

# PENNSYLVANIA BULLETIN

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for the  
Pennsylvania Public Utility Commission  
Notices

## Part I

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Susquehanna River Basin Commission  
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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 591, February 2024**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

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

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

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

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

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

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### Printing Format

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

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

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

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

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

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

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

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

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

### Fiscal Notes

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

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

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

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## List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART IV. ADMISSION TO PRACTICE LAW [ 204 PA. CODE CH. 71 ]

#### Proposed Amendment to Pennsylvania Bar Admission Rule 213

Notice is hereby given that the Pennsylvania Board of Law Examiners (Board) is considering recommending to the Pennsylvania Supreme Court that it amend Rule 213 of the Pennsylvania Bar Admission Rules concerning the hearing process for those who seek a hearing before the Board. The amendment is set forth in Annex A. Additions to the text of the rule are shown in bold and underlined, there are no deletions.

The proposed amendment would clarify Rule 213 by explicitly providing that the Board can limit cumulative witness testimony. Pa.R.E. 403 provides that a court may exclude cumulative evidence, but similar to other administrative agency rules, Rule 213(b) provides that the “Board shall not be bound by the formal rules of evidence.” Additionally, and unlike other administrative hearing rules, Rule 213(b) is silent on whether the Board may limit cumulative evidence. The General rules of Administrative Practice and Procedure and the Disciplinary Rules explicitly provide the hearing officer with the authority to limit cumulative evidence. 1 Pa. Code § 135.27 provides “[t]he agency head or the presiding officer may limit appropriately the number of witnesses who may be heard upon an issue.” Pennsylvania Disciplinary Board Rule 89.94 provides “[t]he hearing committee or special master may limit appropriately the number of witnesses who may be heard upon any issue to eliminate unduly repetitious of cumulative evidence.”

Given the above, the Board seeks to amend Rule 213 to provide that it can limit the presentation of cumulative evidence. Specifically, the Board seeks to add the following language to Rule 213: “The Board may in its discretion limit the number of witnesses who may be heard upon any issue to eliminate repetitious or cumulative evidence.”

Interested persons are invited to submit written comments regarding the proposed amendments to the Counsel to the Board, Pennsylvania Board of Law Examiners, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 3600, P.O. Box 62535, Harrisburg, PA 17106-2535, no later than April 5, 2024.

*By the Pennsylvania Board of Law Examiners  
Supreme Court of Pennsylvania*

GICINE P. BRIGNOLA,  
*Executive Director*

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART IV. ADMISSION TO PRACTICE LAW

#### CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

#### Subchapter B. ADMISSION TO THE BAR GENERALLY

#### PROCEEDINGS BEFORE BOARD

#### Rule 213. Hearings before the Board.

\* \* \* \* \*

(b) *Hearing.* Within 30 days after receipt of the request of an applicant for a hearing under this Rule the Board shall hold a hearing at which the applicant shall be present. The applicant may be represented by counsel at the hearing. The Board shall not be bound by the formal rules of evidence and such relevant evidence may be introduced at the hearing as may be necessary for the Board to make a final determination upon the application. The burden of proof shall be on the applicant to establish that he or she possesses the character, fitness and general qualifications that are compatible with the standards expected to be observed by a member of the Bar of this Commonwealth. The applicant may call and examine witnesses, cross-examine adverse witnesses and present such evidence as is relevant to the issue before the Board. **The Board may in its discretion limit the number of witnesses who may be heard upon any issue to eliminate repetitious or cumulative evidence.** At any such hearing the applicant and his or her counsel shall be permitted to inspect such portion of the record of the applicant bearing upon the issues before the Board as does not constitute confidential information. A stenographic or other verbatim record shall be made of any such hearing, but hearings before the Board shall not be open to the public. The Board shall have the power to issue subpoenas for the attendance of witnesses and for the production of documentary evidence at the hearing.

\* \* \* \* \*

[Pa.B. Doc. No. 24-176. Filed for public inspection February 16, 2024, 9:00 a.m.]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

#### [ 246 PA. CODE CHS. 300 AND 500 ]

#### Proposed Amendment of Pa.R.Civ.P.M.D.J. 321 and 512

The Minor Court Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P.M.D.J. 321 and 512, pertaining to hearings and evidence 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.

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

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



Pamela S. Walker, Counsel  
 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 April 22, 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 DANIEL E. BUTLER,  
*Chair*

### Annex A

## TITLE 246. MINOR COURT CIVIL RULES

### PART I. GENERAL

#### CHAPTER 300. CIVIL ACTION

#### Rule 321. Hearings and Evidence.

The **parties in a hearing before a magisterial district judge** shall be bound by the **[ rules of evidence ] Rules of Evidence**, except that a bill, estimate, receipt, or statement of account that appears to have been made in the regular course of business may be introduced in evidence by any party without affidavit or other evidence of its truth, accuracy, or authenticity.

Comment:

The exception to the **[ rules of evidence ] Rules of Evidence** provided by this rule was inserted because the Pennsylvania statutes making certain business entries admissible in evidence **[ apparently ]** do not apply to bills, receipts, and the like that are made in the regular course of business but are not made as “records.” See 42 Pa.C.S. § 6108. The fact that this exception permits the introduction of these items of evidence without affidavit or other evidence of their truth, accuracy, or authenticity does not, of course, preclude the introduction of evidence contradicting them. The exception was deemed necessary because the items of evidence made admissible thereby are probably the proofs most commonly used in minor judiciary proceedings. **However, all other testimony and documents sought to be admitted or excluded shall be subject to the Rules of Evidence upon proper objection. Objections to evidence must be made by the parties.**

See **[ Rules 350D(2) and 351(d) ] Pa.R.Civ.P. 350D(2) and 351(d)** for additional exceptions applicable to appeals from automated work zone speed enforcement violations and actions filed pursuant to 75 Pa.C.S. § 3345.1(i.1), relating to civil violations for passing a stopped school bus with flashing red signal lights and an activated side stop signal arm.

#### CHAPTER 500. ACTIONS FOR THE RECOVERY OF POSSESSION OF REAL PROPERTY

#### Rule 512. Hearings and Evidence.

**[ A. ](a)** The landlord shall appear at the hearing and present testimony in an action for the recovery of possession of real property.

**[ B. ](b)** The **[ magisterial district judge ] parties** shall be bound by the **[ rules of evidence ] Rules of Evidence**, except that a bill, estimate, receipt, or statement of account that appears to have been made in the regular course of business may be introduced in evidence by any party without affidavit or other evidence of its truth, accuracy, or authenticity.

**[ Official Note: Subdivision A of this rule ] Comment: Subdivision (a)** is intended to make clear that the magisterial district judge shall not enter a default judgment in a possessory action, including a judgment for money only. The landlord shall appear and give testimony to prove the complaint even when the tenant fails to appear for the hearing. **[ See Rule 514A and Note. See also Section 503(a) of the Landlord and Tenant Act of 1951, 68 P.S. § 250.503(a). ] See Pa.R.Civ.P.M.D.J. 514A, cmt.; see also 68 P.S. § 250.503(a).** When the landlord fails to appear at the hearing, the magisterial district judge may continue the hearing for cause or dismiss the complaint without prejudice.

**[ Subdivision B of this rule is the same as Rule 321 of the civil action rules. ] The exception to the Rules of Evidence provided by subdivision (b) was inserted because the Pennsylvania statutes making certain business entries admissible in evidence do not apply to bills, receipts, and the like that are made in the regular course of business but are not made as “records.” See 42 Pa.C.S. § 6108. The fact that this exception permits the introduction of these items of evidence without affidavit or other evidence of their truth, accuracy, or authenticity does not, of course, preclude the introduction of evidence contradicting them. The exception was deemed necessary because the items of evidence made admissible thereby are probably the proofs most commonly used in minor judiciary proceedings. However, all other testimony and documents sought to be admitted or excluded shall be subject to the Rules of Evidence upon proper objection. Objections to evidence must be made by the parties.**

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

#### PUBLICATION REPORT

#### Proposed Amendment of Pa.R.Civ.P.M.D.J. 321 and 512

The Minor Court Rules Committee (“Committee”) is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P.M.D.J. 321 and 512 relating to hearings and evidence.

While reviewing a separate matter, the Committee discussed a plaintiff’s responsibility to meet the evidentiary burden of proof in all cases. However, the comment to Pa.R.Civ.P.M.D.J. 321 and 512 largely addresses the introduction of business records into evidence. The exception to the general business records rule is intended to permit a party to present documentation related to a claim without having to call a witness, *e.g.*, a mechanic or insurance adjuster. In contrast, Pa.R.E. 803(6) requires testimony from a records custodian or a certification that the record meets the definition of a “business record.” See also 42 Pa.C.S. § 6108(b) (requiring the custodian or other qualified witness to testify as to the record’s identify, mode of preparation, and if it was made in the regular course of business). The Committee

believed that Pa.R.Civ.P.M.D.J. 321 and 512 would benefit from attention to other aspects of the rules of evidence.

First, the Committee is considering proposing rule amendments to make clear that the parties are bound by the Rules of Evidence. Other stylistic amendments appear throughout the rules.

Second, the Committee is considering proposing an amendment to the comments to Pa.R.Civ.P.M.D.J. 321 and 512 to emphasize that the business records exception does not waive the obligation of the parties to comply generally with the Pennsylvania Rules of Evidence. For example, while it is not necessary to produce the mechanic to certify the authenticity of a bill for services, it is necessary to call the mechanic as a witness to testify as to condition of a vehicle's brakes before a car accident.

Finally, the Committee thought it would be beneficial to alert parties, particularly *pro se* parties, that objections must be made by the parties. When the Pennsylvania Rules of Conduct, Office Standards and Civil Procedure for Justices of the Peace were first promulgated in 1969, they included an Explanatory Comment from the Committee:

In drafting these rules, the guiding policy was to provide a framework, insofar as the Pennsylvania constitutional system would permit, for a modern, workable small claims procedure, realizing that many justices of the peace would not be lawyers and that members of the public using the system would be largely unrepresented by legal counsel. Thus, an attempt was made throughout these rules to achieve simplicity of phraseology, uncomplicated administration and as much standardization in the handling of civil actions by justice of the peace as is possible.

See Order of October 15, 1969, No. 513, Misc. Docket No. 16. Notwithstanding the salutary goal of establishing procedural rules for small claims courts that are understandable and accessible to lay people, adherence to the rules of evidence is needed to ascertain the truth and secure a just determination. See Pa.R.E. 102, cmt. By proposing these amendments, the Committee intends to inform litigants of their evidentiary responsibilities should they decide on self-representation.

\* \* \* \* \*

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

[Pa.B. Doc. No. 24-177. Filed for public inspection February 16, 2024, 9:00 a.m.]

\_\_\_\_\_

### Title 255—LOCAL COURT RULES

#### CRAWFORD COUNTY

#### In the Matter of the Adoption of Local Criminal Rules of Procedure; No. AD 1 of 2022

##### Order

And Now, February 1, 2024, the Court Orders as follows:

1. Local Rule of Criminal Procedure 117 is hereby amended in regard to magisterial district court coverage, in the form as follows hereto, in which deletions from the rule's title are shown in brackets, and the addition to the rule is shown in bold type and underlined; and

2. This Order shall be processed in accordance with Pa.R.J.A. 103(d), and effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. SPATARO,  
*President Judge*

Rule 117. Coverage[ : **Issuing Warrants; Preliminary Arraignments and Summary Trials** ]; Setting and Accepting Bail[ ; and **Other Services** ].

\* \* \* \* \*

#### ON-CALL MAGISTERIAL DISTRICT JUDGE ASSIGNMENTS

\* \* \* \* \*

The weekly on-call duty shall begin on Friday at 4:30 p.m. and continue until the following Friday at 8:30 a.m., unless the magisterial district court offices are closed that Friday, in which case on-call duty shall continue that Friday until 4:30 p.m. **Should the district court offices be open on a Friday but close earlier than 4:30 p.m., the weekly on-call duty shall begin at the time of closing.**

\* \* \* \* \*

[Pa.B. Doc. No. 24-178. Filed for public inspection February 16, 2024, 9:00 a.m.]

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### Title 255—LOCAL COURT RULES

#### CRAWFORD COUNTY

#### In the Matter of the Modification of Local Rules; No. AD 2022-65

##### Order

And Now, February 7, 2024, the Court Orders as follows:

1. Local Rule of Judicial Administration 5102 (governing custody of exhibits in court proceedings) is hereby adopted in the form following this Order; and

2. This Order shall be processed in accordance with Pa.R.J.A. 103(c), and effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. SPATARO,  
*President Judge*

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

Except as hereinafter provided, the Clerk of Courts or Prothonotary or their designated representatives who are present at the court proceeding shall be designated as the custodian for all exhibits during and after the court proceeding. If, for any given proceeding, no representative of the Clerk of Courts or Prothonotary is present, then the presiding judicial officer or judge shall take possession of the exhibits and forward them to the appropriate recording office upon filing of the decision, or immediately if no decision is to be filed, together with an index of the exhibits.

The presiding judicial officer or judge may, upon consultation with the parties or their counsel, order that the proponent of any non-documentary exhibit be designated as its custodian during the proceeding and/or after court proceedings have concluded. A proponent who becomes

the custodian of such non-documentary exhibits shall have all the duties and responsibilities provided by Pa.R.J.A. 5102, except as otherwise provided in the order. Unless otherwise ordered, the proponent shall as custodian maintain non-documentary exhibits for a minimum of the following time periods:

i. *Non-criminal matters.* Retain exhibits until the later of 30 days after the conclusion of the case and the expiration of the appeal period, or final disposition of an appeal if one is taken.

ii. *Criminal matters:*

1. Homicides. Retain exhibits 75 years.
2. Summary cases. Retain exhibits 5 years.
3. Other cases. Retain exhibits 20 years.

These retention periods also apply to any exhibits held by a proponent at the time of enactment of this Rule. The proponent may submit a motion to the President Judge or other designated judge to address conversion of, or retention of any previously entered exhibit, so long as the motion is served on the appropriate parties or counsel at their last known address.

[Pa.B. Doc. No. 24-179. Filed for public inspection February 16, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### FRANKLIN AND FULTON COUNTIES

**Correction of Administrative Order entered November 20, 2023, adopting 39th Jud.Dis. Rules Jud.Adm. 4001, 4007 and 4008 (incorrectly noted as 4009); Administrative Order re: 2024-386**

#### Order

*And Now*, this 5th day of February, 2024, the Court issues a correction to its Administrative Order entered of record on November 20, 2023 pursuant to Pennsylvania Rule of Judicial Administration 103(c). The November 20, 2023 Administrative Order contained a typographical error in the caption and the first paragraph, the phrase “39th Jud.Dis.R. Jud.Adm. 4009” is hereby corrected to “39th Jud.Dis.R. Jud.Adm. 4008.”

The Court adopted 39th Jud.Dis. Rules Jud.Adm. 4001, 4007 and 4008 (incorrectly noted as 4009 in the Administrative Order entered November 20, 2023). The numbering and text of 39th Jud.Dis.R. Jud.Adm. 4008 following the Administrative Order was correct as published in the *Pennsylvania Bulletin* on December 2, 2023. As such, 39th Jud.Dis.R. Jud.Adm. 4008 shall remain in full force and effect as published in the *Pennsylvania Bulletin* on December 2, 2023.

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

1. Email one (1) copy of this Order to the Administrative Office of Pennsylvania Courts (AOPC) at adminrules@pacourts.us.
2. Email one (1) copy of this Order in Microsoft Word format only to the Legislative Bureau at bulletin@palrb.us for publication in The *Pennsylvania Bulletin*.
4. File one (1) copy of this Order with both the Clerk of Courts and the Prothonotary in Franklin County and

Fulton County, and mail one (1) copy to the Franklin County Law Library for public inspection and copying.

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

*By the Court*

SHAWN D. MEYERS,  
*President Judge*

[Pa.B. Doc. No. 24-180. Filed for public inspection February 16, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### SCHUYLKILL COUNTY

#### Administrative Order; No. S262-24

#### Administrative Order

*And Now*, this 7th day of February, 2024, it is *Ordered* and *Decreed* that this Court adopts the following Rule of Civil Procedure regarding Board of Viewers:

The Schuylkill County Court Administrator is *Hereby Ordered* to:

1. Distribute one copy of the Rule to the Administrative Office of Pennsylvania Courts via email at adminrules@pa.courts.us.
2. Distribute two paper copies of the Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Distribute one copy of the Rule to the Legislative Reference Bureau via email at bulletin@palrb.us in a Microsoft Word format.
4. Publish the local Rule on the Schuylkill County Court’s website.
5. Incorporate the local Rule into the set of local Rules on this Court’s website within 30 days after the publication of the Rule in the *Pennsylvania Bulletin*.
6. File one copy of the local Rule in the Office of the Prothonotary of Schuylkill County.

*By the Court*

JACQUELINE L. RUSSELL,  
*President Judge*

#### Rule 301. Boards of Viewers.

(a) *Composition and Appointment of Boards of Viewers Pursuant to 42 Pa.C.S.A. § 2142*

The President Judge shall appoint the members of the Board of Viewers for a term of office of not less than three nor more than six years. The members shall be adult residents of Schuylkill County and at least one-third of the members shall be members of the bar of the Commonwealth. The President Judge shall fill the vacancy in an unexpired term of a board member. All appointments shall be subject to the power of the President Judge to remove members without cause and to appoint successors.

