31.35
Lis Pendens (per defendant)	\$ 13.90
NOTARY PUBLIC:	
Registration of signature	\$ 5.40
Certification of Notary Public	\$ 13.90
PASSPORTS:	
Passport book—(Check payable to US Department of State)	\$ 110.00
Passport book (Children under 16 years of age)	\$ 80.00
Passport Card (Check payable to US Dept. of State)	\$ 30.00
Passport Card (Children under 16 years of age)	\$ 15.00
Check/Cash to Prothonotary’s Office (per application)	\$ 35.00
Expedite fee (extra)	\$ 60.00
PETITIONS & MOTIONS (excluding “Petition Actions”)	\$ 7.50
Motion for summary judgment	\$ 36.00
Petition to reassess damages	\$ 36.00
Petition for final judgment, quiet title	\$ 26.20
PHOTOCOPIES (per sheet)	\$.25
PROTECTION FROM ABUSE:	
Final Order	\$ 345.00
Final Order by Agreement	\$ 257.50
POLITICAL SUBDIVISION:	
Maximum charge	\$ 81.45
POUNDAGE:	
For handling of money paid into court First \$1,000.00	\$ 0.03
Each additional \$1,000.00	\$ 0.01
REINSTATE/REISSUE WRIT/COMP	\$ 13.90

REVIVALS:

All amicable revivals	\$ 25.85
Adverse revivals	\$ 70.55

SERVICES IN COURT:

Services in court per diem or part of day	\$ 43.45
Order of court	\$ 17.45

SUBPOENA (each)	\$ 5.40
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WRIT TO JOIN/JOINDER COMPLAINT	\$ 13.90
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For filings in cases not specifically enumerated, the charge imposed will be the same as that for a substantially similar specified filing.

Pursuant to 42 P.S. § 21073(b), the Prothonotary shall not be required to enter on the docket any suit, action or order of court, or enter any judgment thereon, or perform any service whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid.

[Pa.B. Doc. No. 24-538. Filed for public inspection April 19, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

**Crime Victim Services and Compensation Fund,
Local Victim Services Fund; No. 3 of 2024**

Administrative Order of Court

And Now, to wit, this 9th day of April, 2024, pursuant to ACT 77 of 2022, Amendments to the Crime Victims Act, Title 18, Section 11.1101, subsection (b), *It Is Hereby Ordered* that an individual who pleads guilty or nolo contendere or who is convicted of a crime or enters a diversionary program shall pay costs of at least \$120.00, unless otherwise ordered by the Court, to the Crime Victim Services and Compensation Fund (CVSC) and the ACT 77-Local Victim Services Fund. This Cost shall be imposed at both the Magisterial District Courts and the Court of Common Pleas of this Judicial District notwithstanding any statutory provision to the contrary.

Pursuant to ACT 77, the disposition of this assessment will occur as follows:

1. \$60.00 of the costs imposed will be paid into the newly established Crime Victim Services and Compensa-

tion Fund (CVSC); this fund will replace both existing Crime Victim’s Compensation Fund and the Victim Witness Service Fund.

2. 30% of any costs in excess of \$60.00 shall be paid to the Crime Victim Services and Compensation Fund (CVSC).

3. 70% of any costs in excess of \$60.00 shall be paid to the ACT 77-Local Victim Services Fund, to be established and administered by the Westmoreland County Fiscal Office. The money in this fund shall be used only for victim services.

4. The Westmoreland County Fiscal Office shall disburse money from the ACT 77-Local Victim Service Fund at the discretion of the Westmoreland County District Attorney.

It Is Further Ordered, that this Administrative Order shall be effective on the date of this Order.

By the Court

CHRISTOPHER A. FELICIANI,
President Judge

[Pa.B. Doc. No. 24-539. Filed for public inspection April 19, 2024, 9:00 a.m.]

RULES AND REGULATIONS

Title 51—PUBLIC OFFICERS

STATE ETHICS COMMISSION

[51 PA. CODE CHS. 11, 13, 15, 17, 19,
21, 23 AND 25]

Technical Revisions for Statutory Consistency, Clarity and Modernization

The State Ethics Commission (Commission) amends Chapters 11, 13, 15, 17, 19, 21, 23 and 25 by amending §§ 11.1, 11.3, 13.1—13.3, 13.5, 15.1—15.3, 17.1, 17.4—17.7, 19.1, 19.3, 19.4, 21.5, 21.21, 21.23, 21.24, 21.26, 21.29, 23.1, 23.3, 23.4, 23.7, 23.22, 23.23 and 25.2 to read as set forth in Annex A.

Effective Date

This final-omitted rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

Statutory Authority

The Commission issues this final-omitted rulemaking under the authority of 65 Pa.C.S. § 1107(1) (relating to powers and duties of commission), which provides the Commission with the general authority to establish rules and regulations to carry out the provisions of 65 Pa.C.S. Chapter 11 (relating to Public Official and Employee Ethics Act) (Ethics Act), and section 204(3) of the Commonwealth Documents Law (CDL) (45 P.S. § 1204(3)), which authorizes publication of a final-omitted rulemaking when public comment is unnecessary.

Omission of Proposed Rulemaking

Public notice of the intention to amend the regulations under the procedures set forth in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) was omitted as authorized under section 204(3) of the CDL. Public comment is unnecessary under the circumstances because this final-omitted rulemaking consists of technical revisions necessary for statutory consistency, clarity and modernization to regulations that have not been updated since 2001.

Purpose and Background

Section 1101.1(a) of 65 Pa.C.S. (relating to purpose) declares that “clear guidelines are needed in order to guide public officials and employees in their actions. Thus, the General Assembly by this chapter intends to define as clearly as possible those areas which represent conflict with the public trust.” Therefore, the Commission considers it important to resolve any ambiguity between the Ethics Act and the Commission’s regulations.

The Commission’s regulations have not undergone a wholesale review since they were promulgated in 1993. Many changes have been made in the manner in which the Commission conducts business since that time. To help guide the regulated community and to assist the Commission in its ability to regulate the ethical conduct of those subject to the Ethics Act, certain technical changes are necessary. This final-omitted rulemaking remedies inconsistencies between the Ethics Act and the Commission’s regulations, modernizes the Commission’s practices by allowing for electronic mail as an acceptable means for filing and service of documents, and provides clarity to the Commissioners and those subject to the Ethics Act and the regulations of the Commission.

Specifically, this final-omitted rulemaking benefits the regulated community by remedying inconsistencies between the Ethics Act and the Commission’s regulations, thus lessening the chance of confusion and misunderstanding and deleting superfluous Statements of Financial Interests (SFI) reporting requirements that are not required by the Ethics Act.

This final-omitted rulemaking also modernizes the Commission’s practices by adding electronic mail as an acceptable means of filing and service of documents, making it easier for individuals to file their SFIs and other documents with the Commission. At the time the regulations were promulgated, e-mail was not a widely used means of filing documents, and allowing e-mail filing through this final-omitted rulemaking brings the Commission’s practices up to date with current technology. These regulatory changes also utilize more modern terminology.

Further, this final-omitted rulemaking provides clarity for the general public and those subject to the Commission’s regulations. It corrects statutory references, removes the Commission’s incorrect address and business hours, and clarifies the timing of the elections of Commission officers and the length of service for those officers. Accordingly, this final-omitted rulemaking benefits the Commission, the regulated community and the general public.

Description of Final-Omitted Regulations

This final-omitted rulemaking seeks to amend various sections of the regulations for clarity, consistency and modernization.

Clarity

This final-omitted rulemaking amends §§ 11.1, 13.1, 13.3, 23.4, 23.22 and 25.2 to correct the statutory references to Purdon’s to the codified version in the *Pennsylvania Consolidated Statutes*. Although § 21.5(l) (relating to conduct of investigations) contains an incorrect statutory reference, subsection (l) is being reserved and will be addressed in a future proposed rulemaking because the referenced statutory subsection, to the extent it prohibits public disclosure of Ethics Act complaint filings, has been permanently enjoined as an unconstitutional restraint on free speech. See *Stilp v. Contino*, 629 F.Supp.2d 449 (M.D. Pa. 2009), affirmed and remanded 613 F.3d 405 (3rd Cir. Pa. 2010), on remand 743 F.Supp.2d 460 (M.D. Pa. 2010).

Additionally, § 19.1 (relating to forms; filing) deletes the postal address of the Commission as it is no longer accurate or necessary, while § 19.4 (relating to availability of Statements of Financial Interests) deletes the business hours of the Commission for the identical reason. Section 19.4 also clarifies the time frame in which SFIs shall be kept on file by specifying that the forms shall be maintained for 5 years after the governmental body receives the SFI. This final-omitted rulemaking also deletes the phrase “[f]or cases to which the act applies” from § 21.21 (relating to general) because it is unnecessary given that the Commission’s jurisdiction obviously is limited to those cases to which the Ethics Act is applicable.

For further clarification, this final-omitted rulemaking modifies § 23.7 (relating to election of Chair and Vice Chair) to clarify the date of election and the length of the terms of the Commission’s Chair and Vice Chair. Section

21.23 (relating to scope of hearing) reorganizes the types of hearings that may be conducted by the Commission to better reflect the order of complexity of hearings. Section 21.24 (relating to hearing officer) of this final-omitted rulemaking amends the term “insure” to “ensure” to accurately characterize that the hearing officer makes certain that various duties occur, rather than protects against loss or damage which is the common definition of “insure.”

Consistency

Also proposed are numerous technical changes to make the regulations consistent with the Ethics Act. This final-omitted rulemaking updates § 13.2(k) (relating to advice of counsel) to add the word “working” to the time limitation in which the Chief Counsel shall issue the written advice to the requester. This change makes the time frame consistent with the time period prescribed earlier in subsection (k). In § 15.2 (relating to public officials and public employees) of this final-omitted rulemaking, the word “for” is replaced with “of” to be consistent with the requirements of the Ethics Act and to eliminate confusion as to what years an individual is required to file an SFI. This final-omitted rulemaking corrects the description of local officials in § 15.3 (relating to candidates/nominees) to include the term “level” or “public” to be consistent with the Ethics Act and other subparagraphs in § 15.3 which refer to “local level public officials.”

This final-omitted rulemaking also amends § 17.7 (relating to office, directorship and employment) to state that a “person required to file a Statement of Financial Interests” rather than delineating the specific individuals required to file, such as public officials and public employees, because this section is inconsistent with the Ethics Act and other sections of the regulations insofar as it fails to include a number of individuals required to file an SFI. A similar change in terminology is included in § 19.1 of this final-omitted rulemaking.

The word “deficient” is added to § 19.3 (relating to late or deficient filings) of this final-omitted rulemaking to reflect that an SFI may be delinquent or deficient, which is consistent with the Ethics Act and other provisions of the regulations. Section 21.5 replaces the phrase “subject of the investigation” with the word “respondent” as this term is a more accurate description of the individual responding to a findings report and it also makes this section consistent with the language of the Ethics Act. Section 21.24 changes the word “presiding” officer to “hearing” officer to be consistent with the Ethics Act and other provisions of the regulations.

Modernization

To further the goal of modernization, this final-omitted rulemaking updates the terms “filed” and “service” to include electronic mail as an appropriate means of filing and serving documents with the Commission in an effort to update the Commission’s practices with today’s technology. Section 11.3 (relating to statute of limitations) deletes the grandfather clause from the regulations because it is obsolete. Sections 11.1, 21.5, 21.21, 21.26, 23.1, 23.3 and 23.7 amend the terms “Chairperson” and “Vice Chairperson” to “Chair” and “Vice Chair” while §§ 11.1, 15.1, 15.2, 17.1, 17.6 and 23.23 update the term “employee” to the more commonly utilized “employee.” Sections 11.1, 13.1, 13.2 and 21.29 amend the term “Requestor” to the common vernacular “Requester” and update the term “chief counsel” to begin with capital letters. Section 13.5 (relating to public access) contains amendments to the

various names of associations and professional groups to reflect their current proper names.

Section 17.1 (relating to general) regarding SFIs deletes the requirement that a person required to file an SFI include his county of residence as this is superfluous and not required by the Ethics Act. Section 17.4 (relating to income) is amended to correct a simple grammatical error. Section 19.1 is amended to specifically authorize electronic filing as an appropriate means by which to file an SFI. It also deletes the requirement that an individual who files an SFI by facsimile shall also provide to the Commission the signed original document by regular mail.

Paperwork Requirements

This final-omitted rulemaking will not result in an increase in paperwork for the Commission, individuals or entities.

Fiscal Impact

This final-omitted rulemaking will not result in any fiscal impact to the Commonwealth, its political subdivisions or the general public.

Sunset Date

The Commission continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

Public Comment

Public notice of the intention to amend the regulations under the procedures set forth in sections 201 and 202 of the CDL was omitted as authorized under section 204(3) of the CDL. Public comment is unnecessary under the circumstances because this final-omitted rulemaking consists of technical revisions necessary for statutory consistency, clarity and modernization to regulations that have not been updated since 2001.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)) on January 24, 2024, the Commission submitted a copy of the final-omitted rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and the chairperson of the State Government Committee of the Senate and the chairperson of the Judiciary Committee of the House of Representatives. A copy of this material is available to the public upon request.

On the same day, the final-omitted rulemaking was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506). The Office of Attorney General approved the final-omitted rulemaking on February 12, 2024.

Under section 5.1(j.2) of the Regulatory Review Act, the rulemaking was deemed approved by the State Government Committee of the Senate and the Judiciary Committee of the House of Representatives on March 20, 2024. Under section 5.1(e) of the Regulatory Review Act, IRRC met on March 21, 2024, and approved the final-omitted rulemaking.

Contact Person

Individuals interested in further information may contact Bridget K. Guilfoyle, Chief Counsel, State Ethics Commission, Finance Building, 613 North Street, Room 309, Harrisburg, PA 17120-0400, telephone (717) 783-1610, fax (717) 787-0806 or e-mail at ra-etlegaldivision@pa.gov.

Findings

The Commission finds that:

1) Public notice of the Commission’s intention to amend its regulations under the procedures set forth in sections 201 and 202 of the CDL has been omitted for good cause as authorized under section 204(3) of the CDL. The Commission finds that the notice procedures are, under the circumstances, unnecessary because this final-omitted rulemaking consists of technical revisions necessary for statutory consistency, clarity and modernization of regulations that have not been updated since 2001.

2) The amendment of the Commission’s regulations in the manner provided in this order is necessary and appropriate for administration of its authorizing statute and is in the public interest.

Order

The Commission, acting under its authorizing statute, orders that:

1) The regulations of the Commission, 51 Pa. Code Chapters 11, 13, 15, 17, 19, 21, 23 and 25, are amended by amending §§ 11.1, 11.3, 13.1—13.3, 13.5, 15.1—15.3, 17.1, 17.4—17.7, 19.1, 19.3, 19.4, 21.5, 21.21, 21.23, 21.24, 21.26, 21.29, 23.1, 23.3, 23.4, 23.7, 23.22, 23.23 and 25.2 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

2) The Commission shall submit this final-omitted rulemaking to the Office of Attorney General for approval as to form and legality as required by law.

3) The Commission shall submit this final-omitted rulemaking to IRRC and the Committee on State Government of the Senate and the Judiciary Committee of the House of Representatives and as required by law.

4) The Commission shall certify this final-omitted rulemaking and deposit it with the Legislative Reference Bureau as required by law.

5) This final-omitted rulemaking shall take effect immediately upon publication in the Pennsylvania Bulletin.

MICHAEL A. SCHWARTZ,
Chair

(Editor’s Note: See 54 Pa.B. 1907 (April 6, 2024) for IRRC’s approval order.)

Fiscal Note: 63-08. No fiscal impact; recommends adoption.

Annex A

TITLE 51. PUBLIC OFFICERS

PART I. STATE ETHICS COMMISSION

CHAPTER 11. GENERAL PROVISIONS

§ 11.1. Definitions.

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise. Additional definitions are set forth in the act.

Act—Chapter 11 of 65 Pa.C.S. (relating to Public Official and Employee Ethics Act).

Administering or monitoring grants—Directing, supervising or approving the expenditure or reimbursement of grant funds or monitoring another person’s or organization’s administering of grant funds. The term does not include compiling expenditures, comparing actual to planned expenditures or reimbursements, preparing com-

parative reports or completing grant proposals or reimbursement forms under specific direction.

Advice—A directive of the Chief Counsel of the Commission issued under 65 Pa.C.S. § 1107(11) (relating to powers and duties of commission) and based exclusively on prior Commission opinions, the act, regulations promulgated under the act and court opinions which interpret the act. See 65 Pa.C.S. § 1102 (relating to definitions).

Appointing authority—The person who is vested with the power to appoint, hire or terminate; if the power is vested in a governmental body, a majority vote of a quorum of that body constitutes the appointing authority.

Audit—A review of statements of financial interests to determine compliance with the act and to provide technical assistance in its administration.

Chair—The Chair of the Commission.

* * * * *

Employed by—Used in any capacity, with or without compensation. This definition is only used in the context of 65 Pa.C.S. § 1106(d)(5) (relating to State Ethics Commission).

Employer—One who uses the services of others and pays their wages, salaries or other compensation.

Filed—Official papers are filed on the date they are physically received at the Commission office whether delivered by United States mail, express carrier, hand delivery, electronic mail, facsimile or any other method approved by the Commission.

* * * * *

Opinion—A directive of the Commission issued under 65 Pa.C.S. § 1107(10) setting forth a public official’s or public employee’s duties under the act.

* * * * *

Public employee—

(i) The term includes an individual who is employed by the Commonwealth or a political subdivision and who is responsible for taking or recommending official action of a nonministerial nature with regard to one or more of the following:

- (A) Contracting or procurement.
(B) Administering or monitoring grants or subsidies.
(C) Planning or zoning.
(D) Inspecting, licensing, regulating or auditing a person.
(E) Other activities in which the official action has greater than a de minimis economic impact.

(ii) The following criteria will be used, in part, to determine whether an individual is within the definition of “public employee”:

- (A) The individual normally performs his responsibility in the field without onsite supervision.
(B) The individual is the immediate supervisor of a person who normally performs his responsibility in the field without onsite supervision.
(C) The individual is the supervisor of a highest level field office.
(D) The individual has the authority to make final decisions.

(E) The individual has the authority to forward or stop recommendations from being sent to the person or body with the authority to make final decisions.

(F) The individual prepares or supervises the preparation of final recommendations.

(G) The individual makes final technical recommendations.

(H) The individual's recommendations or actions are an inherent and recurring part of his position.

(I) The individual's recommendations or actions affect organizations other than his own organization.

(iii) The term does not include individuals who are employed by the Commonwealth or a political subdivision of the Commonwealth in teaching as distinguished from administrative duties.

(iv) Persons in the following positions are generally considered public employees:

(A) Executive and special directors or assistants reporting directly to the agency head or governing body.

(B) Commonwealth bureau directors, division chiefs or heads of equivalent organization elements and other governmental body department heads.

(C) Staff attorneys engaged in representing the department, agency or other governmental bodies.

(D) Engineers, managers and secretary-treasurers acting as managers, police chiefs, chief clerks, chief purchasing agents, grant and contract managers, administrative officers, housing and building inspectors, investigators, auditors, sewer enforcement officers and zoning officers in all governmental bodies.

(E) Court administrators, assistants for fiscal affairs and deputies for the minor judiciary.

(F) School superintendents, assistant superintendents, school business managers and principals.

(G) Persons who report directly to heads of executive, legislative and independent agencies, boards and commissions except clerical personnel.

(v) Persons in the following positions are generally not considered public employees:

(A) City clerks, other clerical staff, road masters, secretaries, police officers, maintenance workers, construction workers, equipment operators and recreation directors.

(B) Law clerks, court criers, court reporters, probation officers, security guards and writ servers.

(C) School teachers and clerks of the schools.

* * * * *

Requester—The person seeking an advice or opinion from the Commission.

Respondent—The person who is the subject of a complaint, inquiry or investigation.

Service—Official papers are deemed served on the date of United States postmark if delivered by United States mail, the pickup date if delivered by express carrier or the date received from the Commission if hand delivered or transmitted by electronic mail or fax.

Staff—The Executive Director, the Chief Counsel, investigators and other personnel as may be employed by or assigned to assist the Commission.

Sworn complaint—A complaint on a form promulgated by the Commission or its equivalent which is notarized and contains the provision that the complaint is signed under the penalty of perjury.

Unannounced write-in candidate—An individual who is not a "candidate" as defined in the act and who received sufficient write-in votes on election day to be elected to or nominated for an office.

Vice Chair—The Vice Chair of the Commission.

§ 11.3. Statute of limitations.

The Commission may investigate a violation of the act within 5 years of its occurrence. The occurrence transpires when an act is complete or requires no further action.

CHAPTER 13. OPINIONS AND ADVICES OF COUNSEL

§ 13.1. General provisions.

(a) An advice or an opinion may be requested by a public official or public employee as to his own conduct or by the authorized representative of the person, his present employer, or appointing authority of the person through majority action of the appointing authority, if applicable.

(b) The requester shall provide the following information in writing:

(1) The name, address and phone number of the person who is the subject of the request and if different, the name, address and phone number of the person initiating the request.

(2) The name of the governmental body with which the subject serves and the name or title of the person's public office or position.

(3) If the requester is the appointing authority, employer or representative of the subject of the request, the nature of the relationship.

(4) The nature and duties of the subject's office or job. Include an organization chart, bylaws of the organization, if available, and a job description.

(5) List the relevant facts and circumstances surrounding the request.

(c) The requester may ask that an opinion or advice be issued under either 65 Pa.C.S. § 1107(10) or (11) (relating to powers and duties of commission).

(d) The Commission will decide, within 14 days, whether an opinion or advice should be issued and will so advise the requester.

(e) If a requester seeks an opinion and is advised that an advice should be issued or if the requester seeks an advice and is advised that an opinion should be issued, the requester may either withdraw the request by notifying the Commission within 14 days of the date of receiving notice under subsection (d) or may elect to have the opinion or advice issued as docketed by the Commission.

(f) Advices and opinions are matters of public record except as provided in this section.

(g) A requester may seek a confidential advice or opinion in writing at the time of the request or within 7 days of notification of docketing as an advice or opinion.

(h) A confidential advice or opinion will be publicly filed but will contain deletions and changes to preserve the confidentiality of the requester's or subject's identity.

(i) The files relating to a confidential advice or opinion will not be public and will so remain unless released by the requester or the public official or public employee who is the subject of the advisory.

(j) If a Petition for Review or other legal pleading is filed in a court of law regarding a confidential advice or opinion, the files will become public on the date that the Commission record is transmitted to court or on the date the responsive pleading, motion, application or other legal document is filed by the Commission, whichever date comes first, unless the court directs otherwise.

(k) Documents and submissions to the Commission relating to a request for an opinion or an appeal of an advice shall be made at least 7 days prior to the meeting of the Commission during which the appeal or opinion will be reviewed.

§ 13.2. Advice of counsel.

* * * * *

(g) An advice of counsel may be appealed to the Commission by the requester or the subject of the request.

(h) An appeal from an advice to the Commission shall be in writing and filed within 30 days of the issuance of the advice.

(i) An appeal from an advice will be considered by the Commission after which an opinion will be issued either affirming, modifying or reversing the original advice.

(j) Reconsideration may be requested under § 21.29 (relating to finality; reconsideration) of an opinion disposing of an appeal of an advice if the request is filed within 30 days of the issuance of the opinion.

(k) An advice shall be a complete defense in an enforcement proceeding initiated by the Commission, and evidence of good faith conduct in another civil or criminal proceeding, if the requester, at least 21 working days prior to the alleged violation, requested written advice from the Commission in good faith, disclosed truthfully the material facts and committed the acts complained of either in reliance on the advice or because of the failure of the Commission to provide advice within 21 working days of the request or the later extended time.

§ 13.3. Opinions.

(a) Opinions shall be issued under the provisions of 65 Pa.C.S. § 1107(10) (relating to powers and duties of commission).

(b) Requests for Commission opinions will be considered in accordance with the procedures outlined in §§ 23.1—23.6.

* * * * *

§ 13.5. Public access.

* * * * *

(b) The Commission will transmit, free of charge, copies of each order, advice and opinion which has become a matter of public record quarterly to the law library of each county, one public library in each county, the State Library, the State Senate Library, each authority appointing Commission members under this act, the County Commissioners Association of Pennsylvania, the Pennsylvania State Association of Boroughs, the Pennsylvania State Association of Township Supervisors, the Pennsylvania State Association of Township Commissioners, the Pennsylvania School Boards Association and the Pennsylvania League of Cities and Municipalities.

* * * * *

CHAPTER 15. STATEMENTS OF FINANCIAL INTERESTS, APPLICABILITY

§ 15.1. Federal officials, employees and candidates.

(a) Federal officials, employees and candidates are not required to file the Statement of Financial Interests with regard to their Federal position.

(b) Federal officials, employees and candidates who serve with the Commonwealth or a political subdivision as part of an exchange or comparable program are required to file a Statement of Financial Interests.

§ 15.2. Public officials and public employees.

(a) Public officials and employees shall file a Statement of Financial Interests for the preceding calendar year by May 1 of each year during which they hold office or a position and by May 1 of the year after they leave the position.

* * * * *

(d) Public employees of the Commonwealth shall file with the State agency with which they are employed.

(e) County and local officials, and employees, shall file with the governing body of the political subdivision in which they serve or are employed.

(f) In an election year, public officials and public employees who are also candidates, shall, in addition, file at the times and locations required by candidates.

* * * * *

§ 15.3. Candidates and nominees.

(a) A candidate for State level public office shall file a Statement of Financial Interests with the Commission on or before the last day for filing a petition to appear on the ballot and a copy of the Statement shall be appended to the petition.

(b) A candidate for county or local level public office shall file a Statement of Financial Interests with the governing authority of the political subdivision wherein the candidate is seeking office on or before the last day for filing a petition to appear on the ballot and a copy of the Statement shall be appended to the petition.

* * * * *

(e) A write-in-candidate shall file a Statement of Financial Interests within 30 days of having been nominated or elected unless the person declines the nomination or office within that period of time.

(1) The Statement shall be filed with the Commission for State level public office and with the governing authority of the political subdivision wherein the person has been elected or nominated for county or local level public office.

(2) For the purposes of calculating the 30-day period during which the Statement of Financial Interests shall be filed, the time shall commence on the date that the appropriate board of elections certifies the individual as the winner of a nomination or election.

* * * * *

CHAPTER 17. STATEMENTS OF FINANCIAL INTERESTS, CONTENT

§ 17.1. General.

The person required to file shall list the following general identification information:

(1) The full name and address of the public official, public employee or candidate.

(2) [Reserved].

(3) The position sought or held, and name of the governmental body associated with the position sought or held.

(4) An occupation or profession.

§ 17.4. Income.

* * * * *

(d) An individual or an individual and a spouse who have an investment portfolio with a broker, other than a mutual fund, shall list individually the income from each asset to which subsection (b) applies if the asset may be bought and sold by the individual or by the individual and a spouse.

§ 17.5. Gifts.

* * * * *

(d) The term "friend," under this section, does not include a registered lobbyist or an employee of a registered lobbyist.

§ 17.6. Expense reimbursement.

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(b) This subsection does not apply to expenses reimbursed by a governmental body, or to expenses reimbursed by an organization or association of public officials or employees of political subdivisions which the public official or employee serves in an official capacity.

(c) The reporting requirement shall be based upon the actual expense amount.

§ 17.7. Office, directorship and employment.

A person required to file a Statement of Financial Interests shall disclose the name and address of the business entity with which he is associated and the position held, and whether the person required to disclose is an officer, director, fiduciary or partner—limited or general.

CHAPTER 19. STATEMENTS OF FINANCIAL INTERESTS, MISCELLANEOUS

§ 19.1. Forms; filing.

(a) A person required to file a Statement of Financial Interests shall file Form SEC-1, as published and revised by the Commission.

(b) The Statement of Financial Interests form is available at the Commission, the State Board of Elections, the County Board of Elections and other locations as conditions warrant.

(c) Additional sheets may be attached to the Statement of Financial Interests form if more space is required.

(d) A Statement of Financial Interests sent by a form of electronic transmission that has been approved by the Commission is considered to be filed on the date the Commission receives the electronic copy.

§ 19.3. Late or deficient filings.

* * * * *

(c) The individual notified in accordance with subsection (a) has 20 days from the mailing date of the notice to correct deficiencies or to file a Statement of Financial Interests. If the individual fails to file or to correct his Statement within that time, the Commission will review the matter to determine whether a civil penalty is appropriate under the act.

(d) If the Commission determines that a penalty is appropriate, it will issue a rule to show cause, notifying the individual of his deficiency under the act and of the grounds for the rule and of his opportunity to respond in

writing to the rule. If cause is not shown, the rule and penalty therein become absolute.

(e) The Commission may assess a penalty of not more than \$25 per day for the time a Statement of Financial Interests remains delinquent or deficient, up to a maximum of \$250 total.

(f) The penalty in subsection (d) is in addition to other penalties provided by law and the filing of a Statement of Financial Interests in accordance with subsection (a) does not otherwise vitiate the failure to comply with the act.

§ 19.4. Availability of Statements of Financial Interests.

(a) Statements of Financial Interests filed with the Commission under the act are available for public inspection and copying at a charge not to exceed actual cost at the office of the Commission in Harrisburg, Pennsylvania during the Commission's regular business hours.

(b) A governmental body required to maintain Statements of Financial Interests shall make them available for public inspection and copying during regular business hours.

(c) Statements of Financial Interests more than 1 year old will be made available for public inspection and copying within 2 working days after the request has been made for the Statements. The Statements shall be kept on file for 5 years after the Commission or governmental body receives the Statements.

CHAPTER 21. INVESTIGATIONS

GENERAL

§ 21.5. Conduct of investigations.

* * * * *

(i) Subpoenas issued under subsection (g) or (h) will be authorized by the Commission and signed by the Chair or Vice Chair. Subpoenas may be served by a person empowered to do so or as designated by the Executive Director.

(j) Within 180 days of commencing the investigation, the Commission will do one of the following:

(1) Terminate the investigation and notify the complainant and respondent.

(2) Rule upon a request for an extension by the Executive Director, upon a showing of need, not to exceed 90 days.

(i) The granting of or denial of a request for an extension requires a majority vote of a quorum of the Commission.

(ii) A maximum of two extensions may be granted.

(iii) A findings report will be issued within 180 days after the commencement of an investigation or within the time period of a granted extension.

(3) Issue a findings report which sets forth the pertinent facts, and affords the respondent an opportunity to respond to the findings and to request an evidentiary hearing.

(k) The respondent shall file a response to the findings report of the Commission within 30 days, unless an application for an extension is made to the Commission and granted for good cause shown.

(l) The respondent shall admit or deny the allegations in the findings report by number. Anything not specifically denied or general denials will be deemed an admission of the individual factual finding.

(2) New matter raised by a respondent in his answer does not require a reply by the Commission.

(1) [Reserved].

(m) If an investigation conducted under the act indicates that no violation has been committed, the Commission will immediately terminate the investigation and send written notice of the determination to the complainant and the person who was the subject of the investigation.

(n) Subsection (h) supersedes 1 Pa. Code §§ 35.142 and 35.145 (relating to subpoenas; and depositions).

HEARINGS

§ 21.21. General.

(a) The Commission will conduct hearings upon the request of a respondent. A respondent shall request a hearing in his answer to the findings report or separately within 30 days of the issuance of the findings report. Failure to request a hearing within the time period will be deemed a waiver.

(1) The respondent may be granted an extension for filing an answer upon application to the Chief Counsel and for good cause shown. The Chief Counsel may grant an extension up to 30 days.

(2) Further requests shall be made to the Chair 2 weeks prior to the extended deadline. The Chair may grant a second extension if extraordinary circumstances are demonstrated in writing.

(3) Extensions granted will correspondingly advance other deadlines provided for in the act.

(4) A hearing will be held within 45 days after the respondent's answer to the findings report unless the time is extended upon application for good cause shown.

(5) A notice of hearing will be issued to the respondent unless represented by counsel in which case to counsel within a reasonable period of time prior thereto. The notice will advise of the date, time and location of the hearing, and of the hearing rights, privileges, process and procedures in this section.

(6) Hearings will be conducted in Harrisburg, Pennsylvania. A request for a hearing in Philadelphia or Pittsburgh will be granted, if filed with the Commission within 7 days after the notice of hearing is mailed. Failure to request a hearing in those locations within the time period will be deemed a waiver of the right.

(b) Hearings will be conducted before one or more members of the Commission. The Commission may appoint a hearing officer for the conduct of the hearings.

§ 21.23. Scope of hearing.

(a) Hearings may be conducted as follows based upon the express agreement of the parties:

(1) Full evidentiary hearing.

(1.1) Limited hearing based on partially stipulated facts.

(2) Oral argument based on stipulated findings.

(3) Submission on briefs.

(4) [Reserved].

(b) The respondent has the right to a full hearing, if so requested.

* * * * *

§ 21.24. Hearing officer.

(a) It is the duty of the hearing officer and he has the power to do one or more of the following:

(1) Schedule and conduct a hearing as required to resolve the matter and to provide the parties with proper notice of the hearing.

(2) Administer oaths or affirmations to witnesses.

(3) Rule on motions, objections or other matters arising during the hearing.

(4) Ensure that all parties have a full and fair opportunity to be heard.

(5) Ensure that a record of the proceedings is available for review by the Commission.

(6) Advise witnesses and parties to the hearing of the confidentiality requirements of the act.

(7) Advise witnesses or the respondents, when not represented by counsel, of their rights as witnesses.

(8) Issue subpoenas upon written request for the production of documents, records and persons needed for the proceeding. The hearing officer will be provided with the name and addresses of the persons and a description of the documents or records involved, and will be satisfied that the documents, records or testimony are relevant and are not protected by privilege.

(9) Arrange for the payment of witness fees and mileage expenses or pay other related expenses as required by law.

(b) The hearing officer will make the following available to the Commission to the extent applicable:

(1) A transcript of the hearing, including exhibits.

(2) Motions, briefs, memorandums or documents filed by a party to the proceeding.

(c) Subsection (a) supersedes 1 Pa. Code § 35.187 (relating to authority delegated to presiding officers).

§ 21.26. Motions.

(a) A motion filed prior to the issuance of a notice of hearing will be submitted to the Chair, Vice Chair or designated hearing officer who will rule on the matter unless in the exercise of his discretion the motion should be submitted to the Commission for a determination at the next scheduled executive session of the Commission.

* * * * *

§ 21.29. Finality; reconsideration.

* * * * *

(b) A party may ask the Commission to reconsider an order or opinion within 30 days of service of the order or opinion. The requester shall present a detailed explanation setting forth the reason why the order or opinion should be reconsidered.

* * * * *

**CHAPTER 23. COMMISSION
GENERAL PROVISIONS**

§ 23.1. Meetings.

Meetings of the Commission will be held at the call of the Chair or any four members, at a time and location and for a purpose as may be determined by the Chair or the four other members.

§ 23.3. Presiding officer.

(a) The Commission will elect a Chair and Vice Chair. The Chair will preside over Commission meetings. If the Chair is absent or that position is vacant, the Vice Chair will preside.

(b) If the Chair and Vice Chair will be absent from a Commission meeting, the Chair, or the Vice Chair if presiding, may designate a Commission member to preside for a scheduled meeting.

* * * * *

§ 23.4. Conduct of meetings.

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(c) *Public meetings.* Meetings of the Commission will be open to the general public at a time and place announced in advance under 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act).

(d) *Executive session.* Executive sessions of the Commission will be announced at public meetings of the Commission, including the time and reason for holding of an executive session.

§ 23.7. Election of Chair and Vice Chair.

(a) At the first meeting of every odd calendar year, a quorum of the Commission will elect a Chair and Vice Chair. Commission members who are nominated for these positions are not precluded from voting.

(b) The term of office for the Chair and Vice Chair is 2 years or until the election of the Chair and Vice Chair as set forth in subsection (a).

(c) The Chair and Vice Chair are eligible to serve successive terms.

(d) Notice of the election will be public and announced during the final meeting of the Commission in the year preceding the year in which the terms of office of the serving officers expire.

(e) In the event of the completion of the term of office and non-reappointment, resignation, removal or incapacity of the Chair, the Vice Chair will serve the unexpired term of the Chair or will serve during the period of incapacity of the Chair.

(f) Upon the resignation, removal, completion of the term and non-reappointment, or in the event that the Vice Chair must assume the duties of the Chair, a majority of the quorum of the Commission may schedule a special election to elect a Vice Chair.

(g) Notice of a special election will be publicly announced at least 30 days prior to the election. Notice will be forwarded to the members of the Commission.

(h) The Chair, or Vice Chair may be removed as officers, but not as Commissioners, for just cause upon a majority vote of the Commission.

(i) A motion to remove a member of the Commission from the offices mentioned in subsection (h) may be made by a Commission member.

(j) A member may not be removed unless given reasonable notice and an opportunity to be heard.

CODE OF CONDUCT

§ 23.22. Prohibited activities.

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(e) If a Commissioner violates 65 Pa.C.S. § 1106(d) (relating to State Ethics Commission), a majority of the Commission may declare the seat vacant.

(1) A motion to remove a Commissioner will be made by a Commission member.

(2) A Commissioner may not be removed prior to notice and an opportunity to be heard.

§ 23.23. Limitations on voting/recusal.

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(d) A Commissioner’s participation involving parties with whom the Commissioner has had substantial prior contact may present a conflict under subsection (b) depending on the totality of the circumstances. Circumstances to be considered include whether the matter involves one or more of the following:

- (1) A relative of the Commissioner.
(2) A former employer or employee.

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CHAPTER 25. WRONGFUL USE OF THE ACT

§ 25.2. Initiation of proceedings.

(a) The Commission may initiate proceedings to determine whether there has been a wrongful use of the act through the filing of a notification by a public official/public employee as provided for in 65 Pa.C.S. § 1108(l) (relating to investigations by commission), which notification shall contain the following:

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[Pa.B. Doc. No. 24-540. Filed for public inspection April 19, 2024, 9:00 a.m.]

PROPOSED RULEMAKING

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 603a, 633a, 687a,
812a AND 819a]

Table Game Equipment; Blackjack; DJ Wild Stud Poker; Interactive Gaming Player Accounts; and Interactive Gaming Progressives

The Pennsylvania Gaming Control Board (board), under 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) § 13A02(1) and (2) (relating to regulatory authority), and § 13B02(a)(3), (6), (7) and (9) (relating to regulatory authority) proposes to amend Subpart K (relating to table games) by adding §§ 603a.22 and 603a.23 (relating to Direct Bet Coupons; physical characteristics and issuance; and Direct Bet Coupon use) and amending Chapters 633a and 687a (relating to Blackjack; and DJ Wild Stud Poker), and proposes to amend Subpart L (relating to interactive gaming) by adding Chapter 819a (relating to interactive gaming progressives) and by amending § 812a.9 (relating to player account controls).

Purpose

This proposed rulemaking is to provide standards for the issuance and use of Direct Bet Coupons, to provide standards for interactive gaming progressive wagers and to amend certain provisions in table games rules and interactive gaming player account controls.

Explanation

In proposed Annex A, Chapter 603a (relating to table game equipment) is amended to add §§ 603a.22 and 603a.23. The proposed addition of these sections provides for the authorization and framework for the issuance and use of Direct Bet Coupons, a promotional product in brick-and-mortar casinos. Direct Bet Coupons operate similarly to Match Play Coupons, authorized under §§ 603a.20 and 603a.21 (relating to Match Play Coupons; physical characteristics and issuance; and Match Play Coupon use), except that Direct Bet Coupons do not require players to at least match the promotional play value with money out of their pockets. Direct Bet Coupons will allow licensees in this Commonwealth to offer a promotional product similar to those allowed by competing casinos in neighboring jurisdictions.

The Direct Bet Coupon regulations contemplate licensees utilizing computerized systems for instantaneous creation of Direct Bet Coupons (patron-operated kiosks or casino staff-operated computer/printer systems) or Direct Bet Coupons printed by either gaming service providers or the licensees themselves (non-instantaneously produced). These non-instantaneously produced coupons represent “blanks” that may not contain all the identifying information required under § 603a.22(d) while held in inventory but must contain all the identifying information required under subsection (d) at the time they are being issued to a patron for use. Instantaneously produced coupons must contain all the required identifying information required under subsection (d) at the time of printing, as this also represents the time of issuance to the patron.

A distinguishing procedural consideration between instantaneously produced and non-instantaneously pro-

duced coupons is that non-instantaneously produced coupons require additional inventory, control and reconciliation procedures to ensure the “blank” coupons are not accidentally or intentionally misplaced or misappropriated. Instantaneously produced coupons are printed or produced, at the time of issuance, meaning there are no “blank” coupons to be inventoried, controlled, monitored and reconciled. Regardless of production method, all Direct Bet Coupons issued to patrons will be required to be accounted for in the Direct Bet Coupon ledger and the monthly reporting to the board.

Also under proposed Annex A, Subpart L is being amended to add Chapter 819a. This addition adds a framework to interactive gaming regulations for licensees to offer progressive wagers in the online gaming market. Specifically, § 819a.1 (relating to interactive gaming progressives) addresses an interactive gaming operator offering progressive wagers. Section 819a.2 (relating to interactive gaming wide area progressives) provides the framework by which interactive gaming progressive wagers will be allowed to be offered collaboratively between multiple interactive gaming operators.

Annex B of this proposed rulemaking seeks to edit existing final-form regulations. The first proposed edit updates § 633a.13(k) (relating to payout odds; payout limitation) to delete an antiquated payable to ensure that payouts to patrons reflect probabilities of occurrence of events—namely that winning events with lower probabilities of occurrence (harder hands to achieve) should be rewarded with greater potential payouts.

Next, two edits are proposed to Chapter 687a, which provides the table game rules for DJ Wild Stud Poker. The first edit is to the Two-Way Bad Beats bonus wager under § 687a.11(f)(3) (relating to procedures for completion of each round of play). As presently written in the regulations, this optional side wager operates as a traditional Bad Beats wager, rather than as the Two-Way Bad Beats wager that was intended. The proposed revision corrects the regulatory language to provide that when either the player’s or dealer’s hand is comprised of a three-of-a-kind or better and loses, then the Two-Way Bad Beats bonus wager shall be deemed to have won. The second edit is to Paytable 1 under § 687a.12(c) (relating to payout odds; progressive wager configuration). The regulation presently provides for a \$2,000 seed/reseed. Review of the initial submission to the board reflects that Paytable 1 should consist of a \$10,000 seed/reseed.

The final proposed amendment, presented as part of Annex B, seeks to change the 30-minute timeout under § 812a.9(c)(1) (relating to player account controls) to a 15-minute timeout. This change would make the failure to receive a response timeout under § 812a.9(c)(1) match the requirement that a player re-enter their password after 15 minutes of player inactivity as provided by § 812a.3(a)(6) (relating to account security).

Fiscal Impact

Commonwealth. The board does not expect that this proposed rulemaking will have a fiscal impact on the board or other Commonwealth agencies. All work created because of this proposed rulemaking will be handled by existing board staff.

Political subdivisions. This proposed rulemaking will have no fiscal impact on political subdivisions of this Commonwealth.

Private sector. This proposed rulemaking will provide the regulated gaming market with increased promotion and game/wager options while additionally providing clarifications by way of corrective edits. To the extent that the private sector may experience a fiscal impact, it is anticipated to be a positive fiscal impact.

General public. This proposed rulemaking will have no fiscal impact on the general public.

Paperwork Requirements

Licensees seeking to operate a Direct Bet Coupon program will be required to maintain a Direct Bet Coupon ledger and make periodic reports to the board regarding Direct Bet Coupon issuance and usage. Additionally, licensees would be required to make submissions for lab review software and hardware systems that would facilitate their Direct Bet Coupon programs and would be required to submit appropriate forms to the board for product review. These forms constitute the same paperwork requirement for any board lab submission.

Licensees seeking to operate an interactive gaming wide area progressive system will be required to submit for board review and approval an interactive gaming wide area progressive agreement. This agreement will outline the roles and responsibilities of participating parties. This submission and the board review and approval requirements are consistent with the process required for slot machine wide area progressive systems under § 461a.13 (relating to wide area progressive systems).

Other provisions of this proposed rulemaking will not create paperwork requirements beyond the established procedures for table games submissions or lab review submissions, or both.

Effective Date

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

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Robert Wood, Assistant Chief Counsel, Attention: Regulation # 125-247 Public Comment, Pennsylvania Gaming Control Board, 303 Walnut Street, 5th Floor, Harrisburg, PA 17101, or submitted by way of electronic mail, subject: Regulation # 125-247 to PGCBregs@pa.gov.

Contact Person

The contact person for questions about this proposed rulemaking is Robert Wood, Assistant Chief Counsel, (717) 346-8300.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 20, 2024, the board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the chairperson of the Community, Economic and Recreational Development Committee of the Senate and chairperson of the Gaming Oversight Committee of the House of Representatives. A copy of this material is available to the public upon request and is available on the board's web site at www.gamingcontrolboard.pa.gov.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objec-

tions to this 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 board, the General Assembly and the Governor.

DENISE J. SMYLER,
Chairperson

(Editor's Note: See 54 Pa.B. 2093 (April 20, 2024) for a statement of policy relating to this proposed rulemaking.)

Fiscal Note: 125-247. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 603a. TABLE GAME EQUIPMENT

(Editor's Note: Sections 603a.22 and 603a.23 are proposed to be added and are printed in regular type to enhance readability.)

§ 603a.22. Direct Bet Coupons; physical characteristics and issuance.

(a) A certificate holder may utilize Direct Bet Coupons in accordance with this section.

(b) Direct Bet Coupons may be produced instantaneously through the use of computerized systems such as player-operated kiosks or a system utilized by casino staff or may be received from a gaming service provider or produced by the certificate holder.

(c) Direct Bet Coupons may not be issued by a certificate holder or utilized in a licensed facility until:

(1) Design specifications of the proposed coupons are submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment).

(2) A system of internal procedures and administrative and accounting controls governing the inventory, distribution and redemption of the coupons is submitted and approved as part of the certificate holder's internal controls in accordance with § 465a.2 (relating to internal control systems and audit protocols).

(d) Direct Bet Coupons issued to a patron by a certificate holder must contain:

(1) The name or logo of the certificate holder.

(2) The value of the coupon, which can be identified when viewing the coupon through the surveillance system of the certificate holder.

(3) A serial number, barcode, QR code or other mechanism to be used to identify, verify and track coupons.

(4) Restrictions regarding redemption, including the type of game and wagers on which the coupon may be used.

(5) A statement specifying the date on which the coupon expires, which can be identified when viewing the coupon through the surveillance system of the certificate holder.

(6) The name or player identification number of the rated player to whom the coupon is issued.

(e) The marketing department, or other department as specified in the certificate holder's internal controls, and the finance department shall be responsible for administering the Direct Bet Coupon program. The marketing department shall be responsible for distributing the coupons to patrons. The finance department shall be responsible for maintaining the Direct Bet Coupon ledger and administering the coupon accounting procedures as required under subsection (f).

(f) Each certificate holder shall maintain a Direct Bet Coupon ledger which serves as an inventory of Direct Bet Coupons, which shall comply with the following:

(1) The Direct Bet Coupon ledger shall contain all of the following information relating to coupons produced instantaneously:

- (i) Serial number.
- (ii) Date and time of issuance.
- (iii) Value of coupons.
- (iv) Status of the coupon—that is, issued, expired, voided, redeemed, and the like.

(2) The Direct Bet Coupon ledger shall contain inventory information relating to coupons received from a gaming service provider or produced by the certificate holder, as further outlined under subsection (i).

(g) Documentation, voided coupons, redeemed coupons and coupons that were not distributed to patrons shall be forwarded on a daily basis to the finance department where the coupons shall be:

- (1) Counted and examined for proper calculation and recording.
- (2) Reviewed for the propriety of signatures on the documentation and cancelled.
- (3) Reconciled by total number of coupons given to the marketing department for distribution to patrons, returned for reissuance, voided, distributed to patrons and redeemed.
- (4) Recorded, maintained and controlled by the finance department.

(h) Each certificate holder shall prepare and file with the Bureau of Casino Compliance a monthly report which lists, by denomination of Direct Bet Coupon, the total value of the coupons issued to patrons, as well as the total value of the coupons redeemed by patrons.

(i) If the Direct Bet Coupons are received from the gaming service provider or produced by the certificate holder:

(1) Direct Bet Coupons shall be opened and examined by at least one member of the finance department and one member of the marketing department. Deviations between the invoice accompanying the coupons and the actual coupons received shall be immediately reported to a supervisor from the finance department and to the Bureau of Casino Compliance.

(2) A finance department supervisor shall record all of the following information in the Direct Bet Coupon ledger:

- (i) The date the coupons were received.
- (ii) The quantity and denomination of coupons received.
- (iii) The beginning and ending serial number of the coupons received.
- (iv) The name, signature and board-issued credential number of the individuals who checked the coupons.

(3) A marketing department supervisor shall estimate the number of Direct Bet Coupons needed for each gaming day or promotion and complete a requisition document which contains all of the following information:

- (i) The date the requisition was prepared.
- (ii) The date for which the coupons are needed.
- (iii) The denomination and quantity of coupons requested.
- (iv) The name, signature and board-issued credential number of the marketing department supervisor completing the requisition.

(v) The name, signature and board-issued credential number of the finance department supervisor authorizing the requisition.

(4) Upon receipt of the requisition document, the finance department supervisor shall record in the Direct Bet Coupon ledger the following information before the coupons are issued to the marketing department supervisor:

- (i) The beginning and ending serial number of the coupons issued.
- (ii) The denomination and quantity of coupons issued.
- (iii) The name, signature and board-issued credential number of the finance department supervisor who issued the coupons.
- (iv) A record and explanation of coupons that were voided.

(5) Direct Bet Coupons that are not issued to the marketing department shall be controlled by a finance department supervisor or above and stored in a secured and locked area approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The certificate holder shall include in its internal controls the location of the approved storage area.

(6) The marketing department shall maintain a daily Direct Bet Coupon Reconciliation Form which must contain:

- (i) The date.
- (ii) The beginning and ending serial numbers of the coupons received from the finance department.
- (iii) The denomination and quantity of coupons the marketing department has to distribute to patrons.
- (iv) The denomination and quantity of coupons the marketing department distributed to patrons.
- (v) The denomination, quantity and serial numbers of coupons remaining.
- (vi) The serial numbers of coupons that were voided and the reason the coupons were voided.
- (vii) Variations discovered and an explanation of the variations.
- (viii) The name, signature and board-issued credential number of the marketing department supervisor completing the form.

(j) At the end of the gaming day, a copy of the Direct Bet Coupon Reconciliation Form and Direct Bet Coupons that were not distributed to patrons shall be returned to the finance department. The marketing department may keep for use during the next gaming day Direct Bet Coupons that were not distributed to patrons provided the Direct Bet Coupons are stored in a secured and locked area approved by the Bureau of Casino Compli-

ance in accordance with § 601a.10(f) and recorded on the daily Direct Bet Coupon Reconciliation Form for the next gaming day. Expired coupons shall be returned to the finance department on a daily basis.

(k) At least once every month, each certificate holder shall inventory the Direct Bet Coupons that are not distributed to patrons and record the result of the inventory in the Direct Bet Coupon ledger. The procedures to be utilized to inventory the Direct Bet Coupons shall be submitted for approval as part of the certificate holder's internal controls.

(l) When unused and expired Direct Bet Coupons are returned to the finance department, a finance department supervisor shall record all of the following information in the Direct Bet Coupon ledger:

- (1) The date the coupons were returned.
- (2) The beginning and ending serial numbers of the coupons returned.
- (3) The denomination and quantity of the coupons returned.
- (4) The serial numbers of any coupons that were voided and the reason the coupons were voided.
- (5) The name, signature and board-issued credential number of the marketing department supervisor returning the unused coupons and the name, signature and board-issued credential number of the finance department supervisor who received the unused coupons.

(m) A certificate holder may internally manufacture or print Direct Bet Coupons provided that internal controls governing the production and subsequent reconciliation of the coupons are submitted and approved by the board.

(n) If included in the certificate holder's internal controls, required under § 465a.2, a certificate holder may authorize a gaming service provider to print and mail Direct Bet Coupons directly to patrons in accordance with all of the following requirements:

- (1) The Direct Bet Coupons mailed by the gaming service provider must comply with subsections (c) and (d).
- (2) The certificate holder shall supply the gaming service provider, through electronic means, a list of all of the following information for each patron to whom the Direct Bet Coupon shall be mailed:
 - (i) The patron's name.
 - (ii) The patron's address.
 - (iii) The denomination of the Direct Bet Coupon.
 - (iv) The expiration date of the Direct Bet Coupon.
 - (v) The serial number on the Direct Bet Coupon.

(3) The Direct Bet Coupon issued must include a means, such as magnetic strip, bar code or QR code, that will enable the certificate holder's computer system to identify the information required under paragraph (2).

(4) The information in paragraph (2) shall be provided to the finance department which shall maintain the information for purposes of inventory and reconciliation as required under subsections (f) and (g).

(5) Direct Bet Coupons issued must be electronically canceled in the certificate holder's computer system immediately upon redemption or during the counting of the table game drop boxes as provided in § 465a.25 (relating to counting and recording of slot cash storage boxes and table game drop boxes).

(6) The certificate holder is responsible for ensuring that the gaming service provider does not mail Direct Bet Coupons to individuals on the casino self-exclusion list under Chapter 503a (relating to casino self-exclusion) or the exclusion list under Chapter 511a (relating to persons required to be excluded).

(o) A certificate holder may utilize a computerized system that complies with the requirements in this section provided that:

(1) The computerized system creates Direct Bet Coupons that comply with the requirements in subsection (d).

(2) The computerized system provides an equivalent audit trail and allows for the segregation of duties to satisfy the requirements in this section.

(3) The certificate holder includes in its internal controls required under § 465a.2 procedures governing the production, recording and reconciliation of the computer-generated Direct Bet Coupons.

§ 603a.23. Direct Bet Coupon use.

(a) A Direct Bet Coupon may be redeemed only at a gaming table in which patrons wager against the house.

(b) A Direct Bet Coupon shall be verified as being valid by a dealer or boxperson prior to being accepted as a wager.

(c) A Direct Bet Coupon must be electronically canceled in the casino management system upon redemption.

(d) Only one Direct Bet Coupon may be used per patron per round of play.

(e) A Direct Bet Coupon may be utilized on main wagers that have payout odds of 1 to 1. Examples of acceptable wagers include:

- (1) In Roulette wagers on "Red," "Black," "Odd," "Even," "1—18" or "19—36."
- (2) In Pai Gow, on the main Pai Gow wager.
- (3) In Craps or Minicraps on the "Pass" or "Don't Pass."
- (4) In Baccarat, Minibaccarat, Midibaccarat or other Baccarat variations, on the "Player" or "Banker."
- (5) In Blackjack, Spanish 21 or other Blackjack variations, on the main Blackjack wager.

(f) Whether the wager wins or loses, the dealer shall deposit the Direct Bet Coupon into the drop box attached to the gaming table at the time the winning wager is paid or the losing wager is collected. If the wager is a push, the Direct Bet Coupon shall remain in play for the next round.

(*Editor's Note:* Chapter 819a is proposed to be added and is printed in regular type to enhance readability.)

Subpart L. INTERACTIVE GAMING CHAPTER 819a. INTERACTIVE GAMING PROGRESSIVES

- Sec.
819a.1. Interactive gaming progressives.
819a.2. Interactive gaming wide area progressives.

§ 819a.1. Interactive gaming progressives.

(a) An interactive gaming certificate holder or interactive gaming operator licensee operating on behalf of an interactive gaming certificate holder may offer progressive jackpots that:

- (1) Increase in value based upon an approved rate of progression.
- (2) Are awarded for a specific outcome or event.

(b) An interactive gaming progressive must include:

(1) The rules governing the award of the progressive readily available to players.

(2) A progressive meter, visible to the players, which must increase in value based upon wagers placed, and that advises players of the amount which can be won if the player receives the corresponding outcome.

(3) A cumulative progressive payout meter that continuously and automatically records the total value of progressive jackpots paid to winning players.

(c) An interactive gaming progressive may not be offered for play until all of the following have been submitted to the Bureau of Gaming Laboratory Operations for review and approval, in accordance with § 461a.4 (relating to submission for testing and approval):

(1) The progressive software, including a mechanism to authenticate and review the software.

(2) The rules governing the progressive, including how they will be displayed to players.

(3) The initial seed and reseed amounts at which the progressive meter will be set.

(4) The proposed rate of progression for each progressive jackpot.

(5) The proposed incrementation rate for a reserve pool, if any, to fund the next reset amount.

(d) A modification to an interactive gaming progressive may not be offered for play until a written explanation of the modification has been submitted to the Bureau of Gaming Laboratory Operations for review and approval granted, in accordance with § 461a.4.

(e) Two or more linked games offering the same progressive jackpot may be of different denominations or have different wagers, or both, required to win the progressive jackpot, provided that:

(1) The probability of winning the progressive jackpot is directly proportional to the wager required to win that jackpot.

(2) Notice indicating the proportional probability of hitting the interactive gaming progressive jackpot is conspicuously displayed.

(f) Prior to an interactive gaming progressive being offered, the operator shall be required to update its internal controls.

(1) The internal controls shall provide the procedures by which jackpots are reconciled.

(2) The internal controls shall provide for the procedures for investigating and reporting variances.

(g) In the event of a malfunction, the interactive gaming progressive shall be made unavailable to players.

(1) The operator shall notify the board in writing within 24 hours of a malfunction.

(2) The operator shall investigate the cause of the malfunction and provide updates to the board.

(3) The operator shall not make the progressive available to players again until board approval of corrective action has been granted.

(h) Interactive gaming progressive jackpot meters may not be turned back to a lesser amount unless one of the following occurs:

(1) The amount indicated has been actually paid to a winning patron and the interactive gaming progressive jackpot amount has been recorded in accordance with the internal controls approved by the board.

(2) With written approval, the interactive gaming progressive jackpot has been transferred to another interactive gaming progressive or interactive gaming wide area progressive system.

(3) The change is necessitated by a malfunction. An explanation shall be provided, and the board consulted, prior to the adjustment being made.

(i) An interactive gaming progressive may be transferred or terminated after written notice has been provided to the board subject to the following:

(1) Players shall be given at least 30 days' notice, in a manner approved by the board, prior to an interactive gaming progressive being terminated or transferred.

(2) The transfer is to another board-approved interactive gaming progressive, and the board has verified and approved the comparability of the two interactive gaming progressives.

(3) The transfer represents the entire interactive gaming progressive pot.

(4) An interactive gaming progressive may be terminated concurrent with the winning of the progressive jackpot, provided that the progressive was so configured prior to the winning of the jackpot.

§ 819a.2. Interactive gaming wide area progressives.

(a) Two or more interactive gaming certificate holders or interactive gaming operator licensees, or both, may, with the prior written approval of the board, operate an interactive gaming wide area progressive system.

(b) An interactive gaming wide area progressive system shall be operated in accordance with the relevant requirements of the act and the board's regulations, including § 819a.1 (relating to interactive gaming progressives).

(c) An interactive gaming wide area progressive system shall be operated and administered by participating certificate holders and licensees in accordance with the terms and conditions of a written agreement executed by the participating certificate holders and licensees. The agreement, to be referred to as an interactive gaming wide area progressive agreement, must be submitted in writing and approved by the board prior to implementation.

(1) The interactive gaming wide area progressive agreement shall include terms covering the operation and administration of the interactive gaming wide area progressive system.

(2) The interactive gaming wide area progressive agreement shall identify and describe with specificity the duties, responsibilities and authority of each participating certificate holder or licensee, or both.

(3) The interactive gaming wide area progressive agreement shall outline the responsibilities for funding and payment of all jackpots, fees and taxes associated

with the operation of the interactive gaming wide area progressive system.

(4) The interactive gaming wide area progressive agreement shall detail the process by which significant decisions with regard to the operation of the interactive gaming wide area progressive system are approved and implemented by the participating certificate holders or licensees, or both.

(5) The interactive gaming wide area progressive agreement shall outline the responsibilities for maintaining records and notifying the board.

(d) Certificate holders and licensees that are party to an interactive gaming wide area progressive agreement shall be required to update internal controls prior to beginning interactive gaming wide area progressive operations.

(e) An interactive gaming wide area progressive may only be transferred to another game that is available on all interactive gaming wide area progressive agreement participants' sites. The transfer must include the entirety of the progressive jackpot pool, including all seed/reseed amounts collected.

(f) Each party to an interactive gaming wide area progressive agreement shall be liable for acts, omissions and violations of the act and this part related to its own individual duties and responsibilities under the slot system agreement, unless the slot system agreement specifically provides that the parties will be jointly and severally liable.

Annex B

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

SUBPART K. TABLE GAMES

CHAPTER 633a. BLACKJACK

§ 633a.13. Payout odds; payout limitation.

* * * * *

(k) The certificate holder shall pay out winning Three Card Poker wagers at odds in [**one of**] the following pay [**tables**] **table** selected by the certificate holder in its Rules Submission **form** filed in accordance with § 601a.2:

<i>Hand</i>	[Paytable A]	<i>Paytable [B]</i>
Straight flush	[9 to 1]	30 to 1
Three-of-a-kind	[9 to 1]	20 to 1
Straight	[9 to 1]	10 to 1
Flush	[9 to 1]	5 to 1

(l) If the certificate holder offers the Hit and Run progressive wager:

* * * * *

CHAPTER 687a. DJ WILD STUD POKER

§ 687a.11. Procedures for completion of each round of play.

* * * * *

(f) After settling the player's Ante wager, Blind wager and Raise wager, the dealer shall settle any optional wagers as follows:

(1) For the progressive bonus wager, if the player has been dealt the Joker Wild card, it will be replaced in his hand with the one card in the area on the layout

described in § 687a.2(b)(4) (relating to DJ Wild Stud Poker Table; physical characteristics).

(i) If the player's highest ranking DJ Wild Stud Poker hand is not three-of-a-kind or better, as provided in § 687a.6(d), the dealer shall collect the losing progressive bonus wager.

(ii) If the player's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better, as provided in § 687a.6(d), the dealer shall pay the winning progressive bonus wager in accordance with § 687a.12(c).

(2) For the Trips bonus wager:

(i) If the player's highest ranking DJ Wild Stud Poker hand is not three-of-a-kind or better, as provided in § 687a.6(e), the dealer shall collect the losing Trips bonus wager.

(ii) If the player's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better, as provided in § 687a.6(e), the dealer shall pay the winning Trips bonus wager in accordance with § 687a.12(d).

(3) For the Two-Way Bad Beat bonus wager:

(i) If the player's highest ranking DJ Wild Stud Poker hand [**is**] **and the dealer's highest ranking DJ Wild Stud Poker hand are not both** three-of-a-kind or better, or the player's **and dealer's** highest ranking [**hand is**] **hands tie being** a three-of-a-kind or better [**but does not lose to the dealer's higher ranking hand,**] as provided in § 687a.6(f), the dealer shall collect the losing Two-Way Bad Beat bonus wager.

(ii) If the player's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better and loses to the dealer's higher ranking hand, as provided in § 687a.6(f), the dealer shall pay the winning Two-Way Bad Beat bonus wager in accordance with § 687a.12(e).

(iii) If the dealer's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better and loses to the player's highest ranking hand, as provided in § 687a.6(f), the dealer shall pay the winning Two-Way Bad Beat bonus wager in accordance with § 687a.12(e).

(g) After all wagers of the player have been settled, the dealer shall remove any remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

* * * * *

§ 687a.12. Payout odds; progressive wager configuration.

* * * * *

(c) A certificate holder shall pay out winning progressive bonus wagers in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission **form** filed in accordance with § 601a.2 (relating to table games Rules Submission):

<i>Progressive Paytable 1; \$1 Wager; [\$2,000] \$10,000 seed and [re-seed] reseed</i>		
<i>Hand</i>	<i>Pay</i>	<i>Envy</i>
Royal flush	100% of meter	\$1,000
Straight flush	10% of meter	\$300
Four-of-a-kind	300 to 1	
Full house	50 to 1	

<i>Progressive Paytable 1; \$1 Wager; [\$2,000] \$10,000 seed and [re-<u>seed</u>] reseed</i>		
<i>Hand</i>	<i>Pay</i>	<i>Envy</i>
Flush	40 to 1	
Straight	30 to 1	
Three-of-a-kind	9 to 1	

<i>Progressive Paytable 2; \$5 wager; \$10,000 seed and [re-<u>seed</u>] reseed</i>		
<i>Hand</i>	<i>Pay</i>	<i>Envy</i>
Royal flush	100% of meter	\$5,000
Straight flush	10% of meter	\$1,500
Four-of-a-kind	300 to 1	
Full house	50 to 1	
Flush	40 to 1	
Straight	30 to 1	
Three-of-a-kind	9 to 1	

(d) A certificate holder shall pay out winning Trips bonus wager as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

* * * * *

Subpart L. INTERACTIVE GAMING
CHAPTER 812a. INTERACTIVE GAMING PLAYER ACCOUNTS

§ 812a.9. Player account controls.

* * * * *

(c) Interactive gaming systems must employ a mechanism that detects session inactivity and terminates a player session when applicable.

(1) If the interactive gaming system fails to receive a response from the interactive gaming device within [30] 15 minutes, whether the player has been in away from computer mode or not, the interactive gaming system must implement a user inactivity timeout and terminate the player session.

(2) If a player session is terminated due to player inactivity timeout, the interactive gaming device must display to the player the player session termination (that is, the user inactivity timeout) upon the player’s next attempted action on the interactive gaming system.

(3) Further game play is not permitted until the interactive gaming system and the interactive gaming device establish a new session.

(d) A player session ends when:

* * * * *

[Pa.B. Doc. No. 24-541. Filed for public inspection April 19, 2024, 9:00 a.m.]

STATEMENTS OF POLICY

Title 10—BANKING AND SECURITIES

DEPARTMENT OF BANKING AND SECURITIES

[10 PA. CODE CH. 19]

Virtual Currency—Statement of Policy

The Department of Banking and Securities (Department) adds § 19.1a (relating to virtual currency—statement of policy) to clarify the Department’s interpretation of the term “money” in the act of September 2, 1965 (P.L. 490, No. 249) (7 P.S. §§ 6101—6118), referred to as the Money Transmission Business Licensing Law and commonly known as the Money Transmitter Act (act) to read as set forth in Annex A. This statement of policy is intended to provide guidance to the regulated community regarding the meaning of the term “money” in the act.

Effective Date

This statement of policy shall take effect October 15, 2024.

Statutory Authority

The statement of policy is issued under the authority of section 10(a)(4) of the act (7 P.S. § 6110(a)(4)), which states that the Department shall have the authority to “[i]ssue regulations, statements of policy or orders as may be necessary for the proper conduct, including safety and soundness, of the money transmission business by licenses, the issuance and renewal of licenses and the enforcement of this act.”

Section 102 of the Commonwealth Documents Law (45 P.S. § 1102) defines “statement of policy” as “any document, except an adjudication or a regulation, promulgated by an agency which sets forth substantive or procedural personal or property rights, privileges, immunities, duties, liabilities or obligations of the public or any part thereof, and includes, without limiting the generality of the foregoing, any document interpreting or implementing any act of Assembly enforced or administered by such agency.” Statements of policy that are general and permanent in nature are required to be codified in the *Pennsylvania Code* under 1 Pa. Code § 3.1 (relating to contents of Code).

Description of the Statement of Policy

Section 2 of the act (7 P.S. § 6102) governs the business of transmitting money, and provides, “[n]o person shall engage in the business of transmitting money by means of a transmittal instrument for a fee or other consideration with or on behalf of an individual without first having obtained a license from the department.” Currently, the Department regulates these persons under Chapter 19 (relating to money transmitters).

“Money” is defined in the act as “currency or legal tender or any other product that is generally recognized as a medium of exchange.” See 7 P.S. § 6101 (Emphasis added). Virtual currency is increasingly and widely accepted as a method of payment throughout the United States and can be used to purchase goods and services in thousands of physical locations and online. This statement of policy is intended to clarify to the regulated community that the Department includes virtual currency under its interpretation of “money” under the act and in

Chapter 19 because virtual currency is a product that is generally recognized as a medium of exchange. In practice, this means that the Department expects that all persons engaged in the business of transmitting virtual currency by means of a transmittal instrument for a fee or other consideration will obtain a license from the Department, if they have not yet done so. Applications for licenses to transmit virtual currency may be completed through the National Multistate Licensing System and Registry in the same manner as all other money transmitter licenses. This statement of policy will be effective October 15, 2024, so that persons engaged in the business of transmitting virtual currency by means of a transmittal instrument for a fee or other consideration with or on behalf of an individual, who have not already obtained a license, will have sufficient time to take action in accordance with the Department’s interpretation.

Fiscal Impact and Paperwork Requirements

This statement of policy will have no adverse fiscal impact on the Commonwealth or its political subdivisions and will impose no additional paperwork requirements upon the Commonwealth or political subdivisions. The Department does not track how many individuals are currently engaged in the business of transmitting virtual currency in the private sector. The cost for an individual to apply for a license is \$5,000, and the cost for a license renewal is \$5,000. Money transmitters must renew their licenses annually. Paperwork requirements for the regulated community include the initial license application and the annual license renewal application.

Sunset Date

A sunset date is not being established for this statement of policy.

Additional Information

Persons who require additional information about this statement of policy may submit inquiries to the Chief Counsel, 17 North 2nd Street, Suite 1300, Harrisburg, PA 17101, (717) 787-1471 or RA-BNChiefCounsel@pa.gov.

WENDY S. SPICHER,
Secretary

(Editor’s Note: Title 10 of the Pennsylvania Code is amended by adding a statement of policy in § 19.1a to read as set forth in Annex A.)

Fiscal Note: 3-60. No fiscal impact; recommends adoption.

Annex A

TITLE 10. BANKING AND SECURITIES

PART II. BUREAU OF BANKS

CHAPTER 19. MONEY TRANSMITTERS

§ 19.1a. Virtual currency—statement of policy.

(a) *Purpose.* The purpose of this statement of policy is to clarify for the regulated community the Department’s current interpretation of the term “money” in the act.

(b) *Interpretation.* For purposes of this chapter, the Department interprets the definition of “money” to include virtual currency, such as Bitcoin.

[Pa.B. Doc. No. 24-542. Filed for public inspection April 19, 2024, 9:00 a.m.]

Title 58—RECREATION**PENNSYLVANIA GAMING CONTROL BOARD**

[58 PA. CODE CH. 603b]

Direct Bet Coupons—Statement of Policy

On February 21, 2024, the Pennsylvania Gaming Control Board (board) adopted the statement of policy in § 603b.1 (relating to Direct Bet Coupons—statement of policy).

Under the authority in 4 Pa.C.S. §§ 1202(b)(30) and 13A02(1) and (2) (relating to general and specific powers; and regulatory authority), the board continues to foster the continued performance and growth of the Commonwealth's regulated gaming market and propose policy and regulatory revision as necessary. The board has promulgated a proposed rulemaking that provides for rules governing the distribution and usage of Direct Bet Coupons, a promotional gaming product that is a variation on Match Play Coupons.

This statement of policy contains applicable provisions for a slot machine licensee to begin utilizing Direct Bet Coupons as part of its promotional portfolio. The Direct Bet Coupons mirror Match Play Coupons in terms of issuance, usage, accounting and control requirements.

This statement of policy is in response to the competitive environment faced by this Commonwealth's brick-and-mortar casino facilities as compared to both out-of-State casinos and online gaming operations in this Commonwealth. This statement of policy allows this Commonwealth's brick-and-mortar casinos to offer promotional gaming products in line with those already being offered by their competitors.

Contact Person

The contact person for questions about this statement of policy is Robert Wood, Assistant Chief Counsel, (717) 346-8300.

Effective Date

This statement of policy is effective upon publication.

DENISE J. SMYLER,
Chairperson

(*Editor's Note:* Title 58 of the *Pennsylvania Code* is amended by adding the statement of policy in § 603b.1 to read as set forth in Annex A. See 54 Pa.B. 2085 (April 20, 2024) for a proposed rulemaking relating to this statement of policy.)

Fiscal Note: 125-249. No fiscal impact; recommends adoption.

Annex A**TITLE 58. RECREATION****PART VII. GAMING CONTROL BOARD****Subpart K. TABLE GAMES****CHAPTER 603b. DIRECT BET COUPONS—
STATEMENT OF POLICY****§ 603b.1. Direct Bet Coupons—statement of policy.**

(a) On January 24, 2024, the board adopted proposed regulations in proposed rulemaking # 125-247 to authorize Direct Bet Coupons as an additional form of promotional gaming product. Direct Bet Coupons are being authorized as a variation of Match Play Coupons which are authorized under §§ 603a.20 and 603a.21 (relating to Match Play Coupons; physical characteristics and issuance; and Match Play Coupon use). Direct Bet Coupons do not require the patron to ante up money to place a wager.

(b) Direct Bet Coupons or similar products are presently authorized in competing jurisdictions. To ensure this Commonwealth's gaming industry remains competitive, the board intends to expedite Direct Bet Coupons in this Commonwealth.

(c) Beginning on the date of publication of this statement of policy, all licensees may begin the process to develop and implement Direct Bet Coupon promotional programs consistent with the proposed regulations in proposed rulemaking # 125-247.

(d) Upon the adoption and publication in the *Pennsylvania Bulletin* of the final-form regulations governing Direct Bet Coupons, this statement of policy shall become void in favor of the final-form regulations and shall be subsequently rescinded.

[Pa.B. Doc. No. 24-543. Filed for public inspection April 19, 2024, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, May 8, 2024. A business meeting will be held the following month on Wednesday, June 5, 2024. Both the hearing and the business meeting are open to the public. The public hearing will be conducted virtually and the business meeting will be held in person.

Public hearing. The Commission will conduct the public hearing virtually on May 8, 2024, beginning at 1:30 p.m. Hearing items will include draft dockets for withdrawals, discharges and other projects that could have a substantial effect on the basin's water resources, as well as resolutions to: (a) adopt the Fiscal Years 2025—2027 Water Resources Program, (b) adopt the Commission's annual current expense and capital budgets for the fiscal year ending June 30, 2025 and (c) apportion among the signatory parties the amounts required for the support of the current expense and capital budgets for the fiscal year ending June 30, 2025. A list of the projects scheduled for hearing, including project descriptions, along with links to draft docket approvals, draft resolutions and resolution attachments, will be posted on the Commission's web site at www.drbc.gov, in a long form of this notice at least 10 days before the hearing date.

Written comments on matters scheduled for hearing on May 8, 2024, will be accepted through 5 p.m. on Monday, May 13, 2024.

The public is advised to check the Commission's web site periodically during the 10 days prior to the hearing date, as items scheduled for hearing may be postponed if additional time is needed to complete the Commission's review. Items also may be added up to 10 days prior to the hearing date. In reviewing docket descriptions, the public is asked to be aware that the details of projects may change during the Commission's review, which is ongoing.

Business meeting. The business meeting on June 5, 2024, will be held in person at the Tusten Theater, 210 Bridge Street, Narrowsburg, NY, beginning at 10:30 a.m. and will include: adoption of the minutes of the Commission's March 6, 2024, business meeting, announcements of upcoming meetings and events, a report on hydrologic conditions, reports by the Executive Director and the Commission's General Counsel and consideration of any items for which a hearing has been completed or is not required. The agenda is expected to include consideration of the resolutions and the draft dockets for withdrawals, discharges and other projects that are subjects of the public hearing on May 8, 2024.

After all scheduled business has been completed and as time allows, the business meeting will be followed by up to 1 hour of open public comment, an opportunity to address the Commission off the record on any topic concerning management of the Delaware River Basin's water resources outside the context of a duly noticed, on-the-record public hearing.

There will be no opportunity for additional public comment for the record at the June 5, 2024, business meeting on items for which a hearing was completed on May 8, 2024, or a previous date. Commission consideration on June 5, 2024, of items for which the public hearing is closed may result in approval of the item as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Deferred items will be considered for action at a public meeting of the Commission on a future date.

Advance registration and sign-up for oral comment. Links for registration to attend and speak during the virtual public hearing and for those who wish to speak during the in-person open public comment session immediately following the business meeting will be posted at www.drbc.gov at least 10 days before each meeting date. The Commission's public hearing, business meeting and open public comment session will also be livestreamed on YouTube at https://www.youtube.com/@DRBC_1961. For assistance contact Patricia Hausler at patricia.hausler@drbc.gov.

Addresses for written comment. Written comment on items scheduled for hearing may be made through the Commission's web-based comment system, a link to which is provided at www.drbc.gov. Use of the web-based system ensures that all submissions are captured in a single location and their receipt is acknowledged. Exceptions to the use of this system are available based on need, by writing to the attention of the Commission Secretary, Delaware River Basin Commission, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360. For assistance contact Patricia Hausler at patricia.hausler@drbc.gov.

Accommodation for special needs. Closed captioning will be available on both webinar and live-stream Internet platforms. Those with limited Internet access may listen and speak at virtual public meetings of the Commission using any of several toll-free phone numbers that will be provided to all virtual meeting registrants.

Other individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 who wish to attend the virtual meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services at 711, to discuss how the Commission can accommodate their needs.

Additional information and contacts. Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Donna Woolf at (609) 883-9500, Ext. 222. For other questions concerning hearing items, contact David Kovach, Project Review Section Manager, at (609) 883-9500, Ext. 264.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 24-544. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Interstate and International Quarantine Order; Restriction of Movement and Pre-Movement Influenza Testing of Dairy Cattle

Recitals:

The following recitals set forth and describe the dangerous transmissible disease for which this Quarantine Order is instituted, specifies the species of domestic animals affected by and subject to this Quarantine Order and provides the authority under which this Quarantine Order is established.

A. Influenza A viruses have the potential to mutate and transfer into different host species.

B. The Highly Pathogenic Avian Influenza (HPAI) Eurasian lineage goose/Guangdong H5 clade 2.3.4.4 virus has been confirmed in wild birds and in poultry flocks across the United States in 2024.

C. HPAI has caused substantial loss in the past to the Pennsylvania poultry industry and has caused widespread losses to the poultry industry in states in which poultry have been infected.

D. The Domestic Animal Law (DAL) (3 Pa.C.S. § 2301 et seq.) provides the Pennsylvania Department of Agriculture (Department) with the authority to establish Quarantines (3 Pa.C.S. § 2329).

E. Section 2329 (related to quarantine) of the DAL (3 Pa.C.S. § 2329) establishes three different types of quarantine orders—Interstate and International (3 Pa.C.S. § 2329(c)), General (3 Pa.C.S. § 2329(d)) and Special (3 Pa.C.S. § 2329(e))—the Department may impose.

F. Section 2321(a) (relating to specific dangerous transmissible diseases) (3 Pa.C.S. § 2321(a)) establishes specific transmissible diseases as dangerous transmissible diseases within the meaning of the DAL.

G. Section 2321(d) (relating to designation of additional dangerous transmissible disease through temporary order) provides, “Upon the determination that a transmissible disease not listed in subsection (a) and not designated a dangerous transmissible disease through regulation under subsection (b) presents a danger to public health, to domestic animal health, to the safety or quality of the food supply or to the economic wellbeing of the domestic animal industries, the department shall issue a temporary order proclaiming that transmissible disease to be a dangerous transmissible disease within the meaning of this chapter. . .” (3 Pa.C.S. § 2321(d)).

H. Certain influenza A viruses, including H5 and H7 viruses, can cause severe disease in poultry and other avian species and have also been identified as a cause of clinical disease in other animals, including dairy cattle and juvenile goats. In March 2024, an H5 influenza A virus was identified as a cause of a multistate outbreak of disease in dairy cattle. Clinical signs in dairy cattle include the following: a sudden drop in feed intake in lactating dairy cows; a subsequent marked drop in individual cow milk production; lactating cows may have thickened milk that appears colostrum-like, or these cows may become agalactic; abnormal manure ranging from dry or tacky to diarrhea. The ability of the HPAI influenza A virus to be transmitted between poultry and cattle poses a threat to both the poultry and the cattle industry in Pennsylvania, the safety or quality of the food supply

and the economic wellbeing of the domestic animal industries. In addition, H5 and H7 influenza A viruses in ruminants pose a risk to public health due to their zoonotic potential.

I. The Department amended a previous Temporary Order Designating Dangerous Transmissible Diseases published in the *Pennsylvania Bulletin* on December 2, 2023 (53 Pa.B. 7373) to include “Influenza A Viruses in Ruminants” as a dangerous transmissible disease. The amended Temporary Order will be published in the April 20, 2024, edition of the *Pennsylvania Bulletin* and such designation shall be effective immediately upon publication of that edition.

J. The Department also has broad authority under the DAL to prohibit the importation of domestic animals, conveyances, containers, goods, products or materials in an effort to keep dangerous transmissible diseases from entering this Commonwealth.

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

L. Section 2329(c) (relating to interstate and international quarantines) provides, “An interstate or international quarantine may be established and enforced by order of the department against any place or places outside this Commonwealth for any of the reasons set forth in subsection (a) or where dangerous transmissible diseases. . .are reported to exist. An interstate or international quarantine order may prohibit the bringing of any domestic animals, conveyances, containers, goods, products or materials into this Commonwealth except in accordance with the requirement set forth in the quarantine order. The order may require the quarantine, testing, treatment, killing or other disposition of any domestic animal brought into this Commonwealth in violation of the order and may require the quarantine, disinfection, destruction of goods, products, conveyances, materials or containers brought into this Commonwealth in violation of the order. The order may also require that a person importing domestic animals in violation of the order bear the expenses of postentry requirements of this chapter.” (3 Pa.C.S. § 2329(c)(1)).

Order:

With the foregoing recitals incorporated into this Interstate and International Quarantine Order by reference, the Department hereby establishes an Interstate and International Quarantine Order (Quarantine Order) related to importation requirements for dairy cattle. This

Interstate and International Quarantine Order is established under authority of the Domestic Animal Law, at 3 Pa.C.S. § 2329(c). The terms of this Quarantine Order are as follows:

1. *Definitions*

Dairy cattle. For the purpose of the Quarantine Order dairy cattle are cattle belonging to breeds raised for milk production purposes, or crosses thereof, included in the Genus *Bos*.

Accredited Veterinarian (Category II). A veterinarian approved by the USDA Administrator in accordance with the provisions of 9 CFR (Code of Federal Regulations) Requirements and Standards for Accredited Veterinarians and Suspension or Revocation of Such Accreditation § 161 to perform functions specified in 9 CFR for Category II animals (food and fiber animal species; horses; birds; farm-raised aquatic animals; all other livestock species; and zoo animals that can transmit exotic animal diseases to livestock).

Shipment. Each individual group of dairy cattle that have been isolated together for testing prior to importation into Pennsylvania, as required by section 3.c.iii. of this Quarantine Order.

NAHLN laboratory. A state or federal laboratory that is part of the United States Department of Agriculture (USDA) National Animal Health Laboratory Network and is approved by the USDA National Veterinary Service Laboratory (NVSL) to perform regulatory testing for avian influenza in bovine tissues or specimens.

USDA Case definition. Dairy cattle that exhibit signs of disease or illness including, sudden drop in feed intake with concurrent decreased rumination and rumen motility; subsequent marked drop in herd level milk production; thickened milk that almost appears like colostrum or may have essentially no milk; changes in manure, such as tacky to dry manure.

2. *Quarantine Area.* The Quarantine Area affected by this Quarantine Order is any State, Commonwealth, foreign nation, province or territory outside the Commonwealth of Pennsylvania (Pennsylvania).

3. *Prohibitions and requirements.*

a. *Importation Standards.* All dairy cattle entering Pennsylvania shall meet all requirements established in the Domestic Animal Law (3 Pa.C.S. §§ 2301—2390), the Department's regulations at Title 7 of the *Pennsylvania Code* and in this Quarantine Order, (accessible through the following website address: www.pacodeandbulletin.gov).

b. *Movement restrictions.* Dairy cattle from a premises where Influenza A Virus has been confirmed in dairy cattle, or where the premises meets the USDA case definition, may not be imported into the Commonwealth until the premises has been declared free of disease by the respective State Animal Health Official.

c. *Testing Requirements.* Except as proved in subsection xii., dairy cattle from a State, Commonwealth, foreign nation, province or territory where Influenza A Virus has been confirmed in dairy cattle within the past 30 days may not be imported into, stopped off in, or unloaded in Pennsylvania without meeting the following testing requirements for influenza A Virus:

i. A representative sample of 30 animals in each shipment must be tested for Influenza A virus within 5 days prior to movement.

ii. If a shipment contains 30 or fewer animals, all animals in that shipment must be tested within 5 days prior to movement.

iii. The animals in each shipment must have been assembled as a group for a period of at least 30 days prior to testing in accordance with subsections i and ii above. New animals may not have been added to the herd or group within the 30-day period preceding testing.

iv. Where the requirements established in subsection iii. above have not been or cannot be complied with, all animals in the shipment, no matter the size of the shipment, must be tested in accordance with subsection ii above.

v. Milk specimens, nasal swabs and samples, as required in subsection vi. and vii. of this section must be collected and submitted by or under the supervision of an Accredited Veterinarian (Category II).

vi. Nasal swabs must be collected for testing in accordance with the provisions of this section from each non-lactating animal on a shipment. Nasal swabs shall be collected in a manner that is in accordance with National Veterinary Services Laboratory guidance provided to the testing laboratory.

vii. A milk specimen must be collected for testing in accordance with the provisions of this section from each lactating animal on a shipment. Milk specimens must be collected in a manner that is in accordance with National Veterinary Services Laboratory guidance to the testing laboratory.

viii. Each specimen or sample collected under subsections vi. and vii. must be tested for Influenza A Virus using polymerase chain reaction (PCR) testing and protocol approved by NVSL.

ix. Testing of all specimens or samples collected under subsections vi. and vii. must be performed at a NAHLN laboratory. The individual specimens may not be pooled by the Accredited Veterinarian (Category II) or any person other than the NAHLN laboratory testing the samples.

x. The person owning or leasing the premises on which the animals are being held for testing prior to shipment into Pennsylvania shall:

A. Assure each animal has official identification.

B. Provide the USDA APHIS Category II accredited practitioner of veterinary medicine overseeing the collection of the specimens or samples with a manifest setting forth the official identification of each animal.

C. The manifest shall set forth the number of animals grouped together for each shipment into Pennsylvania, and the official identification of each animal.

D. The manifest shall accompany each shipment of animals to their final destination in Pennsylvania.

E. The original manifest, or an accurate copy thereof, shall be provided to the owner or lessor of the destination of the dairy cattle in Pennsylvania.

xi. The accredited veterinarian collecting or supervising the collection of the diagnostic specimens must have a veterinarian-client-patient relationship with the farm.

xii. *Exemptions:* The following exemptions from testing required by this section apply:

A. Dairy cattle less than 1 year of age (calves) are not required to be tested for Influenza A virus prior to shipment into Pennsylvania.

B. Dairy cattle that are moved into the Commonwealth for the purpose of immediate slaughter at a licensed meat establishment are not required to be tested for Influenza A Virus, provided that they are slaughtered within 72 hours of arriving and are not commingled with other dairy cattle that are not destined for immediate slaughter.

C. Dairy cattle subject to a commuter agreement in which the Pennsylvania Department of Agriculture has determined sufficient biosecurity and other risk mitigations exist to allow predefined movements of cattle to occur in a safe manner. The exemption must be part of or an addendum to a formalized commuter agreement signed by the cattle owner and the state animal health officials of both states.

d. *Test results and movement.*

i. Where a non-negative test result is obtained on any animal within a group of animals that has been grouped for shipment as required by subsection c. iii., no animal in that group may be imported into, stopped off in, or unloaded in Pennsylvania.

ii. Testing evidencing a Negative or Not Detected test result for each animal required to be tested in accordance with section c. must accompany each shipment. A copy of the test results is acceptable.

iii. The test results shall provide the official identification of each animal tested.

iv. A copy of the test results for each shipment, and the manifest required by subsection c. x. shall be retained at the final Pennsylvania destination for a minimum of 3 months from date of arrival.

4. *Remedies for Dairy Cattle Imported in violation of this Quarantine Order.* Any dairy cattle imported into, stopped off in or unloaded in Pennsylvania that are in violation of any provision of this Quarantine Order shall subject the owner, importer, dealer and hauler of such animals to any or any combination of the following: (1) individual quarantine, testing, treatment or euthanizing of the animal(s), (2) return of each animal to its place of origin, (3) disinfection or destruction of any goods, products, conveyances, materials or containers exposed to such animals, and (4) all other penalties as allowed under the DAL and the Department's regulations. All expenses associated with such requirements shall be borne by the person violating this Quarantine Order.

5. *Violations and Penalties.* Any person violating the requirements of this Quarantine Order may be subject to imposition of such quarantine, testing, treatment, euthanization and other disposition of domestic animals, and disinfection or destruction of goods, products, conveyance, materials or containers, expense and post-entry requirements as set forth in this Quarantine Order and at section 2329(c), violation provisions set forth at section 2329(f), criminal and civil penalties established at section 2383, interference violations established at section 2385 and civil remedies set forth at section 2386 of the Domestic Animal Law (3 Pa.C.S. §§ 2329(c), 2329(f), 2383, 2385 and 2386).

6. *No Restriction on Further Action by the Department.* This Quarantine Order shall not be construed as limiting the Department's authority to establish additional quarantine or testing requirements on imported cattle or to

limit the Department's authority under the Domestic Animal Law or any other statutes or regulations administered by the Department.

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

8. *Effective Date.* This Quarantine Order in its entirety shall become effective immediately upon signature of the Secretary of the Pennsylvania Department of Agriculture and shall remain in effect unless rescinded or modified by a subsequent Order.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-545. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Interstate Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza for Live Bird Market and Breaker Eggs

Recitals

A. Avian influenza is designated a "dangerous transmissible disease" of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301–2389), at 3 Pa.C.S.A. § 2321(d).

B. The Pennsylvania Department of Agriculture (Department) has broad authority under the Domestic Animal Law to regulate the keeping and handling of domestic animals in order to exclude, contain, or eliminate dangerous transmissible diseases.

C. Avian Influenza has caused significant loss in the past to the Pennsylvania poultry industry and the current virulent forms of the disease have caused widespread loss to the poultry industry in states in which it has been detected and confirmed.

D. Highly Pathogenic Avian Influenza (HPAI) is of particular concern to the entire Pennsylvania poultry industry as it may cause widespread loss of poultry, severely limit the market for Pennsylvania product and cause severe economic damage to the poultry industry in Pennsylvania.

E. In February 2022 the United States Department of Agriculture (USDA) announced an outbreak of Highly Pathogenic Avian Influenza in a commercial poultry facility in the United States. Since then, additional outbreaks have been identified in commercial and backyard flocks in multiple states, including Pennsylvania. In total, 48 states and more than 82 million domestic birds have been affected to date.

F. The USDA Highly Pathogenic Avian Influenza Response Plan (the "Red Book") includes principles to contain, control, and eradicate HPAI in the United States poultry population. These principles include controlling movement of poultry and poultry products through placement of Control Areas around infected poultry flocks, with testing and permitting requirements for poultry and poultry products moving within and out of Control Areas.

Order of Quarantine

With the foregoing recitals incorporated into this Order by reference, the Pennsylvania Department of Agriculture under authority of the Domestic Animal Law, at 3 Pa.C.S.A. § 2329(d) and § 1702 of the Administrative Code of 1929 (71 P.S. § 442), established the Interstate Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza for Live Bird Market and Breaker Eggs (45 Pa.B. 3224) (Saturday, June 20, 2015) related to the dangerous transmissible disease Highly Pathogenic Avian Influenza.

The USDA HPAI Response Plan standards for Control Areas and requirements for testing and permitting for movement of poultry and poultry products abrogates the need for the Interstate Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza for Live Bird Market and Breaker Eggs (45 Pa.B. 3224) (Saturday, June 20, 2015).

This Order repeals and rescinds the Interstate Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza for Live Bird Market and Breaker Eggs (45 Pa.B. 3224) (Saturday, June 20, 2015).

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

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

3. *Effective Date.* This Order is effective immediately upon publication in the *Pennsylvania Bulletin* and shall remain in effect unless rescinded or modified by subsequent order.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-546. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Temporary Order Designating Dangerous Transmissible Diseases

The Department of Agriculture (Department) issues this temporary order designating Chronic Wasting Disease (CWD), Viral Hemorrhagic Septicemia (VHS), the neurologic form of Equine Rhinopneumonitis or Equine Herpes Virus (EHV-1), *Brucella canis*, Tilapia lake virus (TiLV), *Streptococcus equi ssp. zooepidemicus* (*S. zooepidemicus*) in swine, Rabbit Hemorrhagic Disease (RHD), *Leishmaniasis*, and influenza A viruses in ruminants as "dangerous transmissible diseases." These designations are made under the authority of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).

This temporary order is the successor to a previous temporary order which was published in the December 2,

2023 *Pennsylvania Bulletin*, (53 Pa.B. 7373) (Saturday, December 2, 2023). This temporary order hereby rescinds and replaces the December 2, 2023 temporary order.

Under the Domestic Animal Law at 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases of animals. The Domestic Animal Law, at 3 Pa.C.S. § 2321(a) (relating to dangerous transmissible diseases), establishes a statutory list of dangerous transmissible diseases. Under the Domestic Animal Law at, 3 Pa.C.S. § 2321(d) (relating to designation of additional dangerous transmissible diseases through temporary order), the Department has authority to declare a disease that has not been specifically identified in the statute as a "dangerous transmissible disease" to be a dangerous transmissible disease through issuance of a temporary order making that designation. Under the authority of the Domestic Animal Law, at 3 Pa.C.S. § 2321(d), the Department hereby issues this temporary order establishing the following diseases as "Dangerous Transmissible Diseases."

1. *Chronic Wasting Disease (CWD)*

CWD is a disease of whitetail deer, elk and other cervids and is a member of the group of diseases known as transmissible spongiform encephalopathies (TSE). Other more well-known TSEs are scrapie and bovine spongiform encephalopathy (BSE) or "mad cow" disease. All are thought to be caused by a protein that has converted to an abnormal infectious form known as a "prion." There is some evidence, in the case of BSE, that humans may become infected through consumption of meat products containing central nervous system tissues, thus there is a significant public health interest concerning all TSEs.

CWD has been identified in both captive and wild deer in this Commonwealth. The designation of CWD as a "dangerous transmissible disease" allowed the Department to facilitate the development and oversight of a surveillance program and quarantine orders that allow for detection, tracing and containment of the CWD outbreak and allows the Department to react and take action necessary to carry out its statutory duty under the Domestic Animal Law.

2. *Viral Hemorrhagic Septicemia (VHS)*

VHS virus is a serious pathogen of fresh and saltwater fish that is causing a disease in the Great Lakes region of the United States and Canada. VHS virus is a rhabdovirus (rod shaped virus) that affects fish of all size and age ranges. It does not pose any threat to human health. VHS can cause hemorrhaging of fish tissue, including internal organs, and can cause the death of infected fish. Once a fish is infected with VHS, there is no known cure. Not all infected fish develop the disease, but they can carry and spread the disease to other fish. The World Organization of Animal Health has categorized VHS as a transmissible disease with the potential for profound socio-economic consequences.