(b) *Petitions for Appointment of a Board of Viewers*

Petitions for appointment of a panel of the Board of Viewers shall be accompanied by a praecipe to transmit pursuant to Sch.R.C.P. 205.2(b) and shall comply with Sch.R.C.P. 206.1(a). In case of a vacancy in the panel appointed in a specific case before the panel takes its

final action, the President Judge shall fill such vacancy by appointing another member of the Board of Viewers to the panel.

(c) *Appeals from Decision of Viewers*

Any party who appeals to the Court from the decision of the Viewers shall comply with 26 Pa.C.S.A. § 517, and shall file a praecipe to transmit pursuant to Sch.R.C.P. 205.2(b).

(d) *Stenographic Notes*

(1) Stenographic notes of a hearing shall be taken and a transcript prepared for the Viewers' use whenever the Viewers decide such is necessary. The cost of taking the stenographic notes and of the original transcript shall be paid by the County. An interested party may obtain a copy of the transcript upon payment of such sum fixed from time to time by the Court.

(2) Whenever, in the opinion of the Viewers, it is not necessary to have stenographic notes taken, but an interested party has stenographic notes of a hearing taken, that party shall pay for the taking and/or the transcribing of the stenographic notes if ordered by that party. However, in the event the Viewers elect to have the notes transcribed, the cost of the original transcript shall be paid by the County, and an interested party may obtain a copy of the transcript upon payment of such sum fixed from time to time by the Court.

(3) Arrangements for the taking and transcription of stenographic notes shall be made exclusively through the Court Reporters Office of the Schuylkill County Court of Common Pleas.

(e) *Compensation of Viewers*

(1) Compensation of Viewers shall be on a case by case basis in an amount fixed by the Court. The Chairman of the Board of Viewers shall file a petition for compensation of the Viewers directed to the President Judge at the time the Report of the Board of Viewers is filed.

(2) Compensation approved by the President Judge pursuant to a Petition for Compensation shall be paid to the Viewers by the County.

*Note:* This Rule supersedes prior Rule 301.

*Effective Date:* This Rule is effective 60 days after publication in the *Pennsylvania Bulletin*.

**Rule 301. Boards of Viewers.**

(a) *Composition and Appointment of Boards of Viewers Pursuant to 42 Pa.C.S.A. § 2142*

**The President Judge shall appoint the members of the Board of Viewers for a term of office of not less than three nor more than six years. The members shall be adult residents of Schuylkill County and at least one-third of the members shall be members of the bar of the Commonwealth. The President Judge shall fill the vacancy in an unexpired term of a board member. All appointments**

**shall be subject to the power of the President Judge to remove members without cause and to appoint successors.**

(b) *Petitions for Appointment of a Board of Viewers*

Petitions for appointment of a panel of the Board of Viewers shall be accompanied by a praecipe to transmit pursuant to Sch.R.C.P. 205.2(b) and shall comply with Sch.R.C.P. **206.1(a). In case of a vacancy in the panel appointed in a specific case before the panel takes its final action, the President Judge shall fill such vacancy by appointing another member of the Board of Viewers to the panel.**

(c) *Appeals from Decision of Viewers*

**Any party who appeals to the Court from the decision of the Viewers shall comply with 26 Pa.C.S.A. § 517, and shall file a praecipe to transmit pursuant to Sch.R.C.P. 205.2(b).**

(d) *Stenographic Notes*

**(1) Stenographic notes of a hearing shall be taken and a transcript prepared for the Viewers' use whenever the Viewers decide such is necessary. The cost of taking the stenographic notes and of the original transcript shall be paid by the County. An interested party may obtain a copy of the transcript upon payment of such sum fixed from time to time by the Court.**

**(2) Whenever, in the opinion of the Viewers, it is not necessary to have stenographic notes taken, but an interested party has stenographic notes of a hearing taken, that party shall pay for the taking and/or the transcribing of the stenographic notes if ordered by that party. However, in the event the Viewers elect to have the notes transcribed, the cost of the original transcript shall be paid by the County, and an interested party may obtain a copy of the transcript upon payment of such sum fixed from time to time by the Court.**

**(3) Arrangements for the taking and transcription of stenographic notes shall be made exclusively through the Court Reporters Office of the Schuylkill County Court of Common Pleas.**

(e) *Compensation of Viewers*

(1) Compensation of Viewers shall be on a case by case basis in an amount fixed by the Court. **The Chairman of the Board of Viewers shall file a petition for compensation of the Viewers directed to the President Judge at the time the Report of the Board of Viewers is filed.**

(2) Compensation approved by the President Judge pursuant to a Petition for Compensation shall be paid to the Viewers **by the County.**

*Effective Date:* This Rule is effective 60 days after publication in the *Pennsylvania Bulletin*.

[Pa.B. Doc. No. 24-181. Filed for public inspection February 16, 2024, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 67—TRANSPORTATION

### DEPARTMENT OF TRANSPORTATION

#### [ 67 PA. CODE CHS. 171a AND 171b ]

#### School Bus Side Stop Signal Arm Enforcement Systems; Temporary Regulations

The Department of Transportation (Department) under the authority of 75 Pa.C.S. §§ 3345 and 3345.1 (relating to meeting or overtaking school bus; and automated enforcement of failure to stop for school bus with flashing red lights), promulgates temporary regulations pertaining to the certification and use of school bus side stop signal arm enforcement systems (systems), to read as set forth in Annex A.

##### *Rescission of Chapter 171a*

The Department rescinds the temporary regulations in Chapter 171a.

##### *Adoption of Chapter 171b*

The Department adopts temporary regulations in Chapter 171b (relating to school bus side stop signal arm enforcement systems—temporary regulations).

##### *Purpose*

This temporary rulemaking sets forth temporary regulations governing the certification and use of systems. A related, previous temporary regulation, Chapter 171a, was published at 49 Pa.B. 2001 (April 27, 2019). Chapter 171b is substantially similar to Chapter 171a; however, it includes changes commensurate with the act of October 23, 2023 (P.L. 134, No. 19) (act). Section 3345.1(j) of 75 Pa.C.S. grants authority to the Department to promulgate temporary regulations to carry out the purpose of this section.

##### *Significant Provisions*

Significant provisions of Chapter 171b include:

Sections 171b.1 and 171b.2 (relating to purpose; and definitions) set forth the purpose of the chapter and definitions, respectively. The definitions applicable to this temporary rulemaking are consistent with the definitions set forth in 75 Pa.C.S. § 3345.1(m), except where there is a need to define a term not defined by statute or where the context necessitates a different meaning.

Section 171b.3 (relating to system certification) establishes the minimum system requirements, the processes for approval of systems including systems already in use, the location where approved systems will be posted on the Department's web site and the processes for decertification of systems. Notably, minimum system requirements delineate several technical requirements that systems must possess to comply with the limitations and plain meaning of the act.

Section 171b.4 (relating to system use) sets forth criteria for system use, including required certification, installation, testing, operation and repair of systems, records of inspection and compliance, required documentation and use and destruction of recorded images produced by the systems (recorded images).

##### *Persons and Entities Affected*

This temporary rulemaking will affect school districts and school-related entities (school entities) throughout this Commonwealth that seek to certify and use systems.

School entities, including system administrators acting on a school entity's behalf and companies that provide pupil transportation under contract with school-related entities, will be required to operate systems under 75 Pa.C.S. § 3345.1 and to dispose of recorded images. Moreover, the motoring public and pupils will benefit from systems installed in furtherance of enforcing 75 Pa.C.S. (relating to vehicles) to ensure the safety of motorists and pedestrians.

##### *Fiscal Impact*

School entities are not required to install systems, but for school entities that elect to do so, system costs differ significantly between multiple-device systems with interconnectivity and individual system units. In reviewing available public data and speaking with school entities, costs on average are between \$1,000 to \$2,000 per school entity vehicle and can be significantly more or less based on selected features.

No budgetary impacts to the Department are anticipated, as existing staff and resources will support the initial implementation of the act.

Future implementation of the grant program authorized by the act, and final regulations governing the certification and use of systems, will be addressed in a forthcoming rulemaking.

##### *Regulatory Review*

Under 75 Pa.C.S. § 3345.1(j)(3), the Department is authorized to promulgate temporary regulations to facilitate the prompt implementation of the act. These temporary regulations adopted by the Secretary of Transportation are not subject to sections 201—205 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201—1205), referred to as the Commonwealth Documents Law (CDL), the Regulatory Review Act (71 P.S. §§ 745.1—745.14) (RRA) and section 204(b) of the Commonwealth Attorneys Act (71 P.S. § 732-204(b)) (CAA).

##### *Effective Date*

The rescission of the temporary regulations published in Chapter 171a shall be effective upon publication in the *Pennsylvania Bulletin*.

The temporary regulations in Chapter 171b shall be effective upon publication in the *Pennsylvania Bulletin*, subject to the sunset provisions set forth as follows.

##### *Sunset Provisions*

Under 75 Pa.C.S. § 3345.1(j)(3), these temporary regulations expire upon promulgation of a final-form regulation.

##### *Contact Person*

The contact person for this temporary rulemaking is Jason C. Bewley, PE, Bureau of Operations, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, (717) 783-3981.

##### *Findings*

The Department finds that:

(1) Under 75 Pa.C.S. § 3345.1(j)(3), the temporary regulations are exempt from the requirements of the RRA, sections 201—205 of the CDL and section 204(b) of the CAA.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 75 Pa.C.S.

*Order*

The Department, acting under 75 Pa.C.S., orders that:

(1) The regulations of the Department, 67 Pa. Code Chapters 171a and 171b, are amended by deleting § 171a.1—171a.4 and adding §§ 171b.1—171b.4 to read as set forth in Annex A.

(2) These temporary regulations are effective upon publication in the *Pennsylvania Bulletin*.

(3) The Secretary of Transportation shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

MICHAEL CARROLL,  
*Secretary*

**Fiscal Note:** 18-485. No fiscal impact; recommends adoption. School entities electing to participate in the program would see costs of \$1,000 to \$2,000 per vehicle.

**Annex A**

**TITLE 67. TRANSPORTATION**

**PART I. DEPARTMENT OF TRANSPORTATION**

**Subpart A. VEHICLE CODE PROVISIONS**

**ARTICLE VII. VEHICLE CHARACTERISTICS**

**CHAPTER 171a. [Reserved]**

**§§ 171a.1—171a.4. [Reserved].**

**CHAPTER 171b. SCHOOL BUS SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEMS—  
TEMPORARY REGULATIONS**

Sec.

171b.1.	Purpose.
171b.2.	Definitions.
171b.3.	System certification.
171b.4.	System use.

**§ 171b.1. Purpose.**

This chapter sets forth temporary regulations for the certification and use of school bus side stop signal arm enforcement systems.

**§ 171b.2. Definitions.**

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

*Pupil transportation*—This term shall have the same meaning given that term in 75 Pa.C.S. § 3345.1(m) (relating to automated enforcement of failure to stop for school bus with flashing red lights).

*Recorded image*—A static or full motion photographic or digital image recorded by a system that depicts the front or the rear of a motor vehicle.

*School bus*—This term shall have the same meaning given that term in 75 Pa.C.S. § 102 (relating to definitions).

*School entity*—This term shall have the same meaning given that term in 75 Pa.C.S. § 3345.1(m).

*Side stop signal arm enforcement system*—This term shall have the same meaning given that term in 75 Pa.C.S. § 3345.1(m).

*Side stop signal arms*—This term shall have the same meaning given that term in 75 Pa.C.S. § 3345.1(m) and § 4552 (b.1) (relating to general requirements for school buses).

*System*—This term shall have the same meaning given that term in 75 Pa.C.S. § 3345.1(m).

*System administrator*—This term shall have the same meaning given that term in 75 Pa.C.S. § 3345.1(m).

**§ 171b.3. System certification.**

(a) *Minimum requirements.* A system must:

(1) Be installed on the school bus and include hardware, with at least one camera and one computer capable of producing accurate recorded images.

(2) While flashing red lights are activated on a school bus, be capable of capturing recorded images of any motor vehicle operated in violation of 75 Pa.C.S. § 3345.1(a) (relating to automated enforcement of failure to stop for school bus with flashing red lights), with at least one recorded image depicting the license plate number and state of issuance of the motor vehicle.

(3) Automatically activate when the school bus driver or operator engages the stop signal arm and red signal lights for a school bus stop.

(4) Produce a recorded image displaying or be capable of confirming, the date, time and place of an alleged violation of 75 Pa.C.S. § 3345.1(a).

(5) Include the capability to prohibit automated or user-controlled remote surveillance by means of recorded video.

(6) Include vandal-resistant housing covers for exterior cameras.

(7) Include hardware storage or cloud-based storage capable of storing recorded images and be capable, internally or in conjunction with removable media, of retaining recorded images of an alleged violation of 75 Pa.C.S. § 3345.1(a).

(8) Be capable of producing all recorded images to the school entity, a system administrator acting on the school entity's behalf or a contracted company that provides pupil transportation no later than 24 hours after an alleged violation of 75 Pa.C.S. § 3345.1(a).

(b) *Approval of systems.* A manufacturer or vendor seeking certification of a system must submit a request for certification to the Department on its letterhead confirming the make and model of the system and how the system meets the minimum requirements of subsection (a). The Department shall review and approve applications for certification in writing, which shall be effective upon issuance to the manufacturer or vendor and publication on the Department's web site at <https://www.penndot.pa.gov/TravelInPA/Safety/TrafficSafetyAndDriverTopics/pages/school-bus-safety.aspx>.

(c) *Approved systems.* A list of systems approved under subsection (b) shall be published on the Department's web site at the link listed in subsection (b). A school entity, a system administrator acting on the school entity's behalf or a contracted company that provides pupil transportation may utilize an approved system.

(d) *Approval of systems already in use.* Requests for certification of systems installed prior to the effective date of these temporary regulations must be submitted to the Department within 6 months of the effective date of these temporary regulations.

(e) *Decertification of system.* If the Department determines a system approved under subsection (b) no longer meets the minimum requirements of subsection (a) or for other good cause shown, the Department may rescind certification of the system, providing notice of decertification in writing, which shall be effective upon issuance to the manufacturer or vendor.

**§ 171b.4. System use.**

(a) *Certification required.* A school entity, a system administrator acting on the school entity's behalf or a contracted company that provides pupil transportation must only use a system certified by the Department.

(b) *Installation, testing, operation and repair.* A system must be installed, tested, operated and repaired in accordance with the manufacturer's or vendor's specifications.

(c) *Record of inspection and compliance.* A school entity, a system administrator acting on the school entity's behalf or a contracted company that provides pupil transportation must routinely, and no less than semi-annually, inspect its system to ensure the system is operating in accordance with manufacturer or vendor specifications. The school entity, system administrator acting on the school entity's behalf or contracted company that provides pupil transportation must make a written record of each inspection and log any remedial measures taken for the system to comply with the manufacturer's or vendor's specifications.

(d) *Required documentation.* A school entity, a system administrator acting on the school entity's behalf or a

contracted company that provides pupil transportation must retain its records of inspection and compliance with the manufacturer's or vendor's specifications for a period of no less than 1 year from final disposition of an alleged violation of 75 Pa.C.S. § 3345.1(a). Records of inspection and compliance shall constitute written documentation that the system is operating correctly as required by 75 Pa.C.S. § 3345.1(d).

(e) *Use of recorded images.* A school entity, a system administrator acting on the school entity's behalf or a contracted company that provides pupil transportation must ensure that recorded images of alleged violations of 75 Pa.C.S. § 3345.1(a) are only used per the limitations of 75 Pa.C.S. § 3345.1(e)(1), except that a school entity, a system administrator acting on the school entity's behalf or a contracted company that provides pupil transportation may disclose the recorded images when required to comply with a court order issued under 75 Pa.C.S. § 3345.1(e)(1)(iii).

(f) *Destruction of recorded images.* A school entity, a system administrator acting on the school entity's behalf or a contracted company that provides pupil transportation must destroy recorded images of an alleged violation of 75 Pa.C.S. § 3345.1(a) within 1 year of final disposition of the recorded event. Final disposition shall mean the following:

(1) When the recorded images are not included on a certificate under 75 Pa.C.S. § 3345.1(d), the date of the alleged violation of 75 Pa.C.S. § 3345.1(a).

(2) When the recorded images are included on a certificate under 75 Pa.C.S. § 3345.1(d), 3 years after the alleged violation of 75 Pa.C.S. § 3345.1(a).

[Pa.B. Doc. No. 24-182. Filed for public inspection February 16, 2024, 9:00 a.m.]

# PROPOSED RULEMAKING

## LIQUOR CONTROL BOARD

[ 40 PA. CODE CHS. 3, 5, 9 AND 11 ]

### Distilleries

The Liquor Control Board (board), under the authority of sections 207(i) and 505.4 of the Liquor Code (47 P.S. §§ 2-207(i) and 5-505.4), proposes to add §§ 5.501—5.509, to amend §§ 9.12, 9.33 and 11.34, and to reserve §§ 3.72, 3.73, 5.104, 11.211, 11.212, 11.221 and 11.222, to read as set forth in Annex A.