3. *Neurologic Form of Equine Herpes Virus (EHV-1)*

EHV-1 is a highly contagious virus that is ubiquitous in horse populations worldwide. The age, seasonal and geographic distributions vary and are likely determined by immune status and concentration of horses. Infection with EHV-1 most commonly causes respiratory illness, characterized by fever, rhinopharyngitis and tracheo-

bronchitis. Infection may also cause abortions in pregnant mares, following clinical or subclinical infection, and can be fatal to newborn foals. A further, infrequent clinical resultant effect of EHV-1 infection is the development of neurologic disease. Depending upon the location and extent of the lesions, signs of neurologic disease may vary from mild incoordination and posterior paresis to severe posterior paralysis with recumbency, loss of bladder and tail function, and loss of sensation to the skin in the perineal and inguinal areas, and even the hindlimbs. In exceptional cases, the paralysis may be progressive and culminate in quadriplegia and death.

Transmission of EHV-1 occurs by direct or indirect contact with infective nasal discharges, aborted fetuses, placentas or placental fluids. Transmission can occur by means of coughing or sneezing over a distance of up to 35 feet, as well as by direct contact with infected horses, feed and equipment.

There is currently no known method to reliably prevent the neurologic form of EHV-1 infection. Sound management practices, including isolation, are important to reduce the risk of infection with EHV-1. Maintaining appropriate vaccination protocols may also be prudent in an attempt to reduce the incidence of the respiratory form of EHV-1 infection, which may reduce the incidence of the neurologic form.

4. Canine Brucellosis (*Brucella canis*)

Canine brucellosis is an infectious disease of dogs caused by the *Brucella canis* (*B. canis*) bacteria. *B. canis* infection in breeding dogs is an important cause of reproductive failure, particularly in kennels. *B. canis* infection can result in abortions, stillbirths, epididymitis, orchitis and sperm abnormalities in breeding dogs. Infected dogs may also develop other conditions such as ocular disease and discospondylitis.

Transmission of *B. canis* occurs through exposure to secretions during estrus or mating or by contact with infected tissues during birth or following abortion. In addition, infected dogs may spread the bacteria in blood, milk, urine, saliva, nasal and ocular secretions, and feces. Puppies can become infected in utero, during birth, through nursing, and by contact with contaminated surfaces. The bacteria can also be transmitted by fomites.

B. canis is considered to be a zoonotic organism, although its importance as a cause of human illness is still unknown. People in very close contact with infected dogs are thought to be more at risk of infection, including those who work in a breeding kennel, and veterinarians. Laboratory personnel handling the organism are also considered to have a higher risk of infection. The symptoms of this disease in humans are nonspecific and cases may not be reported. The 2012 National Association of State Public Health Veterinarians (NASPHV) document "Public Health Implications of *B. canis* Infections in Humans" reports that there are documented cases of infection with *B. canis* leading to serious health problem. Those with compromised immune systems may be at higher risk of serious illness. Treatment with antibiotics may be effective.

Although infection in dogs can be treated with antibiotics, *B. canis* can persist in an animal even after treatment. Prevention is key, and all dogs entering a breeding kennel or used for breeding should first be test-negative or come from a brucella-negative source. Ongoing and regular testing is recommended, even in closed breeding facilities, and this is an essential component of recognition and prevention. Proper biosecurity and sanitation of

breeding facilities is also recommended to prevent disease transmission. Infected puppies or dogs should not be purchased or adopted.

5. Tilapia lake virus (TiLV)

Tilapia lake virus (TiLV) is a serious viral pathogen of farmed and wild Tilapia which has caused large losses in farmed fish in other countries. This orthomyxo-like virus was detected in an aquaculture facility within the United States and spread to other fish farms before it was eradicated from the country. The entry of the virus was traced to the importation of infected fry (juvenile fish) from an endemic region.

Lesions associated with TiLV infection include discoloration, renal congestion, encephalitis, ocular degeneration and abdominal swelling. Mortality can range from 10 to 90%. Morbidity and mortality generally become apparent in farmed fish within 1 month of movement from the hatchery to grow-out cages—thus, the disease is commonly known as "tilapia one-month mortality syndrome."

6. *Streptococcus equi* subspecies *zooepidemicus* (*S. zooepidemicus*) in swine

Streptococcus equi ssp. *zooepidemicus* (*S. zooepidemicus*) is an opportunistic bacteria that has historically caused major economic losses in the swine industry in China. In November, 2019, the United States Department of Agriculture issued an Emerging Risk Notice for *S. zooepidemicus* after the pathogen was identified in a cull sow slaughter plant in Tennessee. Although *S. zooepidemicus* is most commonly known as the cause of severe respiratory or uterine infections in horses, it is able to infect many other species, including swine, cattle, rabbits, pigs, dogs, cats, and humans. In animals, symptoms can include fever, inflammation of lymph nodes, sepsis, mastitis, and bronchopneumonia.

To protect the swine industry in Pennsylvania, and human health, potential infections in swine should be investigated to determine how widespread this organism is in swine and to assist producers in reducing the risk of infection and spread of disease.

7. Rabbit Hemorrhagic Disease (RHD)

Rabbit hemorrhagic disease (RHD) is a fatal disease in rabbits and is considered a foreign animal disease in the United States. RHD is caused by a calicivirus and there are several strains which cause disease. Rabbit Hemorrhagic Disease Virus Serotype 2 (RHDV-2) has been detected in North America in recent years. RHDV-2 is highly contagious and affects both domestic and wild rabbits, including hares, jackrabbits and cottontails.

The virus causing RHD can be transmitted by direct contact with infected rabbits or indirectly through carcasses, food, water, and any contaminated materials, and it is very resistant to extreme temperatures. Infection may result in a peracute febrile disease which causes hepatic necrosis, enteritis, and lymphoid necrosis, followed by massive coagulopathy and hemorrhages in multiple organs. Rabbits often show few clinical signs and die within six to 24 hours after the onset of fever and may have blood visible around the nose from the internal hemorrhaging. Morbidity rate is often 100%, and the mortality rate is often 60%—90%.

RHD has not been shown to affect people or other mammals.

8. Leishmaniasis

Leishmaniasis is a zoonotic disease caused by infection with *Leishmania* parasites, affecting humans, dogs, and other mammals.

Leishmaniasis is most commonly reported in tropical and subtropical regions, including Asia, the Middle East, Africa, southern Europe, South and Central America, and southern Mexico. The disease has also been identified in foxhound populations in the United States and Canada and sporadic cases in other dogs have been reported in the United States.

Infection with *Leishmania* parasites can result in disease ranging from mild cutaneous lesions, a mucocutaneous form, or severe and often fatal visceral leishmaniasis in which internal organs such as the bone marrow, spleen, and liver may be affected. Approximately one million human cases, most with the cutaneous presentation, are reported worldwide annually. The visceral form of leishmaniasis is most often caused by the *Leishmania infantum* parasite in the Americas. The parasite is spread by infected female phlebotomine sandflies which feed on blood. The existence of competent insect vectors for *Leishmania* parasites in the United States has been documented and changing environmental factors may expand the geographic range of vectors in North America. Disease in humans caused by *Leishmania infantum* is reportedly a serious public health problem in those areas where canine leishmaniasis is endemic, and dogs have been implicated as a reservoir of infection, transmitting the parasite to insect vectors when the insects take a blood meal. The importation of infected dogs to an area with competent vectors could lead to the spread of the parasite in animal and human populations. Treatment may not clear the parasite, and recrudescence may occur. There is no vaccine available to prevent leishmaniasis in humans or other mammals.

9. Influenza A viruses in ruminants

Certain influenza A viruses, including H5 and H7 viruses, can cause severe disease in poultry and other avian species and have also been identified as a cause of clinical disease in other animals, including dairy cattle and juvenile goats. In March 2024, an H5 influenza A virus was implicated in a multistate outbreak of disease in dairy cattle. Clinical signs in dairy cattle include the

following: A sudden drop in feed intake in lactating dairy cows; a subsequent marked drop in individual cow milk production; lactating cows may have thickened milk that appears colostrum-like or these cows may become agalactic; abnormal manure ranging from dry or tacky to diarrhea.

Evidence of cattle-to-cattle transmission exists. H5 and H7 influenza A viruses in ruminants pose a risk to public health due to their zoonotic potential, and pose a potential risk to poultry and other animal species.

Order

The Department hereby designates CWD, VHS, EHV-1, *Brucella canis*, Tilapia lake virus, *Streptococcus equi ssp. zooepidemicus* (*S. zooepidemicus*) in swine, Rabbit Hemorrhagic Disease (RHD), *Leishmaniasis*, and influenza A viruses in ruminants as “dangerous transmissible diseases” under the Domestic Animal Law at 3 Pa.C.S. § 2321(d). This order supplants any previous temporary order making such a designation.

This Order in its entirety shall become effective immediately upon signature of the Secretary of the Pennsylvania Department of Agriculture and shall remain in effect until no later than January 1, 2025. The Department may: (1) reissue this temporary order to extend the designation beyond January 1, 2025, (2) allow this temporary order to expire on January 1, 2025, (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

Questions regarding this temporary order may be directed to Alex Hamberg, VMD, PhD, Director, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2852.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-547. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending April 9, 2024.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, may file comments in writing with the Department, for Bank Supervision, by e-mail to ra-bnbnksbmssnspt@pa.gov or for credit unions, by e-mail to ra-bncusubmissions@pa.gov and trust companies, by e-mail to ra-bntrustsuprvsninq@pa.gov. Comments must be received no later than 30 days from the date that the notice regarding acceptance of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240, or for credit unions or trust companies (717) 783-2253.

APPLICATIONS FOR COMMENT

BANKING INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

OTHER APPLICATION ACTIVITY**BANKING INSTITUTIONS****Section 112 Acquisitions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Status</i>
04-09-2024	Driver Opportunity Partners I, LP (General Partner—Driver Management Company, LLC) Stamford Fairfield County, CT	Approved

Application for approval to solicit revocable proxies from more than 10% of the holders of the shares of common stock of AmeriServ Financial, Inc., Johnstown, PA, and thereby indirectly acquire 10% or more of the voting control of AmeriServ Financial Bank, Johnstown, PA.

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
03-11-2024	Asian Bank Philadelphia Philadelphia County	934 East Passyunk Avenue Philadelphia Philadelphia County	Opened
03-28-2024	Univest Bank and Trust Co. Souderton Montgomery County	15 Washington Avenue Souderton Montgomery County (Limited-Service Facility)	Accepted

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,
Secretary

[Pa.B. Doc. No. 24-548. Filed for public inspection April 19, 2024, 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>
1024803	Joint DEP/PFBC Pesticides Permit	New	Benjamin Hoffman 47 Trotter Circle Sewickley, PA 15143-9124	Muddycreek Township Butler County	NWRO
1024804	Joint DEP/PFBC Pesticides Permit	New	Rock Lake North Association Inc. 113 Rock Lake Drive Zelienople, PA 16063-8905	Jackson Township Butler County	NWRO
2624800	Joint DEP/PFBC Pesticides Permit	New	Nemacolin Woodlands Inc. 1001 Lafayette Drive Farmington, PA 15437-9754	Henry Clay Township Fayette County	SWRO
3724802	Joint DEP/PFBC Pesticides Permit	New	Mark Butler 705 Moravia Street New Castle, PA 16101-3949	Neshannock Township Lawrence County	NWRO
4013819	Joint DEP/PFBC Pesticides Permit	Renewal	Bear Creek Association P.O. Box 105 Bear Creek, PA 18602-0105	Bear Creek Village Borough Luzerne County	NERO
4015802	Joint DEP/PFBC Pesticides Permit	Renewal	White Haven Pocono Owners' Association 3014 Fern Ridge Road White Haven, PA 18661-8517	Bear Creek Township Luzerne County	NERO
4324803	Joint DEP/PFBC Pesticides Permit	New	William Jovenall 115 Shenango Park Road Transfer, PA 16154-2131	Pymatuning Township Mercer County	NWRO
4513833	Joint DEP/PFBC Pesticides Permit	Renewal	Analomink Rod & Gun Club Inc. P.O. Box 100 Analomink, PA 18320-0100	Stroud Township Monroe County	NERO
6224801	Joint DEP/PFBC Pesticides Permit	New	Yakov Fleischmann 2010 Murray Hill Road Youngsville, PA 16371-2904	Sugar Grove Township Warren County	NWRO
6424802	Joint DEP/PFBC Pesticides Permit	New	Early John 1700 N Line Street Lansdale, PA 19446-1212	Preston Township Wayne County	NERO
WQM 0811201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Amendment	Vanblarcom James A 934 Besley Road Columbia Cross Roads, PA 16914-7789	Columbia Township Bradford County	NCRO
1170405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	St Francis University P.O. Box 600 Loretto, PA 15940-0600	Loretto Borough Cambria County	SWRO
5300401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Harrison Township Potter County 205 E Main Street Harrison Valley, PA 16927-1203	Harrison Township Potter County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
NOEXNE061	No Exposure Certification	New	Motts LLP 2172 City Line Road Bethlehem, PA 18017-2128	Bethlehem City Lehigh County	NERO
NOEXSC276	No Exposure Certification	Renewal	Menasha Packaging Co. LLC 30 Grumbacher Road York, PA 17406-8420	Manchester Township York County	SCRO
PAG032430	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Klinger Dean H 107 Birds Hill Road Pine Grove, PA 17963-9591	Pine Grove Township Schuylkill County	NERO
PAG036574	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bastin Truck Parts 1716 Butler Logan Road Tarentum, PA 15084-3911	Frazer Township Allegheny County	SWRO
PAR602225	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Klinger Dean H 107 Birds Hill Road Pine Grove, PA 17963-9591	Pine Grove Township Schuylkill County	NERO
PAG040127	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Bruen Mark W 999 Long Mill Road Telford, PA 18969-2315	Franconia Township Montgomery County	SERO
PAG041320	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Ruth H Crawford Estate 4340 Glen Lytle Road Pittsburgh, PA 15217-2818	Slippery Rock Township Butler County	NWRO
PAG041322	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Haynie Joshua 801 Fridays Hill Road New Castle, PA 16101-6723	Wayne Township Lawrence County	NWRO
PAG041323	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Janet & Jason Proper 12807 Plank Road Waterford, PA 16441-9019	Waterford Township Erie County	NWRO
PAG043649	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Blankley Michael G 5083 Elk Lick Road Everett, PA 15537-7721	Monroe Township Bedford County	SCRO
PAG043988	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Foltz Jeremy 15040 Shimpstown Road Mercersburg, PA 17236-9711	Montgomery Township Franklin County	SCRO
PAG122205	PAG-12 NPDES General Permit for CAFOs	Renewal	R W Sauder Inc. Furnace Hills Road Lititz, PA 17543	Hubley Township Schuylkill County	SCRO
PAG123684	PAG-12 NPDES General Permit for CAFOs	Renewal	Hoffman Chris R 4716 Mountain Road McAlisterville, PA 17049	Derry Township Mifflin County	SCRO
4424401	Pump Stations Individual WQM Permit	New	Granville Township Mifflin County 100 Helen Street Lewistown, PA 17044-2437	Granville Township Mifflin County	SCRO
PA0264032	Single Residence STP Individual NPDES Permit	Transfer	Miller Alex R 3813 Williams Road Erie, PA 16510-6101	Harborcreek Township Erie County	NWRO
PA0289451	Single Residence STP Individual NPDES Permit	Transfer	Zimmer Patience P.O. Box 43 Portersville, PA 16051-0043	Muddycreek Township Butler County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0292729	Single Residence STP Individual NPDES Permit	Transfer	Diane & Russell Foltz 16160 Shreve Ridge Road Union City, PA 16438-7740	Union Township Erie County	NWRO
0500406	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Blankley Michael G 5083 Elk Lick Road Everett, PA 15537-7721	Monroe Township Bedford County	SCRO
1021407	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Zimmer Patience P.O. Box 43 Portersville, PA 16051-0043	Muddycreek Township Butler County	NWRO
2515405	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Miller Alex R 3813 Williams Road Erie, PA 16510-6101	Harborcreek Township Erie County	NWRO
2522442	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Diane & Russell Foltz 16160 Shreve Ridge Road Union City, PA 16438-7740	Union Township Erie County	NWRO
4224401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Obrien James 2781 Second Street Eden, NY 14057	Corydon Township McKean County	NWRO
4697413	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Bruen Mark W 999 Long Mill Road Telford, PA 18969-2315	Franconia Township Montgomery County	SERO
6224402	Small Flow Treatment Facility Individual WQM Permit	New	Launer Kay 2480 Keller Road Warren, PA 16365-8717	Conewango Township Warren County	NWRO
WQG01102401	WQG-01 WQM General Permit	New	Ruth H Crawford Estate 4340 Glen Lytle Road Pittsburgh, PA 15217-2818	Slippery Rock Township Butler County	NWRO
WQG01252405	WQG-01 WQM General Permit	New	Janet & Jason Proper 12807 Plank Road Waterford, PA 16441-9019	Waterford Township Erie County	NWRO
WQG01282402	WQG-01 WQM General Permit	New	Foltz Jeremy 15040 Shimpstown Road Mercersburg, PA 17236-9711	Montgomery Township Franklin County	SCRO
WQG01372402	WQG-01 WQM General Permit	New	Haynie Joshua 801 Fridays Hill Road New Castle, PA 16101-6723	Wayne Township Lawrence County	NWRO
6124401	Sewer Extensions WQM Individual Permit	New	Franklin City Gen Auth Venango County 430 13th Street Franklin, PA 16323-1317	Franklin City Venango County	NWRO

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

Northeast Regional Office

PA0276154, Storm Water, SIC Code 3084, **George Fischer LLC**, 300 Kuebler Road, Easton, PA 18040. Facility Name: Georg Fischer Harvel Easton. This existing facility is located in Forks Township, **Northampton 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), Bushkill Creek (HQ-CWF, MF), is located in State Water Plan watershed 1-F and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

Northwest Regional Office

PA0024856, Sewage, SIC Code 4952, **Taylor Township**, P.O. Box 489, West Pittsburgh, PA 16160-0489. Facility Name: Taylor Township STP. This existing facility is located in Taylor Township, **Lawrence County**.

Description of Existing Activity: The application is for a renewal, outfall relocation, and rerate of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Beaver River, is located in State Water Plan watershed 20-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 0.2 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	42	65	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	50	75	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.375 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	78	125	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Suspended Solids	93	140	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	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		

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0033901, Sewage, SIC Code 4952, 6515, **Harold P Newton Jr**, 112 Timber Village Center, Mercer, PA 16137-8991. Facility Name: Willow Bend MHP. This existing facility is located in Lackawannock Township, **Mercer County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0075 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.4	XXX	1.4
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		
Ammonia-Nitrogen	XXX	XXX	XXX	6.3	XXX	12.9
Oct 1 - Apr 30						
May 1 - Sep 30	XXX	XXX	XXX	2.1	XXX	4.3
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Total Phosphorous	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		

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

- Part C 2—Chlorine Minimization
- Part C 110A—Solids Management for Non-Lagoon Systems (Non-Municipal)

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

PA0093131, Sewage, SIC Code 7992, **Prebula Family Ventures, LLC**, 160 Ralston Road, Slippery Rock, PA 16057-3528. Facility Name: Slippery Rock Golf Club & Event Center. This existing facility is located in Slippery Rock Township, **Butler County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.011 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min	XXX	Daily Max	XXX
			4.0		XXX	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	20.0	XXX	40
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
May 1 - Sep 30				200		
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean	XXX	Report
				XXX		
Ammonia-Nitrogen	XXX	XXX	XXX	12.0	XXX	
Nov 1 - Apr 30	XXX	XXX	XXX	4.0	XXX	8
May 1 - Oct 31						
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly	XXX	XXX
				Report		
				Avg Qrtly		

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0295680, Sewage, SIC Code 8800, **Melissa Kaulbach**, 6011 Bridlewood Drive, Fairview, PA 16415-2709. Facility Name: Melissa Kaulbach SRSTP. This proposed facility is located in Fairview 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), Bear Run (CWF, MF), is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0295698, Sewage, SIC Code 8811, **James R & Kimberly D Shay**, 403 Game Reserve Road, Butler, PA 16002-9353. Facility Name: James R & Kimberly D Shay SRSTP. This proposed facility is located in Clearfield Township, **Butler County**.

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

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

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0295701, Sewage, SIC Code 8800, **Michael Labans**, 213 Hope Road, Cranberry Township, PA 16066-3809. Facility Name: Michael Labans SRSTP. This proposed facility is located in Cranberry Township, **Butler County**.

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

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

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0264687, Industrial, SIC Code 4941, **PA American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055-4436. Facility Name: PA American Water Ellwood. This existing facility is located in New Beaver Borough, **Lawrence County**.

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

The receiving stream(s), Beaver River (001) and Unnamed Tributary to Beaver River (002—004), is located in State Water Plan watershed 20-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 0.694 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.2
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Aluminum, Total	Report	Report	XXX	4.0	8.0	10
Iron, Total	Report	Report	XXX	2.0	4.0	5
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5

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

- Stormwater Associated with Industrial Activities

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.

Southeast Regional Office

PA0052965, Industrial, SIC Code 3398, **Rex Heat Treatment of PA, Inc.**, 951 W 8th Street, Lansdale, PA 19446. Facility Name: Rex Heat Treat Lansdale. This existing facility is located in Lansdale Borough, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary to West Branch Neshaminy Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based stormwater discharge.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Chromium, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Nitrogen, Total	XXX	XXX	XXX	Report	XXX	XXX
Phosphorus, Total	XXX	XXX	XXX	Report	XXX	XXX
PFOA	XXX	XXX	XXX	XXX	XXX	4.0 ng/L
PFOS	XXX	XXX	XXX	XXX	XXX	3.7 ng/L
HFPO-DA	XXX	XXX	XXX	XXX	XXX	6.4 ng/L
PFBS	XXX	XXX	XXX	XXX	XXX	3.5 ng/L

The proposed effluent limits for Outfall 004 are based stormwater discharge.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Chromium, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Cadmium, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Nitrogen, Total	XXX	XXX	XXX	Report	XXX	XXX
Phosphorus, Total	XXX	XXX	XXX	Report	XXX	XXX
PFOA	XXX	XXX	XXX	XXX	XXX	4.0ng/L
PFOS	XXX	XXX	XXX	XXX	XXX	3.7ng/L
HFPO-DA	XXX	XXX	XXX	XXX	XXX	6.4ng/L

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
PFBS	XXX	XXX	XXX	XXX	XXX	3.5ng/L

The proposed effluent limits for Outfalls 002 and 003 are based on a stormwater discharge.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Chromium, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Nitrogen, Total	XXX	XXX	XXX	Report	XXX	XXX
Phosphorus, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 301 are based on a design flow of 0.06 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</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
Temperature (deg F) (°F)	XXX	XXX	Inst Min	XXX	XXX	110
Tetrachloroethylene	XXX	XXX	XXX	Report	XXX	Report
Industrial Influent Tetrachloroethylene	XXX	XXX	XXX	0.005	0.010	0.013
Trichloroethylene	XXX	XXX	XXX	0.005	0.010	0.013
Trichloroethylene Industrial Influent	XXX	XXX	XXX	Report	XXX	Report
Nitrogen, Total	XXX	XXX	XXX	Report	XXX	XXX
Phosphorus, Total	XXX	XXX	XXX	Report	XXX	XXX
PFOA	XXX	XXX	XXX	XXX	XXX	4.0 ng/L
PFOS	XXX	XXX	XXX	XXX	XXX	3.7 ng/L
HFPO-DA	XXX	XXX	XXX	XXX	XXX	6.4 ng/L
PFBS	XXX	XXX	XXX	XXX	XXX	3.5 ng/L

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

- No discharge of stripper tower cleaning wastewater
- Requirements applicable to stormwater

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

PA0245038, Storm Water, SIC Code 1499, **GMA Garnet (USA) Corp**, 1780 Hughes Landing, Suite 725, The Woodlands, TX 77380-1684. Facility Name: GMA Garnet Corporation—Fairless Hills Recycling Facility. This existing facility is located in Falls Township, **Bucks 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), Delaware River (WWF, MF), is located in State Water Plan watershed 2-E and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Internal Monitoring Point (IMP) 101 are based on stormwater.

<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

<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>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for (IMP) 102 are based on stormwater.

<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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for IMP103 are based on stormwater.

<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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for IMP 104 are based on stormwater.

<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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	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:

I. Stormwater Outfalls and Authorized Non-Stormwater Discharges

II. BMPs

III. Stormwater Monitoring Requirements

IV. Routine Inspections

V. PPC Plan

VI. Other Requirements

A. Property rights

B. Sludge disposal

C. New storage for used unwashed garnet sand

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0027618, Sewage, SIC Code 4952, **Bethel Park Municipal Authority**, 3100 Piney Fork Road, South Park, PA 15219. Facility Name: Piney Fork STP. This existing facility is located in Bethel Park Borough, **Allegheny County**.

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

The receiving stream(s), Piney Fork (TSF), is located in State Water Plan watershed 19-C 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 4.92 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Maximum	
Copper, Total (ug/L)	XXX	XXX	XXX	Report	XXX	XXX
Cyanide, Free (ug/L)	XXX	XXX	XXX	Report	XXX	XXX
Bis(2-Ethylhexyl)Phthalate (ug/L)	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 4.92 MGD.—Interim Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 4.92 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Total Phosphorus	82.0	XXX	XXX	2.0	4.0	5
Copper, Total (ug/L)	XXX	XXX	XXX	30.1	46.9	75.2
Cyanide, Free (ug/L)	XXX	XXX	XXX	4.43	6.91	11.1
Bis(2-Ethylhexyl)Phthalate (ug/L)	XXX	XXX	XXX	0.58	0.91	1.5

The proposed effluent limits for Outfall 001 are based on a design flow of 4.92 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 4.92 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	1,025	1,555	XXX	25.0	38.0	50
Nov 1 - Apr 30						
May 1 - Oct 31	410	615	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	1,230	1,845	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	Report Daily Max	XXX
Ammonia-Nitrogen	140	XXX	XXX	3.5	XXX	7
Nov 1 - Apr 30						
May 1 - Oct 31	60	XXX	XXX	1.5	XXX	3
Aluminum, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Boron, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report Daily Max	XXX
Iron, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX
Benzene (ug/L)	XXX	XXX	XXX	Report	Report Daily Max	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	1.1 Daily Max	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	1.1 Daily Max	XXX

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

The EPA Waiver is not in effect.

Southwest Regional Office

PA0030406, Sewage, SIC Code 4952, **PA Department of Correctional Laurel Highlands State Correctional Institution**, 5706 Glades Pike, Somerset, PA 15501-8302. Facility Name: SCI Laurel Highlands STP. This existing facility is located in Somerset Township, **Somerset County**.

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

The receiving stream(s), Unnamed Tributary to East Branch Coxes Creek (TSF), is located in State Water Plan watershed 19-F and is classified for Trout Stocking 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 0.5 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Antimony, Total (ug/L)	Report	XXX	XXX	Report	Report	XXX
Arsenic, Total (ug/L)	Report	XXX	XXX	Report	Report	XXX
Boron, Total	Report	XXX	XXX	Report	Report	XXX
Cadmium, Total (ug/L)	Report	XXX	XXX	Report	Report	XXX
Iron, Dissolved (ug/L)	Report	XXX	XXX	Report	Report	XXX
Thallium, Total (ug/L)	Report	XXX	XXX	6.0	9.0	15

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Antimony, Total (ug/L)	0.024	XXX	XXX	5.65	8.81	XXX
Arsenic, Total (ug/L)	0.042	XXX	XXX	10.1	15.7	XXX
Boron, Total	6.73	XXX	XXX	1.614	2.519	XXX
Cadmium, Total (ug/L)	0.002	XXX	XXX	0.52	0.82	XXX
Iron, Dissolved (ug/L)	1.26	XXX	XXX	303.0	472.0	XXX
Thallium, Total (ug/L)	0.001	XXX	XXX	0.24	0.38	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.50	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	6.0 Daily Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	104.2	158.4	XXX	25	38 Wkly Avg	50

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	125.2	187.8	XXX	30	45	60
					Wkly Avg	
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	10.8	16.2	XXX	2.6	3.9	5.2
Nov 1 - Apr 30					Wkly Avg	
May 1 - Oct 31	7.9	12.09	XXX	1.9	2.9	3.8
					Wkly Avg	
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium III, Total	XXX	XXX	XXX	Report	Report	XXX
Cobalt, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	0.04	0.06	0.08
Iron, Total	12.5	XXX	XXX	3.0	4.5	6
Manganese, Total	14.6	XXX	XXX	3.5	5.2	7
Nickel, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
Phenol	XXX	XXX	XXX	0.015	0.026	0.037
a-Terpineol	XXX	XXX	XXX	0.016	0.033	0.04
Benzoic Acid	XXX	XXX	XXX	0.071	0.120	0.15
p-Cresol	XXX	XXX	XXX	0.014	0.025	0.035

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.—Limits.

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

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

- WQBELs Below Quantitation Limits

The following parameter is subject to water quality-based effluent limits (WQBELs) in Part A of this permit that are necessary to comply with State water quality standards but may be less than quantitation limits (QLs), as defined in 25 Pa. Code § 252.1.

<i>Parameter Name</i>	<i>DEP Quantitation Limit</i>
Total Thallium	2 ug/L

- Toxics Reduction Evaluation (TRE)

The permittee shall conduct a TRE for the newly developed WQBELs in accordance with DEP's Water Quality Toxics Management Strategy, Appendix C, Permittee Guidance for Conducting a Toxics Reduction Evaluation (TRE) (361-0100-003).

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

This permit is a Non EPA Waiver due to discharge to a TMDL stream.

Southwest Regional Office

PA0091910, Industrial, SIC Code 4953, **Alex E Paris Contracting Company, Inc.**, P.O. Box 369, 1595 Smith Township State Road, Atlasburg, PA 15004-0369. Facility Name: Paris Flyash Landfill. This existing facility is located in Hanover Township, **Beaver County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .038 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.038	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.25
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .038 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.038	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.25
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	47.1	73.4	118
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
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
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
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
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004:

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

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

The EPA Waiver is not in effect.

Southwest Regional Office

PA0216950, Industrial, SIC Code 4941, **Creswell Heights Joint Authority**, 3961 Jordan Street, South Heights, PA 15081-1026. Facility Name: Creswell Heights Joint Authority Water Treatment Plant. This existing facility is located in South Heights Borough, **Beaver County**.

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

The receiving stream(s), Ohio River (WWF), is located in State Water Plan watershed 20-G 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 101 are based on a design flow of 0.0264 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0217778, Industrial, SIC Code 1389, **Chance Gas & Oil LLC**, 416 Kirkland Road, Clymer, PA 15728-6318. Facility Name: Dawson Water Treatment Facility. This existing facility is located in Dunbar Township, **Fayette County**.

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

The receiving stream(s), Youghiogheny River (WWF), is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .06 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	0.06	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Acidity, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Alkalinity, Total (as CaCO ₃) Effluent Net	XXX	XXX	0.0	XXX	XXX	XXX
Alkalinity, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	3.5	7.0	XXX
Sulfate, Total	Report	Report	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0285111, Storm Water, SIC Code 1311, **Markwest Liberty Midstream & Resources LLC**, 4600 J Barry Court, Canonsburg, PA 15317-5854. Facility Name: Imperial & Cibus Ranch Compressor Station. This proposed facility is located in Robinson Township, **Washington County**.

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

The receiving stream(s), Unnamed Tributary to Robinson Run (WWF), is located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The 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.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	75.0
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	0.750
Iron, Total	XXX	XXX	XXX	XXX	XXX	3.0
Manganese, Total	XXX	XXX	XXX	XXX	XXX	2.0
Benzene (ug/L)	XXX	XXX	XXX	XXX	XXX	2.5
BTEX, Total	XXX	XXX	XXX	XXX	XXX	0.25
MTBE	XXX	XXX	XXX	XXX	XXX	Report

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>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report ⁽¹⁾	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report ⁽¹⁾	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report ⁽¹⁾	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report ⁽¹⁾	XXX

(1) If 4 consecutive samples result in no detections of these substances, further monitoring may be discontinued.

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

- Stormwater outfalls and authorized non-stormwater discharges
- Best management practices

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

The EPA Waiver is in effect.

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

*Southeast Regional Office*Applicant: **Fred Leibowitz and Helaine Leibowitz**

Applicant Address: 1937 Swedesford Road, Malvern, PA 19355-8733

Application Number: **PAD150331**

Application Type: New

Municipality/County: Tredyffrin Township, **Chester County**

Project Site Name: 1937 Swedesford Road

Total Earth Disturbance Area (acres): 1.964 acres

Surface Waters Receiving Stormwater Discharges: Valley Creek (EV), UNT to Valley Creek (EV)

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

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

Project Description: The project proposes the demolition of the existing single-family residence, a portion of the driveway, walks and patios, and the construction of a new single-family residence, walks, patio, pool, and driveway expansion.

Special Conditions: N/A

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

*Southeast Regional Office*Applicant: **The Hankin Group**

Applicant Address: 707 Eagleview Blvd, Exton, PA 19341-1159

Application Number: **PAD150332**

Application Type: New

Municipality/County: Uwchlan Township, **Chester County**

Project Site Name: Eagleview Town Center II—Phase 3

Total Earth Disturbance Area (acres): 2.86 acres

Surface Waters Receiving Stormwater Discharges: Shamona Creek (HQ-TSF, MF)

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

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

Project Description: The development of Town Center II—Phase 3 includes the construction of a medical office building with associated parking lot and sidewalks. Runoff will be controlled by proposed stormwater management facilities.

Special Conditions: N/A

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

*Southeast Regional Office*Applicant: **The Hankin Group**

Applicant Address: 707 Eagleview Blvd, Exton, PA 19341-1159

Application Number: **PAD150333**

Application Type: New

Municipality/County: Uwchlan Township, **Chester County**

Project Site Name: Eagleview Town Center II—Phase 4

Total Earth Disturbance Area (acres): 5.59 acres

Surface Waters Receiving Stormwater Discharges: Shamona Creek (HQ-TSF, MF)

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

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

Project Description: The development of Town Center II—Phase 4 includes the construction of two (2) apartment buildings with associated parking lot and sidewalks. Runoff will be controlled by proposed stormwater management facilities.

Special Conditions: N/A

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

Southcentral Regional Office

Applicant: **Enos M. & Lavina S. Stoltzfus**

Applicant Address: 26 Trout Lane, Stewartstown, PA 17363

Application Number: **PAD670107**

Application Type: New

Municipality/County: Stewartstown Borough and Hopewell Township, **York County**

Project Site Name: Stoltzfus Property

Total Earth Disturbance Area (acres): 4.43 acres

Surface Waters Receiving Stormwater Discharges: UNT to Ebaughs Creek (CWF) and UNT to Ebaughs Creek (CWF) via EV Wetlands

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

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

Project Description: Single family home with access drive and stormwater facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

Southcentral Regional Office

Applicant: **PDC Northeast LPIV JH/IM, LLC**

Applicant Address: 7777 Bonhomme Ave, Ste 1505, Clayton, MO 63105

Application Number: **PAD210116**

Application Type: New

Municipality/County: Silver Spring Township, **Cumberland County**

Project Site Name: Trindle Spring Trade Center

Total Earth Disturbance Area (acres): 119.10 acres

Surface Waters Receiving Stormwater Discharges: Trindle Spring Run (CWF, MF) and Trindle Spring Run (CWF, MF) via EV Wetlands

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

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

Project Description: Construction of a warehouse along with associated improvements and restoration of existing farm dwelling and barn structure.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

Northeast Regional Office

Applicant: **K. Matkem Company, c/o Dick Bus**

Applicant Address: 6612 Snowdrift Road, Allentown, PA 18104

Application Number: **PAD390300**

Application Type: New

Municipality/County: Upper Macungie Township, **Lehigh County**

Project Site Name: 6642 Grant Way Building Expansion

Total Earth Disturbance Area (acres): 2.44 acres

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

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

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

Project Description: The proposed land development includes the construction of a 53,900 square foot expansion to the existing manufacturing building on-site with associated stormwater management facilities.

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

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

Southcentral Regional Office

Applicant: **STMA, LP**

Applicant Address: 415 Ellis Woods Rd, Pottstown, PA 19465

Application Number: **PAD060015**

Application Type: Renewal

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

Project Site Name: Golden Meadows, Phase II

Total Earth Disturbance Area (acres): 13.9 acres

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

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

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

Project Description: 11 single family detached homes, 2 streets, related facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

Regional Permit Coordination Office

Applicant: **Bi-Diamond LLC, d/b/a Ampliform LLC**

Applicant Address: 40 E. Montgomery Avenue, Ardmore, PA 19003

Application Number: **PAD070034**

Application Type: New

Municipality/County: Greenfield Township, **Blair County**

Project Site Name: BL-Diamond Photovoltaic Solar Farm

Total Earth Disturbance Area (acres): 127.69 acres

Surface Waters Receiving Stormwater Discharges: tributary to Polecat Run (WWF), tributaries to Frankstown Branch Juniata River (WWF)

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

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

Project Description: Bi-Diamond LLC, d/b/a Ampliform LLC is proposing the construction of a photovoltaic solar farm with access roads and stormwater management facilities in Greenfield Township, Blair County.

Special Conditions: N/A

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

Regional Permit Coordination Office

Applicant: **Fort Indiantown Gap National Guard Training Center**

Applicant Address: Fort Indiantown Gap, Bldg 0-1, Annville, PA 17003

Application Number: **PAD380033**

Application Type: New

Municipality/County: Union Township, **Lebanon County**

Project Site Name: East Access Control Point—Fort Indiantown Gap

Total Earth Disturbance Area (acres): 9.35 acres

Surface Waters Receiving Stormwater Discharges: Qureg Run (WWF, MF)

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

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

Project Description: Fort Indiantown Gap National Guard Training Center is proposing to construct an Access Control Point (ACP) to address security, safety, and circulation into the military facility.

Special Conditions: N/A

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

Northeast Regional Office

Applicant: **County of Lehigh, Bureau of Parks and Recreation, c/o Phillips Armstrong**

Applicant Address: 17 South Seventh Street, Allentown, PA 18101

Application Number: **PAD390133 A-1**

Application Type: Renewal and Major Amendment

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

Project Site Name: Cedar Creek Parkway West Phase 3—Major Amendment

Total Earth Disturbance Area (acres): 13.15 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: Phase 3—Removal of existing tennis courts, associated parking lot and pavilion and the construction of new tennis courts, pickle ball courts, and associated parking lot.

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

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

Northeast Regional Office

Applicant: **PPL Electric Utilities Corp**

Applicant Address: 1639 Church Road, GENN 4, Allentown, PA 18104-9342

Application Number: **PA400005D**

Application Type: New

Municipality/County: West Hazleton Borough, Butler Township, Hazle Township, Rice Township, Sugarloaf Township, Wright Township, Dorrance Township, **Luzerne County**.

Project Site Name: Harwood-Palooka 1&2 69kV Line Rebuild Project

Total Earth Disturbance Area (acres): 130.0 acres

Surface Waters Receiving Stormwater Discharges: Cranberry Creek (CWF, MF), Black Creek (CWF, MF), Little Nescopeck Creek (CWF, MF), Nescopeck Creek (TSF, MF), Long Run (HQ-CWF, MF), UNT to Long Run (HQ-CWF, MF), Balliet Run (HQ-CWF, MF), Big Wapwallopen Creek (CWF, MF) & UNT to Big Wapwallopen Creek (CWF, MF)

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

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

Project Description: The PPL EU Harwood-Palooka 1&2 69kV Project consists of an approximately 15-mile 69kV Transmission Line rebuild. The line starts at the Harwood-Valmont Tap, southeast of Jaycee Drive and travels northwest before heading northeast, ending at Wright Tap, northeast of Burma Road. The entire project is located within Luzerne County (see location map).

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

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

Northwest Regional Office

Applicant: Walden Solar PA Jefferson LLC

Applicant Address: 155 Fleet Street, Portsmouth, NH 03801

Application Number: PAD330011

Application Type: New

Municipality/County: Pine Creek Township and Warsaw Township, **Jefferson County**

Project Site Name: Squab Solar

Total Earth Disturbance Area (acres): 814 acres

Surface Waters Receiving Stormwater Discharges: Mill Creek (CWF), UNT Mill Creek (CWF), UNT Laurel Run (HQ-CWF), Fivemile Run (CWF), UNT Fivemile Run (CWF), and various wetlands

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

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

Project Description: Construction of a ground mounted solar generation facility with associated access drives, equipment pads, substation, and stormwater facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

Northwest Regional Office

Applicant: Franklin Area School District

Applicant Address: 40 Knights Way, Franklin, PA 16323

Application Number: PAD610008

Application Type: New

Municipality/County: Sandycreek Township, **Venango County**

Project Site Name: Franklin Area School District Softball Field

Total Earth Disturbance Area (acres): 2.26 acres

Surface Waters Receiving Stormwater Discharges: Morrison Run EV

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

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

Project Description: To replace an existing parking lot on the southern side of the Franklin Senior High School with a new grass softball field resulting in an 0.64 acre decrease in impervious area.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

Southwest Regional Office

Applicant: L&W Supply

Applicant Address: One ABC Parkway, Beloit, WI 53511

Application Number: PAD020074

Application Type: New

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

Project Site Name: 250 Bilmar Drive

Total Earth Disturbance Area (acres): 2.80 acres

Surface Waters Receiving Stormwater Discharges: Chartiers Creek (WWF) via storm sewers

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

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

Project Description: The proposed development is a phased project. Phase 1 will include an approximately 1.55-acre gravel laydown area for construction material storage, along with a security fence with gates, post-construction stormwater management facilities, storm sewers, and landscaping. L&W Supply proposes to begin construction of Phase 1 in the Fall of 2023 and the construction duration is expected to be approximately 2 to 3 months. Phase 2 will occur sometime in the following 1 to 2 years. Phase 2 includes the construction of an approximately 12,000 square-foot one-story building, with new parking areas, additional fencing, concrete and asphalt paving, lighting, utilities, and additional landscaping.

Special Conditions: Earth disturbance may not commence until all Act 537 authorizations have been obtained.

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

**STATE CONSERVATION COMMISSION
PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS
FOR NPDES PERMITS FOR CAFOs**

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
County View Family Farms LLC, Warrior Ridge Farm 242 Caribbean Road Everett, PA 15537	Bedford County	323	3,263.25	Swine	NA	Renewal
Chase Hogeland 202 S Kalbach Road Newmanstown, PA 17073	Lebanon County	333.4	244.24	Broilers	NA	New
Tuscarora Farms LLC 13851 Creek Road Willow Hill, PA 17271	Franklin County	0	1,074.08	Swine	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

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

Individuals wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30-days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should

include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (DEP) the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

Application(s) Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Kimberleigh Rivers Clerical Assistant 484-250-5887.

Application No. 0924506, Construction, Public Water Supply.

Applicant	PA American Company
Address	920 Mountain Home Road Sinking Spring, PA 19608-9373
Municipality	Yardley Borough Lower Makefield Township
County	Bucks County
Responsible Official	Gerald DeBalko 920 Mountain Home Road Sinking Spring, PA 19608-9373
Consulting Engineer	Derek Harzinki 325 Chestnut Street Suite 300 Philadelphia, PA 19106
Application Received	April 3, 2024
Description	Addition of a GAC adsorption system PFAS removal at each well station.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent (NOI) to Remediate.

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

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

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

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

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

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

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

Tinicum Fuel Farm, Primary Facility ID # **874243**, 2 Hog Island Road, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Kevin Burns, Batta Environmental Associates, Inc., 6 Garfield Way, Newark, DE 19713 on behalf of Trisha Grace, City of Philadelphia, Department of Aviation, 1 International Plaza, Suite 100, Philadelphia, PA 19113, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with PAHs and metals in soil and groundwater. The proposed future use of the property will be nonresidential as an airplane hangar. The proposed cleanup standard for the site is the Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *Metro Philadelphia* on February 9, 2024. Application received: March 1, 2024.

No. 4 Separator Release, Primary Facility ID # **87442**, 3144 West Passyunk Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Kevin Long, Terraphase Engineering Inc., 100 Canal Pointe Boulevard, Suite 110, Princeton, NJ 08540 on behalf of Anne R. Garr, Philadelphia Energy Solutions Refining and Marketing LLC, 3144 West Passyunk Avenue, Philadelphia, PA 19153, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with petroleum constituents in soil. The proposed future use of the property will be nonresidential (i.e., commercial/industrial). The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *Philadelphia Inquirer* on March 11, 2024. Application received: March 12, 2024.

2016 Release East of Former Tank PB 23, Primary Facility ID # **874428**, 3144 West Passyunk Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Kevin Long, Terraphase Engineering Inc., 100 Canal Pointe Boulevard, Suite 110, Princeton, NJ 08540 on behalf of Anne R. Garr, Philadelphia Energy Solutions Refining and Marketing LLC, 3144 West Passyunk Avenue, Philadelphia, PA 19153, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with petroleum constituents in soil. The proposed future use of the property will be nonresidential (i.e., commercial/industrial). The proposed cleanup standard for the site is Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *Philadelphia Inquirer* on March 5, 2024. Application received: March 6, 2024.

Wawa 221, Primary Facility ID # **874434**, 550 Easton Road, Warrington, PA 18976, Warrington Township, **Bucks County**. Rachel Dougherty, G.I.T., Apex Companies, 100 Arrandale Boulevard, Suite 203, Exton, PA 19341 on behalf of Joseph W. Standen Jr., P.G., Wawa, Inc., 260 W. Baltimore Pike, Wawa, PA 19063, submitted a Notice of Intent to Remediate. Soil on the site has been found to be contaminated with lead. The proposed cleanup standard for the site is the Statewide health standard. The proposed future use of the property will be a convenience store with a gas station (nonresidential/commercial). The Notice of Intent to Remediate was published in *The Intelligencer* on March 5, 2024. Application received: March 1, 2024.

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

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Riverfront Park Development, Primary Facility ID # **817623**, East of 179N Exit Ramp, South of 5701 and 5603 Grand Avenue, Pittsburgh, PA 15225, Neville Township, **Allegheny County**. RT Environmental Services, Inc., 2001 Waterdam Plaza Drive, Suite 205, Canonsburg, PA 12317 on behalf of Neville Township, 5050 Grand Avenue, Pittsburgh, PA 15225, submitted a Notice of Intent to Remediate. Lead and arsenic have been identified in site soils at concentrations exceeding their respective applicable PA DEP residential Statewide health standards (SHS). Groundwater has not been impacted. The Site is proposed to be redeveloped for recreational park space, which will include both paved and grassy areas and an access area for a public boat ramp. The Notice of Intent to Remediate was published in the *Pittsburgh Post-Gazette* on March 10, 2024. Application received: March 25, 2024.

Beabouts Service Station, Primary Facility ID # **874418**, 30 West Greene Street, Waynesburg, PA 15370, Waynesburg Borough, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301 on behalf of Community Bank, 2111 North Frankling Drive, Suite 200, Washington, PA 15301, submitted a Notice of Intent to Remediate. Soil and groundwater were potentially impacted by petroleum-related contaminants caused by historical site use as a service station. The current and future proposed property use is commercial. The Notice of Intent to Remediate was published in the *Observer-Reporter* on March 13, 2024. Application received: March 26, 2024.

RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for 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.

WMGR081-NE003. B&K Technology Solutions LLC, dba Advanced Technology Recycling, 5060 Commerce Park Circle, Pensacola, FL 32505, Whitehall Township, **Lehigh County**. A permit renewal application for continued coverage under General Permit WMGR081 for the processing of electronic waste for beneficial reuse. Application received: March 26, 2024. Deemed administratively complete: April 5, 2024.

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

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

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.

WMGR038NW006, Environmental Rubber Solutions, LLC, 600 Indiana Ave, Blairsville, PA 15717, Black Lick Township, **Indiana County**. Solid Waste Permit General Permit No. WMGR038NW006 for the processing, reuse and beneficial use of waste tires, which include

whole tires, tire chips, baled tires, tire shreds, and crumb rubber for use in recapping, as fuel in boilers or other combustion units, in civil engineering practices, and as an ingredient in or as a commercial product, issued in accordance with Article V of the Solid Waste Management Act, 35 P.S. §§ 6018.101, et seq. Processing is limited to collection, sorting, storage, recapping, cleaning, shredding, chipping, grinding, crumbing, cutting and baling of waste tires. Application received: October 30, 2023. GP coverage issued: April 9, 2024.

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

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

Contact: Mohamad Mazid, Chief, Technical Services, RA-EPWM-SERO-PERMITS@pa.gov.

WMGR081SE012, People Advancing Reintegration, Inc. (d/b/a PAR-Recycle Works), 2024 W. Hunting Park Avenue, Philadelphia, PA 19140, City of Philadelphia, **Philadelphia County**. This general permit application is for the renewal of Determination of Applicability (DOA) under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at PAR-Recycle Works Facility, located at 2024 W. Hunting Park Avenue, in the City of Philadelphia, Philadelphia County. Application received: April 2, 2024. Deemed administratively complete: April 8, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Contact: Waste Program Manager.

101723. Recycle Source, LLC, 50 Vespuccius Street, Pittsburgh, PA 15207, City of Pittsburgh, **Allegheny County**. Application for the Recycle Source Transfer Station Facility, a new municipal and residual waste transfer station to be located at 50 Vespuccius Street. Application received: February 11, 2019. Permit issued: April 4, 2024.

Comments or questions concerning the application should be directed to Regional Files, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

HAZARDOUS WASTE TRANSPORTER LICENSE

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.

Renewal Applications Received

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

Univar Solutions USA Inc., dba Univar Solutions, 328 Bunola River Road, Bunola, PA 15020. **License No. PA-AH 0334**. Accepted: March 11, 2024.

Dusquesne Light Company, Construction, Coordination and Underground Operations, 2645 New Beaver Ave (Mail Drop PA-UG), Pittsburgh, PA 15233. **License No. PA-AH0462**. Accepted: February 26, 2024.

EnviroServe Inc., dba EnviroServe Logistics, 7640 Whipple Avenue NW, North Canton, OH 44720. **License No. PA-AH0659**. Accepted: March 4, 2024.

Connell Transport International, Inc., 1925A Barton Street East, Hamilton, ON L8H 2Y7. **License No. PA-AH0867**. Accepted: March 11, 2024.

Ken's Marine Service, Inc., 1 Ingham Avenue, Bayonne, NJ 07002. **License No. PA-AHS154**. Accepted: March 4, 2024.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

Individuals wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit,

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

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

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

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

PLAN APPROVALS

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.

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

Contact: Maryjoy Ulatowski, Chief, Source Registration, 215-685-9476.

IP23-000385: Menasha Packaging Company, LLC, 601 East Erie Avenue, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. Application received: December 29, 2023. The City of Philadelphia, Air Management Services (AMS) intends to issue a plan approval for a facility that manufactures Corrugated and Solid Fiber Boxes. The following stationary air emission source is part of the Plan Approval: United 7 color flexographic die cutter press having rated capacity of 10,000 sheets/hour and 504.17 MSF/hr processing corrugated sheets, inks, and related coatings and solvents. The potential VOC emissions from the press is 17.75 tons per rolling 12-month period and potential HAP emissions

from the press is 5.2 tons per rolling 12-month period. The plan approval will contain monitoring, recordkeeping, reporting requirements and work practice standards to keep the facility operating within all applicable air quality requirements. The plan approval will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Persons wishing to file protest, comments, or request a public hearing on the previously listed plan approval must submit the protest, comments, or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the plan approval or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Managements Services, 7801 Essington Ave., Philadelphia, PA 19153 or e-mailed to DPHAMS_Service_Requests@phila.gov with "Menasha Packaging Company, LLC IP23-000385" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Permit copies and other supporting documents.

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 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

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

28-05028, Chambersburg Energy LLC, 225 Alleman Rd., Chambersburg, PA 17201, Guilford Township, **Franklin County**. Application received: September 7, 2023. For the operation of an electric generation facility. This is for renewal of the existing Title V permit. Actual 2022 air emissions from the facility are estimated at 77.60 tons CO, 80.48 tons NO_x, 2.43 tons VOC, and less than 1 ton of PM₁₀, SO_x and 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 the combustion turbines and emergency engines subject to the following regulations: 40 CFR Part 60: Subpart GG—Standards of Performance for New Stationary Gas Turbines; Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

67-05004, Pixelle Specialty Solutions, LLC, 228 S. Main St., Spring Grove, PA 17362-1000, Spring Grove Borough, **York County**. Application received: August 21, 2023.

Approval of a Reasonably Available Control Technology (RACT) 3 plan for the Pixelle Specialty Solutions, LLC, as a significant modification to its applicable Title V operating permit.

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 Protec-

tion (Department, DEP) has made a preliminary determination to approve a RACT 3 plan for the Pixelle Specialty Solutions, LLC. The RACT 3 plan approval, if approved by the Department, will be issued as a significant modification to the facility's Title V operating permit 67-05004.

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:

The following constitutes a case-by-case RACT 3 determination for the affected sources pursuant to 25 Pa. Code § 129.114:

I. Uncontrolled Vents (111, 112, 119, 120)

(a) The facility is subject to 40 CFR Part 430.03, Best Management Practices (BMPs) for spent pulping liquor, soap, and turpentine management, spill prevention, and control, and shall comply with all requirements of the Subpart with regard to the uncontrolled vents at the facility.

II. Slaker Scrubber (120)

(a) The facility shall install, maintain and operate the slaker scrubber in accordance with the manufacturer's specifications and with good operating practices. Good operating practices include the following practices:

(i) The use of only fresh water or clean condensate as the scrubbing medium,

(ii) visual inspection of the scrubber for positive pressure once per day,

(iii) continuous monitoring of scrubbing medium make-up flow and scrubber tank level, and

(iv) monthly cleaning of the scrubber equipment to remove scale.

(b) The facility shall maintain sufficient records to demonstrate compliance with the previously listed good operating practices.

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 Thomas Bianca, 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 May 20, 2024.

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 plan approval.

Public hearing. A public hearing will be held on June 10, 2024, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed RACT 3 plan approval action and the proposed SIP revision. To register to speak at the hearing, please contact Thomas 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 Thomas Bianca at 717-705-4863 or at tbianca@pa.gov.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Thomas Bianca at 717-705-4863 or make accommodations through the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD).

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

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

46-00300, GlaxoSmithKline, LLC/Upper Merion BIOPHARM, 893 Schuylkill River Rd, West Conshohocken, PA 19428, Upper Merion Township, **Montgomery County**. Application received: August 7, 2023. This action is for a renewal of a Title V Operating Permit for a pharmaceutical research and development and manufacturing facility. The main sources of emissions at the facility are three (3) natural gas fired boilers (each with maximum capacity of 32.7 MMBtu/hr.), two (2) 750 kW diesel fired internal combustion engines and pharmaceutical manufacturing (only source of hazardous air pollutants or HAPs). The facility also has one 50 kW internal combustion engine that have been determined to be an insignificant source. The facility has a potential to emit approximately 26.01 tons of nitrogen oxides (NO_x) per year and 4.05 tons of volatile organic compounds (VOC) per year. Potential HAP emissions at the facility, after electing to take limit are less than 10 tons per year for any single HAP and less than 25 tons per year for any combination of HAPs. Therefore, the facility is a major stationary source, as defined in the Clean Air Act. In addition to applicable state requirements the facility is subject to 40 CFR Part 60 Subparts Dc and IIII and 40 CFR 63 Subpart ZZZZ. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility 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.

32-00394, Beyond The Sunset Pet Crematory, 498 Ben Franklin Rd S, Indiana, PA 15701, White Township, **Indiana County**. Application received: April 5, 2024. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously mentioned facility. Sources of emissions consist of one Matthews International-Cremation Division (“Matthews”) IE43-PP Jr. animal crematory incinerator with a 75 lb/hr capacity. The unit is equipped with a 0.6 MMBtu/hr primary burner and a 1.2 MMBtu/hr secondary chamber afterburner that meets current best available technology standards. Facility-wide potential emissions are less than 1 TPY for each pollutant. The facility was originally authorized by Plan Approval 32-00394A. The air quality permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

33-00172, Original Fuels Inc., P.O. Box 343, Punxsutawney, PA 15767, Perry Township, **Jefferson County**. Application received: September 1, 2020. The Department intends to renew the State Only Operating Permit for the Original Fuels, Inc., Hamilton 2 Mine stone crushing & processing plant. The primary sources at the facility are 2 stone crushing and screening plants each rated at 200 tph and 2 diesel engine generators rated at 563 hp and 623 hp. The facility is a Natural Minor. Potential emissions are 4.52 tpy NO_x; 0.63 tpy SO_x; 17.83 tpy PM; 0.5 tpy CO; and 1.20 tpy VOC. Both engines are subject to an operating hour restriction of 1,700 hours per year. The plant is subject to 40 CFR Part 60 Subpart OOO, the Standards of Performance for Nonmetallic Mineral Processing Plants. The engines are subject to 40 CFR Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR Part 60 Subpart III, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The facility also subject to the conditions of the previously issued plan approvals and operating permits. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

37-00318, AMG Titanium LLC, 207 Frenz Dr, New Castle, PA 16101, Neshannock Township and Union Township, **Lawrence County**. Application received: December 22, 2022. The Department intends to issue the renewal State Only Natural Minor Operating Permit for the manufacturing facility. The facility’s primary emission sources include the thermite reduction process, a diesel-fueled emergency generator engine, the milling operation, a parts washer, non-vanadium sizing, an aerospace Wheelabrator, a specialty binary room, and vacuum induction melting furnaces (VIMS). The potential emissions of the primary pollutants from the facility after permit

limitations are as follows: 3.22 TPY NO_x, 0.95 TPY CO, 0.19 TPY SO_x, 0.36 TPY VOC, 30.16 TPY PM, and 0.57 TPY HAPs; thus, the facility is a natural minor. The engine is subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Reciprocating Internal Combustion Engines. The VIMS are subject to 40 CFR 63 Subpart RRR, NESHAP for Secondary Aluminum Production for Group 2 furnaces. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

28-03043, Novae LLC, 4763 Zane A Miller Dr., Waynesboro, PA 17268, Washington Township, **Franklin County**. Application received: January 9, 2024. For the operation of a utility and dump trailer manufacturing facility. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 86.13 tpy VOC, 0.16 tpy PM₁₀, and 21.20 tpy total HAPs including 12.25 tpy Toluene. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52d Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings.

36-05168, Columbia Gas Transmission Corporation/Marietta, 1588 Depot Rd., Marietta, PA 17547, East Donegal Township, **Lancaster County**. Application received: November 17, 2023. For operation of a natural gas transmission and storage station facility. The facility actual emissions for 2022 are 1.69 tons of CO, 8.41 tons of NO_x, 0.20 ton of PM, 0.03 ton of SO_x, and 0.07 ton of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR 60, Subpart GG—Standards of Performance for Stationary Gas Turbines and 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

06-05163, Texas Eastern Transmission LP/Bechtelsville, 467 Forgedale Road, Barton, PA 19504, Washington Township, **Berks County**. Application received: October 31, 2023. To issue a State Only Operating Permit for the natural gas compressor station. The potential emissions from the facility are estimated at 48 tpy of NO_x, 40 tpy of CO, 9 tpy of PM₁₀, 20 tpy of SO_x, 45 tpy of VOC and 4 tpy of 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 derived from 40 CFR Part 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines, 40 CFR Part 60, Subpart OOOOa—Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015 and

40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

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

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

15-00112, Hines US Property Partners (HUSPP)/Charles River Labs, 466 Devon Park Dr, Wayne, PA 19087, Tredyffrin Township, **Chester County**. Application received: December 6, 2023. This action is for the renewal of the Natural Minor Operating Permit which was last renewed on August 14, 2019. HUSPP owns the property while Charles River Labs rents the building, to operate and perform lab research. The primary sources at the facility are two (2) natural gas-fired boilers (Source 031), a 250-kW diesel-fired emergency generator (Source ID 101), a MTU emergency diesel generator (Source 103), and a Blue Star emergency diesel generator (Source 104). Additional emissions occur from solvent usage, primarily for cleaning and disinfecting (new Source ID 200). The two (2) natural gas-fired boilers are subject to 40 CFR Part 60, Subpart Dc. The 250-kW diesel-fired emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ. The MTU emergency diesel generator and the Blue Star emergency diesel generator are subject to 40 CFR Part 60, Subpart IIII. Potential emissions from the facility are: 14.45 TPY for NO_x, 3.48 TPY for VOC, 11.51 TPY for CO, 0.56 TPY for SO_x, 2.37 TPY for PM, and 0.34 TPY for Total HAP. The operating permit will continue to contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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.

11-00325, Maple Coal Company, 254 Interpower Drive, Colver, PA 15927, Barr Township, **Cambria County**. Application received: December 26, 2023. Natural Minor State-Only Operating Permit for the Maple Coal Company in Barr Township, Cambria County. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue a renewed, facility-wide, State Only Operating Permit for the previously mentioned facility. Sources of emissions consist of one (1) 150 TPH screen, conveyors, stockpiles, and truck unloading and loading operation. Air pollution prevention equipment at the facility includes enclosures, minimization of drop height, and a water truck and a road sweeper for the plant roads. The facility-wide potential-to-emit is 9.28 TPY PM₁₀. The air quality operating permit includes emission limitations, operating requirements, monitoring requirements, work practice standards, testing, reporting, and recordkeeping requirements for the site. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Natural Minor State-Only Operating Permit may submit the information to Tom Joseph,

Environmental Engineering Manager, 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 (11-00325) 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> and by contacting Thomas Joseph, Environmental Engineering Manager, at 412-442-4336 or tjoseph@pa.gov. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Lauren Camarda at 412-442-4203 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

63-00946, EQT Chap, LLC, 72 Hill Road, Fredericktown, PA 15333, Deemston Borough, **Washington County**. Application received: May 11, 2023. Natural Minor State-Only Operating Permit for the Deemston-Wicks natural gas compressor station located in Deemston Borough, Washington County. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an air quality operating permit for the previously mentioned facility. Sources of emissions consist of one (1) 1,265-HP Caterpillar G3516LE compressor engine controlled by an oxidation catalyst, one (1) 28.5 MMscfd dehydration unit controlled by a BTEX condenser, one (1) 0.50 MMBtu/hr reboiler, one (1) 30-bbl produced fluids storage tank, one (1) 100-bbl produced fluids storage tank, ten (10) miscellaneous storage tanks, pneumatic devices, venting/blowdowns, fugitives, pigging operations, and miscellaneous sources including truck loadout and crankcase vents. The facility-wide potential-to-emit is 25.4 TPY NO_x, 4.7 TPY CO, 3.7 TPY VOC, 0.1 TPY PM, 0.1 TPY PM₁₀/PM_{2.5}, 0.1 TPY SO_x, 9,488 TPY CO_{2e}, 1.3 TPY total HAP, and 0.2 TPY single HAP. The air quality operating permit includes emission limitations, operating requirements, monitoring requirements, work practice standards, testing, reporting, and recordkeeping requirements for the site. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Natural Minor State-Only Operating Permit may submit the information to Tom Joseph, Environmental Engineering Manager, 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 (63-00946) 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> and by contacting Thomas Joseph, Environmental Engineering Manager, at 412-442-4336 or tjoseph@pa.gov. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Lauren Camarda at 412-442-4203 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

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 Envi-

ronmental 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 3.

Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Aleppo Townships, Greene County. To revise the permit and related NPDES permit for installation of 13L-1 and 13L-2 Degas Boreholes, affecting 10.2 proposed surface acres. Application received: March 4, 2024. Accepted: April 2, 2024.

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

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

Mining Permit No. 29190101. NPDES No. PA0279722. J & J Svonavec Excavating, Inc., 110 Windermere Lane, Somerset, PA 15501, Wells and Wood Townships, **Fulton and Huntingdon Counties**. NPDES renewal of a bituminous surface mine affecting 164.0 acres. Receiving stream: Great Trough Creek, classified for the following use: TSF. Application received: April 2, 2024.

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

Contact: Alicia Cook, Clerical Assistant 3, 814-797-0815.

Mining Permit No. 33140104. MSM Coal Company, Inc., P.O. Box 243, DuBois, PA 15801, Pine Creek Township, **Jefferson County**. Permit renewal application for a bituminous surface coal mine. The renewal is for reclamation only. Application received: April 8, 2024.

Noncoal Applications

Effluent Limits—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Parameter	Table 2		
	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.			

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

Contact: ra-eppottsvilleDMO@pa.gov.

Mining Permit No. 58040844. Patrick Kipar, 243 McGavin Rd, Meshoppen, PA 18630-7860, Rush Township, **Susquehanna County**. Stage I and II Bond Release affecting 3.0 acres. Application received: March 22, 2024.

Mining Permit No. 58050842. Patrick Kipar, 243 McGavin Rd, Meshoppen, PA 18630-7860, Rush Township, **Susquehanna County**. Stage I and II Bond Release affecting 3.0 acres. Application received: March 22, 2024.

Mining Permit No. 58120807. Carlos R Mendoza, 1509 North Main Ave., Apt No. 2, Scranton, PA 18508-1875, Gibson Township, **Susquehanna County**. Stage I and II Bond Release affecting 3.0 acres. Application received: March 25, 2024.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (NPDES) permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (DEP) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

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

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

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

Effluent Limits for Noncoal Mining Activities

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

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

Coal NPDES Draft Permits

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

Contact: Cassie Stanton, Clerical Assistant 2.

NPDES No. PA0270075. Mining Permit No. 17240102. Coal Loaders, Inc., 210 East Maine Street, Ligonier, PA 15658, Bigler Township and Woodland Township, **Clearfield County.** Application received: January 11, 2024.

For a new NPDES permit for discharge of water resulting from coal surface mining affecting 168 acres. Receiving stream(s): Upper Morgan Run, classified for the following use(s): CWF. This receiving stream is included in the North Branch Upper Morgan Run TMDL.

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

The following outfalls discharge to Upper Morgan Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	New	Sediment Pond 1	Precipitation Induced
002	New	Sediment Pond 2	Precipitation Induced
003	New	Sediment Pond 3	Precipitation Induced
004	New	Sediment Pond 4	Precipitation Induced
005	New	Treatment Facility 1	Intermittent (Pumped)
006	New	Treatment Facility 2	Intermittent (Pumped)
007	New	Treatment Facility 3	Intermittent (Pumped)

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

<i>Outfalls: 005 and 006 (All Discharges)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	1.5	3.0	3.7
Manganese (mg/L)	1.2	2.4	3.0
Aluminum (mg/L)	0.93	1.8	2.3
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

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

<i>Outfalls: 007 (All Discharges)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	2.0	4.0	5.0
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

<i>Outfalls: 001, 003, and 004</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>(Discharges during Dry Weather)</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)		Report	
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	

*Outfalls: 001, 003, and 004
(Discharges during Dry Weather)
Parameter*

Flow (gpm)
Temperature (°C)
Specific Conductivity (µmhos/cm)
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

*30-Day
Average*

*Daily
Maximum*

*Instant.
Maximum*

Report
Report
Report

*Outfalls: 001, 003, and 004
(Discharges after ≤10-yr/24-hr Precip. Event)
Parameter*

Iron (mg/L)
Total Settleable Solids (mL/L)
Sulfate (mg/L)
Flow (gpm)
Temperature (°C)
Specific Conductivity (µmhos/cm)
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

*30-Day
Average*

*Daily
Maximum*

*Instant.
Maximum*

N/A
N/A
Report
Report
Report
Report

7.0
0.5

Outfalls: 001, 003, and 004 (Discharges after >10-yr/24-hr Precip. Event)

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

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

*Outfalls: 002 (All Discharges)
Parameter*

Iron (mg/L)
Manganese (mg/L)
Aluminum (mg/L)
Total Suspended Solids (mg/L)
Sulfate (mg/L)
Flow (gpm)
Temperature (°C)
Specific Conductivity (µmhos/cm)
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

*30-Day
Average*

*Daily
Maximum*

*Instant.
Maximum*

Report
Report
Report
Report

3.7
3.2
2.3
90.0

This site also contains or is hydrologically connected to standard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Chapter 87, Subchapter F, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

Noncoal NPDES Draft Permits

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

Contact: ra-eppottsvilleDMO@pa.gov.

PA0224693. Mining Permit No. **64080301.** **H&K Group, Inc.**, P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474, Palmyra Township, **Wayne County.** Renewal of NPDES Permit affecting 79.2 acres. Receiving stream: Unnamed Tributary to Lake Wallenpaupack, classified for the following use: HQ-CWF. Application received: September 11, 2023.

PA0595829. Mining Permit No. **13930301.** **H & K Group, Inc.**, P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474, Penn Forest Township, **Carbon County.** Renewal of a NPDES permit affecting 14.9 acres. Application received: January 18, 2024.

PA0594369. Mining Permit No. **7973SM3.** **Naceville Materials Joint Venture**, P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474, Wrightstown Township,

Bucks County. Renewal of a NPDES permit affecting 60.0 acres. Application received: October 12, 2023.

PA0225932. Mining Permit No. **64910302.** **Ronald Scull**, 565 Beach Lake Highway, Honesdale, PA 18431, Berlin Township, **Wayne County.** Renewal NPDES permit affecting 41.5 acres. Application received: December 28, 2023.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to

which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office noted above the application.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

Contact: RA-EPEASTERNOGPRG@pa.gov.

E5829224-004. SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, Franklin Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 28, 2024.

To construct, operate, and maintain:

1) a 12-inch natural gas pipeline, 16-inch waterline, and temporary timber mat crossing impacting 7,100 square feet (0.16 acre) of exceptional value (EV) palustrine forested wetlands (PFO) (Franklin Forks, PA Quadrangle; Latitude: 41.89371°, Longitude: -75.777309°),

2) a 12-inch natural gas pipeline, 16-inch waterline, and temporary timber bridge crossing impacting 53 lineal feet of an unnamed tributary to Dubois Creek (CWF, MF) (Franklin Forks, PA Quadrangle; Latitude: 41.898014°, Longitude: -75.777168°),

3) a 12-inch natural gas pipeline, 16-inch waterline, and timber mat crossing impacting 2,350 square feet (0.05 acre) of exceptional value (EV) palustrine emergent wetlands (PEM) (Franklin Forks, PA Quadrangle; Latitude: 41.901968°, Longitude: -75.777214°),

4) a 12-inch natural gas pipeline, 16-inch waterline, and temporary timber bridge crossing impacting 52 lineal feet of an unnamed tributary to Dubois Creek (CWF, MF) (Franklin Forks, PA Quadrangle; Latitude: 41.90224°, Longitude: -75.777228°),

5) a 12-inch natural gas pipeline, 16-inch waterline, and temporary timber bridge crossing impacting 50 lineal feet of Dubois Creek (CWF, MF) (Franklin Forks, PA Quadrangle; Latitude: 41.902999°, Longitude: -75.777279°),

6) a 12-inch natural gas pipeline, 16-inch waterline, and temporary timber bridge crossing impacting 54 lineal feet of an unnamed tributary to Dubois Creek (CWF, MF) (Franklin Forks, PA Quadrangle; Latitude: 41.90708°, Longitude: -75.776451°),

7) a 12-inch natural gas pipeline, 16-inch waterline, and temporary timber bridge crossing impacting 58 lineal feet of an unnamed tributary to Dubois Creek (CWF, MF) (Franklin Forks, PA Quadrangle; Latitude: 41.914088°, Longitude: -75.774217°),

8) a 12-inch natural gas pipeline, 16-inch waterline, and temporary timber bridge crossing impacting 58 lineal feet of an unnamed tributary to Dubois Creek (CWF, MF) (Franklin Forks, PA Quadrangle; Latitude: 41.9145504°, Longitude: -75.773786°),

9) a 12-inch natural gas pipeline, 16-inch waterline, and temporary timber bridge crossing impacting 65 lineal feet of an unnamed tributary to Dubois Creek (CWF, MF) (Franklin Forks, PA Quadrangle; Latitude: 41.915323°, Longitude: -75.773075°),

10) a 12-inch natural gas pipeline, 16-inch waterline, and temporary timber mat crossing impacting 4,165 square feet (0.10 acre) of exceptional value (EV) palustrine emergent wetlands (PEM) (Franklin Forks, PA Quadrangle; Latitude: 41.916251°, Longitude: -75.772259°; Latitude: 41.916371°, Longitude: -75.771531°).

The project consists of the construction of a 12-inch natural gas pipeline and 16-inch waterline in Franklin Township, Susquehanna Co. The project is approximately 12,655 linear feet in length and will disturb approximately 22.08 acres. The project will result in 390 lineal feet of stream impacts, 6,515 square feet (0.15 acre) of palustrine emergent (PEM) wetlands impacts, and 7,100 square feet (0.16 acre) of palustrine forested (PFO) wetlands impacts to provide safe reliable development and conveyance of Marcellus Shale Natural Gas.

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

Contact: James Cassidy, Senior Civil Engineer, 570-855-9764.

E4104224-004. Loyalsock Township, 2501 East Third Street, Williamsport, PA 17701, Loyalsock Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 3, 2024.

The project site is located 0.4 mile north from the intersection of Four Mile Drive and Northway Road. The site is comprised of existing ball fields, playgrounds, pedestrians, bridges, a garden, pavilions and a few other park amenities. The site is generally sloped in a direction towards Millers Run, whose Designated Use is classified as warm-water fishes (WWF) and migratory fishes (MF). Historically within the past 5 years, the site was used as multi-use park with some grass and wooded areas. The 50 years before the past 5 years, the site had also been used as multi-use park with some grass and wooded areas. The project proposed approximately 500 linear feet of streambank restoration on both sides. This project will provide needed MS4 credits for the township to satisfy State requirements. Also, included is a retention basin that will serve as a discharge control and water quality BMP for an existing 36" stormwater pipe. Latitude: 41.267920°, Longitude: -76.974924°.

Contact: Pete Geanacopoulos, Project Manager, 570-327-3701.

E1904224-002. Michael Garcia, 154 Evergreen, Catawissa, PA 17820, Cleveland Township, **Columbia County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 22, 2024.

A portion of the property is located along the South Branch of Roaring Creek and is identified as Columbia County Tax Parcel 13 02 00100000. Historically, this part of the property was used for a camp site similar to many properties located up and down the creek in this area. There is an old electric service and old mapping in this area indicated this. Over the years, the property became

overgrown and Mr. Garcia purchased the property and attempted to clean it up in order to utilize his property for recreational purposes. Besides the brush removal, he encountered various types of 'junk' that were disposed of properly. In the process, the existing ground was scraped off and replaced with pea gravel to provide stabilization of the bank and the floodplain. Based on a recent survey of the area compared to historical elevations, no grades were changed on the site. Latitude: 40° 51' 19.8", Longitude: -76° 29' 57.3".

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

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

E480224-004. Highview Commercial, LLC, 280 Highway 35 S, Suite 150, Red Bank, NJ 07701, Bethlehem Township, **Northampton County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 28, 2024.

To construct and maintain the following water obstructions and encroachments associated with the 4406 Easton Avenue Project: 1) A stream enclosure of Nancy Run (CWF, MF) consisting of a 620-LF HPDE culvert having a longitudinal slope of 0.5%, seven (7) concrete inlet boxes, and R-6 riprap apron. 2) A stream enclosure of Nancy Run (CWF, MF) consisting of a 620-LF HPDE culvert having a longitudinal slope of 0.5%, six (6) concrete inlet boxes, and riprap apron. 3) A utility line crossing of an enclosed portion of Nancy Run (CWF, MF) consisting of an 8-inch diameter ductile iron water line. 4) A utility line crossing of an enclosed portion of Nancy Run (CWF, MF) consisting of a 4-inch diameter ductile iron water line. 5) A utility line crossing of an enclosed portion of Nancy Run (CWF, MF) consisting of an 8-inch diameter PVC sewer line. 6) A utility line crossing of an enclosed portion of Nancy Run (CWF, MF) consisting of an 8-inch diameter ductile iron water line. 7) A utility line crossing of an enclosed portion of Nancy Run (CWF, MF) consisting of a 4-inch diameter ductile iron water line. 8) A stormwater outfall within an enclosed portion of Nancy Run (CWF, MF) consisting of an 18-inch diameter RCP. 9) A stormwater outfall within an enclosed portion of Nancy Run (CWF, MF) consisting of an 18-inch diameter RCP. The project is located approximately directly east of the intersection of Easton Avenue and Farmersville Road (Nazareth, PA Quadrangle Latitude: 40° 39' 55", Longitude: -75° 18' 33") in Bethlehem Township, Northampton County.

E6602123-002. PA Department of Transportation, Eng District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Eaton Township, **Wyoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: December 8, 2023.

To authorize the following water obstructions and encroachments associated with the SR 0029 Section WID project. 1. To place 0.003 acre of fill in the floodway and watercourse along 136-LF of a Bowman Creek (HQ-CWF, MF) for the purpose of riprap streambank protection and stabilization. (Impacts FW-A, FW-B, JPA-A, JPA-B) The proposed project is located along SR 0029 and extends from approximately 1,700' south of the SR 0029/SR 3003 intersection (southern terminus) to 715' north of the SR 0029/SR 3003 intersection (northern terminus) (Tunkhannock, PA Quadrangle, Latitude: 41.502003°, Longitude: -75.984698° to Latitude: 41.509399°, Longitude: -75.982142°) in Eaton Township, Wyoming County.

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

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

E2506224-003. Land Reclamation Group, 632 Hunt Valley Circle, New Kensington, PA 15068, Millcreek Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: March 28, 2024.

To restore and stabilize a total of approximately 791 feet of stream channel and the associated streambanks on three UNTs to Walnut Creek at the Erie Golf Course property at the terminus of Old Zuck Road (6050 Old Zuck Road, Erie, PA 16506) approximately 1 mile south of Zimmerly Road. Latitude: 42.055160°, Longitude: -80.121931°.

E4306224-004. Grove City Borough, 123 W Main Street, Grove City, PA 16127, Grove City Borough, **Mercer County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: March 28, 2024.

The installation of a new sanitary sewer lift station within the floodplain of UNT to Wolf Creek and a new sewer line within the floodway and floodplain of Wolf Creek in Grove City Borough, Mercer County. Latitude: 41.1664354°, Longitude: -80.0796357°.

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

Contact: 717-705-4802.

E5003124-002. PennDOT Engineering District 8-0, 2140 Herr St, Harrisburg, PA 17103, Southwest Madison Township, **Perry County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 13, 2024.

To install and maintain a 24-inch diameter outfall with rock lined channel and rock basin within the floodway and channel of UNT Laurel Run (designated use HQ-CWF, MF: existing use EV, MF). The project proposes to permanently impact 919 sq. feet of floodway and 10 linear feet of stream channel with 897 sq. feet of temporary floodway impacts. This is for the purpose of improving roadway safety. The project is located within Southwest Madison Township, Perry County (40.3234, -77.3736). Latitude: 40.3234°, Longitude: -77.3736°.

E0103223-003. The Brethren Home Community, 2990 Carlisle Pike, P.O. Box 128, New Oxford, PA 17350, Oxford Township, **Adams County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 20, 2023.

The applicant proposes to permanently impact 6,600.00-square feet of emergent/forested wetlands in order to extend a development road and to construct a wooden boardwalk structure. The applicant also proposes to permanently impact 84,554.84-square feet of an existing open water quarry pond in order to create a more useable water feature and to enhance the aquatic environment of the open water area. All impacts are in conjunction with proposed improvements associated with a senior living community. 0.36 acre of wetland mitigation credits will be purchased from RES to compensate for the proposed permanent wetland impacts. The project is located at Bridgewater Drive, Oxford Township, PA 17350 in Oxford Township, Adams County (Latitude: (39.8608), Longitude: (-77.0400)).

E3603223-011. 4070 Old Philadelphia Pike, 14 South New Holland Road, Gordonville, PA 17529, Leacock

Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 5, 2023.

The applicant proposes to permanently impact 700-square feet of PEM wetlands and fill 35,284-square feet of an open water pond for the purpose of sub-dividing a parcel and constructing industrial/commercial buildings with associated amenities. 0.45 acre of onsite wetland mitigation is proposed to compensate for the proposed permanent impacts. The project is located at 4070 Old Philadelphia Pike, Gordonville, PA 17529 in Leacock Township, Lancaster County (Latitude: (40.0377), Longitude: (-76.0665)).

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

Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.

E1501224-002. East Bradford Township, 676 Copeland School Road, West Chester, PA 19380, East Bradford Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 25, 2024.

East Bradford Township is proposing to construct and maintain the following listed water obstruction and encroachment activities associated with the Plum Run Trail & Heritage Area Project. The proposed project is located within the floodway and floodplain of Plum Run (WWF, MF). The proposed project will include the following: The installation of a 1-mile long segment of the multi-use, 8-foot wide, asphalt-surfaced, trail in and along the 100-year floodplain of Plum Run (WWF, MF). The proposed project will also include: 1) The construction of a 1-mile long segment of the multi-use, 8-foot wide, asphalt-surfaced trail. 2) The construction of a new pedestrian bridge—50 ft long, by 8 ft wide, by 8.3 high, from Outdoor Heritage Center, and amenities from West Chester University to the proposed Strodes Barn Outdoor Heritage Center. 3) 775 sq. ft. of permanent impacts and 100.7 sq. ft. of temporary impacts for a proposed pedestrian bridge over Plum Run. 4) 4,720.5 sq. ft. of permanent floodplain impacts for the trail and access area. The project will follow along Tigue Road and SR-52 between Birmingham Road and terminate near South New Street (West Chester, PA USGS Quadrangle) in East Bradford Township, Chester County. Latitude: 39.93032°, Longitude: -75.61624°.

WV4601224-001, EA4601224-001. Lower Merion Township, 75 East Lancaster Avenue, Ardmore, PA 19003, Lower Merion Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 25, 2024.

To restore, rehabilitate, and maintain about 600 feet of stream and banks along the UNT to Schuylkill River (CWF) associated with the applicant's request for 105.12(a)(16) waiver to restore the stream and banks. The proposed rehabilitation will include instream rifles, streambank-floodplain reconnection, biodegradable coconut coir logs along the edge of the stream, laying back slopes to reconnect the floodplain, etc. The project is located along Hollow Road (Norristown, PA USGS Quadrangle) in Lower Merion Township, Montgomery County. Latitude: 40.038021°, Longitude: -75.254027°.

E4601224-009. Independent Mortgage Company, 1250 Germantown Pike, Suite 305, Plymouth Meeting, PA 19462, Trappe Borough, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 12, 2024.

Independent Mortgage Company is proposing to perform the following water obstruction and encroachment activities associated with the project in Bronson Circle listed as follows. Activities associated with construction/installation and maintenance of culvert, utilities, and associated developments within the floodway of Donny Brook: 1) To excavate/fill within the floodway of Donny Brook for construction of culvert crossing resulting in (3,300 sq ft, .08 acre) of permanent watercourse and floodway impacts. 2) To excavate/fill within the floodway of Donny Brook for installation of utilities resulting in (250 sq ft, .01 acre) of permanent watercourse impacts and (1350 sq ft, .03 acre) floodway impacts. This project is located at Bronson Circle, Trappe Borough, PA 19426-2215, Montgomery County, (USGS PA Collegeville Quadrangle). Latitude: 40.190665°, Longitude: -75.480647°.

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

Contact: Dana Drake, Program Manager.

E5605122-001, PennDOT District 9-0, 1620 N. Juniata St., Hollidaysburg, PA 16648, Hooversville Borough, Conemaugh Township, Shade Township, Quemahoning Township, **Somerset County**; Pittsburgh ACOE District. Application received: April 2, 2024.

Applicant is seeking authorization to amend E6505122-001, which granted authorization to:

1. Remove the existing 41' long, 6' x 4' concrete box culvert; construct and maintain a replacement 48' long, 76' x 48' elliptical concrete pipe, having a permanent impact of 174 LF and a temporary impact of 206 LF on an unnamed tributary (UNT) to Stonycreek River (CWF), (Water 8).
2. Construct and maintain a new roadway embankment slope (WET 8) along Whistler Road, a portion of which will have a total permanent impact of 0.009 acre to wetland, (WET 8).
3. Construct and maintain a new roadway embankment slope (WET 9) along Whistler Road, a portion of which will have a total permanent impact of 48' x 15' and a temporary impact of 0.017 acre to wetland, (WET 9).
4. Remove the existing 69' long, 36' CMP pipe; construct and maintain a replacement 69' long, 36' CMP, having a permanent impact of 90 LF and a temporary impact of 88 LF to a UNT to Stonycreek River (CWF), (Water 10).
5. Place and maintain rock apron around a culvert outlet which conveys a (UNT) to Soap Hollow Run (CWF), having a permanent impact of 48 LF and a temporary impact of 48 LF on a UNT to Soap Hollow Run (CWF), (Water 24-1).
6. Place and maintain rock apron around a drainage pipe which conveys to the same UNT to Soap Hollow Run (CWF), having a permanent impact of 47 LF and a temporary impact of 47 LF to a UNT to Soap Hollow Run (CWF), (Water 24-2).
7. Construct and maintain a new roadway embankment slope along Tire Hill Road, having a permanent impact of 204 LF and a temporary impact of 204 LF on UNT to Soap Hollow Run (CWF), (Water 25).
8. Remove the existing 42' long, 24' x 3' reinforced concrete T-beam culvert; construct and maintain a replacement 64' long, 20' x 6' precast reinforced concrete

box culvert, having a permanent impact of 103 LF and a temporary impact of 156 LF to a UNT to Soap Hollow Run (CWF), (Water 22).

9. Remove the existing 45' long, reinforced concrete encased steel I-beam bridge; construct and maintain a replacement 52' long, 18' x 8' rise precast reinforced concrete box culvert, having a permanent impact of 194 LF and a temporary impact of 254 LF to Soap Hollow Run (CWF), (Water 1).

10. Construct and maintain a new roadway embankment slope along Tire Hill Road, having a permanent impact of 63 LF and a temporary impact of 63 LF to a UNT to Soap Hollow Run (CWF), (Water 21).

11. Construct and maintain a new headwall structures on both the upstream and downstream end of the existing 47 LF of pipe, having a permanent impact of 91 LF and a temporary impact of 101 LF to a UNT to Stonycreek River (CWF), (Water 19).

12. Place and maintain fill in wetland, (WL14), having a permanent impact of 0.021 acre.

13. Place and maintain fill in wetland, (WL20), having a permanent impact of 0.006 acre.

14. Place and maintain fill in wetland, (WL14), having a permanent impact of 0.001 acre.

This amendment is seeking authorization to:

1. Operate and maintain a utility line crossing of a wetland (WET 9), with a 30" SLCPP which conveys acid mine drainage to a UNT to Stonycreek (Water 30), having a permanent impact of 0.20 acre to WET 9.

2. Operate and maintain 195 LF of a 30" SLCPP stream enclosure which conveys a portion of the previously listed UNT to Stonycreek River (Water 30), which has a drainage area less than 100 acres, having a permanent watercourse impact of 195 LF and a temporary watercourse impact of 207 LF to watercourse Water 30.

3. Construct and maintain an 18 LF extension to the aforementioned existing 30" SLCPP within watercourse Water 30. A portion of this extension will be constructed under existing railroad tracks. The outlet of the stream enclosure will be constructed within the floodway of, and along Stonycreek River (CWF).

4. Place and maintain concrete underpinnings to an existing 130-LF concrete retaining wall along another UNT to Stonycreek River (CWF) (Water 1-2), at the intersection of SR 403 and Smith Street (T-406), having a permanent watercourse impact of 124-LF to watercourse Water 1-2, as well as a permanent floodway impact of 0.05 acre.

5. Place and maintain fill for scour protection in another UNT to Stonycreek River (CWF), (Water 1-3), along a retaining wall immediately upstream from a structure which carries SR 403 over watercourse Water 1-3, having a permanent watercourse impact of 19 LF to watercourse Water 1-3, as well as a permanent floodway impact of 0.003 acre.

For the purpose of addressing repairs associated with a landslide and adding scour protection at select roadway watercourse crossings along SR 403. The work will permanently impact approximately 356 LF of watercourses and temporarily impact approximately 207 LF of watercourses. The work will also permanently impact 0.053 acre of floodways and 0.20 acre of wetlands.

The project site is located along Campbells Run Road near the intersection of Border Street and Main Street (Hooversville, Geistown, Johnstown, Windber, PA USGS topographic quadrangle; N: 40°, 8', 40.2987"; W: 78°, 54', 50.30"; Sub-basin 20F; USACE Pittsburgh District), in Hooversville Borough, Conemaugh Township, Shade Township, Quemahoning Township, Somerset County.

DAM SAFETY

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

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

D65-00EA. Steve Robinson, 647 Ann Roberts Road, Ligonier, PA 15658, Ligonier Township, **Westmoreland County**. Applicant proposes to remove the off-stream Robinson Dam to eliminate an encroachment to the Middle Branch of Mill Creek. The reservoir is 168 x 24 feet, is concrete lined with an earthen bottom, and was used for private water supply. Most of the concrete walls will be rubelized and buried onsite. The intake wall along Mill Creek will remain intact, buttressed and the intake pipe plugged. The former reservoir will be filled and graded and will act as a high-flow relief swale and will likely develop into a wetland. The project is located along Middle Branch of Mill Creek (EV) (Wilpen, PA Quadrangle, Latitude: 40.2509, Longitude: -79.1453). Application received: April 1, 2024.

Contact: Ronald Mease, Sr., Civil Engineer, 717-787-7652.

D64-039. Pennsylvania Fish and Boat Commission, 595 Rolling Ridge Drive, Bellefonte, PA 16823-9620, Mount Pleasant Township, **Wayne County**. Deconstruct the existing dam and replace it with a new dam and spillway located immediately upstream of the existing dam, Latitude: 41°, 43', 5.57", Longitude: -75°, 21', 22.41". Application received: February 27, 2024.

EROSION AND SEDIMENT CONTROL

The following parties have applied for an Erosion and Sediment Control Permit (ESCP) for an earth disturbance activity associated with either a road maintenance or timber harvesting operation.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

Individuals wishing to comment on the proposed permit are invited to submit a statement to the appropriate DEP Regional Office previously listed in the application within 30-days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement to inform DEP of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate DEP Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Program Manager will make a final

determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity are on file and may be inspected at the office identified in this 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).

Applications Received Under Sections 5 and 402 of the Clean Streams Law (35 P.S. §§ 691.5 and 691.402).

Southwest District: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: RA-EPSW-OGSUBMISSION@pa.gov.

ESCP #	ESP07022400200E
Applicant Name	Range Resources Appalachia LLC—Semerod Clinton 18160 Well Site

Contact Person	Karl Matz (724) 873-3090 kmatz@rangeresources.com
Address	0.5 mile south of Seabright Road and Commodore Drive
City, State, Zip	McDonald, PA 15057
Township(s)	North Fayette Township
County	Allegheny County
Receiving Stream(s) and Classification(s)	001. Lat 40.41301, Long -80.26416, UNT to North Branch Robinson Creek, Ch 93 Class WWF. 002. Lat: 40.41182, Long: -80.26188, UNT to North Branch Robinson Creek, Ch. 93 Class WWF. 003 Lat: 40.40985, Long: -80.26111, UNT to North Branch Robinson Creek, Ch 93. Class WWF
Application received:	April 2, 2024

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at www.dep.pa.gov/CWPpublicNotice.