#### Summary

This proposed rulemaking gathers regulations pertaining to distilleries, limited distilleries and distilleries of historical significance (DHS) from Chapters 3, 5, 9 and 11, and places them in a new subchapter in Chapter 5. It will be more convenient for the regulated community to have their industry-specific regulations in one location. This proposed rulemaking amends the regulations to be consistent with the Liquor Code, which has been amended several times since 2011. The proposed changes are intended to provide clarity to the regulated community and allow for easier navigation of the applicable regulations.

This proposed rulemaking is modeled after the board's regulations for limited wineries. See 52 Pa.B. 4090 (July 23, 2022). However, that regulation focused only on limited wineries and did not include winery licensees, and this proposed rulemaking is applicable to not only limited distilleries but also distilleries and DHS.

When a draft version of this proposed rulemaking was shared with industry members, the board was asked why this proposed rulemaking applies to all three types of distillery licensees, since the board's regulations for limited wineries are not applicable to wineries. Industry members suggested that this proposed rulemaking should likewise be restricted to only limited distilleries, but the board respectfully declines to adopt this suggestion as explained herein.

Wineries were not included in the limited winery regulations because wineries cannot sell directly to the public. Sections 102 and 501 of the Liquor Code (47 P.S. §§ 1-102 and 5-501) provide that wineries may only sell to other board-licensed wineries. There was no reason to include wineries in the board's limited winery regulations because the regulations address activities that wineries cannot engage in.

However, all three types of distilleries—limited distilleries, distilleries and DHS—are statutorily authorized under section 505.4 of the Liquor Code (47 P.S. § 5-505.4) to sell product to the board, to the board's licensees and to the public.

Therefore, it is appropriate to regulate them collectively, with exceptions where necessary because of distinctions made in the Liquor Code.

Industry members also questioned the inclusion of DHS licensees. The Liquor Code describes DHS as follows:

The board may issue a distillery of historical significance license to any distillery which was established prior to January 1, 1875. The holder of the license may manufacture and sell liquor produced on the licensed premises to the board, to entities licensed by the board and to the public under such conditions

and regulations as the board may enforce. Production at the distillery of historical significance shall be limited to an amount not to exceed twenty thousand (20,000) gallons per year. The distillery does not need to establish continuous operation since January 1, 1875, in order to qualify for a license under this section.

47 P.S. § 5-505.4(a). Currently there are no DHS licensees, which is why industry members questioned the inclusion of the DHS in this proposed rulemaking.

The board believes it is appropriate to include the DHS license because the board cannot state with absolute certainty that there won't be a DHS license holder in the future. Moreover, the General Assembly may amend the definition of a DHS in a manner that generates more DHS licensees—for example, change the date of establishment from January 1, 1875, to January 1, 1955.

Of the ten existing regulations addressed in this proposed rulemaking, half are dedicated exclusively to DHS licenses (§§ 3.72, 3.73, 5.104, 11.211 and 11.212). Rather than ignore the DHS regulations and add regulations exclusively for distilleries and limited distilleries, the board proposes to delete DHS regulations and incorporate the topics addressed by those regulations into a new subchapter.

It is cumbersome to continually reiterate each type of distillery license, particularly given that this proposed rulemaking aims to regulate these licensees as a group to the greatest extent possible. To improve readability, the capitalized "Distilleries" will be used to refer collectively to distillery, limited distillery and DHS licensees.

As explained in the following chart, the regulatory text in each of the following sections is proposed to be deleted and those sections are reserved as noted while the subject matter is proposed to be relocated as follows:

<i>Existing section:</i>	<i>Subject matter relocated to:</i>
3.72	5.503
3.73	5.505
5.104	5.509
11.211	5.503, 5.505, 5.509
11.212	5.503, 5.505, 5.507
11.221	5.506
11.222	5.503, 5.505, 5.507

This proposed rulemaking creates Subchapter L (relating to distilleries of historical significance, limited distilleries and distilleries), which applies to all Distilleries licensed under section 505.4 of the Liquor Code. This proposed rulemaking proposes to create § 5.501 (relating to definitions), defining terms particular to this subchapter that are not already defined by the Liquor Code.

This proposed rulemaking also proposes to create § 5.502 (relating to tasting samples) based on the privileges available to distilleries and limited distilleries found in section 505.4 of the Liquor Code. The purpose of proposed § 5.502 in this proposed rulemaking is to extend to DHS licensees the ability to offer samples. Section 505.4(a) of the Liquor Code, which establishes the board's authority to issue a DHS license, provides that "The holder of the license may manufacture and sell liquor produced on the licensed premises to the board, to entities licensed by the board and to the public *under*



such conditions and regulations as the board may enforce.” (emphasis added). This proposed rulemaking clarifies that only limited distilleries may offer samples at additional board-approved locations, liquor and food expositions, and farmers markets. The Liquor Code does not extend these privileges to distilleries and therefore the board does not believe it is appropriate to extend these privileges to DHS licensees.

This proposed rulemaking proposes to create § 5.503 (relating to sales generally). This section clarifies the days and hours that a Distillery may sell its product, and what types of payment the Distillery may accept from licensees or unlicensed individuals.

This proposed rulemaking includes § 5.504 (relating to sales for on-premises consumption), which updates the types of liquor or malt or brewed beverages a limited distillery or distillery may sell for consumption on the premises. The act of June 8, 2016 (P.L. 273, No. 39) amended section 505.4(b)(1) of the Liquor Code to allow limited distilleries and distillery licensees to sell alcoholic ciders, fermented fruit beverages, mead, wines and wine coolers, produced by a licensed limited winery, liquor produced by a licensed distillery or limited distillery and malt or brewed beverages produced by a licensed brewery. This proposed rulemaking does not extend these privileges to DHS licensees, as the board believes these privileges are more appropriately given through legislation.

In addition, this proposed rulemaking clarifies that any limited distillery or distillery selling malt or brewed beverages through a malt or brewed beverage dispensing system will be required to comply with §§ 5.51–5.54 of the board’s regulations. Limited distilleries or distilleries will be held to the same standard of beer line cleaning as other retail dispensers who sell beer by draft. Similarly, a limited distillery or distillery that chooses to sell wine or wine coolers through a wine dispensing system must comply with § 11.103 (relating to dispensing system sanitation) of the board’s regulations.

Proposed § 5.505 (relating to sales for off-premises consumption) pertains to sales for off-premises consumption. This section also proposes to incorporate the regulatory language regarding agents, which is currently located in § 3.73 (relating to agents). These provisions are consistent with the Liquor Code and are included in the regulations to provide DHS licensees with the same privileges as limited distilleries and distilleries. The General Assembly has extended additional privileges to limited distilleries, such as being permitted to sell at additional board-approved locations, at a liquor and food exposition, and at farmers markets. This proposed rulemaking does not extend these privileges to DHS licensees, as the board believes these privileges are more appropriately given through legislation.

Proposed § 5.506 (relating to sales of other items) is substantially similar to existing regulation § 11.221 (relating to sale by licensed limited distilleries and distilleries). Proposed § 5.506 clarifies what sales of other items are permitted and extends that privilege to DHS licensees.

Proposed § 5.507 (relating to delivery of products) includes information contained in existing regulation 11.222 (relating to additional conditions) but has been expanded to include responsibilities pertaining to delivery. The Distillery is required to retain a signed copy of the sales receipt. The copy shall be signed by the recipient who must be 21 years of age or older.

Proposed § 5.508 (relating to licensed premises and additional board-approved locations) provides a signpost to other regulations that pertain to licensed locations that Distilleries might not otherwise be aware of. Subsection (b) provides guidance to limited distilleries with regard to additional board-approved locations.

Proposed § 5.509 (relating to records and receipts) is an expansion of § 5.104 (relating to licensed distilleries of historical significance), which is proposed to be deleted. The term “invoices” is proposed to be replaced with “receipts” because it is a more accurate term to describe the paperwork that accompanies a purchase of a product. Invoices are commonly understood to be issued prior to payment; receipts are issued after payment. A Distillery cannot sell products prior to receiving payment; therefore, there should never be a situation where a product is shipped with an invoice for the recipient to pay after the product is received. A Distillery can only ship products for which payment has already been received. That being the case, the proper terminology for the document that accompanies the product is “receipt,” not “invoice.”

In addition to the newly proposed sections in Chapter 5, Subchapter L, three regulations have been amended to make the board’s regulations consistent with the provisions of the Liquor Code:

- Section 9.12(c) (relating to applications for transporter-for-hire licenses) is proposed to be amended. This proposed amendment allows Transporter-For-Hire Licensees, Class C, to transport liquor from all Distilleries, not just DHS licensees, to all Distillery customers. This proposed amendment is appropriate since all Distilleries are authorized to sell to the board, licensees of the board and the public.

- Section 9.33 (relating to importation by distilleries) is proposed to be updated in multiple subsections to bring the entire section into conformity with the Liquor Code. The proposed amendments remove the requirement that a Distillery may not purchase liquor from another Commonwealth manufacturer unless the purchasing Distillery holds an importer license; this is no longer required by the Liquor Code. This section was further updated with regard to bulk sales, vendor permits and paperwork requirements.

- Section 11.34 (relating to prohibited purchases and sales). The proposed amendment deletes subsection (c), which provides: “Distillers may not sell alcohol to anyone in this Commonwealth, except to alcohol permittees in accordance with this subchapter, or to the Board.” With the passage of the act of December 22, 2011 (P.L. 530, No. 113), which created limited distilleries and distilleries, this language is no longer consistent with the Liquor Code.

#### *Affected Parties*

The affected parties include all present and future holders of a limited distillery license, a distillery license or a DHS license. As of November 29, 2023, there are 8 active distillery licensees, 215 active limited distillery licensees and 0 active DHS licensees that could be affected by this proposed rulemaking.

#### *Paperwork Requirements*

This proposed rulemaking would require minimal paperwork to be kept.

#### *Fiscal Impact*

The proposed regulatory changes are intended to make the board’s regulations consistent with the Liquor Code. It is anticipated that there will be minimal fiscal impact.

*Effective Date*

This proposed rulemaking will become effective 6 months after publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

*Public Comments*

Interested persons are invited to submit written comments about this proposed rulemaking to Jason M. Worley, Acting Chief Counsel, or Norina Foster, Assistant Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001, within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. When commenting, individuals should indicate if they wish to be apprised of future developments regarding this proposed rulemaking, and include a name, address and e-mail address. Comments submitted by facsimile will not be accepted.

Public comments will be posted on the Independent Regulatory Review Commission's (IRRC) web site. Personal information will not be redacted from the public comments received.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on January 23, 2024, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the chairperson of the Law and Justice Committee of the Senate and the chairperson of the Liquor Control Committee of the House of Representatives. A copy of this material is available to the public upon request.

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

TIM HOLDEN,  
*Chairperson*

**Fiscal Note:** 54-92. No fiscal impact; recommends adoption.

**Annex A****TITLE 40. LIQUOR****PART I. LIQUOR CONTROL BOARD****CHAPTER 3. LICENSE APPLICATIONS****Subchapter H. [ LICENSED DISTILLERIES OF HISTORICAL SIGNIFICANCE ] [Reserved]****§ 3.72. [ Creation ] [Reserved].**

[ Under section 505.3 of the Liquor Code (47 P.S. § 5-505.3), distilleries of historical significance established more than 100 years prior to January 1, 1975, which hold a license under section 505 of the Liquor Code (47 P.S. § 5-505) may sell liquor produced on the licensed premises subject to §§ 3.73, 5.104, 11.211 and 11.212 (relating to agents; licensed distilleries of historical significance; sale by licensed distilleries of historical significance; and additional conditions). ]

**§ 3.73. [ Agents ] [Reserved].**

[ Agents may advertise and promote the sale of merchandise of brands sold by the licensed distillery of historical significance by whom the agents are employed. ]

**CHAPTER 5. DUTIES AND RIGHTS OF LICENSEES****Subchapter H. RECORDS AND REPORTS—BREWERIES AND BONDED WAREHOUSES[ , AND LICENSED DISTILLERIES OF HISTORICAL SIGNIFICANCE ]****§ 5.104. [ Licensed distilleries of historical significance ] [Reserved].**

[ (a) *Records.* A distillery of historical significance which holds a license obtained under section 505 of the Liquor Code (47 P.S. § 5-505) shall maintain and keep on the licensed premises daily permanent records which shall conform to the requirements of section 512 of the Liquor Code (47 P.S. § 5-512).

(b) *Sales invoice.* In addition to the records prescribed in subsection (a), except as otherwise provided in this part, a sales invoice shall be prepared at the licensed premises for each sale. The sales invoices shall be prepared in accordance with the following:

(1) The sales invoice shall be imprinted or affixed with the name and address of the distillery of historical significance.

(2) The sales invoice shall show the name and address of the recipient of the merchandise, date of sale, number of units, size and type of package, brand name, selling price of the liquor and the net cost to the customer. The name and address of private individuals will not be required on sales invoices covering quantities of 4 wine gallons or less; in lieu of preparing sales invoices for the sales, the transactions may be entered individually on a counter sheet maintained in columnar form showing the information required on sales invoices, other than name and address of the purchaser. The counter sheet shall be totaled daily and the totals entered into the sales register noted in section 512 of the Liquor Code (47 P.S. § 5-512).

(3) The sales invoice shall show the Commonwealth sales tax, where applicable, as a separate entry.

(4) The sales invoice shall indicate liquor transported via transporter-for-hire, Class C carriers. The distillery shall request the signature of a recipient, 21 years of age or older, from the transporter making the deliveries and a return acknowledgement of delivery to the recipient. Copies of acknowledgements of delivery shall be maintained on the licensed premises for a period of 2 years.

(5) The sales invoice covering the sale of liquor may not include the sale of other commodities.

(6) When a sale requires the preparation of an invoice, one copy shall be given to the recipient of the merchandise and a copy retained on the licensed premises for a period of 2 years.

(c) *Monthly reports.* A licensed distillery of historical significance shall file monthly reports on forms provided by the Board covering all opera-

tions of their licensed business during the preceding month. The reports shall be signed and sworn to by the licensee or his authorized agent and shall be filed with the Board on or before the 15th day of the month immediately succeeding the month for which the reports are prepared. A copy of each report shall be retained on the licensed premises for a period of at least 2 years from the date of filing. ]

(Editor's Note: Subchapter L containing §§ 5.501—5.509 is proposed to be added and is printed in regular type to enhance readability.)

Subchapter L. DISTILLERIES OF HISTORICAL SIGNIFICANCE, LIMITED DISTILLERIES AND DISTILLERIES

Sec.	
5.501.	Definitions.
5.502.	Tasting samples.
5.503.	Sales generally.
5.504.	Sales for on-premises consumption.
5.505.	Sales for off-premises consumption.
5.506.	Sales of other items.
5.507.	Delivery of products.
5.508.	Licensed premises and additional board-approved locations.
5.509.	Records and receipts.

§ 5.501. Definitions.

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

*Distilled liquor*—A potable distillate from grains, wine, fruits, vegetables or molasses.

*Distillery*—When capitalized, means all manufacturers licensed under section 5-505.4 of the Liquor Code (47 P.S. § 5-505.4), including distilleries of historical significance, limited distilleries and distilleries. Distilleries shall manufacture a minimum of 100 gallons of distilled liquor or distillery products per calendar year.

*Distillery products*—Potable alcoholic products containing distilled liquor that have been produced by a Distillery.

*Original container*—Bottles, barrels or casks, or other suitable containers that have been securely capped or sealed by the Distillery at the place of manufacture, with the name and address of the Distillery affixed to the bottle, barrel or cask, or other container.

*Produce*—To distill, blend, rectify, redistill or reduce the proof of distilled liquor.

*Tasting sample*—An individual portion of a distillery product, in an open container, offered to allow a consumer to sample the flavor of the distillery product.

§ 5.502. Tasting samples.

(a) A Distillery may provide tasting samples of distillery products it has produced in accordance with section 505.4 of the Liquor Code (47 P.S. § 5-505.4) and § 13.211 (relating to tasting events). To the extent possible, section 505.4 of the Liquor Code and § 13.211 shall be construed together. When there is a conflict between the two sections, including with regard to locations where tasting samples may be provided, the volume of each tasting sample that may be provided and whether a fee may be charged for a tasting sample, the provisions of section 505.4 of the Liquor Code shall prevail.

(b) Only limited distilleries may offer tasting samples at additional board-approved locations, liquor and food expositions, and farmers markets.

§ 5.503. Sales generally.

(a) A Distillery may sell distillery products between the hours of 9 a.m. and 12 a.m., Monday—Saturday and Sunday between the hours of 9 a.m. and 11 p.m.

(b) A Distillery may accept any of the following methods of payment from licensees and unlicensed individuals:

- (1) Checks drawn on their account.
- (2) Cash.
- (3) Money orders.
- (4) Cashier checks.
- (5) Debit cards.
- (6) Electronic funds transfers.

(7) Credit cards issued by banking or financial institutions subject to Federal or State regulations.

§ 5.504. Sales for on-premises consumption.