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: 814-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. §§ 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD020071	Chapter 102 Individual NPDES Permit	Issued	Carnegie Mellon University 5000 Forbes Avenue Pittsburgh, PA 15213-3815	Pittsburgh City Allegheny County	SWRO
PAD020075	Chapter 102 Individual NPDES Permit	Issued	PA DOT Engineering District 11-0 45 Thoms Run Road Bridgeville, PA 15017-2834	Pittsburgh City Allegheny County	SWRO
PAD020076	Chapter 102 Individual NPDES Permit	Issued	Fox Chapel Borough Allegheny County 401 Fox Chapel Road Pittsburgh, PA 15238-2225	Fox Chapel Borough Allegheny County	SWRO
PAD070033	Chapter 102 Individual NPDES Permit	Issued	Sheetz Inc. P.O. Box 61 Hollidaysburg, PA 16648-0061	Greenfield Township Blair County	SCRO
PAD110020	Chapter 102 Individual NPDES Permit	Issued	Peoples Gas Co. LLC 375 N Shore Drive Pittsburgh, PA 15212-5866	Jackson Township Cambria County	SWRO
PAD150202	Chapter 102 Individual NPDES Permit	Issued	Hankin Group P.O. Box 562 717 Constitution Drive Exton, PA 19341-0562	Uwchlan Township Chester County	SERO
PAD230077	Chapter 102 Individual NPDES Permit	Issued	Stormwater Authority Of City Of Chester 31 E 5th Street Chester, PA 19013-4401	Chester City Delaware County	SERO
PAD230079	Chapter 102 Individual NPDES Permit	Issued	Delaware County 201 W Front Street Media, PA 19063-2708	Middletown Township Delaware County	SERO
PAD400059	Chapter 102 Individual NPDES Permit	Issued	Rising Light Ridge LLC 588 Railroad Lane Bear Creek Township, PA 18602	Bear Creek Township Luzerne County	NERO

NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD440026	Chapter 102 Individual NPDES Permit	Issued	Mifflin County School District 201 8th Street Lewistown, PA 17044-1157	Derry Township Mifflin County	SCRO
PAD450188	Chapter 102 Individual NPDES Permit	Issued	TJA Realty Inc. 351 Cedar Road Bangor, PA 18013-9550	Hamilton Township Monroe County	NERO
PAD480190	Chapter 102 Individual NPDES Permit	Issued	Larken Assoc 1250 Route 28 Suite 101 Branchburg, NJ 08876-3389	Forks Township Northampton County	NERO
PAD500010	Chapter 102 Individual NPDES Permit	Issued	Old Trail Campground 1764 Old Trail Road Liverpool, PA 17045	Buffalo Township Perry County	SCRO
PAD510235	Chapter 102 Individual NPDES Permit	Issued	PBF Logistics Products Terminal LLC 1 Sylvan Way Second Floor Parsippany, NJ 07054-3887	Philadelphia City Philadelphia County	SERO
PAD670071	Chapter 102 Individual NPDES Permit	Issued	Hedgeford LLC 227 Granite Run Drive Suite 100 Lancaster, PA 17601-6813	Windsor Township York County	SCRO
PA0245551	Industrial Stormwater Individual NPDES Permit	Issued	Journal Register Co. 390 Eagleview Boulevard Exton, PA 19341-1155	Uwchlan Township Chester County	SERO
PA0245607	Industrial Stormwater Individual NPDES Permit	Issued	Shiple Energy Co. 415 Norway Street York, PA 17403-2531	East Vincent Township Chester County	SERO
0118805	Joint DEP/PFBC Pesticides Permit	Issued	The Stoners Farm Homeowners Assoc Inc. 5295 Westview Drive Frederick, MD 21703-8517	Littlestown Borough Adams County	SCRO
0913888	Joint DEP/PFBC Pesticides Permit	Issued	White Donna 3516 Wellsford Lane Doylestown, PA 18902-1480	Buckingham Township Bucks County	SERO
0913900	Joint DEP/PFBC Pesticides Permit	Issued	Fetterman Gary 3998 Thisal Lane Doylestown, PA 18902-1368	Buckingham Township Bucks County	SERO
0914814	Joint DEP/PFBC Pesticides Permit	Issued	Warwick Township Bucks County 1733 Township Grn Jamison, PA 18929-1621	Warwick Township Bucks County	SERO
0919824	Joint DEP/PFBC Pesticides Permit	Issued	Boylan Angela 31 N Champman Road Doylestown, PA 18901	Doylestown Township Bucks County	SERO
1418802	Joint DEP/PFBC Pesticides Permit	Issued	Dimakopoulos Ryan P.O. Box 104 Pine Grove Mills, PA 16868-0104	Ferguson Township Centre County	NCRO
1513830	Joint DEP/PFBC Pesticides Permit	Issued	Deerfield Knoll HOA 501 West Office Centre Drive Fort Washington, PA 19034	Willistown Township Chester County	SERO
1713804	Joint DEP/PFBC Pesticides Permit	Issued	Sabula Outing Club 552 Sabula Outing Club Road Dubois, PA 15801-6982	Sandy Township Clearfield County	NCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
3813819	Joint DEP/PFBC Pesticides Permit	Issued	Lebanon County North Lebanon Township 725 Kimmerlings Road Lebanon, PA 17046-9202	North Lebanon Township Lebanon County	SCRO
3813824	Joint DEP/PFBC Pesticides Permit	Issued	Eastern Enterprises Inc. P.O. Box 100 Mount Gretna, PA 17064-0100	South Londonderry Township Lebanon County	SCRO
3819805	Joint DEP/PFBC Pesticides Permit	Issued	MHC Thousand Trails LP 493 S Mount Pleasant Road Lebanon, PA 17042-4870	South Annville Township Lebanon County	SCRO
6724802	Joint DEP/PFBC Pesticides Permit	Issued	Diller Nursery Inc. 606 Saw Mill Road Mechanicsburg, PA 17055-6049	Fairview Township York County	SCRO
0901401	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Buckingham Township Bucks County P.O. Box 413 Buckingham, PA 18912-0413	Buckingham Township Bucks County	SERO
PAI136123	MS4 Individual NPDES Permit	Issued	Salem Township Westmoreland County 244 Congruity Road Greensburg, PA 15601-8473	Salem Township Westmoreland County	SWRO
PA0024899	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Lake City Borough Erie County 2350 Main Street Lake City, PA 16423-1509	Lake City Borough Erie County	NWRO
PA0026018	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Borough of West Chester 795 Downingtown Pike West Chester, PA 19380-1972	West Chester Borough Chester County	SERO
2208407	Major Sewage Treatment Facility Individual WQM Permit	Issued	Swatara Township Authority Dauphin County 595 Eisenhower Boulevard Harrisburg, PA 17111-2304	Swatara Township Dauphin County	SCRO
PA0216739	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	ATI Flat Rolled Products Holdings LLC 100 River Road Brackenridge, PA 15014-1537	Allegheny Township Westmoreland County	SWRO
PA0062472	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Blue Mountain View Estates LLC 99 Sam Brooke Circle Leighton, PA 18235-4226	Lower Towamensing Township Carbon County	NERO
PA0092037	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Twin Lakes Estates LLC 1 Vandercastel Road Sterling, VA 20165-5622	Unity Township Westmoreland County	SWRO
PA0092304	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Cherry Hill Corp 296 Dinnerbell Road Butler, PA 16002-8862	Penn Township Butler County	NWRO
PA0100129	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Seneca Hills Bible Conference 276 Damascus Road Polk, PA 16342-4904	Victory Township Venango County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0102547	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Oak Springs MHP LLC 153 E Flagler Street Miami, FL 33131-1101	Cranberry Township Butler County	NWRO
PA0113221	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Carta David 4935 Schwaben Creek Road Leck Kill, PA 17836-7726	Upper Augusta Township Northumberland County	NCRO
PA0265021	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Knox Township Clarion County Municipal Authority P.O. Box 3 27345 Route 66 Lucinda, PA 16235-0003	Knox Township Clarion County	NWRO
PA0221449	Minor Sewage Facility ≥ 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Buffalo Township Municipal Authority 707 S Pike Road Sarver, PA 16055-9201	Buffalo Township Butler County	NWRO
PA0222674	Minor Sewage Facility ≥ 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	McKean Township Sewer Authority Erie County 9231 Edinboro Road P.O. Box 88 McKean, PA 16426-1845	McKean Township Erie County	NWRO
2698201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Chance Gas & Oil LLC 416 Kirkland Road Clymer, PA 15728-6318	Dunbar Township Fayette County	SWRO
1069405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Oak Springs MHP LLC 153 E Flagler Street Miami, FL 33131-1101	Cranberry Township Butler County	NWRO
1073414	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Oak Springs MHP LLC 153 E Flagler Street Miami, FL 33131-1101	Cranberry Township Butler County	NWRO
1077405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Oak Springs MHP LLC 153 E Flagler Street Miami, FL 33131-1101	Cranberry Township Butler County	NWRO
2290401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Dauphin Borough Dauphin County 200 S Church Street P.O. Box 487 Dauphin, PA 17018-0487	Dauphin Borough Dauphin County	SCRO
4986408	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Carta David 4935 Schwaben Creek Road Leck Kill, PA 17836-7726	Upper Augusta Township Northumberland County	NCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
5300401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Harrison Township Potter County 205 E Main Street Harrison Valley, PA 16927-1203	Harrison Township Potter County	NCRO
5692401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Somerset Township Municipal Authority Somerset County P.O. Box 247 Somerset, PA 15501-0247	Black Township Somerset County	SWRO
NNOEXNC61	No Exposure Certification	Issued	Supelco Inc. 595 N Harrison Road Bellefonte, PA 16823-6217	Spring Township Centre County	NCRO
NOEXNC161	No Exposure Certification	Issued	BWI 2689 Route 522 Selinsgrove, PA 17870-8892	Penn Township Snyder County	NCRO
NOEXNW079	No Exposure Certification	Issued	Metal Powder Products Co. 879 Washington Street St Marys, PA 15857	Saint Marys City Elk County	NWRO
NOEXNW186	No Exposure Certification	Issued	EV Products Inc. d/b/a Kromek 143 Zehner School Road Zelienople, PA 16063-2715	Jackson Township Butler County	NWRO
NOEXNW237	No Exposure Certification	Issued	Erie Hard Chrome Inc. 1570 E 12th Street Erie, PA 16511-1750	Erie City Erie County	NWRO
NOEXSE190	No Exposure Certification	Issued	Keystone Technology Management LLC 2221 Cabot Boulevard W Suite D Langhorne, PA 19047-1850	Langhorne Borough Bucks County	SERO
NOEXSE247	No Exposure Certification	Issued	Airgas USA LLC 107 Park Drive Montgomeryville, PA 18936-9613	Montgomery Township Montgomery County	SERO
NOEXSE306	No Exposure Certification	Issued	Estates Group 2701 Township Line Road Hatfield, PA 19440	Hatfield Township Montgomery County	SERO
NOEXSE360	No Exposure Certification	Issued	Keystone Technology Management LLC 2221 Cabot Boulevard W Langhorne, PA 19047-1850	Middletown Township Bucks County	SERO
NOEXSW089	No Exposure Certification	Issued	Berkley Medical Resources 700 Mountain View Drive Smithfield, PA 15478-8924	Georges Township Fayette County	SWRO
PAG030311	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Smyrna Ready Mix Concrete LLC 1000 Hollingshead Circle Murfreesboro, TN 37129-4036	Folcroft Borough Delaware County	SERO
PAG033598	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sonoco Products Co. 310 Pine Street Hanover, PA 17331-2353	Hanover Borough York County	SCRO
PAG033644	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Berks Transfer Inc. 59 Willow Creek Road Reading, PA 19605-9204	Ontelaunee Township Berks County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG033658	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Martins Famous Pastry Shoppe Inc. 1000 Potato Roll Lane Chambersburg, PA 17202-8897	Guilford Township Franklin County	SCRO
PAG033696	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Purina Animal Nutrition LLC 475 Street Johns Church Road Camp Hill, PA 17011-5755	Hampden Township Cumberland County	SCRO
PAG033698	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Wenger Feeds LLC 101 West Harrisburg Avenue P.O. Box 26 Rheems, PA 17570-0026	Southampton Township Franklin County	SCRO
PAG033706	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Treehouse Private Brands Inc. 680 W Chestnut Street Hanover, PA 17331-7802	Penn Township York County	SCRO
PAG033724	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Consolidated Scrap Resources Inc. 120 Hokes Mill Road P.O. Box 7520 York, PA 17404-5505	West Manchester Township York County	SCRO
PAG033873	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Consolidated Scrap Resources Inc. P.O. Box 7520 York, PA 17404-0520	York City York County	SCRO
PAG033889	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Bluescope Bldg North American Inc. 400 N Weaver Street Annville, PA 17003-1103	Annville Township Lebanon County	SCRO
PAG033893	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Reading Truck Body LLC P.O. Box 650 825 E Wyomissing Boulevard Reading, PA 19607-0650	Reading City Berks County	SCRO
PAG033895	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Norfolk Southern Railway Co. 650 W Peachtree Street NW Box 13 Atlanta, GA 30308-1925	Reading City Berks County	SCRO
PAG033925	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Consolidated Scrap Resources Inc. P.O. Box 7520 York, PA 17404-0520	York City York County	SCRO
PAG033927	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Norfolk Southern Railway Co. 650 W Peachtree Street NW Box 13 Atlanta, GA 30308-1925	Logan Township Blair County	SCRO
PAG034923	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Anthracite Ind Inc. P.O. Box 112 Sunbury, PA 17801-0112	Upper Augusta Township Northumberland County	NCRO
PAG034925	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Xylem Inc. 108 Tomlinson Drive # 400 Zelienople, PA 16063-2825	Delaware Township Northumberland County	NCRO
PAG036188	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Trulite Glass & Aluminum Solutions 100 Business Center Drive Cheswick, PA 15024-1069	Harmar Township Allegheny County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG036214	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Johnstown Cambria County Airport Authority 479 Airport Road Suite 1 Johnstown, PA 15904-7222	Richland Township Cambria County	SWRO
PAG036230	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Heidelberg Materials NE LLC 2200 Springfield Pike Connellsville, PA 15425-6412	Coraopolis Borough Allegheny County	SWRO
PAG036271	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Gutchess Lumber Co. Inc. 185 Devereaux Drive Latrobe, PA 15650-2662	Unity Township Westmoreland County	SWRO
PAG036273	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Revolution Energy Service Inc. 1217 Laurel Hill Road McDonald, PA 15057-2533	McDonald Borough Allegheny County	SWRO
PAG036349	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Westmoreland Sanitary Landfill LLC 111 Conner Lane Belle Vernon, PA 15012-4569	Rostraver Township Westmoreland County	SWRO
PAG036494	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Lindy Paving Inc. 2340 2nd Avenue Pittsburgh, PA 15219-3106	Pittsburgh City Allegheny County	SWRO
PAG038337	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JJ Kennedy Inc. P.O. Box 69 Zelienople, PA 16063-0069	Ridgway Township Elk County	NWRO
PAG038514	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Port Erie Plastics Inc. 909 Troupe Road Harborcreek, PA 16421-1018	Harborcreek Township Erie County	NWRO
PAG038548	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Glenn O Hawbaker Inc. 711 E College Avenue Bellefonte, PA 16823-6854	Barkeyville Borough Venango County	NWRO
PAG038549	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Glenn O Hawbaker Inc. 711 E College Avenue Bellefonte, PA 16823-6854	Annin Township McKean County	NWRO
PAG038572	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Manor Metals Inc. P.O. Box 796 Kittanning, PA 16201-0796	Kittanning Township Armstrong County	NWRO
PAG041181	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Michael E Burns and Michael P Cook 102 Jude Drive Pittsburgh, PA 15237-2528	West Shenango Township Crawford County	NWRO
PAG041312	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Warnick Joseph 10624 Station Road North East, PA 16428-6002	Greenfield Township Erie County	NWRO
PAG044864	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Alexander Michelle 7912 Coryland Road Gillett, PA 16925-7808	Wells Township Bradford County	NCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG046474	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	McDonough Mark and Staci 150 Nichols Drive New Kensington, PA 15068-2029	Plum Borough Allegheny County	SWRO
PAG048408	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	David and Debra Fockler 329 Sharon Bedford Road West Middlesex, PA 16159-2427	Shenango Township Mercer County	NWRO
PAG048662	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Mandy and Paul Hause 326 Greenville Road Greenville, PA 16125-3236	Salem Township Mercer County	NWRO
PAG049195	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Jesse and Jill Fitzgerald 52 Wildwood Lane Russell, PA 16345-5432	Pine Grove Township Warren County	NWRO
PAG049527	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Christine and Samuel Mastrangelo 3220 Dutch Ridge Road Beaver, PA 15009-9771	Licking Township Clarion County	NWRO
PAG123603	PAG-12 NPDES General Permit for CAFOs	Issued	Arlin Wadel 301 McCulloch Road Shippensburg, PA 17257-9424	Southampton Township Cumberland County	SCRO
PAG123779	PAG-12 NPDES General Permit for CAFOs	Issued	Zimmerman Justin L 201 Bartho Drive Landisburg, PA 17040-9228	Tyrone Township Perry County	SCRO
PAG123834	PAG-12 NPDES General Permit for CAFOs	Issued	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Fannett Township Franklin County	SCRO
PAG123841	PAG-12 NPDES General Permit for CAFOs	Issued	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Monroe Township Bedford County	SCRO
PAG124856	PAG-12 NPDES General Permit for CAFOs	Issued	Scattered Acres Farms 190 Tyson School Road Catawissa, PA 17820-8212	Locust Township Columbia County	SCRO
PAG124867	PAG-12 NPDES General Permit for CAFOs	Issued	Landis Tim 2607 Klingerstown Road Herndon, PA 17830-7137	Jordan Township Northumberland County	SCRO
PAG138344	PAG-13 NPDES General Permit for MS4s	Waived	Farrell City Mercer County 500 Roemer Boulevard Farrell, PA 16121-1901	Farrell City Mercer County	NWRO
1520408	Pump Stations Individual WQM Permit	Issued	Oxford Borough Area Sewer Authority Chester County P.O. Box 380 Oxford, PA 19363	Oxford Borough Chester County	SERO
0278408	Sewage Treatment Facilities Individual WQM Permit	Issued	Upper Allegheny Joint Sanitary Authority 320 Fourth Avenue Tarentum, PA 15030-0431	East Deer Township Allegheny County	SWRO
0113401	Sewer Extensions Individual WQM Permit	Issued	Gettysburg Borough Municipal Authority Adams County P.O. Box 3307 601 E Middle Street Gettysburg, PA 17325-0307	Gettysburg Borough Adams County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0224401	Sewer Extensions Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
PA0271535	Single Residence STP Individual NPDES Permit	Issued	Felmler James 241 Stickney Trail Bradford, PA 16701	Corydon Township McKean County	NWRO
PA0271675	Single Residence STP Individual NPDES Permit	Issued	Sonney Ashley 10333 Lake Pleasant Road Waterford, PA 16441	Greene Township Erie County	NWRO
PA0291269	Single Residence STP Individual NPDES Permit	Issued	Kelly James E 105 Mohawk Trail Slippery Rock, PA 16057-3621	Slippery Rock Township Butler County	NWRO
PA0292818	Single Residence STP Individual NPDES Permit	Issued	Joseph and Victoria Drusko 2244 US 62 Oil City, PA 16301-4118	Cranberry Township Venango County	NWRO
PA0295396	Single Residence STP Individual NPDES Permit	Issued	Wheeler Properties LLC 1006 Millbrook Road Jackson Center, PA 16133-2520	Union Township Crawford County	NWRO
0888401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Alexander Michelle 7912 Coryland Road Gillett, PA 16925-7808	Wells Township Bradford County	NCRO
1022415	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Kelly James E 105 Mohawk Trail Slippery Rock, PA 16057-3621	Slippery Rock Township Butler County	NWRO
2003427	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Michael E Burns and Michael P Cook 102 Jude Drive Pittsburgh, PA 15237-2528	West Shenango Township Crawford County	NWRO
2023406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Wheeler Properties LLC 1006 Millbrook Road Jackson Center, PA 16133-2520	Union Township Crawford County	NWRO
4300402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Mandy and Paul Hause 326 Greenville Road Greenville, PA 16125-3236	Salem Township Mercer County	NWRO
4396412	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	David and Debra Fockler 329 Sharon Bedford Road West Middlesex, PA 16159-2427	Shenango Township Mercer County	NWRO
6122408	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Joseph and Victoria Drusko 2244 US 62 Oil City, PA 16301-4118	Cranberry Township Venango County	NWRO
WQG01022301	WQG-01 WQM General Permit	Issued	McDonough Mark and Staci 150 Nichols Drive New Kensington, PA 15068-2029	Plum Borough Allegheny County	SWRO
WQG018403	WQG-01 WQM General Permit	Issued	Jesse and Jill Fitzgerald 52 Wildwood Lane Russell, PA 16345-5432	Pine Grove Township Warren County	NWRO
WQG018704	WQG-01 WQM General Permit	Issued	Christine and Samuel Mastrangelo 3220 Dutch Ridge Road Beaver, PA 15009-9771	Licking Township Clarion County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG018800	WQG-01 WQM General Permit	Issued	Carol and Michael Hoskins 127 Hadley Road Greenville, PA 16125-9701	Hempfield Township Mercer County	NWRO
WQG02222302	WQG-02 WQM General Permit	Issued	Dauphin Borough Municipal Authority Dauphin County 200 S Church Street P.O. Box 487 Dauphin, PA 17018-0487	Dauphin Borough Dauphin 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>
PAC050072	PAG-02 General Permit	Issued	PTV 1322, LLC 400 Penn Center Boulevard Building 1 Suite 1000 Pittsburgh, PA 15235	Hopewell Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 3 Bedford, PA 15522 814-623-7900
PAC350050	PAG-02 General Permit	Issued	Scranton Lackawanna Industrial Building Company 222 Mulberry Street Scranton, PA 18501	Jessup Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC350062	PAG-02 General Permit	Issued	Holly Ridge Estates, Inc. 211 Amity Ave. Old Forge, PA 18518	Old Forge Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Rd. South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC510316	PAG-02 General Permit	Issued	William Penn Charter School 3000 West School House Lane Philadelphia, PA 19144	City of Philadelphia Aston Township Philadelphia County	DEP, SERO 2 E. Main Street Norristown, PA 19401 484-250-5821 RA-EPNPDES_SERO@ pa.gov
PAC360401	PAG-02 General Permit	Issued	Florin Hill Partnership 322 N Arch Street Lancaster, PA 17603	Mount Joy Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360928	PAG-02 General Permit	Issued	James Blickle 335 Mohns Hill Road Reinholds, PA 17569	East Cocalico Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360917	PAG-02 General Permit	Issued	140 Rothsville Station LLC 140 Rothsville Station Road Lititz, PA 17543	Warwick Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360907	PAG-02 General Permit	Issued	Beiler Properties LLC 10 Weaver Road Lancaster, PA 17603	Warwick Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC150379	PAG-02 General Permit	Issued	Unionville-Chadds Ford School District 740 Unionville Road Kennett Square, PA 19348	East Marlborough Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150375	PAG-02 General Permit	Issued	Jay Smoker Ag Operation 301 Glen Run Road Atglen, PA 19310	West Fallowfield Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150364	PAG-02 General Permit	Issued	Kennett Consolidated School District 300 East South Street Kennett Square, PA 19348	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
PAC100307	PAG-02 General Permit	Issued	Radnor Property Group LLC 100 E Lancaster Avenue Suite 300 Lancaster, PA 19087	Cranberry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PA250001C	PAG-02 General Permit	Issued	First Energy Corp 76 South Main Street Akron, OH 44308	Millcreek Township Fairview Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC160035A1	PAG-02 General Permit	Issued	Armstrong County Conservation District 124 Armsdale Road Suite 1 Kittanning, PA 16201	Rayburn Township Armstrong County	Clarion County Conservation District 249 S 2nd Avenue Clarion, PA 16214 814-297-8014
PAC620011	PAG-02 General Permit	Issued	Pleasant Township 8 Chari Lane Warren, PA 16365	Pleasant Township Warren County	Warren County Conservation District 4000 Conewango Avenue Warren, PA 16365 814-726-1441
PAC400270	PAG-02 General Permit	Issued	Northpoint Development, LLC Tom Williams 3315 North Oak Trafficway Kansas City, MO 64116	Hanover Township 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>
PA360002C	PAG-02 General Permit	Issued	PPL Elec Utilities Corp 1639 Church Rd Allentown, PA 18104	Caernarvon Township Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC350173	PAG-02 General Permit	Issued	PennDOT Engineering District 4-0 55 Keystone Industrial Park Dunmore, PA 18512	Scott Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at 717-787-3483 for more information.

NUTRIENT MANAGEMENT PLAN

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Noah W Kreider and Sons LLP Manheim Farms 1461 Lancaster Road Manheim, PA 17545	Lancaster County	2200	15800.42	Dairy Layers Beef	NA	Approved
Green Park HE Inc. Chris Esbenshade 2569 Maytown Road Marietta, PA 17547	Lancaster County	118.4	2778.9	Layers	NA	Approved
Robert and Michael Shearer 806 Anderson Ferry Road Mount Joy, PA 17552	Lancaster County	270	702.19	Swine Beef	NA	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

SAFE DRINKING WATER

Actions Taken Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

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

Operation Permit No. 2646395, Public Water Supply.

Applicant	Fox Ledge, Inc.
Address	1432 Bethany Turnpike Honesdale, PA 18431
Municipality	Mount Pleasant Township
County	Wayne County
Consulting Engineer	Mr. Anthony Coval, P.E. JHA Companies, Inc. 466 S. Main Street Montrose, PA 18801
Application Received	February 8, 2024
Permit Issued	March 4, 2024

Description	Operations permit for modifications to existing PWS system (PWS ID No. 2646395) facilities located at 1432 Bethany Turnpike, Honesdale, PA 18431 in Mount Pleasant Township, Wayne County. Specifically, the permit approved replacing the existing softener (Lancaster Softener Model 7-LES-200) with a Custom Care C43-0300-20D7 (or equal) softener and the vapor compression distiller (Aqua Chem, Inc. Model BR-300) with an Aqua Chem, Inc. Vapor Compression Still BR1500-EA unit (or equal) at their bottled water plant.
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Operation Permit No. 2660334, Public Water Supply.

Applicant	Exeter Senior Center and Apartment Complex
Address	P.O. Box 88 2690 Sullivan Trail Road Falls, PA 18615
Municipality	Exeter Township
County	Wyoming County
Consulting Engineer	Mr. Michael P. Goodwin, P.E. Vice-President of Engineering Milnes Engineering, Inc. 12 Frear Hill Road Tunkhannock, PA 18657

Application Received February 26, 2024

Permit Issued March 29, 2024

Description	Operations permit for upper terminus modifications and water level measuring device installation for Well No. 1, disinfection and a 4-Log treatment for viruses for Well No. 1 (Source 001), construction of contact segments (four (4) 199 gallon tanks plumbed in series), finished water storage (two (2) 400-gallon Norwesco tanks) installation, duplex booster pump installation, and the construction of necessary discharge piping appurtenances.
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Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

Operation Permit 3623520. PWSID No. **7360490.** **Chester County Solid Waste Authority**, 7224 Division Highway, Navron, PA 17555, Caernarvon Township, **Lancaster County**. Application received: March 4, 2024. Permit Issued: April 4, 2024. This action authorizes the operation of an acid neutralization tank with modified media, and a new cartridge filter, reverse osmosis unit for arsenic removal, water storage tank, and booster pump at Lanchester Landfill.

Construction Permit 0523505 MA. PWSID No. **4050002.** **Municipal Authority of the Borough of**

Bedford, 244 West Penn Street, Bedford, PA 15522, Bedford Township, **Bedford County**. Application received: November 27, 2023. Permit Issued: April 4, 2024. This action authorizes construction of a new chemical feed building adjacent to the applicant's existing water treatment plant.

Construction Permit 5023515. PWSID No. **7500839**. **DDL Corporation**, 316 Airy View Rd, Shermans Dale, PA 17090, Carroll Township, **Perry County**. Application received: December 18, 2023. Permit Issued: April 4, 2024. This action authorizes the installation of a cartridge filter, anion exchange unit for arsenic removal, and a flow control device at the public water supply located at 5265 Spring Rd, Shermans Dale, PA 17090.

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

Operation Permit 7670061. PWSID No. **7670061**. **Veolia Water Pennsylvania, Inc.**, 6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112, Newberry Township, **York County**. Application received: February 5, 2024. Permit Issued: April 4, 2024. Comprehensive operation permit for updated PFAS conditions.

BIOSOLIDS INDIVIDUAL PERMITS (PABIG, SSN AND PABIS)

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge this action, the appeal must reach the board within 30-days. A lawyer is not needed to file an appeal.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

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

Contact: *Thomas J. Sweeney, Jr. Soils Scientist, 717-705-4786.*

Site Suitability Notice for Land Application Under Approved PAG093502T for Premiere Property Services, LLC, 1076 Pinola Road, Shippensburg, PA 17257,

Southampton Township, Letterkenny Township, **Franklin County**. Limekiln Farm Biosolids Site, 4173 Limekiln Road, Orrstown, PA 17244. Application received: March 6, 2024. Approved: April 5, 2024.

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.*

13 Maple Street, Primary Facility ID # **873047**, 13 Maple Street, West Pittston, PA 18643, West Pittston Borough, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Newell Fuel Service, 1355 Memorial Highway, Shavertown, PA 18708, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

North Railroad and Biddle Street Parcels, Primary Facility ID # **840849**, 201 North Railroad Street, 209 North Railroad Street, 1 Biddle Street, Tamaqua, PA 18252, Tamaqua Borough, **Schuylkill County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of Tamaqua Medical Center Properties, LLC, 815 Ostrum Street, Bethlehem, PA 18015, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with gasoline. The combined Remedial Investigation Report/Cleanup Plan/Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

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

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

2045 West Hunting Park Avenue Site, Primary Facility ID # **841642**, 2023-2061 West Hunting Park Avenue, Philadelphia, PA 19140, City of Philadelphia, **Philadelphia County**. David G. Sherman, PG., Geosyntec Consultants, Inc., 930 Harvest Drive, Suite 220, Blue Bell, PA 19422, on behalf of Duane Wanty, GPI Interim, Inc., 70 Mechanic Street, Foxboro, MA 02035, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of groundwater contaminated with VOCs. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

21 Wood Lane, Primary Facility ID # **838152**, 21 Wood Lane, Malvern, PA 19355, East Whiteland Township, **Chester County**. Christopher J. Ward, Synergy Environmental, Inc., 155 Railroad Plaza, Royersford, PA 19468, on behalf of Matthew Jackson, 21 Wood Lane, Malvern, PA 19355, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with No. 2 fuel oil. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Lockheed Martin Corporation, Primary Facility ID # **778937**, 230 Mall Boulevard, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. Mark Eschbacher, H&K Group, Inc., 2052 Locon Road, Skipack, PA 19474, on behalf of Tony C. Apanavage, Lockheed Martin Corporation, 550 North Hollywood Way, Suite 406, Burbank, CA 91505, submitted a Cleanup Plan/Final Report concerning remediation of groundwater contaminated with tetrachloroethylene. The Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

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

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Horsehead Corporation, Primary Facility ID # **782002**, 300 Frankfort Road, Monaca, PA 15061, Potter and Center Townships, **Beaver County**. Environmental Resources Management, Inc., 75 Valley Stream Parkway, Suite 200, Malvern, PA 19355, on behalf of Shell Polymers PA, 300 Frankfort Road, Monaca, PA 15061, submitted a Final Report concerning remediation of soil and groundwater contaminated with VOCs, SVOCs, PCBs, metals, lead, arsenic, cadmium, zinc, mercury, antimony, aluminum, cobalt, iron, manganese, nickel, selenium,

silver, and thallium. The Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

CHS Lot J Property, Primary Facility ID # **806695**, Southwest Corner of Washington & Walnut Street, Johnstown, PA 15901, City of Johnstown, **Cambria County**. Groundwater Sciences Corporation, 2550 Interstate Drive, Suite 303, Harrisburg, PA 17110, on behalf of 1889-CHS Foundation, Inc., 4 Valley Pike, Johnstown, PA 15905, submitted a Remedial Investigation Report/Final Report concerning remediation of soil and groundwater contaminated with unleaded gasoline, leaded gasoline, used motor oil, anthracene, fluorene, phenanthrene, and 2-methylnaphthalene. The Remedial Investigation Report/Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

CHS Locust Street Medical Building, Primary Facility ID # **806696**, 315 Locust Street, Johnstown, PA 15901, City of Johnstown, **Cambria County**. Groundwater Sciences Corporation, 2550 Interstate Drive, Suite 303, Harrisburg, PA 17110, on behalf of 1889-CHS Foundation, Inc., 4 Valley Pike, Johnstown, PA 15905, submitted a Final Report concerning remediation of soil and groundwater contaminated with tetrachloroethene. The Final Report is intended to document remediation of the site to meet the background standards.

EQT Polecat Well Pad, Primary Facility ID # **874408**, 122 Polecat Hollow Road, Waynesburg, PA 15317, Whiteley Township, **Greene County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry, PA 16066, on behalf of EQT Corporation, 400 Woodcliff Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with chloride, aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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 reme-

dial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

The DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Hunter Well Pad, Primary Facility ID # **866187**, 200 McMicken Road, Meshoppen, PA 18630, Meshoppen Township, **Wyoming County**. Creston Environmental, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine). The Final Report demonstrated attainment of the Statewide health standards. Approved: April 4, 2024.

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

Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.

Hess Mills, Primary Facility ID # **874112**, 6 South Vintage Road, Paradise, PA 17562, Paradise Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Compass Quarries, Inc., 1805 Berks Road, Worcester, PA 19490, submitted a Final Report concerning remediation of soil contaminated with Used Motor Oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: April 2, 2024.

Hess Mills, Primary Facility ID # **874112**, 6 South Vintage Road, Paradise, PA 17562, Paradise Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Land O'Lakes Purina Feed, LLC, 6 South Vintage Road, Paradise, PA 17562, submitted a Final Report concerning

remediation of soil contaminated with Used Motor Oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: April 2, 2024.

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

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

1700 North 49th Street, Primary Facility ID # **816258**, 1700 North 49th Street, Philadelphia, PA 19131, City of Philadelphia, **Philadelphia County**. Meredith Braverman, Arcadis U.S., Inc., 1007 North Orange Street, Suite 411 and 412, Wilmington, DE 19801, on behalf of Michael Grygo, Comcast of Philadelphia, LLC, 3800 Horizon Boulevard, 3rd Floor, Suite 300, Trevese, PA 19053, submitted a Final Report concerning remediation of soil and groundwater contaminated with MTBE, 1,2,4-trimethylbenzene (1,2,4-TMB), and 1,3,5-TMB. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: April 3, 2024.

River Station (Former Sonoco Products), Primary Facility ID # **617044**, 304, 307 & 500 Brandywine Avenue, Downingtown, PA 19355, Downingtown Borough/East Caln Township, **Chester County**. Carl J. Bones, PE, Marathon Engineering and Environmental Services, Inc., 3 Killdeer Court, Suite 300, Swedesboro, NJ 08085, on behalf of Neal Fisher, PE, Brandywine Station, LP, 707 Eagleview Boulevard, Exton, PA 19341, submitted a Final Report concerning remediation of soil contaminated with other organics. The Final Report did not demonstrate attainment of the Statewide health and site-specific standards. Disapproved: April 5, 2024.

Tinicum Release Site, Primary Facility ID # **829316**, 6 Industrial Highway, Essington, PA 19029, Tinicum Township, **Delaware County**. Stephanie Grillo, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Bradford L. Fish, Sunoco Pipeline LP, 100 Green Street, Marcus Hook, PA 19061, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Report demonstrated attainment of the site-specific standards. Approved: April 2, 2024.

446 & 456-588 Swedeland Road, Primary Facility ID # **829316**, 446 & 456-588 Swedeland Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. Glennon Graham, Jr., August Mack Environmental, Inc., 806 Fayette Street, Conshohocken, PA 19428, on behalf of Thomas Allman, EQT Exeter, 100 Matsonford Road, Building 5, Suite 250, Radnor, PA 19087, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with BTEX, cumene, MTBE, 1,2,4-TMB, 1,3,5-TMB, lead and PAHs. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: April 3, 2024.

Former Sunoco, Inc. Philadelphia Refinery AOI 10, Primary Facility ID # **720775**, 3144 West Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Colleen Costello, Sanborn, Head & Associates, Inc., 755 Business Center Drive, Suite 110, Horsham, PA 19044, on behalf of Tiffani L. Doerr, PG, Evergreen Resources Management, 2 Righter Parkway,

Suite 120, Wilmington, DE 19083, submitted a Final Report concerning remediation of soil and groundwater contaminated with benzene, toluene, total xylenes, methyl tert-butyl ether (MTBE), ethylbenzene, naphthalene, cumene, 1,2,4-trimethylbenzene (124-TMB), 1,3,5-trimethylbenzene (135-TMB), 1,2-dibromoethane (EDB), 1,2-dichloroethane (EDC), anthracene, fluorene, benzo(a)-anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, chrysene, phenanthrene, pyrene, and lead. The Final Report demonstrated attainment of the site-specific standards. Approved: March 28, 2024.

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

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

EQT Hoosker Doo Well Pad, Primary Facility ID # **871530**, 510 Bryan Ridge Road, New Freeport, PA 15352, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Washington, PA 15301, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 28, 2024.

EQT Barley Wine Well Pad, Primary Facility ID # **863641**, 1799 Toms Run Road, New Freeport, PA 15341, Jackson Center Borough, **Greene County**. Key Environmental, Inc., 200 Third Avenue, Carnegie, PA 15106, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Washington, PA 15301, submitted a Final Report concerning remediation of groundwater contaminated with chloride. The Final Report demonstrated attainment of the Statewide health standards. Approved: April 2, 2024.

Equitrans George L Reade 1 Well Pad, Primary Facility ID # **862892**, 555 Dishong Mountain Road, Johnstown, PA 15906, City of Johnstown, **Cambria County**. SE Technologies, LLC, 500 Mosites Way, Pittsburgh, PA 15205, on behalf of Equitrans LP, 2200 Energy Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with chloride, aluminum, boron, barium, iron, lithium, manganese, selenium, strontium, vanadium, zinc, acetone, xylenes, 2-butanone (MEK), and carbon disulfide. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 28, 2024.

Pepsi Cola—Parking Lot, Primary Facility ID # **841168**, 400 Graham Street, McKees Rocks, PA 15136, Stowe Township, **Allegheny County**. EBI Consulting, 21 B Street, Burlington, MA 01803, on behalf of 400 Graham Street Parking Lot LLC c/o RSP Companies, 3 Columbus Circle, Floor 15, New York, NY 10019, submitted a Final Report concerning remediation of soil and groundwater contaminated with VOCs. The Final Report did not demonstrate attainment of the background standards. Issued a technical deficiency letter: March 28, 2024.

HAZARDOUS WASTE TRANSPORTER LICENSE

Action(s) Taken on Hazardous Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.

Transporter License Reissued

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

Univar Solutions USA Inc., dba Univar Solutions, 328 Bunola River Road, Bunola, PA 15020. **License No. PA-AH 0334**. Application received: March 11, 2024. Effective April 2, 2024.

Dusquesne Light Company, Construction, Coordination and Underground Operations, 2645 New Beaver Ave (Mail Drop PA-UG), Pittsburgh, PA 15233. **License No. PA-AH 0462**. Application received: February 26, 2024. Effective April 2, 2024.

EnviroServe Inc., d/b/a EnviroServe Logistics, 7640 Whipple Avenue NW, North Canton, OH 44720. **License No. PA-AH 0659**. Application received: March 4, 2024. Effective April 2, 2024.

Connell Transport International, Inc., 1925A Barton Street East, Hamilton, ON L8H 2Y7. **License No. PA-AH 0867**. Application received: March 11, 2024. Effective April 2, 2024.

Ken's Marine Service, Inc., 1 Ingham Avenue, Bayonne, NJ 07002. **License No. PA-AH S154**. Application received: March 4, 2024. Effective April 2, 2024.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

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.

WMGR046NE002. Basix Enterprises, LLC, 274 Wedgewood Avenue, Bethlehem, PA 18017, City of Bethlehem, **Northampton County**. A determination of applicability for the on-site beneficial use of water treatment residuals as a soil amendment at the Bethlehem Clean Earth site. Application received: June 5, 2023. Permit issued: April 5, 2024.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Contact: Carrie A. Fleming, Regional Solid Waste Manager, 717-705-4706.

100944. Chester County Solid Waste Authority, P.O. Box 476, Honey Brook, PA 19344, Caernarvon Township, Honey Brook Township and Salisbury Township, **Lancaster County, Chester County**. The permit for the Lanchester Landfill, Solid Waste Permit No. 100944, was renewed on March 28, 2024 and is extended until July 1, 2034. Application received: June 30, 2023. Renewed: March 28, 2024. New expiration date: July 1, 2034.

Persons interested in reviewing the permit may contact John Oren, Permitting Section Chief, (717-705-4907), Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

AG5-59-00031A: DTM Tioga Gas Gathering LLC, 1000 Noble Energy Drive, Suite 500, Canonsburg, PA 15317, Westfield Township, **Tioga County**. The Department approved authorization to construct and operate one (1) 63 MMSCFD glycol dehydration unit with associated flash tank and reboiler rated at 0.50 MMBtu/hr, one (1) 125 MMSCFD glycol dehydration unit with associated flash tank and reboiler rated at 0.60 MMBtu/hr, one (1) 100 MMSCFD glycol dehydration unit with associated flash tank and reboiler rated at 1.00 MMBtu/hr, one (1) Cimarron Hy-Bon CH10 10 MMBtu/hr enclosed flare for dehy reboiler still vent and flash tank control, two (2) natural gas-fired 304-bhp emergency generator engines equipped with non-selective catalytic reduction (NSCR or 'three-way' catalyst) for emissions control, two (2) 8,820 gal (210 bbl) produced fluids storage tanks, two (2) 500 gal triethylene glycol tanks, liquids loading and associated piping, pigging and venting operations and fugitive components pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at the Tioga Centralized Dehydration Facility. Application received: March 13, 2024. Authorized: April 2, 2024. Expiration date: April 1, 2029.

AG5A-59-00009A: Pennsylvania General Energy, LLC, 120 Market Street, Warren, PA 16365, Union Township, **Tioga County**. The Department authorized the construction and operation of three (3) 1,380 bhp Caterpillar G3516J lean burn, 4 stroke, natural gas fired compressor engines with oxidation catalysts, two (2) 42 MMscfd dehydration units with 0.35 MMBtu/hr reboiler burners and flash tanks, three (3) 8,200 gallon

produced fluid tanks, one (1) 210 bbl (8,820 gal) waste oil storage tank, one (1) 4,200 gal No. 2 fuel oil tank, one (1) 330 gallon methanol tank, one (1) 330 gallon glycol tank, seven (7) 1.5 MMBtu/hr gas production units, one 5 bhp diesel-fired air compressor engine, one 34 bhp natural gas-fired generator engine, two (2) 2,000 Btu/hr heaters along with emissions from liquids loading and associated piping, venting operations and fugitive components pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations, (BAQ-GPA/GP-5A) at the Susq Huckleberry Pad C. Application received: March 15, 2024. Authorized: April 3, 2024. Expiration date: April 2, 2029.

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

Contact: Shailesh Patel, New Source Review Chief, 570-826-2341.

GP3-58-058: Airport Sand & Gravel Co., Inc., 500 Swetland Lane, West Wyoming, PA 18644, Lenox Township, **Susquehanna County**. The Department issued, on February 6, 2024, the renewal of a portable stone crushing plant at the facility located in Lenox Township, Susquehanna County. Application received: January 24, 2024. Issued: February 6, 2024.

GP9-58-058: Airport Sand & Gravel Co., Inc., 500 Swetland Lane, West Wyoming, PA 18644, Lenox Township, **Susquehanna County**. The Department issued, on February 6, 2024, the renewal of diesel fired internal combustion engines at the facility located in Lenox Township, Susquehanna County. Application received: January 24, 2024. Issued: February 6, 2024.

AG5A-58-00077A: SWN Production Company, LLC, P.O. Box 12359, Spring, TX 77391, Middletown Township, **Susquehanna County**. For the construction and operation of one (1) 1,775 BHP Caterpillar G3606LE 4SLB natural gas-fired compressor engine controlled by an oxidation catalyst, one (1) 0.32 kW thermoelectric generator, and three (3) small heaters, 0.75 MMBtu/hr each, pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) located at RU-13 Tonya East Pad. Application received: January 19, 2024. Issued: February 8, 2024.

GP3-40-027: The H&K Group, Inc., P.O. Box 196, 2025 Lucon Road, Skippack, PA 19474, Foster Township, **Susquehanna County**. The Department issued, on March 5, 2024, the renewal of a portable stone crushing plant at the facility located in Foster Township, Luzerne County. Application received: February 14, 2024. Issued: March 5, 2024.

AG5A-58-00080A: SWN Production Company, LLC, P.O. Box 12359, Spring, TX 77391, New Milford Township, **Susquehanna County**. For the construction and operation of one (1) 1,775 BHP Caterpillar G3606LE 4SLB natural gas-fired compressor engine controlled by an oxidation catalyst, one (1) 5.65 kW thermoelectric generator, and seven (7) small heaters, 0.75 MMBtu/hr each, pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) located at RU-06 Flohs Pad. Application received: February 23, 2024. Issued: March 7, 2024.

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

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

GP4-67-03064: Motor Technology, Inc., 515 Willow Spring Lane, York, PA 17406, East Manchester Township, **York County**. For two existing burn-off ovens, under GP4, at the electric motor repair facility. The general permit authorization was renewed. Application received: March 8, 2024. Issued: April 2, 2024.

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

GP3-06-03110H: The H&K Group, Inc., 2052 Lucon Road, Skippack, PA 19474, Douglass Township, **Berks County**. For portable nonmetallic mineral processing equipment, under GP3, at the Pottstown Trap Rock Quarry. Application received: March 19, 2024. Issued: April 8, 2024.

GP11-06-03110H: The H&K Group, Inc., 2052 Lucon Road, Skippack, PA 19474, Douglass Township, **Berks County**. For four non-road engines, under GP11, to power portable nonmetallic mineral processing equipment at the Pottstown Trap Rock Quarry. Application received: March 19, 2024. Issued: April 8, 2024.

Actions(s) Taken on Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and Regulations in 25 Pa. Code Chapter 127, Subchapter B Relating to Construction, Modification and Reactivation of Air Contamination Sources and Associated Air Cleaning Devices.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

08-00019A: Bimbo Bakeries USA, Inc., 901 N. Elmer Avenue, Sayre, PA 18840, Sayre Borough, **Bradford County**. The Department issued a plan approval to replace an existing bread oven (Source P101) with a new AMF BakeTech model MaxiSaver bread oven (Source P107) at the Sayre Plant bakery facility. The plan approval contains all applicable regulatory requirements including testing, monitoring, recordkeeping, and reporting conditions to ensure compliance with all applicable State and Federal Air regulations. Application received: November 9, 2023. Issued: April 5, 2024. Expiration date: October 4, 2025.

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.

07-05034A: Pennsylvania Department of Military Veteran's Affairs, 184 Veterans Boulevard, Hollidaysburg, PA 16648, Allegheny Township, **Blair County**. For the installation and operation of a 16.8 MMBtu/hr replacement steam boiler at the Hollidaysburg Veterans Home. Application received: October 16, 2023. Issued: April 2, 2024.

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

Contact: James Beach, New Source Review Chief, 484-250-5920.

46-0026L: Global Packaging/Oaks Plant, 209 Brower Ave, Oaks, PA 19456-0187, Upper Providence Township, **Montgomery County**. This plan approval is for installation and operation of a new regenerative thermal oxidizer (RTO) that will control volatile organic compound (VOC) and hazardous air pollutant (HAP) emissions from the facility's flexographic printing presses. Application received: September 22, 2023. Issued: March 28, 2024.

46-0036K: VV2750/Lansdale, 2750 Morris Rd, Lansdale, PA 19446-6008, Worcester Township, **Montgomery County**. A plan approval extension for temporary shutdown of the four existing electric generating engines. Application received: April 1, 2024. Issued: April 2, 2024.

23-0108E: Barry Callebaut USA LLC, 903 Industrial Hwy, Eddystone, PA 19022-1531, Eddystone Borough, **Delaware County**. This action is for the installation of a new dust collector to replace the existing cyclone for the Bean Cleaning system to control particulate matter emissions at their cocoa processing facility. Application received: December 14, 2023. Issued: April 4, 2024.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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.

07-03068A: Altoona Water Authority—Westerly WWTF, 144 Treatment Plant Road, Duncansville, PA 16635, Allegheny Township, **Blair County**. For two (2) new digester gas fired boilers and one candlestick flare at the wastewater treatment facility. The digester gas boilers will be controlled by low NO_x burners and flue gas recirculation (FGR). The plan approval was extended. Application received: March 22, 2024. Issued: April 5, 2024.

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

22-03112A: Highline Auto Parts, 5320 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. For an aluminum sweat furnace for the automobile dismantling and parts sales center. The plan approval was extended. Application received: March 20, 2024. Issued: April 2, 2024.

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

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

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

06-05069: East Penn Manufacturing Co., Deka Road, P.O. Box 147, Lyon Station, PA 19536, Richmond Township, **Berks County**. For the lead-acid battery manufacturing and assembly facility. The Title V permit

underwent a significant modification to add presumptive and case-by-case RACT 3 requirements for the facility, and to make minor administrative updates and corrections. The portions of the permit related to approval of the RACT 3 case-by-case proposal will be submitted to US EPA for approval and incorporation into Pennsylvania's State Implementation Plan (SIP). Other requirements will be excluded from the SIP submittal. Application received: December 21, 2022. Issued: April 2, 2024.

Operating Permit(s) for Non-Title V Facilities Issued Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

Contact: Norm Frederick, 570-826-2409.

48-00047: Highway Materials, Inc./Nazareth Asphalt Plant, 409 Stenton Avenue, Flourtown, PA 19031-1327, Upper Nazareth Township, **Northampton County**. The Department issued a renewal State-Only (Synthetic Minor) Permit for the manufacture of Asphalt Paving Mixtures and Blocks facility in Upper Nazareth Township, Northampton County. The primary sources consist of a Hot Mix Asphalt Plant, portable crusher, elevators, screens, bins, and diesel IC engines. The control devices are a knockout box, baghouse, and water sprays. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: August 24, 2023. Renewal issued: March 28, 2024.

48-00089: Spray Tek, LLC, 3010 Avenue B, Bethlehem, PA 18017-2114, City of Bethlehem, **Northampton County**. The Department has issued a renewal State-Only (Natural Minor) Operating Permit for the Bethlehem facility. Sources at this facility include their spray dryers. This permit also incorporates scrubbers, cyclones, a carbon bed, and a baghouse as control devices. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: January 24, 2024. Accepted: January 24, 2024. Issued: April 4, 2024.

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

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

25-00591: Seaway Manufacturing Corp., 2250 East 33rd St, Erie, PA 16510, City of Erie, **Erie County**. The Department renewed the State Only Operating Permit for Seaway Manufacturing Corporation which manufactures windows, doors, and enclosures using aluminum, vinyl, and glass. The primary sources at the facility include metal and vinyl surface coating operations, parts sanding, and natural gas fueled space heaters and a natural gas fueled air makeup unit. The facility is a Natural Minor. Potential emissions are below the major source thresholds. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air

Pollution Control Act. Application received: December 19, 2023. Renewal issued: March 19, 2024.

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

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

07-05044: New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664-0077, Taylor Township, **Blair County**. For the stone crushing and blacktop operations at the Roaring Spring Quarry. The State-Only permit was renewed. Application received: March 13, 2023. Issued: April 2, 2024.

67-05099: Kinsley Steel, Inc., 1110 East Princess Street, York, PA 17403-2543, City of York, **York County**. For the steel fabrication facility. The State-Only permit was renewed. Application received: November 28, 2023. Issued: April 2, 2024.

67-03110: Protech Powder Coating, Inc., 939 Monocacy Road, York, PA 17404-1615, City of York, **York County**. For the powder coating manufacturing facility. The State-Only permit was renewed. Application received: April 12, 2023. Issued: April 8, 2024.

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

06-05083: Williams Metal Finishing, Inc., 870 Commerce Street, Reading, PA 19608-1347, Sinking Spring Borough, **Berks County**. For the metal polishing and cleaning facility. The State-Only permit was renewed. Application received: October 23, 2023. Issued: March 28, 2024.

06-05106: SFS Group USA, Inc., 41 Dennis Drive, Reading, PA 19606-3778, Exeter Township, **Berks County**. For the metal fastener manufacturing facility. The State-Only permit was renewed. Application received: July 5, 2023. Issued: April 3, 2024.

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

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

09-00118: Associated Rubber, P.O. Box 520, Quakertown, PA 18951-0520, Quakertown Borough, **Bucks County**. This action is a renewal of a State Only Natural Minor Operating Permit for the operation of a vapor degreaser and a boiler, firing both natural gas and No. 2 fuel oil, and several other insignificant sources including space heaters, mixing mills, an above ground storage tank, and sand blasting machines. Application received: September 29, 2023. Issued: April 3, 2024.

15-00161: G&A Clanton Inc./London Grove, 804 W Baltimore Pike, West Grove, PA 19390-9115, London Grove Township, **Chester County**. This action is for an initial State Only Operating Permit for an existing portable non-metallic mineral processing plant consisting of crushers, screens, and conveyors powered by diesel engines. Application received: November 2, 2023. Issued: April 4, 2024.

09-00235: CP Flexible Packaging, 181 Rittenhouse Cir, Bristol, PA 19007-1617, Bristol Township, **Bucks County**. The State-Only, Synthetic Minor Operating Permit for the operation of two (2) 10-color flexographic presses, an extrusion laminator and several insignificant sources at this location. Application received: October 6, 2022. Issued: April 5, 2024.

09-00189: Eureka Stone Chalfont Quarry, Rte 611, Warrington, PA 18976, Warrington Township, **Bucks County**. This action is for the renewal of a State-Only, Synthetic Minor Operating Permit for a quarrying and stone crushing operation at this site. Application received: January 19, 2024. Issued: April 5, 2024.

23-00031: Mercy Fitzgerald Hospital, 1500 Lansdowne Ave, Darby, PA 19023-1200, Darby Borough, **Delaware County**. This action is for the renewal of a State-Only, Synthetic Minor Operating Permit for an acute care hospital. Application received: December 27, 2022. Issued: April 4, 2024.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

09-00117: Heubach Fairless Hills Plant, 99 Newbold Rd, Fairless Hills, PA 19030-4307, Falls Township, **Bucks County**. In accordance with 25 Pa. Code § 127.462, the permit was modified for the installation of a new dust collector to replace an older, existing unit. The modification does not result in any increase in emissions from the sources or control devices, nor does it change any existing limits in the permit. This modification does not represent any change in method of operation. Source testing shall be performed at the outlet of the new dust collector to ensure compliance. The modified State Only Operating Permit includes monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Application received: March 20, 2024. Issued: April 4, 2024.

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

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.

07-03034: Alpha Assembly Solutions, 4100 6th Avenue, Altoona, PA 16602, City of Altoona, **Blair County**. Pursuant to 25 Pa. Code § 127.449(i), this *Pennsylvania Bulletin* Notice is for a de minimis emissions increase of 0.46 tpy VOC and 0.08 tpy PM₁₀ resulting from the installation and operation of two (2) tin electroplating lines at the facility located in the City of Altoona, Blair County. As required by 25 Pa. Code § 127.449(i), facility de minimis emission increases since their State-Only Operating Permit issuance on April 26, 2019 have been reviewed. The other de minimis item in the current permit term is RFD # 7969 which was issued 10/08/19 and included a PM₁₀ increase of 0.006 tpy PM₁₀. Emission increases from this installation are less than 1 tpy VOC and 0.6 tpy PM₁₀. Total de minimis increases will remain less than 5 tons VOC and 3 tons PM₁₀ during the permit term.

Operating Permit(s) Denied, Terminated, Suspended or Revoked Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

18-00007: Brodart Company, 500 Arch Street, Williamsport, PA 17701, Wayne Township, **Clinton County**. The Department terminated the Air Quality Title V Operating Permit for the McElhattan plant due to the closure of the facility with all permitted sources having been removed or rendered inoperable. The Title V Operating Permit is hereby terminated. Application received: February 26, 2024. Revoked: April 4, 2024. Effective: April 4, 2024.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Coal Permits

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

Contact: Bonnie Herbert, Clerical Assistant 3.

CORRECTION—previously published on March 30, 2024.

Mining Permit No. 30841317. NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill, Morris and Center Townships, **Greene County**. To revise the permit and related NPDES permit for installation of degas boreholes, affecting 8.5 surface acres. Application received: July 13, 2023. Accepted: August 7, 2023. Issued: January 5, 2024.

CORRECTION—previously published on March 30, 2024.

Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Aleppo Townships, **Greene County**. To revise the permit and related NPDES permit to revise alignments of 10L-4 and 11L-4 borehole access roads,

affecting 3.4 surface acres. Application received: July 28, 2023. Accepted: August 8, 2023. Issued: January 10, 2024.

Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Aleppo Townships, **Greene County**. To revise the permit and related NPDES permit to install two (2) degas boreholes, affecting 8.3 surface acres. Application received: August 10, 2023. Accepted: September 11, 2023. Issued: February 5, 2024.

Mining Permit No. 30831303. NPDES No. PA0013511. Iron Cumberland, LLC, 200 Evergreene Drive, P.O. Box 1020, Waynesburg, PA 15370, Center and Jackson, **Greene County**. To revise the permit and related NPDES permit to revise 2855.0 underground and subsidence control plan area acres from development only to longwall mining in the West Greene District. Application received: June 1, 2020. Accepted: August 6, 2020. Issued: March 29, 2024.

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

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

Mining Permit No. 56120104. NPDES No. PA0268950. Wilson Creek Energy, LLC, P.O. Box 260, Friedens, PA 15541, Lincoln Township, **Somerset County**. Renewal of an NPDES permit and a bituminous surface and auger mine affecting 72.0 acres. Receiving streams: unnamed tributaries to Quemahoning Creek classified for the following use: CWF. Application received: May 1, 2023. Renewal issued: April 9, 2024.

Noncoal Permits

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

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

Mining Permit No. 5074SM1. NPDES No. PA0122629. New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Guilford Township, **Franklin County**. NPDES renewal of a large noncoal (industrial minerals) operation. Receiving stream: unnamed tributary to Conococheague Creek classified for the following use: WWF. Application received: February 1, 2023. Renewal issued: April 5, 2024.

Mining Permit No. 56230801. PAM423001-GP104. Griffith Excavation, Inc., 152 Blough Road, Boswell, PA 15531, Jenner Township, **Somerset County**. Commencement, operation and restoration of a small noncoal (industrial minerals) operation Coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104). Receiving streams: unnamed tributary to North Branch of Quemahoning Creek classified for the following use: CWF. Application received: September 1, 2023. Permit issued: April 8, 2024.

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

Contact: ra-eppottsvilleDMO@pa.gov.

Mining Permit No. 7675SM1. PA0124028. Bachman Run, UNT to Bachman Run. Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, West Cornwall Township and South Annville Township, **Lebanon County**. Renewal of an NPDES Permit on a quarry operation. Receiving stream: Bachman Run, UNT to

Bachman Run. Renewal issued: April 9, 2024. Application received: September 28, 2023. Renewal issued: April 9, 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.

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

Contact: RA-EPEASTERNNOGPRG@pa.gov.

E5829223-004. Williams Field Services Co LLC, 2000 Commerce Drive, Pittsburgh, PA 15275, Gibson

Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District.

Application received: December 5, 2023. Issued: April 3, 2024.

To construct, operate, and maintain:

a 10-inch natural gas pipeline and temporary timber mat crossings impacting 50-linear feet of unnamed tributaries to Bear Swamp Creek and associated floodway (NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.733576°, Longitude: -75.604733°),

a 10-inch natural gas pipeline and temporary timber mat crossings impacting 50-linear feet of unnamed tributaries to Bear Swamp Creek and associated floodway (NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.732216°, Longitude: -75.604728°),

a temporary timber mat crossing impacting 168-square feet (0.01-acre) of Palustrine Emergent Wetlands (PEM) and 26-square feet (0.01-acre) of Palustrine Scrub-Shrub Wetlands (PSS) (Clifford, PA Quadrangle; Latitude: 41.732310°, Longitude: -75.604791°),

a 10-inch natural gas pipeline and temporary timber mat crossings impacting 14,036-square feet (0.32-acre) of Palustrine Emergent Wetlands (PEM) and 3,698-square feet (0.08-acre) of Palustrine Scrub-Shrub Wetlands (PSS) (Clifford, PA Quadrangle; Latitude: 41.730286°, Longitude: -75.607045°),

a 10-inch natural gas pipeline and temporary timber mat crossings impacting 52-linear feet of unnamed tributaries to Bear Swamp Creek and associated floodway (NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.730408°, Longitude: -75.606898°),

a 10-inch natural gas pipeline and temporary timber mat crossings impacting 1,302-square feet (0.03-acre) of Palustrine Emergent Wetlands (PEM) (Clifford, PA Quadrangle; Latitude: 41.729177°, Longitude: -75.608383°),

a 10-inch natural gas pipeline and temporary timber mat crossings impacting 2,284-square feet (0.05-acre) of Palustrine Emergent Wetlands (PEM) (Clifford, PA Quadrangle; Latitude: 41.728219°, Longitude: -75.610035°),

1) a temporary timber mat crossing impacting 5,580-square feet (0.13-acre) of floodway only of unnamed tributaries to Bear Swamp Creek and associated floodway (NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.727863°, Longitude: -75.608993°),

2) a 10-inch natural gas pipeline and temporary timber mat crossings impacting 50-linear feet of unnamed tributaries to Bear Swamp Creek and associated floodway (NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.727921°, Longitude: -75.610697°),

3) a temporary timber mat crossing impacting 63-square feet (0.01-acre) of Palustrine Emergent Wetlands (PEM) (Clifford, PA Quadrangle; Latitude: 41.726441°, Longitude: -75.612862°).

The project includes the construction of 1.1 miles of 10-inch diameter natural gas pipeline in Gibson Township, Susquehanna County. The project will result in 202-linear feet of stream impacts, 5,580-square feet (0.13-acre) of floodway only impacts, 17,853-square feet (0.41-acre) of PEM wetland impacts, and 3,724-square feet (0.09-acre) of PSS wetland impacts to provide safe conveyance of Marcellus Shale natural gas.

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

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

E4802223-006. City of Easton, 123 S. 3rd Street, Easton, PA 18042, City of Easton, **Northampton County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Easton Westgate project: 1) A streambank retaining device placed along the eastern bank of a UNT to the Lehigh River (WWF, MF) consisting of a 10-foot long R-6 riprap apron and having a 3:1 side slope. 2) A streambank retaining device placed along the western bank of a UNT to the Lehigh River (WWF, MF) consisting of a 20-foot long R-6 riprap apron having a 2:1 side slope. 3) A streambank retaining device placed along the eastern bank of a UNT to the Lehigh River (WWF, MF) consisting of a 25-foot long R-6 riprap apron having a 2:1 side slope. 4) A streambank retaining device placed along the western bank of a UNT to the Lehigh River (WWF, MF) consisting of a 110-foot long, 4-foot high wrapped soil lift having a 3:1 side slope, live plantings, and R-8 riprap footer. 5) A streambank retaining device placed along the western bank of a UNT to the Lehigh River (WWF, MF) consisting of an 80-foot long, 4-foot high wrapped soil lift having a 1:1 side slope, live plantings, and R-8 riprap footer. 6) A streambank retaining device placed along the eastern bank of a UNT to the Lehigh River (WWF, MF) consisting of a 90-foot long, 4-foot high wrapped soil lift having a 1:1 side slope, live plantings, and R-8 riprap footer. 7) A streambank retaining device placed along the eastern bank of a UNT to the Lehigh River (WWF, MF) consisting of a 160-foot long, 2-foot high wrapped soil lift having a 4:1 side slope, a floodplain bench, live plantings, and R-8 riprap footer. The project is located within Hugh Moore Park at the terminus of Hugh Moore Park Road (Easton, PA Quadrangle, Latitude: 40° 39' 42.11", Longitude: 75° 14' 25.84") City of Easton, Northampton County. Application received: September 7, 2023. Issued: April 1, 2024.

E4002223-010. CAN DO, Inc., 1 South Church St., Hazleton, PA 18201, Hazle Township, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a 12-inch diameter sanitary sewer line extension crossing 193 linear feet of PEM wetlands within the watershed of Tomhicken Creek (CWF, MF). The utility crossing will permanently impact 0.0004 acre of PEM wetland. The project is located in Hazle Township, Luzerne County, PA. Latitude: 40° 55' 30"; Longitude: -76° 04' 29" (Conyngham, PA Quadrangle, Latitude: 40° 55' 30"; Longitude: -76° 04' 29"). Application received: May 8, 2023. Issued: April 4, 2024.

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

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

E1606223-001. David Lewis, 700 Kiser Way, Shippenville, PA 16254, Highland Township, **Clarion County**. U.S. Army Corps of Engineers Pittsburgh District.

Permanently impact 0.06 acre of PEM wetlands for construction and maintenance of a private access road

beginning at the south end of Sarvey Mill Road approximately 1.1 miles south of its intersection with Miola Road and extending southwest (Lucinda, PA Quadrangle N: 41.277434°; W: -79.305687°) in Highland Township, Clarion County. Mitigation for the wetland impacts is through purchase of credits in the Commonwealth of Pennsylvania PIESCES Fund. Latitude: 41.277434°, Longitude: -79.305687°. Application received: June 6, 2023. Issued: April 9, 2024.

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

Contact: 717-705-4802.

E0603223-008. Maidencreek Township, P.O. Box 319, Quarry Road, Blandon, PA 19510-0319, Maidencreek Township, **Berks County**. U.S. Army Corps of Engineers Philadelphia District.

To perform maintenance on an existing box culvert conveying Willow Creek (HQ—CWF, MF) in Maidencreek Township, Berks County (Latitude: 40° 27' 00", Longitude: -75° 52' 20"). The maintenance includes 1) removal of the deposited silt build-up/sediment bar located upstream from the culvert as well as within the northern cell of the culvert, 2) restoration of the eroded streambank to conditions approved under E06-291, 3) installation of streambank stabilization measures, and 4) establishment of a low-flow channel. The purpose of the work is to restore the hydraulic capacity of the box culvert and the stream channel to reduce the potential for overtopping West Walnut Drive during high flow storm events and prevent further erosion that could impact the embankment supporting the roadway. The project will result in 0.028 acre of permanent wetland impacts. Although compensation is not required, the Permittee proposes to establish wetlands on the proposed floodplain bench adjacent to the streambank stabilization. Application received: March 28, 2023. Issued: April 3, 2024.

E3803223-002. North Lebanon Township, 725 Kimmerlings Road, Lebanon, PA 17946, North Lebanon Township, **Lebanon County**. U.S. Army Corps of Engineers Baltimore District.

To 1) restore approximately 2,310 linear feet of the shoreline around the lake, 2) maintain an existing 48" and two 24" CMPs, 3) remove an existing small island and diving pier and providing project signage. All impacts are for the purpose of improving the park for recreation and safety. The project is located at Lion's Lake in North Lebanon Township (Latitude: 40.358, Longitude: -76.453). No wetlands will be impacted by this project. Application received: June 30, 2023. Issued: April 3, 2024.

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

Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.

E1501223-018. Bondsville Road Realty Ventures, LLC, 2298 Horseshoe Pike, Honey Brook, PA 19344, Caln Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District.

To reissue the existing expired Permit E15-895 to construct and maintain a 20-foot long by 51.5 feet wide by 7.87 feet high Con-Span Arch Bridge in and along Beaver Creek (CWF, MF) associated with the construction of new 57 units of the senior living facility. The proposed project will also include additional utility stream crossing to provide water, electrical, cable, sewer, and parking facilities with an outfall structure. The site is located approxi-

mately 1,200 linear feet south of the intersection of SR 0030 and Bondsville Road exit (Downingtown, PA USGS Map) in Caln Township, Chester County. Latitude: 40.0016°, Longitude: -75.7448°. Application received: November 29, 2023. Permit issued: April 3, 2024.

E1501223-019. Larry R. Christenson, 1465 LeBoutillier Road, Malvern, PA 19355, Tredyffrin Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District.

To propose the construction and maintenance of utility line stream crossings in and along the 100-year floodway of Valley Creek (EV) as a part of installing a new drip irrigation septic system. The proposed work will include two stream crossings of 1.25 inches force main and two 2 inches of electrical conduit underneath Valley Creek (EV) utilizing the Boring method. The site is located at 1570 LeBoutillier Road (Valley Forge USGS Map) in Tredyffrin Township, Chester County. Latitude: 40.04403°, Longitude: -75.28569°. Application received: December 7, 2023. Permit issued: April 8, 2024.

ENVIRONMENTAL ASSESSMENTS

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

Contact: 717-705-4802.

EA3803224-001. Doc Fritchey Chapter Trout Unlimited, P.O. Box 227, Palmyra, PA 17078, South Annville Township, **Lebanon County**. U.S. Army Corps of Engineers Baltimore District.

The information submitted relates to a stream restoration project along 1,375 feet of Killinger Creek (TSF, MF) and its floodway including 1.) the regrading and maintenance of 2,700 feet of streambank (left and right banks); 2.) the installation and maintenance of six toe wood and soil lift structures; 3.) the installation and maintenance of eighteen constructed riffles totaling 636 feet in length; 4.) the installation and maintenance of nine boulder runs; 5.) the installation and maintenance of two cross vanes; 6.) the installation and maintenance of six j-hook vanes; and 7.) the installation and maintenance of five toe benches totaling 600 feet in length, all impacting 2.15 acres of palustrine emergent wetlands and all for the purposes of reducing sediment loading to the stream, and enhancing instream and wetland habitat. The project is located at 118 Killinger Road (Latitude: 40.30820 N; Longitude: 76.55025 W) in South Annville Township, Lebanon County. The impacted wetlands will be re-established onsite. Application received: January 11, 2024. Approved: April 6, 2024.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on

audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

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

Contact: RA-EPEASTERNOGPRG@pa.gov.

ESCGP # 3 **ESG295823024-00**
Applicant Name Coterra Energy Inc.
 Contact Person Kenneth Marcum
 Address 2000 Park Lane, Suite 300
 City, State, Zip Pittsburgh, PA 15275-1121
 Township(s) Dimock Township
 County **Susquehanna County**
 Receiving Stream(s) and Classification(s) White Creek (CWF, MF)
 Application received: October 24, 2023
 Issued: April 3, 2024

ESCGP # 3 **ESG295923021-01**
Applicant Name NFG Midstream Covington LLC
 Contact Person Matt Hovis
 Address 1100 State Street
 City, State, Zip Erie, PA 16501
 Township(s) Delmar Township and Shippen Township
 County **Tioga County**
 Receiving Stream(s) and Classification(s) West Branch Stony Fork (EV), Trib 21891 to Dantz Run (CWF)
 Application received: April 3, 2024
 Issued: April 3, 2024

ESCGP # 3 **ESG290823018-00**
Applicant Name Chesapeake Appalachia LLC
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 Township(s) Wyalusing Township
 County **Bradford County**
 Receiving Stream(s) and Classification(s) UNT to Susquehanna River (WWF, MF)
 Application received: December 11, 2023
 Issued: April 4, 2024

ESCGP # 3 **ESG294124002-00**
Applicant Name NFG Midstream Trout Run LLC
 Contact Person Matt Hovis
 Address 1100 State Street
 City, State, Zip Erie, PA 16501-1912
 Township(s) Gamble Township
 County **Lycoming County**
 Receiving Stream(s) and Classification(s) UNT to Mill Creek (WWF, MF), UNT to Lycoming Creek (EV, MF)
 Application received: February 21, 2024
 Issued: April 5, 2024

Southwest District: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: RA-EPSW-OGSUBMISSION@pa.gov.

ESCGP # 3 **ESG076323019-00**
Applicant Name Range Resources Appalachia LLC—Hallam Alex 11597 Well Pad
 Contact Person Karl Matz, (724) 873-3090
 kmatz@rangeresources.com
 Address 0.38 mile north US-40
 City, State, Zip Washington, PA 15301
 Township(s) Amwell Township
 County **Washington County**
 Receiving Stream(s) and Classification(s) 001. Lat 40.13980, Long -80.19257, UNT to Redd Run, Ch 93 Class TSF 002. Lat 40.14418, Long -80.19315, UNT to Redd Run, Ch 93 Class TSF
 Application received: December 4, 2024
 Issued: April 3, 2024

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

Contact: Chris, 724-598-2206.

Jiffy Mini Mart, Storage Tank Facility ID # **43-12818**, 850 Franklin Road, Jackson Center, PA 16133, Jackson Center Borough, **Mercer County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Health

Oil, Inc., 5821 US Route 322, Franklin, PA 16323, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

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

Contact: Robin L. Yerger, LPG.

York Concrete Septic Tanks, Storage Tank Facility ID # **67-61690**, 225 Hanover Road, York, PA 17408-5904, West Manchester Township, **York County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of 225 Hanover Partners, P.O. Box 106, Rossville, PA 17365, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum contaminants. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Plumstead Pointe, Storage Tank Facility ID # **09-43359**, 4095 Ferry Rd., Plumstead, PA 18901, Plumstead Township, **Bucks County**. Environmental Maintenance Company, 1420 E. Mermaid Lane, Glenside, PA 19038, on behalf of J&J Investments, LLC, 1510 Swamp Road, Doylestown, PA 18902, submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The combined plan and report is intended to document the remedial actions for meeting residential Statewide health standards.

Star Gas Mart, Storage Tank Facility ID # **15-30422**, 1762 New London Road, Kemblesville, PA 19347, Franklin Township, **Chester County**. Aquaterra Technologies, Inc., 901 S. Bolmar Street, Suite A, West Chester, PA 19382, on behalf of MNAN Enterprises, LLC, 1514 Red Top Terrace, Perry Hall, MD 21128, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

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

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Sunoco # 0359-3605, Storage Tank Facility ID # **02-03533**, 5733 Butler Street, Pittsburgh, PA 15201, City of Pittsburgh, **Allegheny County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Evergreen Resource Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline, leaded gasoline, diesel fuel, and crude oil. The plan is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

Caruso's Service, Storage Tank Facility ID # **65-28047**, 291 East Main Street, Mount Pleasant, PA 15666, Mount Pleasant Township, **Westmoreland County**. Insite Group, Inc., 611 South Irvine Avenue, Sharon, PA 16146, on behalf of John H. Caruso, Jr., 291 East Main Street, Mount Pleasant, PA 15666, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential site-specific standards.

Chevron # 203876, Storage Tank Facility ID # **65-82885**, 11540 Route 30, North Huntingdon, PA 15642, North Huntingdon Township, **Westmoreland County**. Arcadis U.S., Inc., 2100 Georgetown Drive, Suite 402, Sewickley, PA 15143, on behalf of Chevron Environmental Management Company, 1400 Smith Street, Houston, TX 77002, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with leaded and unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential 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.

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

Contact: Robin L. Yerger, LPG.

York Concrete Septic Tanks, Storage Tank Facility ID # **67-61690**, 225 Hanover Road, York, PA 17408-5904, West Manchester Township, **York County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of 225 Hanover Partners, P.O. Box 106, Rossville, PA 17365, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with Petroleum Contaminants. The report did not demonstrate attainment of the nonresidential Statewide health standards and was disapproved by DEP on April 5, 2024.

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

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

8965 Ridge Ave Shell, Storage Tank Facility ID # **51-09763**, 8965 Ridge Ave., Philadelphia, PA 19128, City of Philadelphia, **Philadelphia County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Ridge Petroleum LLC, 8965 Ridge Avenue, Philadelphia, PA 19128, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan was acceptable to meet the nonresidential Site-Specific, Statewide Health, and Background and was approved by DEP on April 3, 2024.

Faulkner Pontiac GMC, Storage Tank Facility ID # **09-30478**, 427 Street Road, Trevose, PA 19047, Bensalem Township, **Bucks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19608, on behalf of 4427 Street Road, Trevose, PA 19047, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The plan was acceptable to meet the nonresidential Statewide health and site-specific standards and was approved by DEP on April 8, 2024.

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

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

2501 Brighton Ave, Storage Tank Facility ID # **02-29667**, 2501 Brighton Avenue, Pittsburgh, PA 15212, City of Pittsburgh, **Allegheny County**. Synergy Environmental, Inc., 155 Railroad Plaza, Royersford, PA 19468, on behalf of PALG UST III LLC, 645 Hamilston Street, Suite 400, Allentown, PA 18101, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report was acceptable to meet the residential Statewide health and site-specific standards and was approved by DEP on March 28, 2024.

SPECIAL NOTICES

WATER PROGRAMS

Application for National Pollutant Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities.

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

Contact: 717-705-4802.

DEP Southcentral Regional Office: Waterways and Wetlands Program Manager, 909 Elmerton Ave. Harrisburg, PA 17110-8200, 717-705-4802, email: RA-EPWW-SCRO@pa.gov.

This notice is provided in accordance with 25 Pa. Code Chapter 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 permits that are available can be found on DEP's website (visit www.dep.pa.gov and select Businesses, Water, Bureau of Clean Water, Stormwater Management, and Construction Stormwater Programs).

The Department of Environmental Protection (DEP) has received an application for an Individual NPDES Permit from the applicant named as follows to authorize discharges of stormwater associated with construction activities from the project site named as follows to surface waters of the Commonwealth.

Applicant: Edison View Partners, LLC

Applicant Address: 1126 Horsham Road, Maple Glen, PA 19002

Application Number: PAD060095

Project Site Name: Edison Walk Residential Development

Project Site Address: 42 Barto Road, Barto, PA 19504

Municipality/County: Washington Township, Berks County

Total Earth Disturbance Area: 96.29 acres

Surface Waters Receiving Stormwater Discharges: UNT to Swamp Creek (CWF, MF) and UNT to Swamp Creek (CWF, MF) via EV Wetlands.

Project Description: Construction of 206 single family units and 43 townhouse units.

The Department of Environmental Protection (DEP) has made a tentative decision to deny the application for the Individual NPDES Permit. Interested persons may submit written comments to DEP at the previously listed address for DEP's consideration in taking a final action on the permit application. You may also review the permit application file by contacting DEP's File Review Coordinator at 717.705.4732.

[Pa.B. Doc. No. 24-549. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Interim Final Technical Guidance Document—Minor Revision

DEP ID: 381-5511-111. Title: Guidelines for the Uniform Environmental Review Process in Pennsylvania. Description: The Uniform Environmental Review (UER)

Process was developed by the Department of Environmental Protection (Department) for Federally funded wastewater and drinking water infrastructure projects implemented through the Pennsylvania Infrastructure Investment Authority. This “NEPA-like” review is part of the State Environment Review Process (SERP) that has been approved by the Environmental Protection Agency (EPA) as it meets the requirements of the National Environmental Policy Act. Implementation of an EPA approved SERP is a condition of the Federal State Revolving Loan Grant. In addition, the UER process allows recipients of multiple Federal funding sources the opportunity of completing one environmental review acceptable to all parties.

This guidance document update is due to the issuance of Executive Order 14030 which reinstates Executive Order 13690 and the Federal flood risk management standard (FFRMS). The EPA is requiring the SERP update to incorporate Federal Emergency Management Agency’s FFRMS for State Revolving Fund programs. The FFRMS requires agencies to select one of three approaches for establishing the flood elevation (how high) and corresponding flood hazard area (how wide) used for project siting, design and construction. These approaches are: (1) *Climate Informed Science Approach*: The elevation and flood hazard area that result from using the best-available, actionable hydrologic and hydraulic data and methods that integrate current and future changes in flooding based on climate science; (2) *Freeboard Value Approach*: The elevation and flood hazard area that result from adding an additional 2 feet to the base flood elevation for noncritical actions and by adding an additional 3 feet to the base flood elevation for critical actions; or (3) *500-year floodplain*: The area subject to flooding by the 0.2%-annual-chance flood. Section 3.2 Floodplains has been changed accordingly.

Additional changes to the document include: (1) the table of contents has been revised; (2) the United States Department of Agriculture (USDA) Rural Development has updated regulations. As such, the Rural Utility Service Water and Waste Disposal Grant and Loan Program will no longer be participating in the UER process. References to the USDA have been eliminated; (3) Section 3.4 Historic Resources has been updated to follow current Pennsylvania Historical and Museum Commission guidance; (4) Section 3.5 Sensitive Biological Resources has been updated to align with current Department guidance; (5) Section 3.8 Socio-Economic Issues has been updated to include current Environmental Justice guidance; and (6) Current contact information has been added to Appendix B.

Written Comments: Interested persons may submit written comments by May 20, 2024. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator’s name and address and subject “UER Minor Revisions.” Electronic comments should be submitted using the Department’s eComment site at www.ahs.dep.pa.gov/

eComment. Written comments should be submitted by e-mail to ecomment@pa.gov or by mail to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Written comments submitted during the 30-day comment period will be retained by the Department and considered in finalizing the document.

Contact: Questions regarding this action should be directed to Richard Wright at (717) 772-4059 or riwright@pa.gov.

Effective Date: Upon publication as interim final in the *Pennsylvania Bulletin*.

JESSICA SHIRLEY,
Interim Acting Secretary

[Pa.B. Doc. No. 24-550. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Climate Change Advisory Committee Meeting Cancellation

The Climate Change Advisory Committee (Committee) meeting scheduled for April 23, 2024, has been cancelled. The next Committee meeting is scheduled for Tuesday, June 25, 2024, and will begin at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the 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 “Climate Change,” then “Climate Change 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 June 25, 2024, meeting can be directed to Lindsay Byron at lbyron@pa.gov or (717) 772-8951.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5985 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JESSICA SHIRLEY,
Interim Acting Secretary

[Pa.B. Doc. No. 24-551. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Stream Evaluation Reports; Available for Public Comment

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) gives notice that the following Draft Stream Evaluation Reports are available for public comment for a 45-day comment period.

<i>Stream Name</i>	<i>County</i>	<i>Tributary to</i>
Chester Creek	Chester	Delaware River
Reynolds Run	Lancaster	Octoraro Creek
Unnamed Tributary (UNT) to North Fork Dunkard Fork	Greene	North Fork Dunkard Fork
UNT to Big Cove Creek	Fulton	Big Cove Creek
Loyalsock Creek	Lycoming and Sullivan	West Branch Susquehanna River

The Chester Creek and the Reynolds Run evaluations were conducted in response to the Environmental Protection Agency's (EPA) partial approval of the Environmental Quality Board's (Board) adoption of the 2017 Triennial Review of Water Quality Standards published in the *Pennsylvania Bulletin* at 50 Pa.B. 3426 (July 11, 2020), which did not include approval of the revisions to the designated uses for Chester Creek in 25 Pa. Code § 93.9g (relating to Drainage List G) and Reynolds Run in § 93.9o (relating to Drainage List O). The EPA requested that the Department provide a summary of the designated use history of each waterbody and current available data that may include fish assemblage and macro-invertebrate data in support of the use designation corrections in the 2017 Triennial Review. In response, the Department conducted evaluations of the Chester Creek and Reynolds Run watersheds to document the correct stream names and appropriate designated uses. This portion of the Chester Creek basin is currently designated Warm Water Fishes, Migratory Fishes (MF). This portion of Reynolds Run is currently designated High Quality—Trout Stocking, MF (HQ-TSF).

The UNT to North Fork Dunkard Fork evaluation was conducted as a result of routine Department monitoring efforts that suggested the existing use may be different than the current designated use. The entire UNT to North Fork Dunkard Fork basin is currently designated TSF.

The UNT to Big Cove Creek evaluation was conducted in response to an existing use evaluation request by the Department's South Central Regional Office. The entire UNT to Big Cove Creek basin is currently designated Cold Water Fishes (CWF), MF.

The Loyalsock Creek evaluation was conducted in response to a petition submitted by the Loyalsock Creek Watershed Association and accepted by the Board on February 19, 2008. The petitioner requested that the Loyalsock Creek mainstem be redesignated to HQ-TSF, MF from the Lycoming County and Sullivan County line to the confluence with the West Branch Susquehanna River. Initial mainstem sample results coupled with the Department's regional probabilistic data collection efforts April 30, 2007—May 1, 2007, and April 25—27, 2006, indicated that the evaluation should be expanded to the entire basin. The Loyalsock Creek basin from the source to Pole Bridge Run is currently designated CWF, MF. The tributaries to Loyalsock Creek from and including Pole Bridge Run to the confluence with the West Branch Susquehanna River are currently designated HQ-CWF, with the exception of the following named tributaries or tributary segments: Shanerburg Run basin from its source downstream to the end of a Jeep Trail (approximately 1.5 miles from the mouth) is currently designated Exceptional Value Waters (EV) and the remainder of the basin downstream from the Jeep Trail is designated HQ-CWF, MF. The Double Run, High Rock Run and Little Loyalsock Creek basins are currently designated CWF,

MF. Kettle Creek and Noon Branch Wolf Run basins are currently designated EV and Mill Creek East and Mill Creek West basins located in Loyalsock Township are currently designated TSF.

The draft reports are available for review on the Department's eComment web site at www.ahs.dep.pa.gov/eComment.

The Department has asked all relevant local jurisdictions to make a copy of this notification available to all and all interested citizens, including those who own real property in the relevant municipalities and to any other parties the municipalities believe may be interested in these evaluations and draft reports.

Interested persons may submit comments through Tuesday, June 4, 2024. Comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment. Written comments may be sent by e-mail to ecomment@pa.gov or mailed to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Comments received on the draft reports during the public comment period will be reviewed and considered in the Department's evaluation.

For further information, contact Mark Brickner, Water Quality Division, at mbrickner@pa.gov or (717) 787-9637. Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 can contact the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JESSICA SHIRLEY,
Interim Acting Secretary

[Pa.B. Doc. No. 24-552. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Growing Greener Plus Grants Program; Request for Applications

As part of the Department of Environmental Protection's (Department) Growing Greener Plus Grants Program, applications will soon be accepted for Growing Greener (Watershed Restoration and Protection) grants under 27 Pa.C.S. §§ 6101—6119 (relating to Environmental Stewardship and Watershed Protection Act) and Bond Forfeiture grants under section 18(j) of the Surface Mining Conservation and Reclamation Act (SMCRA) (52 P.S. § 1396.18(j)). Growing Greener grants are de-

signed to improve or protect this Commonwealth's waters from nonpoint source pollution associated with agricultural activities, abandoned mine drainage (AMD), stormwater runoff, energy resource extraction, and streambank and shoreline degradation, while Bond Forfeiture grants are designed to address legacy mining impacts.

Eligible applicants include counties, municipalities, municipal authorities, county conservation districts, watershed organizations, councils of governments, educational institutions and other authorized organizations involved in water resource restoration and protection. The maximum Growing Greener grant request amount is \$500,000.

The Department has identified multiple priority areas for this grant solicitation. Priority areas for Growing Greener grants include projects that reduce nonpoint source pollution—especially nitrogen, phosphorous and sediment pollution from agricultural and stormwater runoff. The Department is particularly interested in design and construction projects that implement effective best management practices that reduce or eliminate pollutant loadings and lead to local water quality improvements.

Through the same application process, applicants can also apply for funding through the Department's SMCRA

Bond Forfeiture Grant Program to address legacy mining impacts. SMCRA grants are available to various entities including municipalities, municipal authorities and non-profit organizations for projects meeting Bond Forfeiture grant requirements. Other AMD projects may be eligible for Growing Greener Watershed Restoration and Protection funds, for a limited number, between August 3, 1977—July 31, 1982. Applicants proposing a project to correct AMD from a coal mining operation that was abandoned prior to August 3, 1977, are encouraged to apply to the Abandoned Mine Land AMD Grant Program administered by the Department's Bureau of Abandoned Mine Reclamation.

Grant applications and all attachments must be submitted through the Commonwealth's Electronic Single Application web site, eGrants, at www.esa.dced.state.pa.us. Applications will be accepted beginning at 8 a.m. on April 22, 2024, through 11:59 p.m. on Friday, June 21, 2024. Late submissions will not be considered.

For more information, visit the Department's Growing Greener Plus Grants Program webpage at <https://www.dep.pa.gov/Citizens/GrantsLoansRebates/Growing-Greener/Pages/default.aspx>.

JESSICA SHIRLEY,
Interim Acting Secretary

Statewide Top 10 Languages Spoken With Limited English Proficiency**English:**

Translations of this document are available. To request a translation, contact the Growing Greener Grant Program by email at RA-EPWatershedSpprt@pa.gov.

Spanish:

Las traducciones de este documento están disponibles. Para solicitar una traducción, comuníquese con el Programa de Subvenciones Growing Greener por correo electrónico a RA-EPWatershedSpprt@pa.gov.

Chinese:

本文档的翻译版本可用。要请求翻译，请通过电子邮件联系 Growing Greener Grant Program，网址为 RA-EPWatershedSpprt@pa.gov。

Vietnamese:

Bản dịch của tài liệu này có sẵn. Để yêu cầu bản dịch, hãy liên hệ với Chương trình tài trợ Trồng xanh hơn qua email tại RA-EPWatershedSpprt@pa.gov.

Russian:

Доступны переводы этого документа. Чтобы запросить перевод, свяжитесь с грантовой программой Growing Greener по электронной почте RA-EPWatershedSpprt@pa.gov.

Pennsylvania Dutch (substituting German):

Übersetzungen dieses Dokuments sind verfügbar. Um eine Übersetzung anzufordern, wenden Sie sich per E-Mail an das Growing Greener Grant Program unter RA-EPWatershedSpprt@pa.gov.

Arabic:

ترجمات هذه الوثيقة متاحة. إذا كنت ترغب في طلب ترجمة، فاتصل بـ DEP عبر الهاتف على أو البريد الإلكتروني على RA-EPWatershedSpprt@pa.gov.

Korean:

이 문서의 번역본을 사용할 수 있습니다. 번역을 요청하려면 RA-EPWatershedSpprt@pa.gov 로 이메일을 보내 Growing Greener Grant Program에 문의하십시오.

Nepali:

यस कागजातको अनुवाद हरू उपलब्ध छन्। अनुवादको लागि अनुरोध गर्न, RA-EPWatershedSpprt@pa.gov इमेल द्वारा बढ्दो हरित अनुदान कार्यक्रमलाई सम्पर्क गर्नुहोस्।

French:

Des traductions de ce document sont disponibles. Pour demander une traduction, communiquez avec le Programme de subventions Cultivons l'environnement par courriel à l'adresse RA-EPWatershedSpprt@pa.gov.

Gujarati:

આ દસ્તાવેજના અનુવાદો ઉપલબ્ધ છે. અનુવાદની વિનંતી કરવા માટે, RA-EPWatershedSpprt@pa.gov પર ઇમેઇલ દ્વારા ગ્રોઇંગ ગ્રીનર ગ્રાન્ટ પ્રોગ્રામનો સંપર્ક કરો.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Interstate Pollution Transport Reduction; Final 2024 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice for the final Nonelectric Generating Unit (non-EGU) 2024 Ozone Season (OS) Nitrogen Oxide (NO_x) emission limitations established under 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO_x trading programs).

Notice of the proposed NO_x emission limitations was published at 54 Pa.B. 552 (February 3, 2024) to allow for a 17-day public comment period, which closed on February 19, 2024. The Department did not receive any comments during the public comment period.

Specifically, 25 Pa. Code § 145.8(d) establishes a non-EGU NO_x Trading Program budget of 3,619 tons of NO_x, less a specified adjustment amount, to serve as a Statewide OS NO_x emissions cap for new and existing non-EGUs. This NO_x emissions cap also applies to Clean Air Interstate Rule exempt EGUs that are subject to the NO_x Budget Trading Program. If the total emissions from all the units exceed the Statewide NO_x emissions cap of 3,438 tons, the owners and operators of non-EGUs must comply with the NO_x emission limitations established under 25 Pa. Code § 145.8(d). The proposed NO_x emissions limitations for individual units ensure that non-EGUs in this Commonwealth continue to meet the emission limits of the NO_x Budget Trading Program. See 84 FR 8422 (March 8, 2019). The difference between the calculated total OS NO_x limit for all units in Table 1 as follows and the total NO_x limit of 3,438 tons is due to rounding when calculating the NO_x limit for each individual unit.

The Statewide cap for 2023 was not exceeded. Therefore, non-EGUs did not need to purchase allowances to meet their 2023 OS NO_x emission limitations established under 25 Pa. Code § 145.8(d). The NO_x emissions for the 2023 OS (May through September) reported to the United States Environmental Protection Agency by the owners and operators of the affected non-EGUs are 644 tons. The Department's permanent retirement of 3,438 NO_x allowances under 25 Pa. Code § 145.8(b) covers all the NO_x emissions from the affected non-EGUs in 2023. Table 1, as follows, lists the final non-EGU 2024 OS NO_x emission limits.

In addition to the 3,438-ton non-EGU cap previously described, 25 Pa. Code § 145.8(d)(12) provides 181 tons of NO_x emissions annually for non-EGUs and the other units that need to address their limits or emissions through accounting adjustments, including units that previously participated in the NO_x Budget Trading Program. The Department may use a portion of the 181 tons of the budgeted NO_x emissions, if necessary, to address rounding issues, mistakes or miscalculations. This year, the Department will use 2 of the 181 tons of NO_x emissions set aside from the non-EGU NO_x Trading Program budget for accounting adjustments. The accounting adjustment is needed due to the rounding errors in calculating individual unit limits to meet the 3,438-ton non-EGU NO_x cap. Rounding resulted in an allocation limit totaling 3,436 tons of NO_x.

The "Final Non-EGU 2024 Ozone Season NO_x Emission Limits" in Table 1 lists the following: the 'facility name,' 'ORIS code,' the 'unit ID' for each non-EGU unit, the '2023 NO_x mass' for the 2023 OS emissions, the '2023 heat input' for the 2023 OS, the 'county' location of the facility, the calculated '2024 rate and the '2024 Ozone Season (OS) limit.'

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921 or ranbordner@pa.gov. TDD users may contact the Pennsylvania Hamilton Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Table 1: Final Non-EGU 2024 Ozone Season NO_x Emission Limits

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2023 NO_x Mass (tons)</i>	<i>2023 Heat Input (MMBtu)</i>	<i>County</i>	<i>2024 Rate (lbs./MMBtu)</i>	<i>2024 OS Limit (tons NO_x)</i>
AdvanSix Resins & Chemicals, LLC	880007	52	25.826	719010	Philadelphia	0.36	129
Armagh Compressor Station	880071	31301	0	0	Indiana	0.36	0
Bernville Station	880049	32001	0	0	Berks	0.36	0
Domtar Paper Company, LLC	54638	40	5.866	192474.5	Elk	0.36	35
Domtar Paper Company, LLC	54638	41	14.698	574534.3	Elk	0.36	103
Entriiken Compressor Station	880072	31601	0	0	Huntingdon	0.36	0
ETMT Marcus Hook Terminal	880107	AB01	2.919	172772.8	Delaware	0.36	31
ETMT Marcus Hook Terminal	880107	AB03	1.961	122611.4	Delaware	0.36	22
ETMT Marcus Hook Terminal	880107	AB04	7.146	594574.1	Delaware	0.36	107
Merck & Company—West Point	52149	39	8.378	183847.7	Montgomery	0.36	33
Merck & Company—West Point	52149	40	20.794	1447265	Montgomery	0.36	261
Pixelle Specialty Solutions	50397	36	209.577	1690202	York	0.36	304

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2023 NO_x Mass (tons)</i>	<i>2023 Heat Input (MMBtu)</i>	<i>County</i>	<i>2024 Rate (lbs./MMBtu)</i>	<i>2024 OS Limit (tons NO_x)</i>
Pixelle Specialty Solutions	50397	38	6.997	511015.7	York	0.36	92
Pixelle Specialty Solutions	50397	39	5.711	413152.8	York	0.36	74
Procter & Gamble Paper Products	50463	328001	122.319	1914955	Wyoming	0.36	345
Procter & Gamble Paper Products	50463	328002	6.278	1796525	Wyoming	0.36	323
Sherman's Dale Station	880050	31801	0	0	Perry	0.36	0
Trainer Refinery	880025	34	1.282	573301.1	Delaware	0.36	103
Trainer Refinery	880025	35	1.323	560951	Delaware	0.36	101
Trainer Refinery	880025	53	1.022	654339.4	Delaware	0.36	118
US Steel (Clairton Coke)	50729	CLBLR1	96.36	1190432	Warren	0.36	214
US Steel (Clairton Coke)	50729	CLBLR2	72.46	968787.8	Allegheny	0.36	174
US Steel (Edgar Thomson)	50732	ETBLR1	10.794	1416966	Allegheny	0.36	255
US Steel (Edgar Thomson)	50732	ETBLR2	14.913	1603503	Allegheny	0.36	289
US Steel (Edgar Thomson)	50732	ETBLR3	12.991	1582020	Allegheny	0.36	285
Vicinity Energy Philadelphia Edison Station	880006	1	0	0	Allegheny	0.36	0
Vicinity Energy Philadelphia Edison Station	880006	2	0.328	6381.5	Allegheny	0.36	1
Vicinity Energy Philadelphia Edison Station	880006	3	0.473	6694.8	Philadelphia	0.36	1
Vicinity Energy Philadelphia Edison Station	880006	4	1.154	21795.8	Philadelphia	0.36	4
Vicinity Energy Philadelphia—Schuylkill	50607	23	0	0	Philadelphia	0.36	0
Vicinity Energy Philadelphia—Schuylkill	50607	26	4.343	104570.7	Philadelphia	0.36	19
Vicinity Energy Philadelphia—Schuylkill	50607	RSB1	0.185	31799.82	Philadelphia	0.36	6
Vicinity Energy Philadelphia—Schuylkill	50607	RSB2	0.435	40381.94	Philadelphia	0.36	7
<i>Totals:</i>			656.533	19,094,866			3,436

JESSICA SHIRLEY,
Interim Acting Secretary

[Pa.B. Doc. No. 24-554. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Planning Grant Award 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 Clinton 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 (HHW) 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. 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 HHW Education Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project</i>	<i>Grant</i>
Northcentral	Clinton	Clinton County	HHW Education	\$14,120

JESSICA SHIRLEY,
Interim Acting Secretary

[Pa.B. Doc. No. 24-555. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Request for Applications for Watershed Planning and Restoration Grants through the Section 319 Nonpoint Source Management Program

As part of the Department of Environmental Protection’s (Department) Section 319 Nonpoint Source Management Grants Program, applications will be accepted for watershed planning and restoration grants. Funded in part by the United States Environmental Protection Agency under section 319(h) of the Federal Clean Water Act (33 U.S.C. § 1329(h)), the Department administers a grants program to fund watershed projects that are part of approved watershed implementation plans (WIP). The grants are designed to improve and protect water in this Commonwealth from nonpoint source pollution associated with agricultural activities, abandoned mine drainage (AMD), stormwater runoff, energy resource extraction, and streambank and shoreline degradation.

Eligible applicants include incorporated watershed associations, counties or municipalities, county conservation districts, council of governments or other authorized organizations including nonprofit organizations, educational institutions and municipal authorities.

The Department is focusing these grants on projects that reduce nonpoint source pollution in targeted watersheds with WIPs, especially projects that reduce nitrogen, phosphorous and sediment pollution from agricultural and stormwater runoff, along with AMD-related pollution

from iron, aluminum and acidity. The Department is particularly interested in projects that implement effective best management practices (BMP) that reduce or eliminate stream impairments within WIP areas, leading to local water quality improvements.