(a) A Distillery may sell for consumption on the licensed premises distillery products it has produced in accordance with the Liquor Code and this part. Sales of distillery products for on-premises consumption may be made by the glass, bottle or any other open or closed container. A limited distillery may also sell, for on-premises consumption at its additional board-approved locations, distillery products it has produced.

(b) A limited distillery or distillery may sell, for on-premises consumption, alcoholic ciders, fermented fruit beverages, mead, wines and wine coolers, produced by a licensed limited winery, distilled liquor produced by a licensed distillery or limited distillery and malt or brewed beverages produced by a licensed brewery, in accordance with section 505.4(b)(1) and (c)(1) of the Liquor Code (47 P.S. § 5-505.4(b)(1) and (c)(1)).

(c) A limited distillery or distillery that chooses to sell malt or brewed beverages through a malt or brewed beverage dispensing system, as defined in § 5.50 (relating to definitions), must comply with §§ 5.51—5.54 (relating to cleaning of malt or brewed beverage systems).

(d) A limited distillery or distillery that chooses to sell wine or wine coolers through a wine dispensing system must comply with § 11.103 (relating to dispensing system sanitation).

§ 5.505. Sales for off-premises consumption.

(a) *Products*. A Distillery may sell for consumption off the licensed premises only distillery products it has produced in accordance with the Liquor Code and this part.

(b) *Orders*. A Distillery may accept orders for the purchase of its distillery products in person or by mail, telephone or the Internet. A Distillery shall make deliveries of its distillery products in accordance with § 5.507 (relating to delivery of products).

(c) *Agents*. A Distillery may employ individuals, known as agents, to solicit orders for its distillery products or promote the sale of its distillery products. The following apply:

(1) An agent may only advertise and promote the sale of distillery products produced by the Distillery that has employed the agent. The agent may solicit orders and make deliveries on behalf of the Distillery in accordance with § 5.507.

(2) An agent may sell, as that word is defined by section 102 of the Liquor Code (47 P.S. § 1-102), distillery

products only at locations where the Liquor Code authorizes the Distillery to sell distillery products.

(d) *Liquor and food exposition.* Under section 505.4(b)(8) of the Liquor Code (47 P.S. § 5-505.4(b)(8)), a limited distillery may obtain a permit to participate in liquor and food expositions off the licensed premises. The following apply:

(1) Only the limited distillery, including its agents, may sell its distillery products at a liquor and food exposition.

(2) Sales of the limited distillery's distillery products must occur on a location within the exposition that is covered by the limited distillery's liquor and food exposition permit.

(e) *Farmers markets.* Under section 505.4(b)(9) of the Liquor Code (47 P.S. § 5-505.4(b)(9)), a limited distillery may obtain a permit to participate in more than one farmers market at any given time and an unlimited number throughout the year. The following apply:

(1) Only the limited distillery, including its agents, may sell its distillery products at a farmers market.

(2) Sales of the limited distillery's distillery products must occur on a location within the farmers market that is covered by the limited distillery's farmers market permit.

#### § 5.506. Sales of other items.

(a) In addition to the sale of food, a Distillery is permitted to offer for sale on the licensed premises any of the following items:

- (1) Liquor accessories as follows:
  - (i) Cork removers and other bottle openers.
  - (ii) Glasses, shot glasses, decanters and flasks.
  - (iii) Pourers and bottle stoppers.
  - (iv) Cocktail mixers, shakers and other cocktail preparation accessories.
  - (v) Cocktail forks, toothpicks, stirrers, napkins and gift bags.
- (2) Publications dealing with liquor.
- (3) Promotional items advertising the Distillery, such as tee shirts, glassware, caps, and the like.

(b) A limited distillery is also permitted to offer the items listed in subsection (a) for sale at additional board-approved locations, at a liquor and food exposition where the limited distillery has a permit or at a farmers market where the limited distillery has a permit.

(c) If a Distillery wants to sell an item that is not listed in subsection (a), the Distillery shall request, in writing, board approval to sell that item. The board will advise the Distillery, in writing, whether approval to sell the item is granted, with or without conditions, or denied.

#### § 5.507. Delivery of products.

(a) The only distillery products a Distillery is authorized to deliver are those it has produced. A Distillery may not deliver any liquor or malt or brewed beverages, as those terms are defined in section 102 of the Liquor Code (47 P.S. § 1-102), that were manufactured by another entity. The following apply:

(1) A Distillery shall ensure that distillery products sold and delivered to points within this Commonwealth are sealed in original containers and labeled as required by applicable law.

(2) A Distillery may deliver food or other non-alcoholic items that have already been purchased by the customer. A Distillery may not offer distillery products for sale from the delivery vehicle.

(3) A Distillery shall include, with the delivery of any distillery products, a sales receipt in accordance with § 5.509(b) (relating to records and receipts).

(b) A Distillery may utilize its own vehicles to deliver its distillery products. A Distillery's vehicles must be identified in accordance with § 9.22 (relating to identification of vehicles).

(c) A Distillery may utilize a transporter-for-hire license to deliver its distillery products. Distillery products must be delivered by a Transporter-for-Hire Class A or Class C, but not Class B, in accordance with §§ 9.1 and 9.11 (relating to definitions; and transportation for hire).

(d) A Distillery shall ensure that its distillery products are not delivered to minors or visibly intoxicated persons and that proper records and receipts are provided under § 5.509.

#### § 5.508. Licensed premises and additional board-approved locations.

(a) A Distillery's licensed premises and any additional board-approved locations of a limited distillery are subject to all of the following regulations:

- (1) Section 3.51 (relating to connection with residence).
- (2) Section 3.52 (relating to connection with other business).
- (3) Section 3.53 (relating to restriction on storage and sales where board has approved connection with other business).
- (4) Section 3.54 (relating to separation between licensed premises and other business).

(b) A limited distillery may not use additional board-approved locations, as authorized under section 505.4(b)(2) of the Liquor Code (47 P.S. § 5-505.4(b)(2)), in the operation of a licensed business unless the additional location is approved by the board.

(c) The following applications and fees apply to limited distilleries:

- (1) A limited distillery seeking board approval of an additional location shall submit an application to the board, accompanied by payment of a \$220 fee. Board approval is valid for that calendar year.
- (2) If a limited distillery wants to continue use of the additional board-approved location, it shall submit a renewal application on an annual basis, accompanied by payment of a \$75 fee.

(d) If an additional location requires physical alterations or new construction, the board may grant prior approval for the additional location, as similarly provided in section 403(a) of the Liquor Code (47 P.S. § 4-403(a)). Until the additional location has been re-inspected and the board has approved the completed alterations or construction and issued the limited distillery a license for the additional location, the limited distillery may not produce or sell at the location its distillery products or any alcoholic ciders, fermented fruit beverages, mead, wines and wine coolers, produced by a licensed limited winery, distilled liquor produced by a licensed distillery or limited distillery or malt or brewed beverages produced by a licensed brewery.

(e) Portions of an additional board-approved location must be contiguous.

(f) A limited distillery shall appoint a manager for each additional board-approved location in accordance with § 5.23 (relating to appointment of managers).

(g) Additional board-approved locations of a limited distillery license shall be enclosed by soundly constructed walls, with controlled points of access and egress directly accessible to the general public. The application shall be subject to the provisions of section 468(e)(2) of the Liquor Code (47 P.S. § 4-468(e)(2)).

(h) A limited distillery shall provide board officers who are conducting licensing investigations of additional locations with all of the following:

(1) Leases or other evidence of the right to occupy the premises.

(2) Management agreements.

(3) Employee agreements.

(4) Commission agreements.

(5) Any other agreement the board may deem necessary.

(i) The board may grant permission for two or more limited distilleries to share a single, additional board-approved location, in accordance with section 505.4(b)(2)(ii) of the Liquor Code. The board shall not grant permission for a limited distillery to share a single, additional board-approved location with a brewery, limited winery, distillery or distillery of historical significance.

(j) If a limited distillery discontinues use of an additional board-approved location, it shall notify the board within 15 days of this discontinuance.

#### § 5.509. Records and receipts.

(a) *Records.* A Distillery shall maintain and keep on the licensed premises in hard copy or electronic media consistent with generally accepted accounting procedures, for a period of at least 2 years, complete and accurate daily records that shall conform to the requirements of section 512 of the Liquor Code (47 P.S. § 5-512). The recordkeeping system utilized by a Distillery shall have the capability to provide for the reconciling of required data. Entries shall be verifiable by supporting original documents.

(b) *Receipts.* In addition to the records prescribed in subsection (a), a Distillery shall prepare a sales receipt at the licensed premises for each sale. The sales receipt shall include all of the following:

(1) The name and address of the Distillery.

(2) The name and address of the recipient of the distillery product if the distillery product is being delivered off the licensed premises to the recipient.

(3) The distillery product name, the date of sale, the size of the packages in milliliters, number of units sold, the price per unit of the distillery product, the Commonwealth sales tax and any other applicable taxes, and the total amount paid by the customer.

(4) Any items other than the distillery product that are sold by the Distillery shall be listed on the receipt separately from the products.

(c) *Delivery.* A distillery product that is delivered shall be accompanied by two copies of a sales receipt that includes the information identified in subsection (b)(1)—(4). The Distillery shall require the person who is deliver-

ing the distillery product to obtain the signature of the recipient, 21 years of age or older, on one copy of the sales receipt. The following apply:

(1) The person delivering the distillery product shall give an unsigned copy of the sales receipt to the recipient of the distillery product and shall give the signed copy of the sales receipt to the Distillery to be retained on the Distillery's licensed premises for 2 years.

(2) Delivery shall be accomplished in accordance with § 5.507 (relating to delivery of products).

### CHAPTER 9. TRANSPORTATION, IMPORTATION, DISPOSITION AND STORAGE

#### Subchapter A. TRANSPORTATION OF LIQUOR, MALT OR BREWED BEVERAGES, OR ALCOHOL VEHICLES

##### § 9.12. Applications for [ **Transporter-for-Hire Licenses** ] **transporter-for-hire licenses.**

(a) *Transporter-for-Hire License, Class A.* An application for a Transporter-for-Hire License, Class A, shall be filed [ **on forms furnished by** ] **with** the [ **Board** ] **board** and shall be accompanied by application and license fees in accordance with section 614-A of The Administrative Code of 1929 (71 P.S. § 240.14A). The license will be issued for the calendar year and the license fee will be prorated quarterly, in accordance with section 508 of the Liquor Code (47 P.S. § 5-508).

(b) *Transporter-for-Hire License, Class B.* An application for a Transporter-for-Hire License, Class B, shall be accompanied by application and license fees in accordance with section 614-A of The Administrative Code of 1929. The licenses will be issued for the calendar year.

(c) *Transporter-for-Hire License, Class C.* An application for Transporter-for-Hire License, Class C, shall be accompanied by application and license fees in accordance with section 614-A of The Administrative Code of 1929. The license will be issued for the calendar year. To secure this license, the applicant shall demonstrate that he maintains a fleet of vehicles primarily engaged in general parcel consignment, servicing all points within this Commonwealth and shall demonstrate that he can transport liquor from points in this Commonwealth to [ **Board** ] **board** facilities, from Pennsylvania licensed [ **limited winery locations to limited winery customers and from distilleries of historical significance to distillery** ] **manufacturers to their** customers.

#### Subchapter B. IMPORTATION OF LIQUOR

##### § 9.33. Importation by distilleries.

(a) A distillery holding a Manufacturer License may not import liquor from outside this Commonwealth [ **nor purchase liquor from a resident manufacturer** ] unless the distiller also holds an Importer License. When both licenses are held, liquor may be imported [ **or purchased from a Commonwealth manufacturer** ], in bulk, to be used in the manufacture, rectification, blending and reduction in proof for straight bottling. Liquors which have been rebottled, as well as rectified and manufactured products, may be sold to the [ **Board** ] **board**, exported to other states, or sold to [ **the holder of an Importer License** ] **the public, other manufacturing licensees and retail licensees** within this Commonwealth. The importation [ **or purchase of liquor** ] shall be for the sole use and benefit of the holder of the

Manufacturer License, and the liquor so imported [ or purchased ] may not be resold in its original state.

(b) [ **Commonwealth manufacturers holding Importer Licenses may purchase liquor in bulk from other manufacturers in this Commonwealth in accordance with the procedure in subsection (c) [Reserved].** ]

(c) Bulk sales will be permitted only in quantities of 50 gallons or more for each sale. Manufacturers desiring to purchase liquor in bulk shall place their orders with the Purchasing Division of the [ Board ] **board**. An order shall include **all of** the following:

(1) The name and address of the [ **manufacturer purchaser** ].

(2) The name and address of the person or firm to which the order is directed.

(3) A description of the liquor desired.

(4) The manner in which the liquor is to be packed, including the size and number of containers.

(5) The manner in which the liquor is to be shipped, including the name of the carrier[ **. If the carrier is a trucking company, it ], which** shall hold a valid transporter-for-hire license issued by the [ Board ] **board**.

(d) Every order shall be accompanied by a remittance in the amount of \$5.

(e) Upon approval by the [ Board ] **board** of an order from a manufacturer, the order will be forwarded to the person or firm to which directed and the vendor will be notified to make shipment to the [ Board ] **board** at the destination given in the order. The [ Board ] **board** will also furnish the purchaser with a notice of release [ **in duplicate, both copies of** ] which shall be signed by the purchaser and surrendered to the carrier upon delivery of the liquor. The carrier shall then sign the original in the space provided [ **and forward it to the Board, retaining the other copy** ] **and retain it** for his file.

(f) The [ Board ] **board** will not be liable to a vendor for the purchase price of liquor purchased in bulk or for transportation charges or claims, in connection therewith.

## CHAPTER 11. PURCHASES, SALES AND RETURNS

### Subchapter A. GENERAL PROVISIONS

#### RIGHTS AND DUTIES OF PERMITTEES

##### § 11.34. Prohibited purchases and sales.

(a) A permittee or other person may not purchase alcohol for repackaging or resale in its original state, except as provided in subsection (b).

(b) The prohibition does not apply to sales or transfers of alcohol between affiliates or subsidiaries holding Manufacturer Licenses and alcohol permits as required in this subchapter where the alcohol is used by the licensees solely for the blending and rectification of liquor.

(c) [ **Distillers may not sell alcohol to anyone in this Commonwealth, except to alcohol permittees in accordance with this subchapter, or to the Board [ Reserved ]** ].

### Subchapter M. [ LICENSED DISTILLERIES OF HISTORICAL SIGNIFICANCE ] [RESERVED]

##### § 11.211. [ Sale by licensed distilleries of historical significance ] [Reserved].

[ (a) A licensed distillery of historical significance may sell on the licensed premises liquor produced on the premises in accordance with the Liquor Code and this title.

(b) The employment of agents by licensed distilleries of historical significance is governed by § 3.73 (relating to agents).

(c) Records, sales, invoices and reports shall be kept, as prescribed in § 5.104 (relating to licensed distilleries of historical significance). ]

##### § 11.212. [ Additional conditions ] [Reserved].

[ In addition to the requirements set forth in § 11.211 (relating to sale by licensed distilleries of historical significance), the sale of liquor shall conform to all of the following:

(1) Liquor produced by a licensed distillery of historical significance may be shipped by common carrier or transporter-for-hire, as provided in Chapter 9 Subchapter A (relating to transportation of liquor, malt or brewed beverages or alcohol).

(2) There shall be no sales for consumption of liquor on the licensed premises.

(3) Liquor sold shall be in sealed containers of not less than 6 ounces nor more than 1 gallon.

(4) A licensed distillery of historical significance may accept checks drawn by the purchaser on his account, and from retail customers, credit cards issued by banking or financial institutions, subject to State or Federal regulations.

(5) Sales may be made only between the hours of 9 a.m. and 9 p.m. Monday to Saturday inclusive and 10 a.m. to 6 p.m. on Sunday.

(6) Mail or telephone orders may be accepted. Delivery of products shall be accomplished through the use of vehicles properly registered by the distillery of historical significance or through properly licensed transporters. It shall be the responsibility of the distillery licensee to insure that liquor is not delivered to minors and that proper invoices are maintained in accordance with § 5.104 (relating to licensed distilleries of historical significance). ]

### Subchapter N. [ LICENSED LIMITED DISTILLERIES AND DISTILLERIES ] [RESERVED]

##### § 11.221. [ Sale by licensed limited distilleries and distilleries ] [Reserved].

[ (a) A licensed limited distillery or distillery may sell on the licensed premises liquor produced on the premises in accordance with the Liquor Code and this title.

(b) In addition to the sale of liquor, the following items are permitted to be offered for sale on the licensed premises:

(1) Liquor accessories as follows:

(i) Cork removers and other bottle openers.

(ii) Glasses, shot glasses, decanters and flasks.

- (iii) Pourers and bottle stoppers.
  - (iv) Cocktail mixers, shakers and other cocktail preparation accessories.
  - (v) Cocktail forks, toothpicks, stirrers, napkins and gift bags.
- (2) Publications dealing with liquor.
  - (3) Promotional items advertising the limited distillery or distillery such as tee shirts, glassware, caps, and the like.
  - (c) Sales on the licensed premises of merchandise not listed in subsection (b) are subject to Board approval. The approval shall be requested by letter addressed to the Board. A limited distillery or distillery licensee will be advised of approved items through an appropriate means of dissemination. ]

§ 11.222. [ Additional conditions ] [Reserved].

[ In addition to the requirements in § 11.221 (relating to sale by licensed limited distilleries and distilleries), the sale of liquor shall conform to the following:

- (1) Liquor produced by a licensed limited distillery or distillery may be shipped by transporter-for-

hire as provided in Chapter 9, Subchapter A (relating to transportation of liquor, malt or brewed beverages or alcohol).

(2) A licensed limited distillery or distillery may accept checks drawn by the purchaser on his account and from retail customers, credit cards issued by banking or financial institutions, subject to State or Federal regulations.

(3) A licensed limited distillery or distillery may accept orders for the purchase of liquor produced on the licensed premises by mail, Internet or telephone. Delivery of products shall be accomplished through the use of vehicles properly registered by the limited distillery or distillery, as provided in section 491(12) of the Liquor Code (47 P.S. § 4-491(12)), or through a properly licensed transporter-for-hire, as provided in Chapter 9, Subchapter A. It is the responsibility of the limited distillery or distillery licensee to ensure that liquor is not delivered to minors and that proper records and invoices are maintained as set forth in § 5.104 (relating to licensed distilleries of historical significance). ]

[Pa.B. Doc. No. 24-183. Filed for public inspection February 16, 2024, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

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

##### Reorganization of the Office of Administration

The Executive Board approved a reorganization of the Office of Administration effective January 30, 2024.

The organization chart at 54 Pa.B. 731 (February 17, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

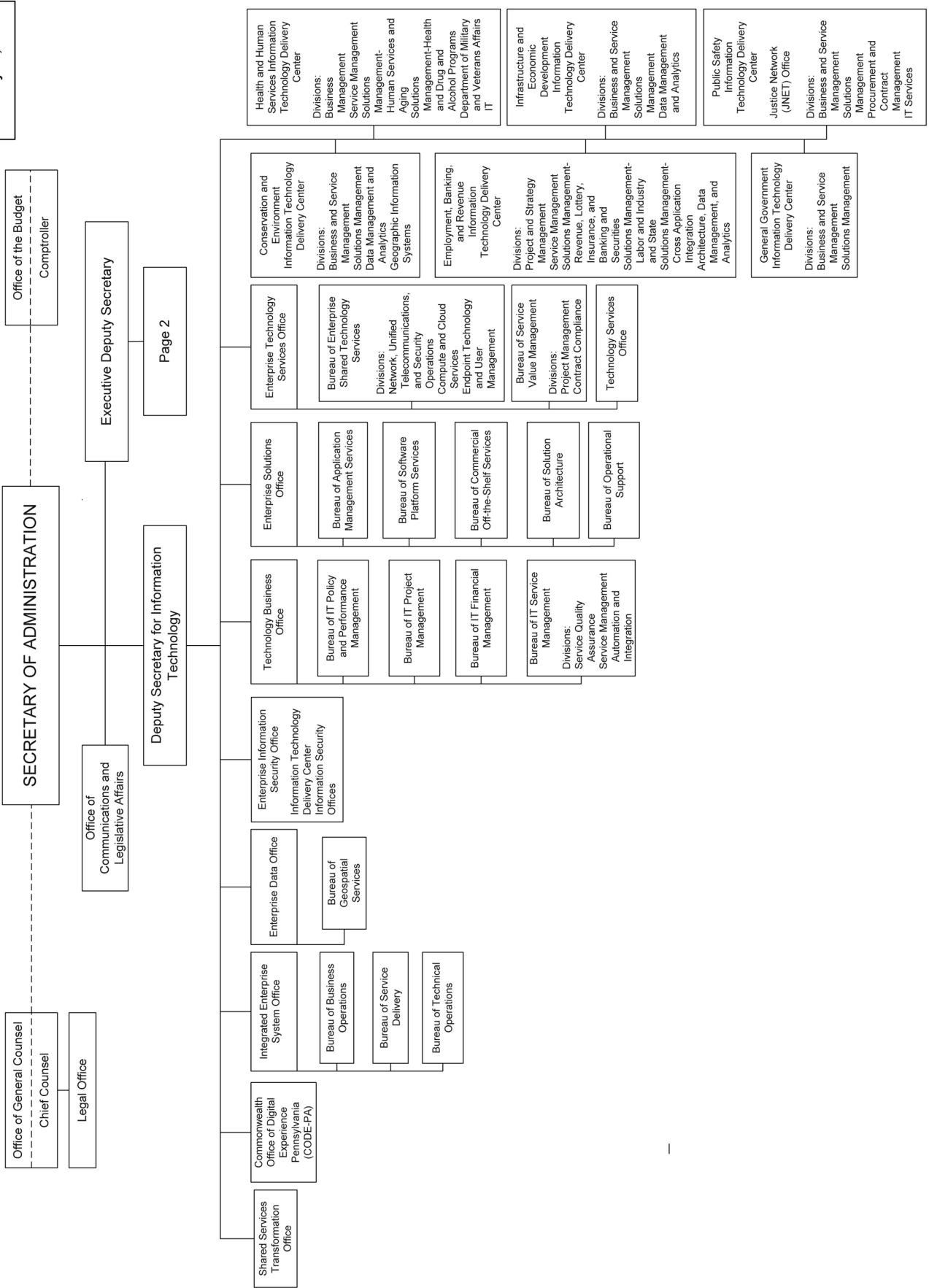
[Pa.B. Doc. No. 24-184. Filed for public inspection February 16, 2024, 9:00 a.m.]

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GOVERNOR'S OFFICE OF ADMINISTRATION

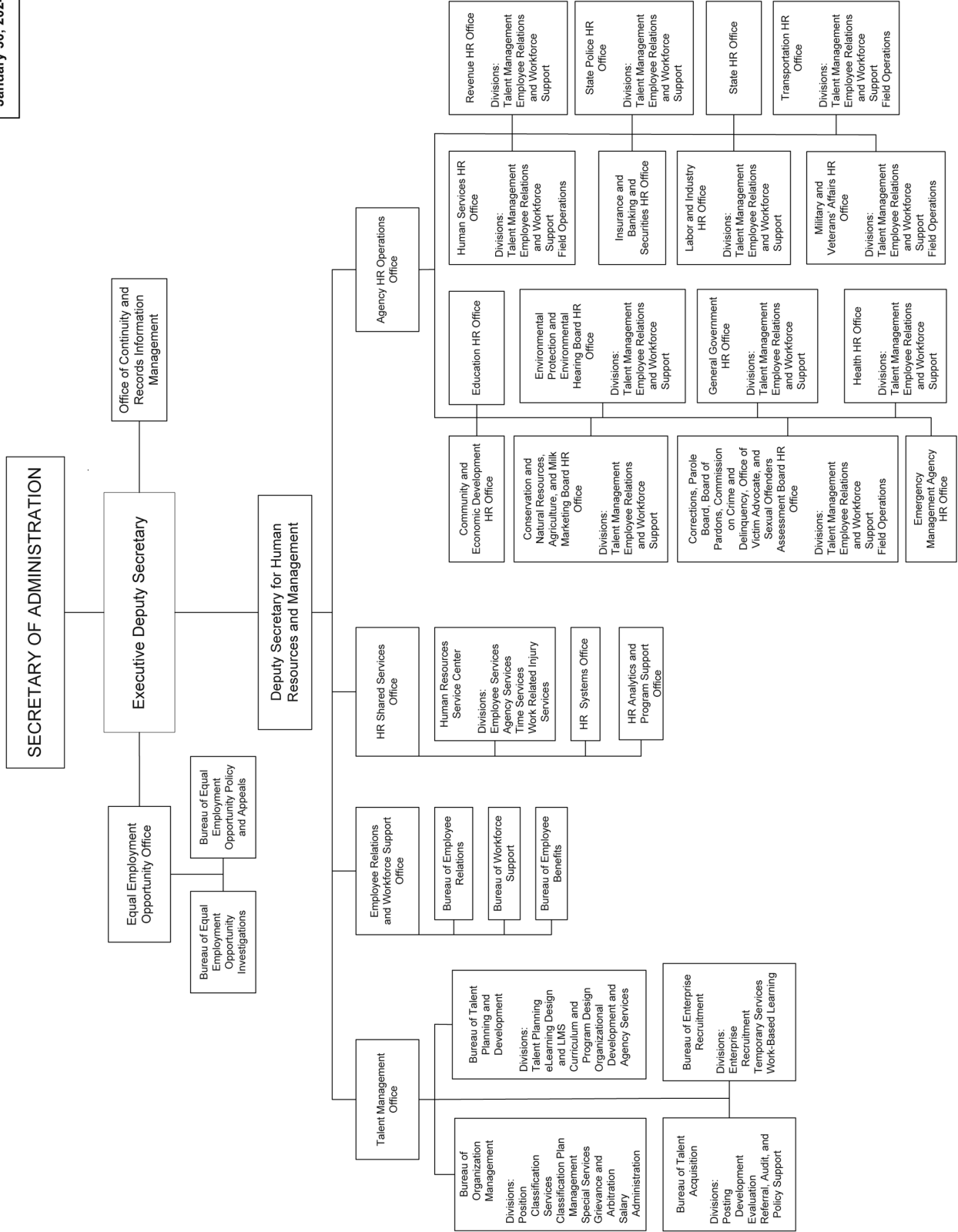
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# NOTICES

## DEPARTMENT OF AGING

### Aging Our Way, PA; Public Comment Period

The Department of Aging (Department) will be accepting public comments on Aging Our Way, PA beginning on February 20, 2024. Previously known as the Master Plan for Older Adults, Aging Our Way, PA will provide a unified and realistic plan to guide every older adult, family and stakeholder through a shared vision of how individuals determine to age their way with dignity, self-determination and supports and services they need to remain independent.

Governor Josh Shapiro signed Executive Order 2023-09 on May 25, 2023, available at [https://www.governor.pa.gov/wp-content/uploads/2023/05/20230523\\_EO2023-09.pdf](https://www.governor.pa.gov/wp-content/uploads/2023/05/20230523_EO2023-09.pdf), directing the Secretary of Aging to lead the effort in coordination with a steering committee, other State agencies and external stakeholders to “evaluate issues facing older Pennsylvanians in order to set forth a Commonwealth Master Plan for Older Adults.” Governor Shapiro set a deadline to receive Aging Our Way, PA for his review by February 1, 2024. The second draft of Aging Our Way, PA was submitted to Governor Shapiro on January 31, 2024.

The public comment period will be between Tuesday, February 20, 2024, and Wednesday, March 20, 2024, and will be used to gain a final round of input from all stakeholders in anticipation of completion.

Aging Our Way, PA is available for review at <https://www.aging.pa.gov/publications/MasterPlan/Pages/default.aspx>.

Comments can be directed to [agingplan@pa.gov](mailto:agingplan@pa.gov) or to Attn: Aging Our Way, PA, 555 Walnut Street, 5th Floor, Harrisburg, PA 17101.

JASON KAVULICH,  
*Secretary*

[Pa.B. Doc. No. 24-185. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF AGING

### Pennsylvania Long-Term Care Council Meeting Schedule

The Pennsylvania Long-Term Care Council (Council) will hold six bimonthly meetings in 2024.

The Council, established by Act 64 of 2015 and revised by Act 63 of 2021, is charged with making recommendations on regulations, licensure, financing or any other responsibilities of the departments and agencies that relate to the Commonwealth’s long-term services and supports system. Chaired by Secretary of Aging Jason Kavulich, the council is comprised of 35 members, including long-term care consumers, advocates, caregivers, providers and policymakers.

Council meetings are virtual unless otherwise specified and are open to the public. A schedule of meeting dates can be found as follows.

### 2024 Bimonthly Meeting Dates

Thursday, February 8, 2024	10 a.m.
Thursday, April 11, 2024	10 a.m.
Thursday, June 13, 2024	10 a.m.
Thursday, August 8, 2024	10 a.m.
Thursday, October 10, 2024	10 a.m.
Thursday, December 12, 2024	10 a.m.

Minutes, agendas and additional information can be found at <https://www.aging.pa.gov/organization/PennsylvaniaLongTermCareCouncil/Pages/default.aspx>.

To be added to the Council distribution list, receive the virtual meeting link or inquire regarding the Council, e-mail [jesspierce@pa.gov](mailto:jesspierce@pa.gov) or [events@p4a.org](mailto:events@p4a.org).

JASON KAVULICH,  
*Secretary*

[Pa.B. Doc. No. 24-186. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### General Quarantine Order; Rabbit Hemorrhagic Disease Vaccine

#### *Recitals*

A. Rabbit Hemorrhagic Disease (RHD) is a fatal disease of domestic and wild rabbits of the family Leporidae, which includes hares, jackrabbits and cottontails. RHD is caused by a calicivirus and there are several strains of RHD virus which cause disease.

B. Rabbit Hemorrhagic Disease Virus Serotype 2 (RHDV-2) is highly contagious and affects both domestic and wild rabbits.

C. There is no known cure or treatment for this disease.

D. Outbreaks of RHDV-2 have been reported in domestic and wild rabbits in the United States.

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

F. Infected 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 and other orifices due to internal hemorrhaging. The morbidity rate is often 100%, and the mortality rate is often 60%–90%.

G. Under the Domestic Animal Law at, 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases), 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.

H. The Department issued a Temporary Order, through publication in the *Pennsylvania Bulletin* on January 16,

2021 (51 Pa.B. 334), and renewed on December 2, 2023 (53 Pa.B. 7373) designating RHD as a dangerous transmissible disease.

I. RHD is currently considered a foreign animal disease in the United States.

J. The Pennsylvania Department of Agriculture (Department) has broad authority under the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389) to regulate the keeping and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases such as RHD.

K. The Department also has broad authority under the Domestic Animal Law to establish and enforce a General Quarantine Order against any area or locality within the Commonwealth of Pennsylvania (Commonwealth) to exclude, contain or eliminate dangerous transmissible diseases such as RHD. (3 Pa.C.S.A. § 2329(d)).

L. In October 2023, the Rabbit Hemorrhagic Disease Virus vaccine, *Rabbit Hemorrhagic Disease Vaccine, Serotype 2*, manufactured by Medgene Labs, was granted a conditional license by the United States Department of Agriculture Animal and Plant Health Inspection Service, Center for Veterinary Biologics.

#### *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 § 702 of the Administrative Code of 1929 (71 P.S. § 442), established a General Quarantine Order (“Quarantine Order”) related to the dangerous transmissible disease Rabbit Hemorrhagic Disease and the sale, distribution and administration of the Rabbit Hemorrhagic Disease Virus vaccine, Rabbit Hemorrhagic Disease Vaccine, Serotype 2 available from Medgene Labs, 1006 32nd Avenue, Suite 104, Brookings, SD 57006 (“RHD Vaccine”) in the Commonwealth of Pennsylvania. The availability of a conditionally licensed vaccine abrogates the need for the General Quarantine Order; Rabbit Hemorrhagic Disease Vaccine (52 Pa.B. 838) (Saturday, February 5, 2022).

This Order repeals and rescinds the General Quarantine Order; Rabbit Hemorrhagic Disease Vaccine (52 Pa.B. 838) (Saturday, February 5, 2022).

1. *Quarantine Area.* This General Quarantine Order (“Quarantine Order”) is applicable to the entire Commonwealth of Pennsylvania.

#### 2. *Applicable definitions.*

*Rabbit*—For the purpose of this document, the term “rabbit” will include domestic rabbits of the family Leporidae, which includes hares, jackrabbits and cottontails.

*VCPR*—Veterinarian-client-patient-relationship (VCPR). As defined in the PA Veterinary Medicine Practice Act, a relationship satisfying all of the following conditions: (i) the veterinarian has assumed the responsibility for making veterinary medical judgments regarding the health of an animal and the need for veterinary medical treatment, and the client, owner or caretaker of the animal has agreed to follow the instructions of the veterinarian; (ii) the veterinarian has sufficient knowledge of the animal to initiate at least a general, preliminary or tentative diagnosis of the medical condition of the animal; (iii) the veterinarian is acquainted with the keeping and care of the animal by virtue of an examination of the animal or medically appropriate and timely visits to the premises

where the animal is kept; (iv) the veterinarian is available for consultation in cases of adverse reactions to or failure of the regimen of therapy; (v) the veterinarian maintains records on the animal examined in accordance with regulations established by the board.

#### 3. *General Provisions.*

The General Quarantine Order; Rabbit Hemorrhagic Disease Vaccine (52 Pa.B. 838) (Saturday, February 5, 2022) is hereby repealed and rescinded.

4. *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.

5. *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.

6. *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. 24-187. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### General Quarantine Order; Swine Exhibition Requirements

#### *Recitals*

A. This General Quarantine Order; Swine Exhibition Requirements amends, rescinds and replaces the previous “General Quarantine Order; Swine Exhibition Requirements” 51 Pa.B. 3861 (July 17, 2021).

B. African Swine Fever is a highly contagious hemorrhagic viral disease affecting domestic and wild swine.

C. There is no vaccine to protect swine against African Swine Fever, nor is there a known cure or treatment for this dangerous transmissible disease.

D. African Swine Fever has a high environmental resistance and can be spread by domestic or wild swine, whether alive or dead, and through raw and processed pork products. African Swine Fever does not cause disease in humans and is not a public health threat.

E. African Swine Fever is known to be transmissible from infected to uninfected swine through contact and via contaminated feed and fomites (non-living objects) such as shoes, clothes, vehicles, equipment and any other goods, products, facilities, specific insect vectors (soft ticks), containers and other objects with which infected swine—alive or dead—may come into contact.

F. Section 2321 of the Domestic Animal Law (Law) establishes a list of “dangerous transmissible diseases” and provides for the designation of additional dangerous transmissible diseases through regulation or temporary order (3 Pa.C.S.A. § 2321).

G. African Swine Fever (ASF) is specifically designated as a dangerous transmissible disease at section 2321(a)(3) of the Law (3 Pa.C.S.A. § 2321(a)(3)).

H. The Domestic Animal Law (Law) (3 Pa.C.S.A. §§ 2301—2389) and section 1702 of the Administrative Code of 1929 (71 P.S. § 442), provides the Pennsylvania Department of Agriculture (PDA) broad authority to regulate the keeping and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases, such as ASF.

I. This includes authority, set forth at section 2329 of the Law, to establish and enforce quarantine orders “Whenever a dangerous transmissible disease. . .exists anywhere within or outside of this Commonwealth. . .the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal. In addition, 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. . .” (3 Pa.C.S.A. § 2329(a)).

J. Section 2329(d) of the Law provides specific authority to establish and enforce a general quarantine order “. . .against any area or locality within this Commonwealth for any of the reasons set forth in subsection (a) to prevent a dangerous transmissible disease. . .from being carried into, within, from or out of the area or locality that is subject to the quarantine. A general quarantine order may include any domestic animals, conveyances, containers, goods, products or materials that may carry dangerous transmissible disease. . .and may include any area or locality, including all buildings, structures, premises and equipment located therein.” (3 Pa.C.S.A. § 2329(d)).

K. ASF is found in countries around the world, including sub-Saharan Africa and European and Asian countries. In 2021, the United States Department of Agriculture (USDA) announced that ASF was identified in swine in the Dominican Republic and Haiti.

L. Pennsylvania is ranked 12th nationally for pork production and 5th nationally for number of swine processed. ASF presents serious threats to animal health and the economic vitality of the Commonwealth’s swine production industry. Introduction of ASF into the commercial swine herds of this Commonwealth would result in severe economic losses to the infected herd owners as well as loss of valuable National and International trade opportunities for all of Pennsylvania’s pork producers.

M. The PDA through this Quarantine Order establishes reasonable requirements to allow for movement of swine and products within this Commonwealth for exhibition purposes, while reducing the risk of introduction of ASF into this Commonwealth’s commercial production swine population.

#### *Order of Quarantine:*

With the foregoing recitals incorporated into this Order of Quarantine by reference, the Pennsylvania Department of Agriculture (PDA) under authority of the Domestic Animal Law, at 3 Pa.C.S.A. § 2329(d) and section 1702 of the Administrative Code of 1929 (71 P.S. § 442), hereby establishes a General Order of Quarantine related to the dangerous transmissible disease African Swine Fever (ASF) and the shipment and holding of swine, alive or dead, and any conveyances, containers, goods, products or materials capable of harboring ASF, within and through

the Commonwealth of Pennsylvania. The following are the conditions, restrictions and requirements of this Order:

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

2. *Applicability and Time Period of Order.* The terms, provisions and requirements of this Order are applicable to all live and dead swine, swine manure, swine offal and swine germplasm, and any conveyances, containers, goods, products or materials capable of harboring ASF located within or to be shipped through or in the Commonwealth of Pennsylvania (Quarantine Area), from the effective date of this Order until the time this Order is rescinded in writing by the PDA.

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

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

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

*Breeding swine.* A sexually intact swine 6 months of age or older or a sexually intact swine 5 months of age or younger selected for producing offspring. Castrated swine shall not be classified as breeding swine.

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

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

*Market swine.* A swine that is registered and entered in a PDA-sponsored market swine class, weighing at least 210 pounds and approximately 6 months old.

*Pennsylvania health certificate.* A legible official document, made on a form (AAI-13) provided by the Department, prepared by an accredited Pennsylvania veterinarian or a representative of the Department certifying the health of animals described therein according to the health requirements established by this chapter.

*Recognized slaughter establishment.* A slaughter establishment operated under the Federal Meat Inspection Act (21 U.S.C.A. §§ 601—623, 641—645, 661, 671—680 and 691) or a State inspected slaughter establishment.

*Slaughter market.* An animal market approved by the Department for the sale of slaughter animals in accordance with Chapter 5 (relating to animal markets) and the

act of June 22, 1931 (P.L. 650, No. 225) (3 P.S. §§ 431—439), known as the Farm Animal Dealer or Broker License Law.

*Swine Health Monitor.* A Swine Health Monitor (SHM) is a person who is familiar with swine and can recognize when swine are sick, has met the training and standards set forth in this quarantine order, and has been appointed by a fair board or livestock show committee to assess swine health.

*Veterinarian-Client-Patient Relationship.* A veterinarian-client-patient relationship (VCPR) is defined by the American Veterinary Medical Association as the basis for interaction among veterinarians, their clients, and their patients and is critical to the health of an animal. A VCPR means that all of the following are required:

a. The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the patient and the client has agreed to follow the veterinarian's instructions.

b. The veterinarian has sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the medical condition of the patient. This means that the veterinarian is personally acquainted with the keeping and care of the patient by virtue of a timely examination of the patient by the veterinarian, or medically appropriate and timely visits by the veterinarian to the operation where the patient is managed.

c. The veterinarian is readily available for follow-up evaluation or has arranged for the following: veterinary emergency coverage, and continuing care and treatment.

d. The veterinarian provides oversight of treatment, compliance, and outcome.

e. Patient records are maintained.

4. *Swine health monitor requirements.* A Swine Health Monitor (SHM) shall meet the following standards, demonstrate the following skills and perform the following duties.

a. A SHM shall undergo annual web-based training provided by the Pennsylvania Department of Agriculture.

b. At the conclusion of such training, the SHM applicant shall be required to pass an examination, meaning the applicant shall obtain a score of 75% or better, and upon successful completion, will be granted a certificate of completion allowing them to seek appointment, as set forth in this Order, to perform swine health monitoring duties for one year.

c. A SHM shall maintain a current working knowledge base, to be able to recognize animal health parameters, and identify clinical signs suggestive of foot and mouth disease (FMD), Classical Swine fever (CSF), and African Swine Fever (ASF), and other diseases that may become of consequence.

d. As part of their duties, a SHM shall monitor and assess the health of exhibition animals prior to unloading upon arrival, and on a daily basis during the totality of the animal exhibition.

e. Upon arrival of any swine at an animal exhibition, a SHM shall assess the health of each animal prior to the swine being allowed to unload from the conveyance.

f. A SHM shall not permit any animal showing any form of sickness or illness or any clinical signs suggestive of ASF, CSF or FMD, or any other animal on the same conveyance, to unload from the conveyance and shall notify the Veterinarian holding the VCPR with the fair

board or livestock show committee (VCPR veterinarian) for examination and final health assessment of all animals on the conveyance prior to unloading.

g. Where the SHM finds it necessary to notify the VCPR veterinarian, no swine or animal on the conveyance shall be unloaded until the VCPR veterinarian has completed a final examination and health assessment of all animals on the conveyance and provided written documentation to the SHM that each animal is free from ASF, CSF, FMD, and any other suspected or identified disease of consequence.

h. During the exhibition, the SHM shall daily observe all swine at the exhibition and keep daily records of those observations to be reviewed with the VCPR veterinarian.

i. The SHM shall immediately report, and document such report in writing, providing the identification of the animal, date of report and suspicious disease signs, any clinical signs suggestive of FMD, CSF, ASF, or any other suspected or identified disease of consequence, to the VCPR veterinarian.

j. The VCPR veterinarian shall follow up on the SHM report by examining the animal and notify the State Animal Health Official (SAHO) when appropriate. All such examinations shall be documented by the VCPR veterinarian in writing and provide the identification of the animal examined, the date of the examination, what disease assessment or testing was done and the final health assessment of the VCPR veterinarian.

5. *Exhibition Requirements.* Fair boards and livestock show committees shall establish a VCPR veterinarian and appoint a SHM for all animal exhibitions. No swine species shall be unloaded at an animal exhibition or exhibited in this Commonwealth unless each animal meets all the following criteria:

a. Is accompanied by a Pennsylvania health certificate or ICVI that was issued by a licensed and accredited veterinarian not more than thirty (30) days before the date of the animal exhibition.

b. Shall be permanently identified by an official 840 series radio frequency identification (RFID) ear tag and the ear tag number recorded on the Pennsylvania health certificate or ICVI.

c. Any swine that does not have an 840 RFID tag at the time of arrival at the animal exhibition, shall not be unloaded and shall be returned to the premises from which it originated.

d. Where the swine does not have an 840 RFID tag at the time of purchase by an exhibitor, a tag may be acquired by one of the following methods:

i. Apply for premises ID through PDA and purchase 840 RFID tags through a distributor.

ii. Request an 840 RFID tag from an accredited veterinarian whom you hold with a veterinarian-client-patient-relationship.

e. Has been visually inspected for signs of disease prior to unloading at the exhibition by an accredited veterinarian, VCPR veterinarian or a SHM appointed by the fair board or livestock show committee or both, as required by Section 4. of this Order.

f. The SHM shall immediately report, in the manner required by Section 4 of this Order, any clinical signs of disease to the VCPR veterinarian holding the veterinarian-client-patient-relationship with the fair board or livestock show committee.

g. The VCPR veterinarian shall immediately follow up by examining the animal and notify the SAHO when appropriate and shall issue such written reports as are required in Section 4 of this Order.

h. Any swine showing signs of illness upon arrival at the animal exhibition shall not be permitted to unload and shall be reported to the accredited veterinarian holding the veterinarian-client-patient relationship with the fair board or livestock show committee.

6. *Exhibition Timing and Order.* All breeding swine animal exhibitions are to occur prior to the arrival of any market swine. Breeding swine shall be removed from the animal exhibition premises prior to any market swine arriving. Breeding swine animal exhibitions, excluding birthing or educational displays which are not competing, shall arrive, exhibit, and depart in a period no greater than 72 hours.

7. *Birthing Exhibitions.* Swine birthing exhibitions and educational displays which are not competing may occur concurrently with market swine animal exhibition as long as reasonable precaution is taken to ensure separation of the birthing swine and market swine, no cross-contamination between the two separate exhibition areas and the biosecurity of the swine birthing exhibition or educational display.

8. *PDA sponsored animal exhibitions.* All market swine exhibited in PDA sponsored animal exhibitions, fairs and market shows, along with meeting all other requirements of this Order, shall move directly to a PDA or USDA licensed slaughter facility following the animal exhibition and may not be diverted to premises other than a recognized slaughter establishment or a slaughter market in which the sales are designated slaughter-only sales.

9. *Non-PDA sponsored animal exhibitions.* Non-PDA sponsored animal exhibitions and shows including jackpot shows and 4-H roundups not occurring during a PDA sponsored animal exhibition, fair or show, where arrival, exhibition and departure of the swine occur within a 72 hour window and there is no public access to the animals other than observation during competitions, while being required to meet all other requirements of this Order, shall be exempt from the terminal slaughter requirement listed in paragraph 8.

10. *Conveyance, goods and other materials.* All conveyances, containers, goods, products or materials in contact with swine being shipped within or through the Commonwealth of Pennsylvania for animal exhibition shall be cleaned and disinfected in accordance with the following:

a. A conveyance used for the transportation of swine to animal exhibitions, fairs and shows shall be cleaned and disinfected by an exhibitor prior to each use and shall be free of visible accumulations of manure, bedding and other organic materials.

b. At the conclusion of swine animal exhibitions, fairs and shows and after all swine have left the premises, the fair board or livestock show committee shall ensure all holding pens and animal exhibition areas have had all bedding and other organic material removed and all areas, including fences, gates, stalls, holding pens, containers, housing, coming in contact with or through which swine were moved shall be put through the fair board or livestock show committee's cleaning and disinfection process.

11. *Violations/Penalties.* Any person violating the requirements of this Order shall be subject to enforcement and penalties as are allowed under the provisions of the

Domestic Animal Law (3 Pa.C.S.A. § 2301 et seq.), which include, revocation of license, criminal prosecution, civil penalties of up to \$10,000 per violation, injunctive relief or any combination of these penalties.

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

13. *Contact information.* Questions regarding this General Quarantine Order is 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.

14. *Effective Date.* This Order replaces any previous order related to swine exhibition requirements and is immediately effective upon the date of publication in the *Pennsylvania Bulletin*, and shall remain in effect unless rescinded or modified by subsequent order.

RUSSELL REDDING,  
Secretary

[Pa.B. Doc. No. 24-188. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Interstate and International Quarantine Order; Swine Exhibition Requirements

#### *Recitals*

A. This Interstate and International Quarantine Order; Swine Exhibition Requirements amends, rescinds and replaces the previous "Interstate and International Quarantine Order; Swine Exhibition Requirements" 51 Pa.B. 3864 (July 17, 2021).

B. African Swine Fever (ASF) is a highly contagious hemorrhagic viral disease affecting domestic and wild swine.

C. There is no vaccine to protect swine against African Swine Fever, nor is there a known cure or treatment for this dangerous transmissible disease.

D. African Swine Fever has a high environmental resistance and can be spread by domestic or wild swine, whether alive or dead, and through raw and processed pork products. African Swine Fever does not cause disease in humans and is not a public health threat.

E. African Swine Fever is known to be transmissible from infected to uninfected swine through contact and via contaminated feed and fomites (non-living objects) such as shoes, clothes, vehicles, equipment and any other goods, products, facilities, specific insect vectors (soft ticks), containers and other objects with which infected swine—alive or dead—may come into contact.

F. Section 2321 of the Domestic Animal Law (Law) establishes a list of "dangerous transmissible diseases" and provides for the designation of additional dangerous transmissible diseases through regulation or temporary order (3 Pa.C.S.A. § 2321).

G. African Swine Fever (ASF) is specifically designated as a dangerous transmissible disease at section 2321(a)(3) of the Law (3 Pa.C.S.A. § 2321(a)(3)).

H. The Domestic Animal Law (Law) (3 Pa.C.S.A. §§ 2301—2389) and section 1702 of the Administrative Code of 1929 (71 P.S. § 442), provides the Pennsylvania Department of Agriculture (PDA) broad authority to regulate the keeping and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases, such as ASF.

I. This includes authority, set forth at section 2329 of the Law, to establish and enforce quarantine orders “Whenever a dangerous transmissible disease...exists anywhere within or outside of this Commonwealth...the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal. In addition,...a quarantine may apply to any goods, products, facilities, containers, vehicles or materials that may carry dangerous transmissible disease...and may apply on or in or against any premises, area or locality...” (3 Pa.C.S.A. § 2329(a)).

J. Section 2329(c) of the Law provides specific authority to establish and enforce an interstate and international quarantine order, stating, “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 may prohibit the bringing of any domestic animals, conveyances, containers, goods, products or materials into this Commonwealth except in accordance with the requirements set forth in the quarantine order...” (3 Pa.C.S.A. § 2329(c)).

K. ASF is found in countries around the world, including sub-Saharan Africa and European and Asian countries. In 2021, the United State Department of Agriculture (USDA) announced that ASF was identified in swine in the Dominican Republic and Haiti.

L. Pennsylvania is ranked 12th nationally for pork production and 5th nationally for number of swine processed. ASF presents serious threats to animal health and the economic vitality of the Commonwealth’s swine production industry. Introduction of ASF into the commercial swine herds of this Commonwealth would result in severe economic losses to the infected herd owners as well as loss of valuable National and International trade opportunities for all of Pennsylvania’s pork producers.

M. The PDA through this Quarantine Order establishes reasonable requirements to allow for movement of swine and products into and within this Commonwealth for exhibition purposes, while reducing the risk of introduction of ASF into this Commonwealth’s commercial swine population.

#### *Order of Quarantine:*

With the foregoing recitals incorporated into this Order of Quarantine by reference, the Pennsylvania Department of Agriculture (PDA) under authority of the Domestic Animal Law, at 3 Pa.C.S.A. § 2329(c) and section 1702 of the Administrative Code of 1929 (71 P.S. § 442), hereby establishes an Interstate and International Order of Quarantine related to the dangerous transmissible disease African Swine Fever (ASF) and the importation or shipment of swine, alive or dead, and any conveyances, containers, goods, products or materials capable of harboring ASF, into and through the Commonwealth of Pennsylvania. The following are the conditions, restrictions and requirements of this Order:

1. *Quarantine Area.* This Interstate and International Quarantine Order is applicable to all states and territories of the United States and foreign countries and territories and the entire Commonwealth of Pennsylvania.

2. *Applicability and Time Period of Order.* The terms, provisions and requirements of this Order are applicable to all live and dead swine, swine manure, swine offal and swine germplasm, and any conveyances, containers, goods, products or materials capable of harboring ASF to be shipped through, in or into the Commonwealth of Pennsylvania, from the effective date of this Order until the time this Order is rescinded in writing by the PDA.

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

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

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

*Breeding swine.* A sexually intact swine 6 months of age or older or a sexually intact swine 5 months of age or younger selected for producing offspring. Castrated swine shall not be classified as breeding swine.

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

*Exhibition Swine.* Swine being exhibited shall meet the definition of “Transitional Swine” as per the Interstate/International and General Quarantine Order; Importation and Intrastate Movement of Swine 39 Pa.B. 5442 (September 19, 2009), which includes swine that have reasonable opportunities to be exposed to feral or wild swine. The term includes swine that are maintained as pets.

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

*Market swine.* A swine that is registered and entered in a PDA-sponsored market swine class, weighing at least 210 pounds and approximately 6 months old.

*Recognized slaughter establishment.* A slaughter establishment operated under the Federal Meat Inspection Act (21 U.S.C.A. §§ 601—623, 641—645, 661, 671—680 and 691) or a State inspected slaughter establishment.

*Slaughter market.* An animal market approved by the Department for the sale of slaughter animals in accordance with Chapter 5 (relating to animal markets) and the act of June 22, 1931 (P.L. 650, No. 225) (3 P.S. §§ 431—439), known as the Farm Animal Dealer or Broker License Law.



*Swine Health Monitor.* A Swine Health Monitor (SHM) is a person who is familiar with swine and can recognize when swine are sick, has met the training and standards set forth in this quarantine order, and has been appointed by a fair board or livestock show committee to assess swine health.

*Veterinarian-Client-Patient Relationship.* A veterinarian-client-patient relationship (VCPR) is defined by the American Veterinary Medical Association as the basis for interaction among veterinarians, their clients, and their patients and is critical to the health of an animal. A VCPR means that all of the following are required:

a. The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the patient and the client has agreed to follow the veterinarian's instructions.

b. The veterinarian has sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the medical condition of the patient. This means that the veterinarian is personally acquainted with the keeping and care of the patient by virtue of a timely examination of the patient by the veterinarian, or medically appropriate and timely visits by the veterinarian to the operation where the patient is managed.

c. The veterinarian is readily available for follow-up evaluation or has arranged for the following: veterinary emergency coverage, and continuing care and treatment.

d. The veterinarian provides oversight of treatment, compliance, and outcome.

e. Patient records are maintained.

4. *Swine health monitor requirements.* A Swine Health Monitor (SHM) shall meet the following standards, demonstrate the following skills and perform the following duties.

a. A SHM shall undergo annual web-based training provided by the Pennsylvania Department of Agriculture.

b. At the conclusion of such training, the SHM applicant shall be required to pass an examination, meaning the applicant shall obtain a score of 75% or better, and upon successful completion, will be granted a certificate of completion allowing them to seek appointment, as set forth in this Order, to perform swine health monitoring duties for one year.

c. A SHM shall maintain a current working knowledge base, to be able to recognize animal health parameters, and identify clinical signs suggestive of foot and mouth disease (FMD), Classical Swine Fever (CSF), and African Swine Fever (ASF), and other diseases that may become of consequence.

d. As part of their duties, a SHM shall monitor and assess the health of exhibition animals prior to unloading upon arrival, and on a daily basis during the totality of the animal exhibition.

e. Upon arrival of any swine at an animal exhibition, a SHM shall assess the health of each animal prior to the swine being allowed to unload from the conveyance.

f. A SHM shall not permit any animal showing any form of sickness or illness or any clinical signs suggestive of ASF, CSF or FMD, or any other animal on the same conveyance, to unload from the conveyance and shall notify the Veterinarian holding the VCPR with the fair board or livestock show committee (VCPR veterinarian) for examination and final health assessment of all animals on the conveyance prior to unloading.

g. Where the SHM finds it necessary to notify the VCPR veterinarian, no swine or animal on the conveyance shall be unloaded until the VCPR veterinarian has completed a final examination and health assessment of all animals on the conveyance and provided written documentation to the SHM that each animal is free from ASF, CSF, FMD, and any other suspected or identified disease of consequence.

h. During the exhibition, the SHM shall daily observe all swine at the exhibition and keep daily records of those observations to be reviewed with the VCPR veterinarian.

i. The SHM shall immediately report, and document such report in writing, providing the identification of the animal, date of report and suspicious disease signs, any clinical signs suggestive of FMD, CSF, ASF, or any other suspected or identified disease of consequence, to the VCPR veterinarian.

j. The VCPR veterinarian shall follow up on the SHM report by examining the animal and notify the State Animal Health Official (SAHO) when appropriate. All such examinations shall be documented by the VCPR veterinarian in writing and provide the identification of the animal examined, the date of the examination, what disease assessment or testing was done and the final health assessment of the VCPR veterinarian.

5. *Exhibition Requirements.* Fair boards and livestock show committees shall establish a VCPR veterinarian and appoint a SHM for all animal exhibitions. No swine species shall be unloaded at an animal exhibition or exhibited in this Commonwealth unless each animal meets all the following criteria:

a. Is accompanied by a ICVI that was issued by a licensed and accredited veterinarian not more than thirty (30) days before the date of the animal exhibition.

b. Shall be permanently identified by an official 840 series radio frequency identification (RFID) ear tag and the ear tag number recorded on the ICVI.

c. Any swine that does not have an 840 RFID tag at the time of arrival at a Commonwealth animal exhibition, shall not be unloaded at the exhibition or any place within the Commonwealth and shall be returned to the premises from which it originated.

d. Has been visually inspected for signs of disease prior to unloading at the exhibition by an accredited veterinarian, VCPR veterinarian or a SHM appointed by the fair board or livestock show committee or both, as required by Section 4. of this Order.

e. The SHM shall immediately report, in the manner required by Section 4 of this Order, any clinical signs of disease to the VCPR veterinarian holding the veterinarian-client-patient-relationship with the fair board or livestock show committee.

f. The VCPR veterinarian shall immediately follow up by examining the animal and notify the SAHO when appropriate and shall issue such written reports as are required in Section 4 of this Order.

g. Any swine showing signs of illness upon arrival at the animal exhibition shall not be permitted to unload and shall be reported to the VCPR accredited veterinarian holding the veterinarian-client-patient relationship with the fair board or livestock show committee.

6. *Exhibition Timing and Order.* All breeding swine animal exhibitions are to occur prior to the arrival of any market swine. Breeding swine shall be removed from the animal exhibition premises prior to any market swine

arriving. Breeding swine animal exhibitions, excluding birthing or educational displays which are not competing, shall arrive, exhibit, and depart in a period no greater than 72 hours.

7. *Birthing Exhibitions.* Swine birthing exhibitions and educational displays which are not competing may occur concurrently with market swine animal exhibition as long as reasonable precaution is taken to ensure separation of the birthing swine and market swine, no cross-contamination between the two separate exhibition areas and the biosecurity of the swine birthing exhibition or educational display.

8. *PDA sponsored animal exhibitions.* All market swine exhibited in PDA sponsored animal exhibitions, fairs and market shows, along with meeting all other requirements of this Order, shall move directly to a PDA or USDA licensed slaughter facility following the animal exhibition and may not be diverted to premises other than a recognized slaughter establishment or a slaughter market in which the sales are designated slaughter only sales.

9. *Non-PDA sponsored animal exhibitions.* Non-PDA sponsored animal exhibitions and shows including jackpot shows and 4-H roundups not occurring during a PDA sponsored animal exhibition, fair or show, where arrival, exhibition and departure of the swine occur within a 72 hour window and there is no public access to the animals other than observation during competitions, while being required to meet all other requirements of this Order, shall be exempt from the terminal slaughter requirement listed in paragraph 8.

10. All swine imported into the Commonwealth for animal exhibition shall meet interstate health requirements established at section 3.131 of PDA's regulations (7 Pa. Code § 3.131).

11. *Conveyance, goods and other materials.* All conveyances, containers, goods, products or materials in contact with swine being shipped within or through the Commonwealth of Pennsylvania for animal exhibition shall be cleaned and disinfected in accordance with the following:

a. A conveyance used for the transportation of swine to animal exhibitions, fairs and shows shall be cleaned and disinfected by an exhibitor prior to each use and shall be free of visible accumulations of manure, bedding and other organic materials.

b. At the conclusion of swine animal exhibitions, fairs and shows and after all swine have left the premises, the fair board or livestock show committee shall ensure all holding pens and animal exhibition areas have had all bedding and other organic material removed and all areas, including fences, gates, stalls, holding pens, containers, housing, coming in contact with or through which swine were moved shall be put through the fair board or livestock show committee's cleaning and disinfection process.

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

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

14. *Contact information.* Questions regarding this Interstate and International Quarantine Order is 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.

15. *Effective Date.* This Order replaces any previous order related to swine exhibition requirements and is immediately effective upon the date of publication in the *Pennsylvania Bulletin*, and shall remain in effect unless rescinded or modified by subsequent order.

RUSSELL REDDING,  
Secretary

[Pa.B. Doc. No. 24-189. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Standards and Requirements for the Agricultural Business Development Center Farm Vitality Planning Grant Program

The Department of Agriculture (Department) hereby provides notice of the standards and requirements for the Farm Vitality Planning Grant Program (Program).

The Program is established under authority of the Agricultural Business Development Center Act (3 Pa.C.S. §§ 4801—4810) (act). The act allows the Department to award matching grants to farmers, prospective farmers and others in furtherance of the objectives set forth in the act. These objectives relate to enhancing the long-term vitality of farms in this Commonwealth through sound business planning, efficient transitions of farm ownership, strategic farm expansion, diversification of agricultural production and building a team of financial and technical expertise as a resource for farmers in this Commonwealth.

This notice establishes the standards and requirements for the Program. It establishes the process by which grant applications will be solicited and reviewed, and by which grants will be awarded, drawing on up to \$500,000 in additional funding made available by the Department in Fiscal Year (FY) 2023-2024.

For this year of the Program, the Department is soliciting applications that fulfill the general objectives of the act, as described as follows. The Department may revise these standards and requirements in subsequent years, as the Department and its Agricultural Business Development Center gain experience in administering the Program.

This document has been developed in consultation with the Agricultural Business Development Center Advisory Committee.

1. *Program objective.* The Program's objective is to provide grants to eligible farmers, prospective farmers and others to further the objectives of the act. These include providing grants to help grant recipients:

a. Create or obtain business plans and management strategies to enhance the long-term economic viability of a farm.

b. Create or obtain plans for the transition of ownership and operation of a farm to new owners and operators.

c. Create or obtain plans for transfer of ownership and operation of a farm within the farmer's family.

d. Create or obtain business planning to diversify an existing agricultural operation to new or different forms of agricultural production, including on-farm value-added processing and agritourism.

e. Maintain the long-term economic viability and protect the investment of public funds in preserving farms that are subject to perpetual agricultural conservation easements acquired under the Agricultural Area Security Law (3 P.S. §§ 901—916), for agricultural production.

f. Create or obtain business planning for a farm expansion or to seek financing for farm growth.

2. *Eligibility.* Farmers, prospective farmers and others may apply to the Department for a grant under the Program.

3. *Available funding.* The Department shall make up to \$500,000 available for Program grants in FY 2023-2024.

4. *Grant caps, limits and restrictions.*

a. *Funds-available basis.* Grants shall be awarded on a funds-available basis.

b. *Eligible projects.* Grants shall only be awarded with respect to projects that achieve one or more of the Program objectives presented in paragraph No. 1.

c. *Maximum grant amount:* An individual grant shall not exceed \$7,500.

d. *Matching grants.* Grant amounts shall be limited to 75% of project costs.

e. *Reimbursement grants.* Grants shall be reimbursement grants. The amount of reimbursement is based on actual eligible costs submitted by an approved applicant for an approved project during the fiscal year in which grants are offered. Refer to <https://www.agriculture.pa.gov/Pages/Farm-Vitality-Planning-Program.aspx> for additional resources with respect to allowable and unallowable costs and required forms.

f. *No in-kind support.* In-kind support shall not be counted toward an applicant's matching contribution.

g. *Other funding.* Grant money may not be used to reimburse any portion of the project costs which are being paid or reimbursed under another Federal or State grant program.

5. *Application process.*

a. *Online applications only.* An applicant for a grant under the Program shall be submitted through the Commonwealth's Single Application for Assistance online application system at [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us).

b. *Application window.* Applications must be submitted through the Single Application for Assistance online application system. The Department will accept applications received on or after July 1, 2023, and until funds are exhausted. Applications received after funds are exhausted will not be considered or reviewed unless additional funding is made available by the Department.

c. *Single project.* An application shall only seek grant funds for a single project. Separate projects require separate applications.

d. *Rolling review.* The Department will review complete grant applications in the order they are received and will award grants on a continuous basis until available funds are exhausted.

6. *Application requirements.* An application for a grant under the Program shall contain the following information:

a. The applicant's name, business address and contact information.

b. A detailed description of the project for which the grant is sought.

c. Specification of the exact purpose (or purposes) of the act, as previously presented in paragraph No. 1, that will be achieved by the project.

d. The details of the project for which reimbursement grant money is sought, including the following:

i. A project budget.

ii. A statement of the maximum amount of grant money sought for the project.

iii. A project implementation schedule, as appropriate for the project or purchase with respect to which the grant is sought.

iv. A brief narrative identifying each entity that will assist with and participate in the project.

e. An attestation signed by the applicant, verifying the accuracy of the information presented on the application.

7. *Disposition and review of grant applications.*

a. The Department will review each application, and supporting documentation submitted therewith, for completeness and accuracy, and determine eligibility.

b. If an application is found to be incomplete or inaccurate, the Department may request additional documentation and may discontinue further processing of the application until the requested information is received.

c. The Department will provide quarterly summaries of grant activity to the Agricultural Business Development Center Advisory Committee.

8. *Notice of disposition of application.* The Department will provide the applicant written notice of the disposition (approval or disapproval) of the application.

9. *Agreement required.* After the Secretary approves a grant application, and as a precondition to the Department's release of grant moneys to a successful applicant, the Department and the applicant shall execute a written or electronic grant agreement which establishes the terms and conditions subject to which the grant is made. The grant agreement will not be effective, and work should not begin, until all required signatures have been applied to the grant agreement. The grant agreement will contain and conform to the requirements of this notice and will also contain special terms and conditions as required by the Secretary. Among the terms of the grant agreement will be a requirement that the grant recipient provide the Department full and complete access to all records relating to the performance of the project and submit the information as the Department may require. Applicants who wish to view the full terms and conditions of the grant agreement in advance of submitting an application may contact the Department at the phone number or e-mail address set forth in section 11. Applicants who are unable to agree to the terms and conditions should not apply.

10. *Distribution of grant money.* As Program grants are reimbursement grants, the Department will not issue grant money until the successful applicant submits the following to the Department:

a. A verified statement that the eligible project has been completed or implemented.

b. A verified statement of the project completion date, with the project completion date being no more than 2 years from the effective date of the Grant Agreement.

c. Bills and invoices demonstrating that expenses were incurred for which reimbursement grant funds are sought.

d. Other information as the Department might reasonably require.

11. *Additional information:* Additional information may be obtained from the Department by contacting Neil Imes, (717) 787-5539, nimes@pa.gov.

RUSSELL REDDING,  
*Secretary*

[Pa.B. Doc. No. 24-190. Filed for public inspection February 16, 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 February 6, 2024.

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

### APPLICATIONS FOR COMMENT

#### BANKING INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

### OTHER APPLICATION ACTIVITY

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Status</i>
02-01-2024	Peoples Financial Services Corp. Scranton Lackawanna County  Application for approval to acquire 100% of FNCB Bancorp, Inc., Dunmore, and thereby indirectly acquire 100% of FNCB Bank, Dunmore.	Approved

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Status</i>
02-01-2024	Peoples Security Bank and Trust Company Scranton Lackawanna County  Application for approval to merge FNCB Bank, Dunmore, with and into Peoples Security Bank and Trust Company, Scranton.	Approved

#### CREDIT UNIONS

No activity.

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

WENDY S. SPICHER,  
*Secretary*

[Pa.B. Doc. No. 24-191. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of March 2024

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of March 2024, is 6 3/4%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate

limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 4.24 to which was added 2.50 percentage points for a total of 6.74 that by law is rounded off to the nearest quarter at 6 3/4%.

WENDY S. SPICHER,  
*Secretary*

[Pa.B. Doc. No. 24-192. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

Section II identifies individual NPDES permit applications received and draft permits indicating DEP's tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOS. A 30-day public comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of DEP for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP's tentative determinations may be reviewed by generating the "Applications Received with Comment Periods Report" on DEP's website at [www.dep.pa.gov/CWPublicNotice](http://www.dep.pa.gov/CWPublicNotice). Notification of 15-day extensions for comment will be provided in the "Applications Received with Comment Periods Report" (Comments column).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD570003	Chapter 102 Individual NPDES Permit	Amendment Minor	Loyalsock Foundation P.O. Box 194 Laporte, PA 18626-0194	Laporte Borough Sullivan County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2519810	Joint DEP/PFBC Pesticides Permit	Amendment	Emily Yochim 8804 Avonia Road Girard, PA 16417-8304	Fairview Township Erie County	NWRO
3524801	Joint DEP/PFBC Pesticides Permit	New	BGN Development Corp 1024 Springbrook Avenue Moosic, PA 18507-1814	Ransom Township Lackawanna County	NERO
3924801	Joint DEP/PFBC Pesticides Permit	New	Saks Nancy 2288 Flint Hill Road Coopersburg, PA 18036-9218	Upper Saucon Township Lehigh County	NERO
6319807	Joint DEP/PFBC Pesticides Permit	Renewal	Chapman Jeff 340 Jolly School Road Washington, PA 15301-9085	South Franklin Township Washington County	SWRO
462S022	Major Sewage Treatment Facility Individual WQM Permit	Amendment	PA American Water Co. 100 Atlantic Avenue McKeesport, PA 15132-3807	Duquesne City Allegheny County	SWRO
PA0217361	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Transfer	Westmoreland County Municipal Authority 124 Park and Pool Road New Stanton, PA 15672	East Huntingdon Township Westmoreland County	SWRO
4197407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Vernon Pettengill 97 Sandra Lee Drive Linden, PA 17744-7003	Woodward Township Lycoming County	NCRO
6381412	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	PA American Water Co. 800 W Hershey Park Drive Hershey, PA 17033-2400	Donegal Township Washington County	SWRO
6598407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park And Pool Road New Stanton, PA 15672	East Huntingdon Township Westmoreland County	SWRO
NNOEXNC12	No Exposure Certification	Renewal	Walmart Stores East LP 702 SW 8th Street Bentonville, AR 72712-6209	Bradford Township Clearfield County	NCRO
NOEXNC157	No Exposure Certification	New	Weatherford US LP 7587 Highway 75 S Huntsville, TX 77340-2485	Muncy Creek Township Lycoming County	NCRO
NOEXSC332	No Exposure Certification	Renewal	Adusa Distr LLC 2110 Executive Drive Salisbury, NC 28147-9007	Antrim Township Franklin County	SCRO
NOEXSC414	No Exposure Certification	New	North American Stainless 289 Mifflin Drive Wrightsville, PA 17368-9189	Wrightsville Borough York County	SCRO
NOEXSW174	No Exposure Certification	Renewal	Bacharach Inc. 621 Hunt Valley Circle New Kensington, PA 15068-7074	Washington Township Westmoreland County	SWRO
NOEXSW249	No Exposure Certification	Renewal	Ametek Inc. 150 Freeport Road Pittsburgh, PA 15238-3408	Ohara Township Allegheny County	SWRO
NOEXSW250	No Exposure Certification	Renewal	Norse Dairy System 311 Drum Avenue Somerset, PA 15501-3403	Somerset Borough Somerset County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG032421	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Shamokin Filler Co. Inc. 453 Venn Access Road Coal Township, PA 17866-6901	Wright Township Luzerne County	NERO
PAG034076	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Myers Used Auto Parts 50 Paradise Road Duncannon, PA 17020-9643	Wheatfield Township Perry County	SCRO
PAG036254	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Innomotics LLC 100 Technology Drive Alpharetta, GA 30005-3900	Upper Burrell Township Westmoreland County	SWRO
PAG038515	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ridg U Rak Inc. 120 S Lake Street P.O. Box 150 North East, PA 16428-1232	North East Borough Erie County	NWRO
PAG038570	PAG-03 NPDES General Permit for Industrial Stormwater	New	AMG Titanium Alloys & Coatings LLC 551 Northgate Circle New Castle, PA 16105-5547	New Castle City Lawrence County	NWRO
PAG041277	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Brink Fay 3499 Rynd Road Cochranton, PA 16314-6923	Wayne Township Crawford County	NWRO
PAG048303	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Lundquest Shawna 274 Buckeye Drive Sharpsville, PA 16150-8310	South Pymatuning Township Mercer County	NWRO
PAG122222	PAG-12 NPDES General Permit for CAFOs	New	AG Ventures LLC 345 West High Street Elizabethtown, PA 17022	Lynn Township Lehigh County	SCRO
PAG124878	PAG-12 NPDES General Permit for CAFOs	New	Lehman Carlin 1737 Parthemer Road McClure, PA 17841-8162	West Beaver Township Snyder County	SCRO
0224400	Pump Stations Individual WQM Permit	New	Findlay Township Municipal Authority P.O. Box 409 Clinton, PA 15026-0809	Findlay Township Allegheny County	SWRO
6577404	Pump Stations Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park And Pool Road New Stanton, PA 15672	East Huntingdon Township Westmoreland County	SWRO
2724401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	McNeal Pamela 108 Ball Hill Road Pleasantville, PA 16341-4202	Harmony Township Forest County	NWRO
4395404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Lundquest Shawna 274 Buckeye Drive Sharpsville, PA 16150-8310	South Pymatuning Township Mercer County	NWRO
WQG01202401	WQG-01 WQM General Permit	New	Brink Fay 3499 Rynd Road Cochranton, PA 16314-6923	Wayne Township Crawford County	NWRO
WQG026122	WQG-02 WQM General Permit	Transfer	Westmoreland County Municipal Authority P.O. Box 9 2494 Rt 981 Alverton, PA 15612-0009	East Huntingdon Township Westmoreland County	SWRO



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

**PA0228877**, Sewage, SIC Code 8811, **Lanzer, Tracy**, 1743 Old Berwick Road, Bloomsburg, PA 17815-3032. Facility Name: Tracy Lanzer SRSTP. This existing facility is located in Orange Township, **Columbia County**.

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

The receiving stream(s), Stony Brook (EV), is located in State Water Plan watershed 5-C and is classified for Exceptional Value Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200.0	XXX	XXX

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

The EPA Waiver is in effect.

*Northcentral Regional Office*

**PA0008419**, Industrial, SIC Code 2833, 2834, **Cherokee Pharmaceuticals, LLC**, P.O. Box 367, Riverside, PA 17868-0367. Facility Name: Cherokee Pharmaceuticals. This existing facility is located in Riverside Borough, **Northumberland 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), Susquehanna River (WWF, MF) and Susquehanna River (WWF), is located in State Water Plan watershed 5-E and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 9.39 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH	pH(S.U.)	XXX	XXX	6.0	XXX	XXX
Oil & Grease	XXX	XXX	XXX	Inst Min 15.0	XXX	30.0
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	XXX	XXX
Total PCBs	XXX	Report	XXX	XXX	Report	XXX
Total Mercury	XXX	Report	XXX	XXX	Report	XXX
Total Aluminum	XXX	Report	XXX	XXX	Report	XXX
Total Iron	XXX	Report	XXX	XXX	Report	XXX

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Monthly	Annual	Monthly	Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	XXX	64,884	XXX	XXX	XXX	XXX
Net Total Phosphorus	XXX	11,748	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 002 and 003 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	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

The proposed effluent limits for Outfall 101 are based on a 95th percentile flow of 0.77 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand	890	Report	XXX	Report	Report	275
Biochemical Oxygen Demand Industrial Influent	Report	Report	XXX	Report	Report	XXX
Chemical Oxygen Demand	3,275	Report	XXX	510	Report	1020
Chemical Oxygen Demand Industrial Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	1,510	Report	XXX	Report	Report	470
Ammonia-Nitrogen	185	540	XXX	29	84	105
Isopropanol	10.27	25.04	XXX	1.60	3.90	4.87
Phenol	0.12	0.32	XXX	0.02	0.05	0.06
Acetone	1.28	3.21	XXX	0.20	0.50	0.62
Acetonitrile	65.50	160.54	XXX	10.20	25.00	31.25
Benzene	0.12	0.32	XXX	0.02	0.05	0.06
n-Butyl Acetate	3.21	8.34	XXX	0.50	1.30	1.62
1,2-Dichloroethane	0.64	2.56	XXX	0.10	0.40	0.50
Chloroform	0.83	1.28	XXX	0.13	0.20	0.32
Dimethyl Sulfoxide	240.81	587.59	XXX	37.50	91.50	114.30
Ethanol	26.32	64.21	XXX	4.10	10.00	12.50
Ethyl Acetate	3.21	8.34	XXX	0.50	1.30	1.62
Heptane	0.12	0.32	XXX	0.02	0.05	0.06
Hexane	0.12	0.19	XXX	0.02	0.03	0.05
Methylene Chloride	1.92	5.77	XXX	0.30	0.90	1.12
Tetrahydrofuran	16.69	53.94	XXX	2.60	8.40	10.50
Toluene	0.12	0.38	XXX	0.02	0.06	0.07
Triethylamine	655.02	1,605.45	XXX	102.00	250.00	312.50
Total Methanol	26.32	64.21	XXX	4.10	10.00	12.50
Methyl Formate	3.21	8.34	XXX	0.50	1.30	1.62
Isopropyl Acetate	3.21	8.34	XXX	0.50	1.30	1.62
Cyanide, Total	XXX	Report	XXX	XXX	Report	XXX
4-Methyl-2-pentanone	XXX	Report	XXX	XXX	Report	XXX
Chlorobenzene	XXX	Report	XXX	XXX	Report	XXX
Dichlorobenzene, Total	XXX	Report	XXX	XXX	Report	XXX
Diethylamine	XXX	Report	XXX	XXX	Report	XXX
Isopropyl Ether	XXX	Report	XXX	XXX	Report	XXX
Xylenes, Total	XXX	Report	XXX	XXX	Report	XXX
n-amyl Acetate	XXX	Report	XXX	XXX	Report	XXX
Amyl Alcohol	XXX	Report	XXX	XXX	Report	XXX
Isobutyraldehyde	XXX	Report	XXX	XXX	Report	XXX
Methyl Cellosolve	XXX	Report	XXX	XXX	Report	XXX
N-Nitrosodi-N-Propylamine	XXX	Report	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 201 are based on a design flow of 0.0432 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	XXX	XXX
Iron, Total	XXX	XXX	XXX	2.0	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Manganese, Total	XXX	XXX	XXX	1.0	XXX	XXX

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

- Chesapeake Bay Requirement
- Industrial Stormwater Requirements
- Whole Effluent Toxicity
- Chemical Additives
- Chlorine Minimization
- Cooling Water Intake Structures
- Compliance Schedule

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

The EPA Waiver is not in effect.

Northcentral Regional Office

**PA0009270**, Industrial, SIC Code 2047, **Post Consumer Brands Inc.**, 20802 Kensington Boulevard, Lakeville, MN 55044-8052. Facility Name: Post Consumer Brands/Bloomsburg Plant. This existing facility is located in South Centre Township, **Columbia 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 Stream (CWF, MF) and Susquehanna River (WWF), is located in State Water Plan watershed 5-D and is classified for Warm Water Fishes, Cold Water Fishes, and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Biochemical Oxygen Demand (BOD <sub>5</sub> )	215	431	XXX	Report	Report	129
Total Suspended Solids	262	525	XXX	Report	Report	157
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	XXX	400
Oct 1 - Apr 30						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	400
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net						
Ammonia-Nitrogen	Report	Report	XXX	7.8	13.3	19.5
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Phosphorus (Total Load, lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.

<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>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0 MGD.

<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>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) Effluent Net	XXX	33,196 Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) Effluent Net	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) Effluent Net	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) Effluent Net	XXX	1,492 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) Effluent Net	XXX	Report Total Annual	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

*Northeast Regional Office*

**PA0062472**, Sewage, SIC Code 4952, **Blue Mountain View Estates LLC**, P.O. Box 97, Ashfield, PA 18212-0097. Facility Name: Blue Mountain View Estates. This existing facility is located in Lower Towamensing Township, **Carbon County**.

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

The receiving stream(s), Aquashicola Creek (HQ-CWF, MF), is located in State Water Plan watershed 2-B and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .026 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Minimum	Average	Daily	
	Monthly	Maximum		Monthly	Maximum	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of .026 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Minimum	Average	Daily	
	Monthly	Maximum		Monthly	Maximum	
Total Dissolved Solids	XXX	XXX	XXX	1,000.0 Avg Qrtly	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .026 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Minimum	Average	Daily	
	Monthly	Maximum		Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.60
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	Report	Report	XXX	25.0	50.0	50
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub> Minimum % Removal (%)	85	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
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				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

Northeast Regional Office

**PA0064173**, Sewage, SIC Code 2026, **Heisler's Cloverleaf Dairy, Inc.**, P.O. Box 148, New Ringgold, PA 17960. Facility Name: Heisler's Cloverleaf Dairy. This existing facility is located in Walker Township, **Schuylkill 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, Beaver Creek (CWF, MF), is located in State Water Plan watershed 3-A and is classified for Cold Water and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0056 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Average	Instant. Minimum	Average	Maximum	
	Monthly	Weekly		Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean		
				25.0	XXX	50.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0056 MGD.

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

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

- Solids Management

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

The EPA Waiver is in effect.

*Northeast Regional Office*

**PA0276774**, Storm Water, SIC Code 3559, **Rotoflow A Division of Air Products & Chemicals Inc.**, 2320 Highland Avenue, Bethlehem, PA 18020-8920. Facility Name: Rotoflow Bethlehem. This proposed facility is located in Bethlehem Township, **Northampton 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 Monocacy Creek, is located in State Water Plan watershed 2-C and is classified for, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

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

The EPA Waiver is in effect.

*Northeast Regional Office*

**PA0276839**, Storm Water, SIC Code 3211, **Cardinal IG Company**, 50 Elmwood Avenue, Mountain Top, PA 18707-2100. Facility Name: Cardinal IG Company. This existing facility is located in Wright Township, **Luzerne County**.

Description of Proposed Activity: The application is for a new NPDES permit for a discharge of industrial stormwater.

The receiving stream, an Unnamed Tributary to Bow Creek (CWF, MF designated use; HQ-CWF, MF existing use), is located in State Water Plan watershed 5-B and is classified for High—Quality Cold Water and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD (stormwater).

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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

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

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0029114**, Sewage, SIC Code 4952, **Clintonville Borough Sewer & Water Authority**, 109 Franklin Street, Clintonville, PA 16372-9836. Facility Name: Clintonville Borough STP. This existing facility is located in Clintonville Borough, **Venango 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 Scrubgrass Creek (CWF), is located in State Water Plan watershed 16-G 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 0.065 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	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 <sub>5</sub> )	13.5	21.7	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	16.3	24.4	XXX	30.0	45.0	60
Total Suspended Solids	Report	XXX	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		

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	6.0	XXX	XXX	11.0	XXX	22
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		

The proposed effluent limits for Outfall 001 are based on a design flow of 0.08 MGD—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
			Daily Min		Daily Max	
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
			Daily Min			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	13.5	21.7	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	16.3	24.4	XXX	30.0	45.0	60
Total Suspended Solids	Report	XXX	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		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity ( $\mu\text{w}/\text{cm}^2$ )	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	6.0	XXX	XXX	11.0	XXX	22
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		

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

- Solids Management

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

The EPA Waiver is not in effect.

*Northwest Regional Office*

**PA0037974**, Sewage, SIC Code 4952, **Washington Township, Erie County**, 11800 Edinboro Road, Edinboro, PA 16412-1024. Facility Name: Washington Township Sewer Authority, Kline Rd STP. This existing facility is located in Washington Township, **Erie County**.

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



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

The proposed effluent limits for Outfall 001 are based on a design flow of .08 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	6.7	10.0	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	20	30	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 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 7.5	XXX	15
Ammonia-Nitrogen	5.0	XXX	XXX	2.5	XXX	5
Nov 1 - Apr 30				XXX	XXX	Report
May 1 - Oct 31	1.6	XXX	XXX	XXX	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg Report	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*

**PA0047201**, Sewage, SIC Code 4952, **Tionesta Municipal Authority**, P.O. Box 408, Tionesta, PA 16353-0408. Facility Name: Tionesta Borough WWTP. This existing facility is located in Tionesta Borough, **Forest County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.25 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	52.0	78.0	XXX	25.0	37.5	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	62.0	93.0	XXX	30.0	45.0	60
Total Suspended Solids	Report	XXX	XXX	Report	Report	XXX
Raw Sewage Influent						

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
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
Total Nitrogen	Report	XXX	XXX	Report	XXX	Report
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	Report
Total Phosphorus	Report	XXX	XXX	Report	XXX	Report
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Nickel, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		

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

- Solids Management

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0104108**, Sewage, SIC Code 4952, **North Beaver Township Municipal Authority**, 861 Mount Jackson Road, New Castle, PA 16102-2415. Facility Name: Hickory View Terrace WWTP. This existing facility is located in North Beaver Township, **Lawrence 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, the Hickory Run (TSF), is located in State Water Plan watershed 20-B and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.223 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	23.5	37.5	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	28.1	42.2	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
Ammonia-Nitrogen	17.8	XXX	XXX	9.6	XXX	19.2
Nov 1 - Apr 30						
May 1 - Oct 31	5.9	XXX	XXX	3.2	XXX	6.4
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Total Copper	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

**PA0104469**, Sewage, SIC Code 3743, 3999, **Kasgro Rail Corporation**, 121 Rundle Road, New Castle, PA 16102-1913. Facility Name: Kasgro Rail, Rundle Road Plant. This existing facility is located in Taylor Township, **Lawrence County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum Daily	
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	1.2
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean	XXX	1,000
				200		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max	XXX
					Report	

The proposed effluent limits for Outfall 002 and 003 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
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is in effect.

Northwest Regional Office

**PA0037974**, Sewage, SIC Code 4952, **Washington Township**, 11800 Edinboro