Examples of eligible projects include existing WIP revision or updates and design and construction of BMPs, including riparian forest buffers, streambank fencing, agricultural erosion and sediment control and nutrient and manure management practices; animal waste storage systems, animal concentration area/animal heavy use area protection and barnyard runoff controls; design and construction of stormwater control measures; AMD treatment systems; and other projects that will reduce nonpoint source pollution in watersheds where streams are impaired. Priority will be given to section 319 WIP implementation projects in the Environmental Justice Areas in this Commonwealth.

Applications and all supporting documents must be submitted through the Commonwealth’s eGrants system at www.esa.dced.state.pa.us. Applications will be accepted beginning 8 a.m. on April 22, 2024, through 11:59 p.m. on Friday, June 21, 2024. Late submissions will not be considered.

Interested applicants with questions may e-mail RA-EP319GrantFunding@pa.gov. For more information on the Section 319 Nonpoint Source Management Grants Program, visit the Department’s web site at www.dep.pa.gov (search “Nonpoint Source”).

JESSICA SHIRLEY,
Interim Acting Secretary

Statewide Top 10 Languages Spoken With Limited English Proficiency

English:

Translations of this document are available. To request a translation, contact the 319 Nonpoint Source Grant Program by email at RA-EP319GrantFunding@pa.gov.

Spanish:

Las traducciones de este documento están disponibles. Para solicitar una traducción, comuníquese con el Programa de Subvenciones de Fuentes No Puntuales 319 por correo electrónico a RA-EP319GrantFunding@pa.gov.

Chinese:

本文档的翻译版本可用。要请求翻译，请通过电子邮件联系 319 Nonpoint Source Grant Program，网址为 RA-EP319GrantFunding@pa.gov。

Vietnamese:

Bản dịch của tài liệu này có sẵn. Để yêu cầu bản dịch, hãy liên hệ với Chương trình tài trợ nguồn phi điểm 319 qua email tại RA-EP319GrantFunding@pa.gov.

Russian:

Доступны переводы этого документа. Чтобы запросить перевод, свяжитесь с Программой грантов 319 Nonpoint Source по электронной почте RA-EP319GrantFunding@pa.gov.

Pennsylvania Dutch (substituting German):

Übersetzungen dieses Dokuments sind verfügbar. Um eine Übersetzung anzufordern, wenden Sie sich bitte per E-Mail an das 319 Nonpoint Source Grant Program unter RA-EP319GrantFunding@pa.gov.

Arabic:

ترجمات هذه الوثيقة متاحة. إذا كنت ترغب في طلب ترجمة، فاتصل بـ DEP عبر الهاتف على أو البريد الإلكتروني على RA-EP319GrantFunding@pa.gov.

Korean:

이 문서의 번역본을 사용할 수 있습니다. 번역을 요청하려면 319 비포인트 소스 보조금 프로그램(RA-EP319GrantFunding@pa.gov)에 이메일로 문의하십시오.

Nepali:

यस कागजातको अनुवाद हरू उपलब्ध छन्। अनुवादको लागि अनुरोध गर्न, RA-EP319GrantFunding@pa.gov इमेल द्वारा 319 गैर-बिन्दु स्रोत अनुदान कार्यक्रममा सम्पर्क गर्नुहोस्।

French:

Des traductions de ce document sont disponibles. Pour demander une traduction, communiquez avec le Programme de subventions de sources non ponctuelles 319 par courriel à l'adresse RA-EP319GrantFunding@pa.gov.

Gujarati:

આ દસ્તાવેજના અનુવાદો ઉપલબ્ધ છે. અનુવાદની વિનંતી કરવા માટે, RA-EP319GrantFunding@pa.gov પર ઇમેઇલ દ્વારા 319 નોનપોઇન્ટ સોર્સ ગ્રાન્ટ પ્રોગ્રામનો સંપર્ક કરો.

[Pa.B. Doc. No. 24-556. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Brain Injury Advisory Board Meeting

The Brain Injury Advisory Board (Board), established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C. § 300d-52), will hold a public meeting on Friday, May 3, 2024, from 10 a.m. to 3 p.m. The meeting will be held in person at the Pennsylvania Training and Technical Assistance Network, 6340 Flank Drive, Harrisburg, PA 17112 in the Cambria conference room.

Meeting materials will be sent out before the meeting and will also be available on the Board's web site at <https://www.health.pa.gov/topics/disease/Pages/Traumatic-Brain-Injury.aspx> and at the meeting location. Contact Nicole Johnson at njohnson@pa.gov with any questions.

The Department of Health's (Department) Head Injury Program (HIP) strives to ensure that eligible individuals who have a traumatic brain injury receive high quality rehabilitative services aimed at reducing functional limitations and improving quality of life. The Board assists the Department in understanding and meeting the needs of persons living with acquired brain injuries, both traumatic and nontraumatic, and their families. This quarterly meeting will provide updates on a variety of topics, including the number of people served by HIP. In addition, meeting participants will discuss budgetary and programmatic issues, community programs relating to traumatic and nontraumatic brain injuries and available advocacy opportunities.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Nicole Johnson, Division of Community Systems Development and Outreach, (717) 772-2763. For individuals with speech and/or hearing impairments, contact V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-557. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

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

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C. §§ 241(a) and 247b), will hold public meetings at the Woodlands Inn, 1073 PA-315, Wilkes-Barre, PA 18702 on Wednesday, May 1, 2024, from 3 p.m. to 7 p.m. and on Thursday, May 2, 2024, from 9 a.m. to 4:30 p.m.

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

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

Day 1: Main Meeting

Call in Information:

Phone Number: (866) 588-4789

Phone Conference ID: 697 317 578#

To Access Meeting Online: <https://bit.ly/HPGMayTH>

Day 2: Main Meeting

Call in Information:

Phone Number: (866) 588-4789

Phone Conference ID: 459 209 681#

To Access Meeting Online: <https://bit.ly/HPGDay2>

Day 2: Evaluation Subcommittee Time

Call in Information:

Phone Number: (866) 588-4789

Phone Conference ID: 435 194 924#

To Access Meeting Online: <https://bit.ly/MayHPGSub>

Day 2: Intersectional and Innovation Subcommittee Time

Call in Information:

Phone Number: (866) 588-4789

Phone Conference ID: 459 209 681#

To Access Meeting Online: <https://bit.ly/HPGDay2>

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention Integrated HIV Surveillance and Prevention Programs for Health Departments grant. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so, contact Kyle Fait, Planning Coordinator, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Health and Welfare Building, Harrisburg, PA 17120, (717) 260-8929, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-558. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on Thursday, May 2, 2024, from 10:15 a.m. to 1:15 p.m. The purpose of the meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness activities, recommend priorities

in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Secretary of Health on matters relating to the administration of the Fund. The meeting will be held at the Center for Organ Recovery & Education, 204 Sigma Drive, Pittsburgh, PA. There will be a virtual option available using Microsoft Teams. The information for calling into the meeting is to dial (267) 332-8737 and use conference ID: 533 629 727#. Contact the Organ Donation Program at (717) 787-5876 or ra-dhorgandonation@pa.gov to RSVP or with any questions regarding the meeting. It is requested that all RSVP responses are received no later than April 30, 2024.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Amy Flaherty, Director, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-5876, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-559. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of Application for a Waiver for Selective Contracting for Residential Services and Availability of Amendments to the Consolidated, Community Living, Person/Family Directed Support and Adult Autism Waivers Required for Selective Contracting of Residential Services, as Well as Additional Proposed Changes to the Waivers

The Department of Human Services (Department) is making available for public review and comment the Office of Developmental Programs' (ODP) proposed application for a section 1915(b)(4) waiver for a selective contracting program and amendments to the Consolidated and Community Living waivers required to implement selective contracting for Residential Habilitation, Life Sharing and Supported Living services. The Department is also making available for public review and comment additional proposed amendments to the Consolidated, Community Living, Person/Family Directed Support (P/FDS) and Adult Autism Waivers that are not related to implementation of selective contracting. Changes are proposed to become effective on January 1, 2025.

Background

The Department is submitting to the Centers for Medicare & Medicaid Services (CMS) for approval an application for a section 1915(b)(4) waiver to improve the quality and sustainability of Residential Habilitation, Life Sharing and Supported Living services which are available through the ODP's Consolidated and Community Living waivers. The selective contracting program will be

referred to as performance-based contracting. The Department is also submitting to the CMS for approval amendments to the Consolidated and Community Living waivers that are needed to implement performance-based contracting and amendments to the Consolidated, Community Living, P/FDS and Adult Autism waivers that are not related to implementation of performance-based contracting.

When performance-based contracting is implemented, all currently enrolled residential providers will have the opportunity to enter into a performance-based contract with ODP. To help support providers with the new requirements and process, ODP will hold provider trainings so that providers have a clear understanding of the process and expectations for performance-based contracting. As part of this process, providers will submit documentation demonstrating compliance with the performance areas identified by ODP. Additionally, ODP will use data from participant experience surveys, claims, incident management, health risk screening, administrative entities and a new Performance Analysis Services vendor to evaluate each provider's performance against the established standards and determine the tier in which the provider will be placed.

Providers will be placed in one of the following tiers based on their performance:

- Conditional for providers operating under provisional or revoked licenses.
- Primary for providers that meet current standards and a few additional standards.
- Select for providers that deliver at least two of the three residential services in the performance-based contracting model and meet enhanced measures.
- Clinically Enhanced for providers that offer clinically enhanced medical or behavioral supports and meet enhanced measures.

The Department proposes the following substantive amendments to the Consolidated and Community Living waivers that will support the implementation of performance-based contracting effective January 1, 2025:

- Allow for the Department to contract with a Performance Analysis Services vendor that will provide administrative support with data collection, analysis and reporting functions.
- Require residential service providers to sign a residential provider agreement, which requires providers to comply with performance standards and reporting requirements outlined in the agreement and ODP policy.
- Implement pay-for-performance supplemental payments for residential service providers that meet or exceed performance targets for staff credentialing, employment of individuals served, transition of individuals to Life Sharing or Supported Living services and reporting on use of technology. Supplemental payments will be calculated for residential providers meeting or exceeding performance standards as a one-time or combined payment up to 3% of ODP-eligible service revenue from the applicable review period or established payment amount per qualifying event. Providers that have been determined to be a Primary, Select or Clinically Enhanced provider are eligible to receive the supplemental payments.
- Pay Licensed Residential Habilitation, Unlicensed Residential Habilitation, Life Sharing and Supported Living providers that meet the requirements to qualify as

a select provider or a Clinically Enhanced residential provider a payment that is in addition to the Medical Assistance fee schedule rate. Select providers will receive a rate add-on of 5% per individual served and Clinically Enhanced providers will receive a rate add-on of 8%.

The Department also proposes the following substantive amendments to the Consolidated, Community Living, P/FDS and Adult Autism waivers that are not related to implementation of performance-based contracting effective January 1, 2025:

- Assure effective communication for individuals who use American Sign Language through implementation of a new American Sign Language—English Interpreter service. Services will be reimbursed as a vendor service based on the cost that the provider charges to the general public.
- Promote health, wellness and safety by clarifying that individuals who receive services in an acute care hospital will not be disenrolled from the waiver.
- Support the quality of Assistive Technology provided by expanding the qualification requirements for a professional who can complete an evaluation of an individual's need for Assistive Technology and clarifying that evaluations can be completed for technology costing less than \$750 if the service plan team believes it will be beneficial.
- Increase community participation and employment by requiring providers of Community Participation Support and Day Habilitation services to annually complete an analysis of each individual's interests, preferences, skills and strengths that support the individual's participation in employment or other community activities.
- Revisions to align waiver requirements with regulatory requirements, correct errors and provide clarification requested by stakeholders.

The Department proposes the following substantive amendment to the Consolidated, Community Living and P/FDS waivers that are not related to implementation of performance-based contracting effective January 1, 2025:

- Increase employment of individuals by allowing indirect activities to be billed through the Benefits Counseling service and improve access to Benefits Counseling for individuals who are not eligible for the Federal Work Incentives Planning and Assistance program.

The Department proposes the following substantive amendments to the Adult Autism Waiver that are not related to implementation of performance-based contracting effective January 1, 2025:

- Support the quality of Residential Habilitation, Community Home and Life Sharing services, through alignment of provider qualifications with the qualifications included in the Consolidated and Community Living waivers.
- Promote health, wellness and safety by clarifying that Residential Habilitation providers must have a licensed nurse available if the provider serves individuals with needs that require care by a licensed nurse.

- Promote self-direction, choice and control by clarifying that Community Transition Services can be used to support individuals transitioning from settings such as Residential Habilitation to private residences in alignment with guidance in the CMS instructions, technical guide and review criteria for 1915(c) waivers.

Copies of this notice, the application for a section 1915(b)(4) waiver and the proposed amendments to the Consolidated, Community Living, P/FDS and Adult Au-

tism waivers may be obtained by contacting Julie Mochon, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120, RA-odpcomment@pa.gov. The documents are also available at <https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/Proposed-Waiver-Amendments.aspx>.

Fiscal Impact

In Fiscal Year 2024-2025 the anticipated cost for the Intellectual Disabilities (ID)—Community Waiver Programs' implementation of performance-based contracting for Residential Habilitation, Life Sharing and Supported Living is \$50.000 million (\$22.455 million in State funds).

In Fiscal Year 2024-2025 the anticipated cost for the implementation of the new American Sign Language—English Interpreter service is \$2.080 million (\$0.934 million in State funds).

The amount of funding available is dependent upon the funds appropriated by the General Assembly for the forthcoming year. Therefore, performance-based contracting and the American Sign Language—English Interpreter service are dependent on approval by the General Assembly.

Public Comment

Interested persons are invited to submit written comments regarding the application for a section 1915(b)(4) waiver for a selective contracting program and amendments to the Consolidated and Community Living waivers required to implement performance-based contracting and additional proposed amendments to the waivers. Comments should be addressed to Julie Mochon, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120. Comments may also be submitted to the Department at RA-odpcomment@pa.gov using the subject header "Waiver Comments."

Comments received within 45 days of publication of this notice will be reviewed and considered for revisions to the proposed application for a section 1915(b)(4) waiver and proposed amendments to the waivers.

The Department has scheduled multiple public comment webinar sessions. The full listing of sessions with information about registration can be found at <https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/Proposed-Waiver-Amendments.aspx>.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service by dialing 711 or by using one of the toll-free numbers: (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844) 308-9292 (Speech-to-Speech) or (844) 308-9291 (Spanish).

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1617. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund;

(7) ID—Community Waiver Program; (2) Implementing Year 2023-24 is \$0; (3) 1st Succeeding Year 2024-25 is \$23,375,000; 2nd Succeeding Year 2025-26 is \$46,750,000; 3rd Succeeding Year 2026-27 is \$48,590,000; 4th Succeeding Year 2027-28 through 5th Succeeding Year 2028-29 are \$52,271,000; (4) 2022-23 Program—\$1,877,000,000; 2021-22 Program—\$1,798,000,000; 2020-21 Program—\$1,621,000,000;

(7) Autism Intervention and Services; (2) Implementing Year 2023-24 is \$0; (3) 1st Succeeding Year 2024-25 is \$14,000; 2nd Succeeding Year 2025-26 is \$28,000; 3rd Succeeding Year 2026-27 is \$56,000; 4th Succeeding Year 2027-28 through 5th Succeeding Year 2028-29 are \$112,000; (4) 2022-23 Program—\$27,610,000; 2021-22 Program—\$27,493,000; 2020-21 Program—\$27,262,000;

(8) recommends adoption. Funds have been included in the proposed budget to cover this increase but are dependent on the enactment of the budget.

[Pa.B. Doc. No. 24-560. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of the Proposed Rate Setting Methodology, Fee Schedule Rates and Department-Established Fees for Services Funded Through the Office of Developmental Programs' Adult Autism Waiver and Availability of a Proposed Amendment to the Adult Autism Waiver

The Department of Human Services (Department) is making available for public review and comment the rate setting methodology used to develop the proposed Fee Schedule Rates for services funded through the Adult Autism Waiver and the proposed Department-Established Fees for residential ineligible services. The rates will be effective July 1, 2024.

The Department is also making available for public review and comment the proposed increase to the total allowable expenditure for all transportation services in the Adult Autism Waiver to ensure that proposed changes to the Fee Schedule Rates do not result in a reduction or loss of transportation services.

Background

The Department is required by 55 Pa. Code § 6100.571 (relating to fee schedule rates), to update the data used to establish the fee schedule rates for services funded through the Adult Autism Waiver at least every 3 years. In addition, the Home and Community-Based Waiver Instructions, Technical Guide and Review Criteria requires the Department to ensure that rates are adequate to maintain an ample provider base and ensure quality of services at a minimum of every 5 years.

Rate-Setting Methodology for Fee Schedule Rates and Department-Established Fees:

The proposed Fee Schedule Rates and Department-Established Fees were developed using a market-based approach. The process for the development of the Fee Schedule Rates and Department-Established Fees included a review of the Adult Autism Waiver service definitions and a determination of allowable cost components which reflected costs that are reasonable, necessary and related to the service, as defined in the Uniform

Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Circular Uniform Guidance, December 26, 2014). The Department established the Fee Schedule Rates and Department-Established Fees to fund services at a level sufficient to ensure access, encourage provider participation and promote provider choice, while at the same time ensuring cost effectiveness and fiscal accountability. The Fee Schedule Rates and Department-Established Fees represent the maximum rates that the Department will pay for each service.

In developing the proposed Fee Schedule Rates and Department-Established Fees for each service, the Department evaluated and used various independent data sources, such as a Commonwealth-specific compensation study, to ensure the rates reflect the expected expenses for the delivery of the service under the Adult Autism Waiver.

As required by 55 Pa. Code § 6100.571(b), to establish the Fee Schedule Rates the Department examined and used data relating to the following factors:

- The service needs of the individuals.
- Staff wages.
- Staff-related expenses.
- Productivity.
- Occupancy.
- Program and administration-related expenses.
- Geographic costs based on the location where the service is provided.
- Proposed service definitions in the Adult Autism Waiver and determinations made about allowable cost components that reflect reasonable and necessary costs related to the delivery of each service.
- Cost of implementing applicable Federal and State statutes and regulations and local ordinances.

As required by 55 Pa. Code § 6100.711(c) (relating to fee for the ineligible portion of residential service), to establish the Department-Established Fees, the Department examined and used data relating to the following factors:

- Occupancy.
- Meals for staff persons.
- Custodial and maintenance expenses.
- Geographic costs based on the location where the service is provided.

The proposed Fee Schedule Rates and the proposed Department-Established Fees for each service are included in the following tables. The assumption logs used to develop the Fee Schedule Rates and Department-Established fees are available at <https://www.dhs.pa.gov/providers/Providers/Pages/ODP-Proposed-Rate-Information.aspx>.

A notice will be published announcing the final Fee Schedule Rates and Department-Established Fees after the public comment period.

**FEE SCHEDULE RATES FOR ADULT AUTISM WAIVER SERVICES
EFFECTIVE JULY 1, 2024**

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>		<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Day Habilitation		>1:6	W7063	\$3.67
		<1:6—1:3.5	W7064	\$4.44
		<1:3.5—>1:1	W7065	\$6.93
		1:1	W7066	\$13.63
Day Habilitation Teleservices		1:1 to 1:5	W0065	\$5.43
		1:6 and above	W0066	\$2.10
Residential Habilitation	Community Home	Light	W7228	\$171.94 (per day)
		Limited	W7229	\$250.72 (per day)
		Extensive	W7230	\$315.10 (per day)
		Intensive	W7231	\$611.67 (per day)
		Intensive +	W7232	\$722.20 (per day)
	Life Sharing	Low	W7052	\$189.82 (per day)
		Medium	W7054	\$230.51 (per day)
		High	W7053	\$271.18 (per day)
	Specialized Skill Development	Behavioral Specialist (Plan Development)	1:1	96156
Behavioral Specialist (Consult)		1:1	96171	\$25.23
Behavioral Specialist (Direct)		1:1	96159	\$25.23
Systematic Skill Building (Plan Development)		1:1	W7214	\$650.08 (per unit)
Systematic Skill Building (Consult)		1:1	W7216	\$20.31
Systematic Skill Building (Direct)		1:1	W7215	\$20.31
Community Support		1:1	W7201	\$12.39
		1:2	W7204	\$6.83
		1:3	W7205	\$4.98
Small Group Employment		< 1:6 to > 1:3.5	W0012	\$3.49
		< 1:3.5 to > 1:1	W0011	\$5.13
Supported Employment	Intensive Job Coaching (Direct)	1:1	W7200	\$21.44
	Intensive Job Coaching (Indirect)	1:1	W7207	\$21.44
	Extended Employment Supports (Direct)	1:1	W7206	\$21.44
	Extended Employment Supports (Indirect)	1:1	W7202	\$21.44

<i>Service Name</i>		<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Career Planning	Vocational Assessment	1:1	W7071	\$21.44
	Job Finding	1:1	W7077	\$21.44
Therapies	Counseling	1:1	T2025	\$25.07
	Speech/Language	1:1	T2025	\$26.39
Nutritional Consultation		1:1	S9470	\$19.58
Family Support		1:1 without participant present	90846	\$21.83
		1:1 with participant present	90847	\$21.83
		Other	H0046	\$21.83
Day unit Respite	Licensed Out-of-Home	All staffing levels	W7211	\$313.67 (per day)
	Unlicensed Out-of-Home	All staffing levels	W9495	\$245.91 (per day)
15-minute unit Respite	In-Home	1:1	W7213	\$10.89
	Licensed Out-of-Home	All staffing levels	W7212	\$7.84
	Unlicensed Out-of-Home	All staffing levels	W9596	\$6.15
Supports Coordination	Plan Development	1:1	W7199	\$1,367.17 (per unit)
	Ongoing	1:1	T2024	\$30.46
Transportation—Trip		Zone 1	W7274	\$20.71
		Zone 2	W7275	\$37.24
		Zone 3	W7276	\$55.51
Temporary Supplemental Services		1:1	W7236	\$12.49

DEPARTMENT-ESTABLISHED FEES FOR RESIDENTIAL HABILITATION INELIGIBLE SERVICES THROUGH THE ADULT AUTISM WAIVER EFFECTIVE JULY 1, 2024

Rates in the table are per day.

<i>Service</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Licensed Residential Habilitation (Community Homes)—Ineligible	All staffing levels	W7233	\$38.01

Proposed Waiver Amendment

Whenever substantive changes are made to an approved waiver, the Department must submit an amendment to the Centers for Medicare & Medicaid Services for approval. The Department proposes to increase the total allowable expenditure for all transportation services in the Adult Autism Waiver to \$10,000 for an individual in a single service plan year. This proposed increase will ensure that the proposed changes to the Fee Schedule Rates do not result in a reduction or loss of transportation services for individuals.

Fiscal Impact

It is anticipated that there will be a total cost to the Commonwealth in Fiscal Year 2024-2025 of \$5.600 million (\$2.515 million in State funds).

The amount of funding available is dependent upon the funds appropriated by the General Assembly for the forthcoming year. Therefore, the rates as proposed are dependent on approval by the General Assembly.

Public Comment

Copies of this notice may be obtained by contacting the Bureau of Supports for Autism and Special Populations at Forum Place, 8th Floor, Office of Developmental Programs Suite, P.O. Box 2675, Harrisburg, PA 17105, RA-odpautismwaiver@pa.gov.

Comments received within 45 days of publication of this notice will be reviewed and considered for revisions to the proposed Fee Schedule Rates and Department-Established Fees. Written comments should be addressed to Jamie Bonser, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120. Comments may also be submitted to the Department at ra-ratesetting@pa.gov using subject header “AAW Rates.”

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service by dialing 711 or by using one of

the toll-free numbers: (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844)-308-9292 (Speech-to-Speech) or (844)-308-9291 (Spanish).

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1620. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is \$0; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$2,515,000; (4) 2022-23 Program—\$27,610,000; 2021-22 Program—\$27,493,000; 2020-21 Program—\$27,262,000; (7) Autism Intervention and Services; (8) recommends adoption. Funds have been included in the proposed budget to cover this increase, but dependent on enactment of the 2024-2025 budget.

[Pa.B. Doc. No. 24-561. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of the Proposed Rate Setting Methodology, Fee Schedule Rates and Department-Established Fees for Services Funded Through the Office of Developmental Programs' Consolidated, Community Living and Person/Family Directed Support Waivers and the Community Intellectual Disability Base-Funded Program and Availability of Proposed Amendments to the Community Living and Person/Family Directed Support Waivers

The Department of Human Services (Department) is making available for public review and comment the rate setting methodology used to develop the proposed Fee Schedule Rates for services funded through the Consolidated, Community Living and Person/Family Directed Support (P/FDS) Waivers and the Community Intellectual Disability Base-Funded Program and the proposed Department-Established Fees for residential ineligible services. The rates will be effective July 1, 2024.

The Department is also making available for public review and comment the proposed increases to the maximum available annual funding per individual for services in the Community Living and P/FDS Waivers to ensure that proposed changes to the Fee Schedule Rates do not result in a reduction or loss of waiver services.

Background

The Department is required by 55 Pa. Code § 6100.571 (relating to fee schedule rates) to update the data used to establish the fee schedule rates for services funded through the Consolidated, Community Living and P/FDS waivers at least every 3 years. In addition, the Home and Community-Based Waiver Instructions, Technical Guide and Review Criteria requires the Department to ensure that rates are adequate to maintain an ample provider base and ensure quality of services at a minimum of every 5 years.

Rate-Setting Methodology for Fee Schedule Rates and Department-Established Fees:

The proposed Fee Schedule Rates and Department-Established Fees were developed using a market-based

approach. The process for the development of the Fee Schedule Rates and Department-Established Fees included a review of the waiver service definitions and a determination of allowable cost components which reflected costs that are reasonable, necessary and related to the service, as defined in the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Circular Uniform Guidance, December 26, 2014). The Department established the Fee Schedule Rates and Department-Established Fees to fund services at a level sufficient to ensure access, encourage provider participation and promote provider choice, while at the same time ensuring cost effectiveness and fiscal accountability. The Fee Schedule Rates and Department-Established Fees represent the maximum rates that the Department will pay for each service.

In developing the proposed Fee Schedule Rates and Department-Established fees for each service, the Department evaluated and used various independent data sources, such as a Commonwealth-specific compensation study, to ensure the rates reflect the expected expenses for the delivery of the service under the Consolidated, Community Living and P/FDS waivers.

As required by 55 Pa. Code § 6100.571(b), to establish the Fee Schedule Rates the Department examined and used data relating to the following factors:

- The service needs of the individuals.
- Staff wages.
- Staff-related expenses.
- Productivity.
- Occupancy.
- Program and administration-related expenses.
- Geographic costs based on the location where the service is provided.
- Proposed service definitions in the Consolidated, Community Living and P/FDS waivers and determinations made about allowable cost components that reflect reasonable and necessary costs related to the delivery of each service.
- Cost of implementing applicable Federal and State statutes and regulations and local ordinances.

One Fee Schedule Rate was developed for each service. The Fee Schedule Rates are identified under the following categories: Community-Based Services, Agency with Choice/Financial Management Services (AWC/FMS), including benefit allowance and excluding benefit allowance and Residential Waiver Services. The AWC/FMS benefit allowance is provided as an option to include consideration for benefits such as disability insurance, life insurance, retirement savings and paid time off.

As required by 55 Pa. Code § 6100.711(c) (relating to fee for the ineligible portion of residential service), to establish the Department-Established Fees, the Department examined and used data relating to the following factors:

- Occupancy.
- Meals for staff persons.
- Custodial and maintenance expenses.
- Geographic costs based on the location where the service is provided.

Two Department-Established Fees were developed for each Residential Habilitation Ineligible service based on geographic costs based on the location where the service is provided.

The proposed Fee Schedule Rates and the proposed Department-Established Fees for each service are included in the following tables. The assumption logs used

to develop the Fee Schedule Rates and Department-Established fees are available at <https://www.dhs.pa.gov/providers/Providers/Pages/ODP-Proposed-Rate-Information.aspx>.

A notice will be published announcing the final Fee Schedule Rates and Department-Established Fees after the public comment period.

FEE SCHEDULE RATES FOR COMMUNITY BASED SERVICES EFFECTIVE JULY 1, 2024

Rates in the table are per 15-minute unit unless otherwise noted.

Service Name		Staffing Level	Procedure Code	Statewide Fee	Enhanced Communication Statewide Fee
Companion		1:3	W1724	\$3.51	\$4.75
		1:2	W1725	\$4.89	\$6.71
		1:1	W1726	\$9.55	\$11.97
Homemaker/Chore		1:1	W7283	\$30.21 (hour)	N/A
		1:1	W7282	\$30.21 (hour)	N/A
In-Home and Community Supports		1:3	W7058	\$4.50	\$6.28
		1:2	W7059	\$6.33	\$8.97
		1:1	W7060	\$12.22	\$16.23
		1:1 enhanced	W7061	\$17.02	\$21.78
		2:1	W7068	\$23.11	\$31.58
		2:1 enhanced	W7069	\$32.71	\$42.24
Older Adult Daily Living Centers		1:1	W7094	\$4.09	\$4.94
Community Participation Support	Community	1:2 or 1:3	W9351	\$7.68	\$8.98
		2:3	W9352	\$11.47	\$15.23
		1:1	W5996	\$14.09	\$16.77
		1:1 enhanced	W5997	\$19.61	\$23.95
		2:1	W5993	\$27.08	\$32.56
		2:1 enhanced	W5994	\$32.67	\$40.44
	Facility	1:11 to 1:15	W7222	\$3.26	\$3.66
		1:7 to 1:10	W7223	\$3.50	\$4.04
		1:4 to 1:6	W7226	\$5.75	\$6.73
		1:2 to 1:3	W7224	\$7.52	\$8.85
		1:1	W7244	\$13.64	\$16.24
		1:1 enhanced	W9353	\$19.00	\$23.14
		2:1	W7269	\$26.15	\$31.32
		2:1 enhanced	W9356	\$32.51	\$41.76
Community Participation Support—Fading Support		N/A	W9400	\$1.80	\$1.99
Community Participation Support Teleservices		1:1 to 1:5	W0065	\$5.43	\$6.36
		1:6 and above	W0066	\$2.10	\$2.46
Small Group Employment		1:10 to 1:6	W7237	\$2.53	\$3.12
		<1:6 to 1:3.5	W7239	\$3.89	\$4.83
		<1:3.5 to >1:1	W7241	\$7.66	\$9.51
		1:1	W7245	\$14.47	\$17.95
Benefits Counseling		1:1	W1740	\$17.47	\$21.63

<i>Service Name</i>		<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Supported Employment	Job Finding and Development	1:1	H2023	\$20.60	\$24.66
	Job Coaching and Support	1:1	W9794	\$20.60	\$24.66
		1:2 to 1:4	H2025	\$12.33	\$14.43
	Career Assessment	1:1	W7235	\$20.60	\$24.66
Advanced Supported Employment	Discovery Profile	1:1	W7235	\$4,410.16 (outcome)	\$5,481.20 (outcome)
	Job Acquisition	1:1	H2023	\$4,410.16 (outcome)	\$5,481.20 (outcome)
	Job Retention	1:1	H2025	\$10,584.38 (outcome)	\$13,154.89 (outcome)
Shift Nursing—RN		1:2	T2025	\$10.89	\$13.71
		1:1	T2025	\$21.36	\$27.01
Shift Nursing—LPN		1:2	T2025	\$7.98	\$10.03
		1:1	T2025	\$15.42	\$19.35
Therapies—Physical		1:1	T2025	\$27.55	\$34.08
Therapies—Occupational		1:1	T2025	\$26.15	\$32.33
Therapies—Speech/Language		1:1	T2025	\$25.16	\$31.09
Therapies—Orientation, Mobility, Vision		1:1	W7246	\$23.90	\$29.50
Music Therapy		1:1	G0176	\$20.03	\$25.16
		1:2 to 1:4		\$11.02	\$13.56
Art Therapy		1:1	G0176	\$20.03	\$25.16
		1:2 to 1:4		\$11.02	\$13.56
Equine Therapy		1:1	S8940	\$13.94	\$17.42
		1:2 to 1:4		\$7.67	\$9.11
Behavioral Supports—Level 1		1:1	W7095	\$24.73	\$30.35
Behavioral Supports—Level 2		1:1	W8996	\$26.50	\$33.49
Communication Specialist		1:1	T1013	\$17.29	\$23.89
Consultative Nutritional Services		1:1	S9470	\$15.64	\$19.95
Family Caregiver Training and Support		1:1 without participant present	90846	\$16.10	\$21.02
		1:1 with participant present	90847	\$16.10	\$21.02
24 hour Respite—In-Home and Unlicensed Out-Of-Home		1:4	W9795	\$101.46 (per day)	\$133.50 (per day)
		1:3	W9796	\$133.40 (per day)	\$176.13 (per day)
		1:2	W9797	\$197.31 (per day)	\$261.40 (per day)
		1:1	W9798	\$355.94 (per day)	\$473.58 (per day)
		1:1 enhanced	W9799	\$550.92 (per day)	\$697.83 (per day)
		2:1	W9800	\$706.70 (per day)	\$941.99 (per day)
		2:1 enhanced	W9801	\$1,079.73 (per day)	\$1,387.10 (per day)

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
15-Minute Respite (In-Home Respite and Unlicensed Out-Of-Home Respite)	1:4	W8096	\$2.53	\$3.34
	1:3	W9860	\$3.34	\$4.40
	1:2	W9861	\$4.93	\$6.53
	1:1	W9862	\$8.90	\$11.84
	1:1 enhanced	W9863	\$13.78	\$17.45
	2:1	W9864	\$17.66	\$23.55
	2:1 enhanced	W8095	\$26.99	\$34.68
Supports Broker	1:1	W7096	\$20.35	\$24.95
Supports Coordination	1:1	W7210	\$30.46	N/A
Targeted Supports Management	1:1	T1017	\$30.46	N/A
Housing Transition and Tenancy Sustaining Services	1:1	H0043	\$22.67	\$27.35
Family Medical Support Assistance	1:1	W0064	\$20.62	\$23.71
Transportation Trip (for providers that do not have a cost-based rate)	Zone 1	W7274	\$35.32	N/A
	Zone 2	W7275	\$63.96	N/A
	Zone 3	W7276	\$72.65	N/A

AGENCY WITH CHOICE FINANCIAL MANAGEMENT SERVICES, INCLUDING BENEFIT ALLOWANCE EFFECTIVE JULY 1, 2024

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 modifier)</i>
In-Home and Community Supports	1:1	W7060	\$8.46	\$10.55
	2:1	W7068	\$16.90	\$21.11
In-Home and Community Supports—Enhanced	1:1 (Enhanced)	W7061	\$10.82	\$13.61
	2:1 (Enhanced)	W7069	\$15.90	\$19.81
Companion Services	1:1	W1726	\$6.80	\$8.42
In-Home Respite and Unlicensed Out-of-Home Respite Services	1:1	W9862	\$5.80	\$7.12
	2:1	W9864	\$11.59	\$14.25
	1:1	W9798	\$440.26 (per day)	\$541.32 (per day)
	2:1	W9800	\$727.78 (per day)	\$885.62 (per day)
In-home Respite and Unlicensed Out-of-Home Respite Services—Enhanced	1:1	W9863	\$11.29	\$14.21
	2:1	W8095	\$17.09	\$21.34
	1:1	W9799	\$792.70 (per day)	\$995.97 (per day)
	2:1	W9801	\$1,156.59 (per day)	\$1,438.77 (per day)
Supported Employment—Career Assessment	1:1	W7235	\$9.55	\$11.97
Supported Employment—Job Finding and Development	1:1	H2023	\$9.55	\$11.97
Supported Employment—Job Coaching and Support	1:1	W9794	\$9.55	\$11.97
Supports Broker	1:1	W7096	\$8.01	\$9.98

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 modifier)</i>
Homemaker	1:1	W7283	\$18.74 (per hour)	N/A
Chore	1:1	W7282	\$18.74 (per hour)	N/A
AWC FMS Monthly Administrative Fee	Per Person Per Month	W7319	\$349.08	N/A

**AGENCY WITH CHOICE FINANCIAL MANAGEMENT SERVICES, EXCLUDING BENEFIT ALLOWANCE
EFFECTIVE JULY 1, 2024**

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 Modifier)</i>
In-Home and Community Supports	1:1	W7060	\$7.60	\$9.70
	2:1	W7068	\$15.20	\$19.40
In-Home and Community Supports—Enhanced	1:1 (Enhanced)	W7061	\$9.97	\$12.75
	2:1 (Enhanced)	W7069	\$14.19	\$18.10
Companion Services	1:1	W1726	\$5.94	\$7.56
In-Home Respite and Unlicensed Out-of-Home Respite Services	1:1	W9862	\$4.94	\$6.26
	2:1	W9864	\$9.88	\$12.53
	1:1	W9798	\$375.19 (per day)	\$476.26 (per day)
	2:1	W9800	\$597.64 (per day)	\$755.47 (per day)
In-home Respite and Unlicensed Out-of-Home Respite Services—Enhanced	1:1	W9863	\$10.44	\$13.36
	2:1	W8095	\$15.38	\$19.62
	1:1	W9799	\$727.64 (per day)	\$930.91 (per day)
	2:1	W9801	\$1,026.46 (per day)	\$1,309.10 (per day)
Supported Employment—Career Assessment	1:1	W7235	\$8.70	\$11.12
Supported Employment—Job Finding and Development	1:1	H2023	\$8.70	\$11.12
Supported Employment—Job Coaching and Support	1:1	W9794	\$8.70	\$11.12
Supports Broker	1:1	W7096	\$7.16	\$9.13
Homemaker	1:1	W7283	\$15.31 (per hour)	N/A
Chore	1:1	W7282	\$15.31 (per hour)	N/A
AWC FMS Monthly Administrative Fee	Per Person Per Month	W7319	\$349.08	N/A

FEE SCHEDULE RATES FOR CONSOLIDATED AND COMMUNITY LIVING RESIDENTIAL WAIVER SERVICES EFFECTIVE JULY 1, 2024

Rates in the table are per day unit unless otherwise noted.

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Licensed Residential Habilitation With Day	Needs Group 1	1 person	W9000	\$441.22	\$541.91
		2 people	W9029	\$441.22	\$541.91
		3 people	W9045	\$318.05	\$390.72
		4 people	W9047	\$250.64	\$305.79
		5—8 people	W9064	\$228.99	\$279.78
	Needs Group 2	1 person	W9000	\$556.21	\$690.79
		2 people	W9029	\$556.21	\$690.79
		3 people	W9045	\$368.51	\$456.24
		4 people	W9047	\$289.68	\$356.47
		5—8 people	W9064	\$270.77	\$332.10
	Needs Group 3	1 person	W9000	\$809.06	\$1,013.28
		2 people	W9029	\$683.25	\$855.48
		3 people	W9045	\$476.88	\$597.43
		4 people	W9047	\$369.26	\$461.00
		5—8 people	W9064	\$339.57	\$422.64
	Needs Group 4	1 person	W9000	\$918.73	\$1,141.16
		2 people	W9029	\$770.11	\$956.59
		3 people	W9045	\$539.60	\$669.18
		4 people	W9047	\$417.73	\$515.32
		5—8 people	W9064	\$375.80	\$463.51
	Needs Group 5	1 person	W9000	\$1,329.20	\$1,701.37
		2 people	W9029	\$1,203.70	\$1,540.74
		3 people	W9045	\$827.58	\$1,059.30
		4 people	W9047	\$636.77	\$815.07
		5—8 people	W9064	\$574.28	\$735.08

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Licensed Residential Habilitation Without Day	Needs Group 1	1 person	W9000	\$564.84	\$701.00
		2 people	W9029	\$564.84	\$701.00
		3 people	W9045	\$418.78	\$520.35
		4 people	W9047	\$328.47	\$405.96
		5—8 people	W9064	\$288.52	\$356.37
	Needs Group 2	1 person	W9000	\$655.47	\$818.75
		2 people	W9029	\$655.47	\$818.75
		3 people	W9045	\$477.22	\$596.39
		4 people	W9047	\$374.76	\$466.16
		5—8 people	W9064	\$336.95	\$417.41
	Needs Group 3	1 person	W9000	\$1,005.41	\$1,262.62
		2 people	W9029	\$743.58	\$932.20
		3 people	W9045	\$557.32	\$699.73
		4 people	W9047	\$434.09	\$544.11
		5—8 people	W9064	\$389.06	\$486.57
	Needs Group 4	1 person	W9000	\$1,241.80	\$1,571.25
		2 people	W9029	\$910.37	\$1,146.12
		3 people	W9045	\$693.46	\$873.29
		4 people	W9047	\$534.64	\$668.40
		5—8 people	W9064	\$476.23	\$594.73
Needs Group 5	1 person	W9000	\$1,737.96	\$2,224.59	
	2 people	W9029	\$1,300.18	\$1,664.23	
	3 people	W9045	\$994.84	\$1,273.40	
	4 people	W9047	\$759.06	\$971.59	
	5—8 people	W9064	\$677.09	\$866.68	
Unlicensed Residential Habilitation	N/A	1 person	W7078	\$151.76	\$165.85
		2 people	W7080	\$95.72	\$106.49
		3 people	W7082	\$69.34	\$78.04
Life Sharing—Over 30 Hours Per Week On Average With Day	Needs Group 1	1 person	W8593	\$197.05	\$202.07
		2 people	W8595	\$138.91	\$141.61
	Needs Group 2	1 person	W8593	\$234.93	\$243.63
		2 people	W8595	\$166.57	\$171.11
	Needs Group 3	1 person	W8593	\$321.52	\$345.55
		2 people	W8595	\$226.62	\$239.75
Needs Group 4	1 person	W8593	\$408.95	\$454.14	
	2 people	W8595	\$272.73	\$296.03	
Life Sharing—Over 30 Hours Per Week On Average Without Day	Needs Group 1	1 person	W8593	\$227.44	\$250.18
		2 people	W8595	\$181.64	\$199.80
	Needs Group 2	1 person	W8593	\$260.90	\$286.99
		2 people	W8595	\$206.83	\$227.51
	Needs Group 3	1 person	W8593	\$351.62	\$386.78
		2 people	W8595	\$282.83	\$311.11
Needs Group 4	1 person	W8593	\$436.36	\$480.00	
	2 people	W8595	\$333.50	\$366.85	

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>	
Life Sharing—Under 30 Hours Per Week On Average	N/A	1 person	W7037	\$169.77	\$171.37	
		2 people	W7039	\$120.90	\$121.87	
Medically Complex Life Sharing	Needs Group 4	1 person	W0062	\$501.33	\$561.49	
		2 people	W0063	\$315.10	\$352.91	
24 Hour Respite (Licensed Respite Group Homes)	Needs Group 1	2 people	W9791	\$545.91	\$616.01	
		3 people	W9792	\$401.12	\$451.55	
		4 people	W9793	\$320.34	\$357.86	
	Needs Group 2	2 people	W9791	\$668.35	\$764.89	
		3 people	W9792	\$454.85	\$517.07	
		4 people	W9793	\$361.92	\$408.54	
	Needs Group 3	1 person	W9790	\$983.66	\$1,135.51	
		2 people	W9791	\$801.39	\$929.58	
		3 people	W9792	\$569.49	\$658.26	
		4 people	W9793	\$446.66	\$513.07	
	Needs Group 4	1 person	W9790	\$1,071.08	\$1,250.69	
		2 people	W9791	\$869.00	\$1,023.53	
		3 people	W9792	\$619.09	\$724.64	
		4 people	W9793	\$486.00	\$562.47	
	24 Hour Respite (Respite Only Home)	Needs Group 1	2 people	W9865	\$622.97	\$702.98
			3 people	W9866	\$457.76	\$515.30
4 people			W9871	\$365.56	\$408.37	
Needs Group 2		2 people	W9865	\$762.70	\$872.88	
		3 people	W9866	\$519.06	\$590.07	
		4 people	W9871	\$413.01	\$466.22	
Needs Group 3		2 people	W9865	\$914.54	\$1,060.82	
		3 people	W9866	\$649.89	\$751.20	
		4 people	W9871	\$509.71	\$585.50	
Needs Group 4		2 people	W9865	\$991.68	\$1,170.77	
		3 people	W9866	\$706.49	\$829.69	
		4 people	W9871	\$554.61	\$644.62	
Supplemental Habilitation	N/A	1:1	W7070	\$6.27 (15-minute unit)	\$8.47 (15-minute unit)	
		2:1	W7084	\$12.45 (15-minute unit)	\$16.93 (15-minute unit)	

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Supported Living	Needs Group 1	1 person	W9872	\$173.79	\$210.90
		2 people	W9873	\$121.66	\$149.20
		3 people	W9874	\$89.81	\$110.14
	Needs Group 2	1 person	W9872	\$291.25	\$353.74
		2 people	W9873	\$233.00	\$282.99
		3 people	W9874	\$154.32	\$187.42
	Needs Group 3	1 person	W9872	\$465.04	\$564.64
		2 people	W9873	\$389.41	\$472.80
		3 people	W9874	\$270.33	\$328.24
	Needs Group 4	1 person	W9872	\$625.28	\$759.83
		2 people	W9873	\$625.28	\$759.83
		3 people	W9874	\$435.25	\$528.89

**DEPARTMENT-ESTABLISHED FEES FOR RESIDENTIAL HABILITATION INELIGIBLE
EFFECTIVE JULY 1, 2024**

Rates in the table are per day.

<i>Service</i>	<i>Procedure Code</i>	<i>Approved Program Capacity</i>	<i>Area 1 (Bucks, Carbon, Chester, Delaware, Lehigh, Monroe, Montgomery, Northampton, Philadelphia and Pike)</i>	<i>Area 2 (Remaining counties in Pennsylvania)</i>
Licensed Residential Habitatation—Ineligible	W9001	1 person	\$109.01	\$97.17
	W9030	2 people	\$59.46	\$52.12
	W9046	3 people	\$42.61	\$36.81
	W9048	4 people	\$33.11	\$28.17
	W9065	5—8 people	\$23.74	\$19.65
Unlicensed Residential Habitatation—Ineligible	W7079	1 person	\$29.36	\$26.11
	W7081	2 people	\$17.00	\$14.48
	W7083	3 people	\$9.94	\$7.79

Proposed Waiver Amendments

Whenever substantive changes are made to an approved waiver, the Department must submit an amendment to the Centers for Medicare and Medicaid Services for approval. The Department proposes to increase the limits on the maximum dollar amount of waiver services in Appendix C-4 as follows effective July 1, 2024:

- The current limit of \$85,000 per person per fiscal year for Community Living Waiver services will be increased to \$97,000. Supports Coordination services will continue to be excluded from this limit.
- The current limit of \$41,000 per person per fiscal year for P/FDS Waiver services will be increased to \$47,000. Supports Coordination and Supports Broker services will continue to be excluded from this limit. The limit can continue to be exceeded by \$15,000 for Advanced Supported Employment, Supported Employment or Benefits Counseling services.

The proposed increases will ensure that the proposed changes to the Fee Schedule Rates do not result in a reduction or loss of waiver services for individuals.

Fiscal Impact

It is anticipated that there will be a total cost to the Commonwealth in Fiscal Year 2024-2025 of \$427.400 million (\$191.945 million in State funds).

The amount of funding available is dependent upon the funds appropriated by the General Assembly for the forthcoming year. Therefore, the rates as proposed are dependent on approval by the General Assembly.

Public Comment

Interested persons are invited to submit written comments regarding the proposed rates and waiver amendments. Comments should be addressed to the Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th

Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. Comments may also be submitted to the Department at ra-ratesetting@pa.gov using subject header "Proposed ID/A Rates."

Comments received within 45 days of publication of this notice will be reviewed and considered for revisions to the proposed rates and waiver amendments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service by dialing 711 or by using one of the toll-free numbers: (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844) 308-9292 (Speech-to-Speech) or (844) 308-9291 (Spanish).

Copies of this notice and documents containing the changes proposed in the waiver amendments may be obtained by contacting the Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, ra-ratesetting@pa.gov.

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1619. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund;

(7) Intellectual Disabilities (ID)—Community Waiver Program; (2) Implementing Year 2023-24 is \$0; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$190,861,000; (4) 2022-23 Program—\$1,877,000,000; 2021-22 Program—\$1,798,000,000; 2020-21 Program—\$1,621,000,000;

(7) ID—Community Base Program; (2) Implementing Year 2023-24 is \$0; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$1,084,000; (4) 2022-23 Program—\$146,126,000; 2021-22 Program—\$144,189,000; 2020-21 Program—\$144,432,000;

FISH AND BOAT COMMISSION

Temporary Change to Fishing Regulations; 58 Pa. Code § 61.2. Delaware River, West Branch Delaware River and Estuary

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to amend 58 Pa. Code § 61.2 (relating to Delaware River, West Branch Delaware River and River Estuary). The Executive Director has amended this section to reduce the daily limit of striped bass to one and adjust the legal harvestable length slot limit to 22 to less than 26 inches from the Commonwealth line upstream to Calhoun Street Bridge (Delaware Estuary) from May 1, 2024, through May 31, 2024. Gear restrictions will remain the same. These actions are being taken to meet the requirements of the Atlantic States Marine Fisheries Commission (ASMFC).

At its January 2024 quarterly meeting, the ASMFC's Atlantic Striped Bass Management Board, which includes the Commonwealth as a member, approved Addendum II to Amendment 7 to the Interstate Fishery Management Plan (FMP) for striped bass. The Addendum modifies recreational measures to reduce fishing mortality by 14.1% in 2024, among other management provisions. Addendum II builds upon the 2023 emergency action by changing the measures in the FMP to reduce fishing mortality and support stock rebuilding. Addendum II measures must be implemented by May 1, 2024. This temporary change to 58 Pa. Code § 61.2 is designed to meet this objective in concert with a previous temporary change to fishing regulations which was published at 54 Pa.B. 69 (January 6, 2024).

(8) recommends adoption. Funds have been included in the proposed budget to cover this increase, but are dependent on the enactment of the budget.

[Pa.B. Doc. No. 24-562. Filed for public inspection April 19, 2024, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Medical Advisory Board Meeting

The Medical Advisory Board (Board) will meet on Friday, April 26, 2024. The meeting will begin at 10 a.m. at the Riverfront Office Center, Transportation University, 1101 South Front Street, Harrisburg, PA. Chairperson Diosdado Arroyo will preside. The meeting is open to the public.

Members of the public interested in addressing the Board with a concern relating to medical regulations must contact Robert Dowling at (717) 783-4534 by Friday, April 19, 2024. These concerns will be discussed during "Items from the Floor" on the agenda, which will open at 12 p.m.

The meeting location is accessible to persons with disabilities. Persons with special needs or requiring special aids are also requested to contact Robert Dowling at (717) 783-4534 prior to the meeting so that disability needs may be accommodated.

MICHAEL CARROLL,
Secretary

[Pa.B. Doc. No. 24-563. Filed for public inspection April 19, 2024, 9:00 a.m.]

To address the coast-wide regulation directed by the ASMFC, the Commission's Executive Director has taken immediate action to make the following modifications to fishing regulation:

§ 61.2. Delaware River, West Branch Delaware River and River Estuary.

* * * * *

(e) The following seasons, sizes and creel limits apply to the Delaware River, West Branch Delaware River and Delaware River tributaries from the mouths of the tributaries upstream to the limit of the tidal influence and the Lehigh River from its mouth upstream to the first dam in Easton, Pennsylvania:

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
	* * * * *		
STRIPED BASS and HYBRID STRIPED BASS	[April 1] <u>May 1</u> through May 31	[21] <u>22</u> to less than [24] <u>26</u> inches	[2] <u>1</u>
	* * * * *		

The Executive Director will cause these temporary modifications to fishing regulations to be posted in the vicinity of the regulated waters, and the modified regulations will be fully effective and enforceable when so posted. These temporary modifications will remain in effect until January 1 of the following year or 6 months after they are effected, whichever comes later unless the Commission shall by then, by appropriate action, have approved the designation or redesignation of waters or shall have approved the revision to the regulation in question.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 24-564. Filed for public inspection April 19, 2024, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

<i>Final-Omitted Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-7031	State Board of Certified Real Estate Appraisers Federally Mandated Revisions	04/09/24	05/16/24

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 24-565. Filed for public inspection April 19, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The proceedings will be governed in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held in the Insurance Department's Administrative Hearings Office in Harrisburg, PA. Failure by the appellant to appear at the

scheduled hearing may result in dismissal with prejudice.

A prehearing telephone conference initiated by this office is scheduled for May 8, 2024, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before May 6, 2024.

The hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Dennis L. Hines; Erie Insurance Exchange; File No. 24-121-293667; Doc. No. P24-03-005; May 22, 2024, 10 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will

be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-566. Filed for public inspection April 19, 2024, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-24-10, Dated March 11, 2024. The Executive Board Resolution authorizes a side letter of agreement with the Association of Liquor Enforcement Supervisors (ALES) regarding recruitment and retention pay differentials to certain Enforcement Officer 3, effective July 1, 2023.

Governor's Office

Administrative Circular No. 24-03—Guidelines to Manage Unsolicited Meeting Requests from Information Technology Vendors, Dated March 4, 2024.

Administrative Circular No. 24-08—Approval of Closing Instruction No. 2, Fiscal Year 2023-24; Pre-closing, Dated February 28, 2024.

Administrative Circular No. 24-09—Closing Instruction No. 3, Fiscal Year 2023-24; Pending Lapse/Lapse Transactions and Reporting Deadlines, Dated March 18, 2024.

Administrative Circular No. 24-10—Closing Instruction No. 4, Fiscal Year 2023-24; Year-End Processing Deadlines and an Important Reminder about SAP Budget Period Values, Dated March 18, 2024.

AMY J. MENDELSON,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 24-567. Filed for public inspection April 19, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellation of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language

Public Meeting held
April 4, 2024

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

*Electric Generation Supplier License Cancellation of
Companies with an Expired Financial Security,
Insufficient Financial Security Amount or Language;
M-2024-3045251*

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferably in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website, and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of March 26, 2024, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2021-3026905*	CATALYST POWER & GAS, LLC	3/1/2024	Yes
A-2010-2210786	INTELLIGEN RESOURCES, LP	2/9/2024	Yes
A-2016-2552583	REGIONAL RESOURCES ENERGY GROUP, LLC	3/9/2024	Yes
A-2017-2617552	ROYAL ENERGY, INC.	2/13/2024	Yes

*Taking title to electricity

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

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

Therefore,

It Is Ordered That:

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

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

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2024-3045251 must be eFiled to the Pennsylvania Public Utility Commission through the Commission's eFiling System. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of

credit, continuation certificate, amendment, or other approved financial instrument displaying a "wet" signature or digital signature, preferably in blue ink, and displaying a "raised seal" or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier's license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: April 4, 2024

ORDER ENTERED: April 4, 2024

[Pa.B. Doc. No. 24-568. Filed for public inspection April 19, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to

intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 6, 2024. Filings must be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by May 6, 2024. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the listed docket number as follows or by searching the applicant's web site.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2023-3044695 (Corrected). Medi-Trans Group, LLC (3607 Rosemont Avenue, Suite 403, Camp Hill, Cumberland County, PA 17070) persons in paratransit service, between points in the Counties of Adams, Berks, Cumberland, Lancaster, Lebanon, Perry and York, and the City and County of Philadelphia.

A-2024-3047429. Shoffstall Transport, LLC (1537 Manor Boulevard, Lancaster, Lancaster County, PA 17603) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Lancaster County to points in Pennsylvania, and return.

A-2024-3047583. Chozen Transport, Inc. (1305 North 29th Street, Philadelphia, Philadelphia County, PA 19121) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, from points in the City and County of Philadelphia, to points in the Counties of Bucks, Chester, Delaware and Montgomery, and return. *Attorney:* Todd S. Stewart, Esquire, Hawke McKeon & Sniscak, LLP, 100 North Tenth Street, Harrisburg, PA 17101.

A-2024-3047605. Med Connect, Inc. (56 Pops Lane, Mill Hall, Clinton County, PA 17751) persons in paratransit service, limited to service provided in wheelchair and stretcher vans, from points in the Counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Lycoming, Mifflin, Montour, Snyder and Union, to points in Pennsylvania, and return.

A-2024-3047620. Singh Travels, Ltd. (5023 East Trindle Road, Mechanicsburg, Cumberland County, PA 17050) persons in limousine service, between points in the Counties of Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York. *Attorney:* Kenneth R. Stark, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166.

A-2024-3048168. Jimenez, LLC (527 Carson Street, Hazleton, Luzerne County, PA 18201) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the County of Luzerne, to points in Pennsylvania, and return.

A-2024-3048221. Go Coach Transportation, Inc. (2424 East York Street, Suite 100E, Philadelphia, PA 19125) persons in paratransit service, from points in the Counties of Berks, Delaware, Lancaster and Lehigh, and

the City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David P. Temple, 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2024-3048011. Oler New Jersey, LLC, t/a Oler Relo Group (4A Cranberry Road, Parsippany, NJ 07054) to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania. *Attorney:* Andrew J. Horowitz, Esq., 545 William Penn Place, Suite 1710, Pittsburgh, PA 15219.

Application of the following for the approval of the transfer of stock as described under the application.

A-2024-3048218. A Legend Medical Transport, LLC (3993 Sunset Road, Harrisburg, Dauphin County, PA 17112) a corporation of this Commonwealth—for the approval of a change in the membership of the limited liability corporation from Ganga Ram Dulal to Johny Eugene, MD. Upon completion of the change of membership, Johny Eugene, MD will be the sole member of the limited liability corporation. *Attorney:* Seth A. Mendelsohn, Esquire and Salvatore P. Sciacca, Esquire, Saxton & Stump, LLC, 4250 Crums Mill Road, Suite 201, Harrisburg, PA 17112.

Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2024-3048098. Elaine Kimmel-Durlin (406 Bush Road, Danville, Montour County, PA 17821) for the discontinuance and cancellation of the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Townships of Anthony, Derry, Liberty and Limestone in Montour County, the Townships of Greenwood, Madison and Pine in Columbia County and the Townships of Delaware, East Chillisquaque, Lewis and Turbot in Northumberland County, to points in Pennsylvania, and return, as originally docketed at A-2017-2587791.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-569. Filed for public inspection April 19, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due May 6, 2024, and must be made with the Secretary, Pennsylvania Public Utility Commission,

400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Ant Transportation, LLC; Docket No. C-2024-3040571

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Ant Transportation, LLC, maintains a mailing address of 917 Arch Street, Unit 102, Philadelphia, PA 19107.

2. That on April 17, 2023, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, by motor vehicles, in contract Carrier of Passenger Service for Friends Senior Care Center from points in Philadelphia County, to points in Pennsylvania, and return at PUC utility code no. 6223354 at A-2022-3037325.

3. That on February 20, 2024, PUC Enforcement Officer Jeffrey Ryan spoke to the carrier. The carrier stated that the operation has not begun due to lack of approval from the Pennsylvania Department of Aging and has had multiple appointments cancelled due to this issue.

4. That Respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.3819(a) and 66 Pa.C.S. § 1102(a)(2). The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 6223354.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to Ant Transportation, LLC, at PUC utility code number 6223354.

Respectfully submitted,
 Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 245 William Pitt Way
 Pittsburgh, PA 15238

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 29 February 2024

Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 400 North Street, 3rd Floor
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement; v. AFJ Transportation, LLC; Docket No. C-2024-3040603

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That AFJ Transportation, LLC, Respondent, maintains a principal place of business at 2525 S American Street, Philadelphia, PA 19148.

2. That on May 1, 2023, Respondent was issued a certificate of public convenience by this Commission authorizing transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the City and County of Philadelphia at PUC utility code no. 6425937. Information contained in that letter "Certificate holder is advised to become familiar with the requirements of 52 Pa. Code. Failure to comply with all applicable requirements may subject the carrier to penalties, including fines, suspension of operating rights or cancellation of authority. Title 52 of the *Pennsylvania Code* may be accessed on the World Wide Web at www.pacode.com."

3. That beginning on October 26, 2023, PUC Enforcement Officer Jeffrey Ryan attempted to contact the Respondent by phone and email about the Safety Fitness Review requirement. A first class and certified letter was sent on January 26, 2024. The certified letter was returned delivered to an individual on January 26, 2024. No contact has been established to complete the Safety Fitness Review.

4. That Respondent, by failing to achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa § 501(c) & § 504. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 6425937.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued AFJ Transportation at PUC utility code no. 6425937.

Respectfully submitted,
 Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 400 North Street
 Harrisburg, PA, 17120

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1 March 2024

Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 400 North Street, 3rd Floor
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Waylon Deatrick, t/a JWM Excavating and Seal Coating; Docket No. C-2024-3040707; Corrected

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Waylon Deatrick, t/a JWM Excavating and Seal Coating, Respondent, maintains a mailing address of 7 North 3rd Street, Sunbury, PA 17801.

2. On May 10, 2023, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania at PUC utility code no. 8925990 at A-2023-3038480.

3. On June 6, 2023, PUC Enforcement Supervisor Alan Taylor advised the carrier that authority was not needed for his operation and that he should submit the form cancelling his authority.

4. As of November 14, 2023, Supervisor Taylor attempted to call the carrier to ascertain if the cancellation form was received and was sending another form to the Respondent. No cancellation document has been received.

5. That Respondent, by failing to achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa § 501(c) & § 504. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 8925990.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to Waylon Deatruck, t/a JWM Excavating and Seal Coating at PUC utility code number 8925990.

Respectfully submitted,
 Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 100 Lackawanna Avenue Room 320
 Scranton, PA 18503

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 30 January 2024

Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 400 North Street, 3rd Floor
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Safety 1st Paratransit, Inc.; Docket No. C-2024-3038753; Corrected

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Safety 1st Paratransit, Inc., Respondent, maintains a principal place of business at 3621 B Street Front Building, Philadelphia, PA 19134.

2. That on March 3, 2023, Respondent was issued a certificate of public convenience by this Commission authorizing transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the city and county of Philadelphia, to points in Pennsylvania, and return at PUC utility code no. 6415453. Information contained in that letter "Certificate holder is advised to become familiar with the requirements of 52 Pa. Code. Failure to comply with all applicable requirements may subject the carrier to penalties, including fines, suspension of operating rights or cancellation of authority. Title 52 of the *Pennsylvania Code* may be accessed on the World Wide Web at www.pacode.com."

3. That beginning on November 7, 2023, PUC Enforcement Officer Michael Johncola attempted to contact the Respondent by phone and email about the Safety Fitness Review requirement. A first class and certified letter was sent on December 27, 2023. The certified letter was returned to the Philadelphia Regional Office on January 30, 2024. No contact has been established to complete the Safety Fitness Review.

4. That Respondent, by failing to achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa § 501(c) & § 504. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 6415453.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued Safety 1st Paratransit Inc. at PUC utility code no. 6415453.

Respectfully submitted,
 Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 400 North Street
 Harrisburg, PA 17120

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 22 February 2024

Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 400 North Street, 3rd Floor
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. RJ Transport, LLC; Docket No. C-2024-3042842

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That RJ Transport, LLC, Respondent, maintains a mailing address of PO Box 67, Sharron Hill, PA 19079.

2. That on August 29, 2023, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania at PUC utility code no. 8919603 at A-2023-3042273.

3. That beginning on December 21, 2023, PUC Enforcement Officer Douglas Wells communicated with the Respondent over several weeks regarding the Safety Fitness Review requirement. On February 13, 2024, the Respondent notified Officer Wells that operations were ceasing at which time Officer Wells advised the carrier to cancel their certificate and provided the guidance to do so. As of this date, the Respondent maintains active authority with the commission.

4. That Respondent, by failing to respond to and achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa § 501(c) & § 504. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 8919603.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to RJ Transport, LLC, at PUC utility code number 8919603.

Respectfully submitted,
 Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 100 Lackawanna Avenue Room 320
 Scranton, PA 18503

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4 March 2024

Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 400 North Street, 3rd Floor
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Letxiel Logistics, LLC; Docket No. C-2024-3043138; Corrected

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. Letxiel Logistics, LLC, Respondent, maintains a mailing address of 27 Darling Street, Wilkes-Barre, PA 18702.

2. That on September 14, 2023, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania at PUC utility code no. 8926483 at A-2023-3042408.

3. That on January 10, 2024, PUC Enforcement Officer Barry Pacovsky phoned the respondent and recorded a voice mail message for the Respondent to contact Officer Pacovsky. On January 11, 2024, a no contact letter was sent to the Respondent and on January 25, 2024, a certified letter was sent. The United States Postal Service indicates the letter was left with an individual on January 27, 2024. Officer Pacovsky has not received a response to these attempts.

4. That Respondent, by failing to respond to and achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa § 501(c) & § 504. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 8926483.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to Letxiel Logistics, LLC, at PUC utility code number 8926483.

Respectfully submitted,
 Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 100 Lackawanna Avenue Room 320
 Scranton, PA 18503

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 22 February 2024

Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to

file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 400 North Street, 3rd Floor
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. A to B Royalty Transportation, LLC; Docket No. C-2024-3043142; Corrected

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That A to B Royalty Transportation, LLC, Respondent, maintains a principal place of business at 5031 Parrish Street, Philadelphia, PA 19006.

2. That on September 14, 2023, Respondent was issued a certificate of public convenience by this Commission authorizing transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning and operating motor vehicles, from points in Delaware County and the City and County of Philadelphia, to points in Pennsylvania, and return at PUC utility code no. 6426109. Information contained in that letter "Certificate holder is advised to become familiar with the requirements of 52 Pa. Code. Failure to comply with all applicable requirements may subject the carrier to penalties, including fines, suspension of operating rights or cancellation of authority. Title 52 of the *Pennsylvania Code* may be accessed on the World Wide Web at www.pacode.com."

3. That on December 28, 2023, PUC Enforcement Officer Douglas Wells contacted Respondent, Asha Able, who advised Officer Wells that the company is not

operating and has no plans to operate. A review of PUC records indicates that the Respondent no longer has liability insurance.

4. That Respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 29.62 and 66 Pa.C.S. § 1102(a)(2). The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 6426109.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued A to B Royalty Transportation LLC at PUC utility code no. 6426109.

Respectfully submitted,
 Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 100 Lackawanna Avenue Room 320
 Scranton, PA 18503

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date:

Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 400 North Street, 3rd Floor
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a

fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Podex Express, LLC; Docket No. C-2024-3041603

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Podex Express, LLC, Respondent, maintains a mailing address of 7813 Williams Avenue, Philadelphia, PA 19150.

2. That on June 30, 2023, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania at PUC utility code no. 8926309 at A-2023-3041213.

3. That PUC Enforcement Officer Michael Johncola contacted James Jones, owner, who indicated that currently the company is not operating. Mr. Jones requested that his authority/certificate be cancelled due to insurance affordability. Podex Express, LLC cargo and liability insurance lapsed on October 2, 2023.

4. That Respondent, by failing to respond to and achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa § 501(c) & § 504. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 8926309.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to Podex Express, LLC, at PUC utility code number 8926309.

Respectfully submitted,
 Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 100 Lackawanna Avenue Room 320
 Scranton, PA 18503

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau

will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 18 March 2024

Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 400 North Street, 3rd Floor
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 24-570. Filed for public inspection April 19, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Smart Meter Procurement and Installation

Public Meeting held
November 9, 2023

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

Smart Meter Procurement and Installation;
No. M-2009-2092655

Order

By the Commission:

On August 16, 2022, the Supreme Court of Pennsylvania (Supreme Court) issued an Opinion and Order, *Povacz, et al. v. Pa. Public Utility Commission*, 280 A.3d 975 (Pa. 2022) (*Povacz II*), which dealt with consolidated appeals involving the deployment of smart meters by PECO Energy Company. In *Povacz II*, the Supreme Court reversed the Commonwealth Court's October 8, 2020 decision in *Povacz v. Pa. PUC* (241 A.3d 481) (*Povacz I*), and thereby affirmed the Commission's March 28, 2019 and May 9, 2019 Orders in *Maria Povacz v. PECO Energy Company*, C-2015-2475023 (*Maria Povacz*); *Laura Sunstein Murphy v. PECO Energy Company*, C-2015-2475726 (*Laura Sunstein Murphy*); and *Cynthia Randall and Paul Albrecht v. PECO Energy Company*, C-2016-2537666 (*Cynthia Randall*). By this Order, the Commission lifts the stay of certain formal complaint proceedings presently before the Commission involving challenges to an electric distribution company's (EDC's) safe and reasonable service under Section 1501 of the Pennsylvania Public Utility Code (Code), 66 Pa.C.S. § 1501, because of the EDC's installation of smart meter technology.

Discussion

Background

On October 8, 2020, the Commonwealth Court of Pennsylvania (Commonwealth Court) issued an Opinion in *Povacz, et al. v. Pa. Public Utility Commission*, 241 A.3d 481 (Pa. Cmwlth. 2020) (*Povacz I*), the first of several appeals involving PECO Energy Company's (PECO) deployment of smart meter technology pursuant to Act 129 of 2008 (Act 129), codified at 66 Pa.C.S. § 2807(f). In the *Povacz I* consolidated opinion, the Commonwealth Court partially affirmed, and partially reversed and remanded, the Commission's March 28, 2019 and May 9, 2019 Orders in *Maria Povacz*, *Laura Sunstein Murphy*, and *Cynthia Randall*. *Povacz I* at 495. Specifically, the Commonwealth Court, in *Povacz I*, held that Act 129 does not mandate the installation of smart meters, and that the Commission had the authority to grant customers accommodations based on their health concerns. *Id.* at 490. However, the Commonwealth Court affirmed: (1) the Commission's application of the preponderance of evidence standard; (2) the Commission's finding that the customers in *Maria Povacz*, *Laura Sunstein Murphy*, and *Cynthia Randall* failed to sustain their burden of proof; and (3) that the Commission's findings of fact were supported by substantial evidence. *Id.* at 490, 491, 493—495. The Commonwealth Court also declined to find that the deployment of smart meters violated the customers' Fourteenth Amendment liberty interests in bodily integrity. *Id.* at 487-488.

In light of the Commonwealth Court's decision in *Povacz I*, the Commission entered an Order and Notice, at this docket, on November 4, 2020, pursuant to 66 Pa.C.S. § 501, instituting a stay of certain formal complaint proceedings then-pending before the Commission involving challenges to EDC deployment of smart meter technology as being in violation of Section 1501 of the Code (November 4, 2020 Stay Order). The November 4, 2020 Stay Order also directed that the stay would apply to any new formal complaints filed with the Commission claiming that EDC deployment of smart meter technology was a violation of Section 1501, and that the stay would remain in place until it was lifted by further Commission action.

The Commission, as well as all other parties in *Povacz I* subsequently sought and were granted review of the Commonwealth Court's *Povacz I* decision by the Supreme Court of Pennsylvania.

Previously, the Commonwealth Court stayed the proceedings in several other unconsolidated appeals that raised the same, or similar, smart meter issues pending its disposition of *Povacz I*. Upon application by the Commission, the Commonwealth Court continued the stay of these appeals pending the Supreme Court's disposition of *Povacz II*. Since the Supreme Court's issuance of its *Povacz II* decision, the Commonwealth Court has lifted the stays on the remaining unconsolidated smart meter appeals and directed the parties to submit briefs, supplemental briefs, and other appropriate filings as warranted. The Commonwealth Court has ultimately affirmed the Commission in several unpublished and published opinions.¹

The Supreme Court's Decision in Povacz II

On August 16, 2022, the Supreme Court issued its Opinion in *Povacz II*, affirming the Commission's determinations in all respects. The Supreme Court reversed the Commonwealth Court's determination that Act 129 does not mandate smart meter installation and that Court's remand to the Commission for consideration as to whether the installation of a smart meter was unreasonable service under Section 1501 of the Code, 66 Pa.C.S. § 1501. The Supreme Court did, however, affirm the Commonwealth Court's conclusion that the "Customers failed to meet their burden of proving, by a preponderance of the evidence, a conclusive causal connection between [radio frequency] emissions from smart meters and adverse human health effects. *Id.* at 1014.

The Supreme Court concluded that Act 129 mandates smart meter deployment and requires the system-wide installation of smart meter technology by EDCs. *Povacz II* at 992.

The Supreme Court found that Section 2807(f)(1), when read in conjunction with Section 2807(f)(2), provides instructions for furnishing smart meters to all customers. *Id.* at 28. In short, the Supreme Court found that under Act 129, customers may choose what to do with smart meter technology but have no right to refuse smart meter installation. *Id.* at 997.

Accordingly, the Supreme Court reversed the Commonwealth Court, and affirmed the Commission's interpreta-

¹ See *Hoffman-Lorah v. Pa. Pub. Util. Comm'n*, 2023 Pa. Cmwlth. Unpub. LEXIS 325, 2023, WL 4144399; *Branagh v. Pa. Pub. Util. Comm'n*, 2023 Pa. Cmwlth. Unpub. LEXIS 352, 2023, WL 4363414; *Hess v. Pa. Pub. Util. Comm'n*, 2023 Pa. Cmwlth. Unpub. LEXIS 371, 2023, WL 4540460; *Mary Paul v. Pa. Pub. Util. Comm'n*, No. 460 C.D. 2019, 2023 Pa. Cmwlth. LEXIS 113; *Schmukler v. Pa. Pub. Util. Comm'n*, No. 1102 C.D. 2019, 2023 Pa. Commw. LEXIS 136. The following smart meter appeals were dismissed by the Commonwealth Court on procedural grounds: *Sunstein v. Pa. Pub. Util. Comm'n*, No. 1581 C.D. 2019; *Ulmer v. Pa. Pub. Util. Comm'n*, No. 967 C.D. 2020; and *Lucey v. Pa. Pub. Util. Comm'n*, No. 1212 C.D. 2020.

tion in *Maria Povacz*, *Laura Sunstein Murphy*, and *Cynthia Randall* that Act 129 mandates universal smart meter installation. *Id.*

The Supreme Court noted that while Act 129 does not provide customers with the right to opt-out of smart meter installation at their residence, they may file a complaint with the Commission raising a claim that installation of a smart meter violates Section 1501 of the Code, 66 Pa.C.S. § 1501. The Supreme Court reiterated that complainants seeking relief from the Commission must satisfy their burden of proof by a preponderance of the evidence. The Supreme Court explained that inconclusive evidence—evidence that does not lead to a conclusion of a definite result one way or the other—does not meet even the minimal requirements of the preponderance of the evidence standard. *Id.* at 1005. The Supreme Court opined that while a customer's evidence does not need to prove their assertion beyond any doubt, evidence of a mere possibility that harm could result is insufficient to satisfy the preponderance of the evidence standard. *Id.* at 1008.

The Supreme Court noted that the burden of proof is two-fold for Section 1501 claims involving the safety of smart meters and RF emissions. First, a customer must present expert opinion rendered to a reasonable degree of scientific certainty that radio frequency emissions from smart meters cause adverse health effects. Next, a customer must present expert opinion rendered to a reasonable degree of medical certainty that RF emissions from the smart meters, either alone or cumulative to other sources of RF emissions, caused them harm. The utility may then refute the customer's evidence by providing scientific and/or medical expert testimony that, within a reasonable degree of certainty, the RF emissions from smart meters did not cause the alleged harm. *Id.* Once the parties have presented their evidence, the onus then falls on the fact finder to weigh the evidence and determine whether it is more likely than not that the smart meter caused the customer harm. *Id.* at 1006.

The Supreme Court concluded that neither fear nor inconclusive scientific research was sufficient to prove that smart meter technology constitutes unsafe service under Section 1501. *Id.* at 1005.

The Supreme Court held that if a customer establishes by a preponderance of the evidence, based on the totality of the circumstances, that smart meter service violates Section 1501, they are entitled to an accommodation to the extent allowed by Act 129 and a utility's tariff.² However, given that Act 129 mandates smart meter deployment, the Supreme Court clarified that such accommodation may not rise to the level of an opt-out from smart meter installation. *Id.* at 1015.

Subsequently, on July 25, 2023, the Commonwealth Court issued a published Opinion affirming the Commission's Order in *Mary Paul v. PECO Energy Company*, Docket No. C-2015-2475355 (Opinion and Order entered June 14, 2018). *Mary Paul v. Pa. Pub. Util. Comm'n*, No. 460 C.D. 2019, 2023 Pa. Cmwlth. LEXIS 113 (*Mary Paul*). In *Mary Paul*, the Commonwealth Court addressed Ms. Paul's claims as to whether the Commission properly interpreted Act 129 and its legislative intent. The Com-

² The Court overturned the Commonwealth Court's holding that the Commission's denial of accommodations was based on its "erroneous conclusion that Act 129 does not allow accommodations," for three reasons. First, the Court noted that Act 129 does not mention accommodations. Second, the Court noted that the Commission denied accommodations because Act 129 does not provide customers the ability to opt-out of receiving smart meter technology, which was the relief the customers were seeking. Finally, the Court found that the Commission denied accommodations because the customers failed to establish a violation of Section 1501 that would have entitled them to an administrative remedy, and not because of any provision of Act 129. *Id.* at 59.

monwealth Court, citing *Povacz II*, noted that the Supreme Court had held that "the plain language of Section 2807(f)(2) [of Act 129] mandates the system-wide installation of smart meter technology, including smart meters, with no opt-out provision," and accordingly found no statutory support for the claim that customers could opt out of smart meter installation and choose a different meter. As such, the Commonwealth Court concluded that Ms. Paul's arguments pertaining to the Commission's interpretation of Act 129 were foreclosed by the Supreme Court's decision in *Povacz II*. *Mary Paul* at 15 (citing *Povacz II*, 280 A.3d at 993 and 998).

On September 9, 2023, the Commonwealth Court issued its published Opinion in *Schmukler v. Pa. Pub. Util. Comm'n*, No. 1102 C.D. 2019, 2023 Pa. Commw. LEXIS 136 (*Schmukler*). The Commonwealth Court found no error in the Commission's disposition of Mr. Schmukler's complaint against PPL Electric Utilities Corporation, and therefore affirmed the Commission's July 23, 2019 Order at Docket No. C-2017-2621285.

On November 3, 2023, the Commonwealth Court issued its published Opinion in *Myers v. Pa. Pub. Util. Comm'n*, No. 1337 CD 2019, 2023 Pa. Commw. LEXIS 181 (*Myers*). The Commonwealth Court concluded that Mr. Myers' issues on appeal have been resolved by the Pennsylvania Supreme Court's *Povacz II* decision, and affirmed the Commission's August 29, 2019 Order at Docket No. C-2017-2620710.

As of the date of this Order, there are two smart meter appeals pending before the Commonwealth Court: *McKnight v. Pa. Pub. Util. Comm'n*, No. 1253 C.D. 2019 and *Hughes v. Pa. Pub. Util. Comm'n*, 827 CD 2020.

Lifting the Stay on Smart Meter Proceedings Pending Before the Commission

Given the Supreme Court's decision in *Povacz II*, and the Commonwealth Court's pattern of affirming the Commission and dismissing the remaining smart meter appeals that were stayed pending the disposition of *Povacz II*, we now find it appropriate to lift the stay implemented with the November 4, 2020 Stay Order and proceed with processing and disposition of all formal complaints claiming that EDC deployment of smart meter technology the Code, Commission Regulation or Commission Order.

Due to the number of smart meter formal complaints pending before the Commission, and the significant length of time since the November 4, 2020 Stay Order was entered, we direct the Secretary to issue a notice with this Order, listing all smart meter formal complaint proceedings before the Commission that were previously stayed and for which we are lifting the stay with this Order. This notice should include all cases listed in the notice accompanying the November 4, 2020 Stay Order, along with all subsequent smart meter formal complaints received, docketed, and stayed by the Commission since November 4, 2020.

We also direct the Secretary to serve by first-class mail individual notices of this Order on the parties of each affected complaint proceeding. We further direct that the information contained in each individual notice shall reflect the procedural status of the respective formal complaint proceedings, as follows:

- a. *For formal complaints pending before the Office of Administrative Law Judge (OALJ)*: Cases will proceed accordingly as directed by the assigned presiding Administrative Law Judge (ALJ).

b. *For formal complaints where an Initial Decision has been issued by the presiding ALJ, but exceptions had not been filed:* Parties shall have 20 days from the date of the notice to file exceptions, and 10 days thereafter to file reply exceptions, pursuant to 52 Pa. Code §§ 5.533 and 5.535.

c. *For formal complaints where only exceptions have been filed:* Parties shall have 10 days from the date of the notice to file reply exceptions, pursuant to 52 Pa. Code § 5.535.

d. *For formal complaints where exceptions and reply exceptions have been filed:* The Commission will proceed with disposition of the case without the filing of further pleadings.

These individual notices give affected parties notice that the stay implemented by the November 4, 2020 Stay Order is now lifted, and clarifying their respective rights and obligations going forward. For the sake of expediency and consistency, we direct that the Secretary serve all individual notices on the impacted parties immediately following the issuance of this Order.

Conclusion

Accordingly, with this Order, we direct that the stay be lifted on all formal complaint proceedings stayed by this Commission in the November 4, 2020 Stay Order, and that all parties to the affected formal complaints be served with notice of our lifting of this stay and the relevant procedure for the proceedings related to their respective claims. The Commission takes this action to resume disposition of formal complaints concerning smart meter deployment, consistent with the Supreme Court's guidance in *Povacz II*, as well as the guidance provided by the Commonwealth Court; *Therefore*,

It Is Ordered That:

1. As of the date of this Order the stay is lifted on all formal complaint proceedings pending before the Commission challenging an electric distribution company's deployment of smart meter technology as being in violation of the Pennsylvania Public Utility Code, Commission Regulations or Commission Order.

2. As of the date of this Order, electric distribution companies may commence termination proceedings due to the customer's refusal to allow the utility access to their meter for purposes of replacement, consistent with the Pennsylvania Public Utility Code, Commission Regulations, Commission Orders and Commission-approved Tariff.

3. This Order be served on all electric distribution companies, the Office of Consumer Advocate, the Office of Small Business Advocate and the Commission's Bureau of Investigation and Enforcement.

4. The Secretary shall, upon entry of this Order, issue a notice, at this Docket, listing all smart meter formal complaint proceedings pending before the Commission that were previously stayed and for which we are lifting the stay with this Order.

5. Immediately upon entry of this Order, the Secretary shall serve a notice by first-class mail on each party in formal complaint proceedings affected by our lifting of the stay, unless the party has an eFiling account which means they have agreed to eService, informing each party of the lifting of the stay and their procedural rights and obligations under our regulations, and shall enter a copy of that notice in the record of each proceeding.

6. The Secretary shall deposit this Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

7. This Docket be marked closed.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: November 9, 2023

ORDER ENTERED: November 14, 2023

[Pa.B. Doc. No. 24-571. Filed for public inspection April 19, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer by Sale

A-2024-3048204. PPL Electric Utilities Corporation. Application of PPL Electric Utilities Corporation for approval of the transfer by sale of real property and facilities located at 26-44 North 9th Street, Allentown, PA 18101 and 901-909 West Hamilton Street, Allentown, PA 18101 to DDCAP Allentown, LLC, under 66 Pa.C.S. § 1102(a)(3) (relating to enumeration of acts requiring certificate).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 6, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at www.puc.pa.gov or they may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18101

Through and By Counsel for: Kimberly A. Klock, Michael J. Shafer, PPL Services Corporation, Office of General Counsel, Two North Ninth Street, Allentown, PA 18101, (610) 774-5696, kklock@pplweb.com, mjshafer@pplweb.com; David B. MacGregor, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601, dmacgregor@postschell.com, (717) 731-1970; Devin T. Ryan, Post & Schell, PC, One Oxford Centre, 301 Grant Street, Suite 3010, Pittsburgh, PA 15219, (717) 612-6052, dryan@postschell.com.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-572. Filed for public inspection April 19, 2024, 9:00 a.m.]

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 6, 2024. 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-24-04-01. Amir Cab, Co. (1545 Glen Avenue, Folcroft, PA 19032): An application for a medalion 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

[Pa.B. Doc. No. 24-573. Filed for public inspection April 19, 2024, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

May 30, 2024	Dennis Avellino, Jr. Change Retirement Option	10 a.m.
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Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JOSEPH A. TORTA,
Executive Director

[Pa.B. Doc. No. 24-574. Filed for public inspection April 19, 2024, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering Registration Notice

The Susquehanna River Basin Commission lists the following Grandfathering (GF) Registration for projects under 18 CFR Part 806, Subpart E (relating to registration of grandfathered projects) from March 1, 2024, through March 31, 2024.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.gov. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists GF Registration for projects described as follows, under 18 CFR Part 806, Subpart E, for the time period previously specified:

1. Pennsylvania Department of Human Services—Selinsgrove Center, GF Certificate No. GF-202403271, Penn Township, Snyder County, PA; Wells 3 and 7; Issue Date: March 8, 2024.

2. Spring Glen Fresh Foods, Inc.—Ephrata Plant, GF Certificate No. GF-202403272, Ephrata Township, Lancaster County, PA; consumptive use; Issue Date: March 8, 2024.

3. The Club at Shepherd Hills, LLC, GF Certificate No. GF-202403273, Village of Waverly, Tioga County, NY; consumptive use; Issue Date: March 8, 2024.

4. Down River Golf and Country Club, Inc., d/b/a Down River Golf Course, GF Certificate No. GF-202403274, Everett Borough, Bedford County, PA; consumptive use; Issue Date: March 11, 2024.

5. Tallman Family Farms, LLC, GF Certificate No. GF-202403275, Porter Township, Schuylkill County, and Washington Township, Dauphin County, PA; Wiconisco Creek # 2, Bohr Pond, and Wiconisco Creek GET ZIM; Issue Date: March 11, 2024.

6. U.S. Silica Company—Mapleton Plant, GF Certificate No. GF-202403276, Brady Township, Huntingdon County, PA; Juniata River, Quarry Sump and consumptive use; Re-Issue Date: March 18, 2024.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: April 9, 2024

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 24-575. Filed for public inspection April 19, 2024, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule for the following projects from March 1, 2024, through March 31, 2024.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.gov. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period previously specified.

Water Source Approval—Issued Under 18 CFR 806.22(f):

1. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: Hickok-114; ABR-201903003.R1; Canton Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 11, 2024.

2. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: KLINE (01 125) R; ABR-201903002.R1; Springfield Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 11, 2024.

3. RENEWAL—SWN Production Company, LLC; Pad ID: PEASE; ABR-201202016.R2; Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 11, 2024.

4. RENEWAL—Coterra Energy, Inc.; Pad ID: TeddickM P1; ABR-201203016.R2; Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 17, 2024.

5. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: ALDERFER (03 109) H; ABR-201203007.R2; Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 17, 2024.

6. RENEWAL—Seneca Resources Company, LLC; Pad ID: Gamble Pad O; ABR-201903009.R1; Hepburn Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 17, 2024.

7. RENEWAL—SWN Production Company, LLC; Pad ID: ASNIP-ABODE; ABR-201202005.R2; Orwell and Herick Townships, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 17, 2024.

8. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Floydie; ABR-201203019.R2; Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 21, 2024.

9. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Maggie; ABR-201203020.R2; Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 21, 2024.

10. RENEWAL—Coterra Energy, Inc.; Pad ID: AbbottM P1; ABR-201903004.R1; Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 21, 2024.

11. RENEWAL—SWN Production Company, LLC; Pad ID: EASTMAN; ABR-201203004.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 21, 2024.

12. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: CHOCONUT VALLEY FARMS (07 090); ABR-201403007.R2; Choconut Township, Susquehanna County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 25, 2024.

13. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: Parker 727; ABR-201203022.R2; Liberty Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 25, 2024.

14. RENEWAL—SWN Production Company, LLC; Pad ID: JOHN GOOD WEST LU9 PAD; ABR-201403008.R2; Jackson Township, Lycoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 25, 2024.

15. RENEWAL—BKV Operating, LLC; Pad ID: Trecoke South Pad; ABR-201201024.R2; Silver Lake Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 26, 2024.

16. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Ober Drilling Pad # 1; ABR-201203026.R2; Asylum Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 26, 2024.

17. RENEWAL—Coterra Energy, Inc.; Pad ID: BennerJ P1; ABR-201903005.R1; Forest Lake Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 26, 2024.

18. RENEWAL—JKLM Energy, LLC; Pad ID: Headwaters 141; ABR-201903008.R1; Ulysses Township, Potter County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 26, 2024.

19. RENEWAL—Seneca Resources Company, LLC; Pad ID: Clermont Pad D; ABR-201403009.R2; Jones Township, Elk County; Sergeant Township, McKean County; and Shippen Township, Cameron County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 26, 2024.

20. RENEWAL—SWN Production Company, LLC; Pad ID: WY-08 LEBER PAD; ABR-201903007.R1; North Branch Township, Wyoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 26, 2024.

21. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: L. KINGSLEY NORTH UNIT PAD; ABR-201703008.R1; Overton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 30, 2024.

22. RENEWAL—Range Resources—Appalachia, LLC; Pad ID: Porter, Stephen; ABR-201203028.R2; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 30, 2024.

23. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Circle Z BRA; ABR-201203031.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 31, 2024.

24. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Hattie BRA; ABR-201203030.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 31, 2024.

25. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Rainbow BRA; ABR-201203033.R2; Terry Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 31, 2024.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: April 9, 2024

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 24-576. Filed for public inspection April 19, 2024, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on May 2, 2024, at 6:30 p.m. The public hearing will end at 9 p.m. or at the conclusion of public testimony, whichever is first. The Commission will hold this hearing in-person and telephonically. Individuals may attend in person at the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA, or join by telephone using toll free number (877) 304-9269 and then enter guest passcode 2619070 followed by #. At this public hearing, the Commission will hear testimony on the projects listed in the supplementary information section of this notice and testimony on the proposed rulemaking for agency procurement and bid protest procedures, as well as a draft policy entitled SRBC Procurement Procedures. The projects and actions are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 13, 2024, which will be noticed separately. The public should note that this public hearing will be the only opportunity to offer oral comments to the Commission for the listed projects and actions. The deadline for the submission of written comments is May 13, 2024.

For further information contact Jason Oyler, General Counsel and Secretary, (717) 238-0423, joyler@srbc.gov.

The draft rulemaking and policy can be viewed on the Commission's web site at <https://www.srbc.gov/meeting-comment/default.aspx?type=19&cat=43>. Information concerning the project applications is available at the Commission's Water Application and Approval Viewer at <https://www.srbc.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.gov/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

Supplementary Information

The public hearing will cover the following projects:
Projects Scheduled for Action:

1. Project Sponsor: Berwick Enterprises, Inc. Project Facility: The Bridges Golf Club, Berwick Township, Adams County, PA. Application for renewal of consumptive use of up to 0.249 mgd (30-day average) (Docket No. 19950102).
2. Project Sponsor and Facility: BKV Operating, LLC (Meshoppen Creek), Washington Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 2.160 mgd (peak day) (Docket No. 20190602).
3. Project Sponsor and Facility: BKV Operating, LLC (Susquehanna River), Washington Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 2.914 mgd (peak day) (Docket No. 20190603).
4. Project Sponsor and Facility: BKV Operating, LLC (unnamed tributary to Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.648 mgd (peak day) (Docket No. 20190604).
5. Project Sponsor: Byler Golf Management, Inc. Project Facility: Iron Valley Golf Club, Cornwall Borough,

Lebanon County, PA. Applications for renewal of consumptive use of up to 0.300 mgd (30-day average) and groundwater withdrawals (30-day averages) of up to 0.300 mgd from Well Lb-814 and 0.140 mgd from Well B (Docket No. 20200902).

6. Project Sponsor: Cowanesque Valley Recreation Association. Project Facility: River Valley Country Club, Westfield Township, Tioga County, PA. Application for renewal of consumptive use of up to 0.099 mgd (30-day average) (Docket No. 20020602).

7. Project Sponsor and Facility: Dillsburg Area Authority, Carroll Township, York County, PA. Application for renewal of groundwater withdrawal of up to 0.280 mgd (30-day average) from Well 5A (Docket No. 19980703).

8. Project Sponsor and Facility: EQT ARO, LLC (Pine Creek), McHenry Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20190601).

9. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 1.250 mgd (peak day) (Docket No. 20190608).

10. Project Sponsor and Facility: Lear Corporation Pine Grove, Pine Grove Borough, Schuylkill County, PA. Application for renewal of consumptive use of up to 0.160 mgd (30-day average) (Docket No. 19940501).

11. Project Sponsor: Londonderry Township. Project Facility: Sunset Golf Course, Londonderry Township, Dauphin County, PA. Application for renewal of consumptive use of up to 0.181 mgd (30-day average) (Docket No. 20190613). Located in an Environmental Justice area.

12. Project Sponsor and Facility: Lycoming County Water and Sewer Authority, Fairfield Township, Lycoming County, PA. Application for groundwater withdrawal of up to 0.216 mgd from Well PW-2 (30-day average).

13. Project Sponsor and Facility: Mount Joy Borough Authority, Mount Joy Borough, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 1.020 mgd (30-day average) from Well 3 (Docket No. 20070607), and modification of Docket Nos. 20110617, 20110617-1 and 20110617-2 for Wells 1 and 2 by adding conditions related to Well 3 and proposed operations.

14. Project Sponsor: Pennsylvania-American Water Company. Project Facility: Philipsburg/Moshannon District, Rush Township, Centre County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.600 mgd from Cold Stream Well 1, 0.432 mgd from Cold Stream Well 2 and 0.374 mgd from Cold Stream Well 3 (Docket No. 19890302).

15. Project Sponsor and Facility: Seneca Resources Company, LLC (Tioga River), Richmond Township, Tioga County, PA. Application for surface water withdrawal of up to 3.000 mgd (peak day).

16. Project Sponsor and Facility: Shippensburg Borough Authority, Southampton Township, Franklin County, PA. Application for renewal of groundwater withdrawal of up to 1.900 mgd from Well 2 (Docket No. 19940504).

17. Project Sponsor and Facility: SWN Production Company, LLC (North Branch Mehoopany Creek), Forkston Township, Wyoming County, PA. Application for surface water withdrawal of up to 2.500 mgd (peak day).

18. Project Sponsor and Facility: Tower City Borough Authority, Porter Township, Schuylkill County, PA. Applications for renewal of groundwater withdrawals (30-day

averages) of up to 0.086 mgd from Well 5 and 0.070 mgd from Well 6 (Docket No. 19920301). Located in an Environmental Justice area.

19. Project Sponsor and Facility: Town of Erwin, Steuben County, NY. Applications for renewal of groundwater withdrawals (30-day averages) of up to 1.700 mgd from Well 4 and 0.634 mgd from Well 6 (Docket Nos. 19990503 and 20070602, respectively). Located in an Environmental Justice area.

Opportunity to Appear and Comment:

Interested parties may call into the hearing to offer comments to the Commission on any business previously listed required to be the subject of a public hearing. Given the nature of the meeting, the Commission strongly encourages those members of the public wishing to provide oral comments to pre-register with the Commission by e-mailing Jason Oyler at joyler@srbc.gov before the hearing date. The presiding officer reserves the right to limit oral statements in the interest of time and to control the course of the hearing otherwise. Access to the hearing by means of telephone will begin at 6:15 p.m.

Guidelines for the public hearing are posted on the Commission's web site, www.srbc.gov, before the hearing for review. The presiding officer reserves the right to modify or supplement the guidelines at the hearing. Written comments on any business previously listed required to be the subject of a public hearing may also be mailed to Jason Oyler, Secretary to the Commission, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <https://www.srbc.gov/meeting-comment/default.aspx?type=2&cat=7>. Comments mailed or electronically submitted must be received by the Commission on or before Monday, May 13, 2024, to be considered.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: April 4, 2024

ANDREW D. DEHOFF,
Executive Director

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END OF ISSUE

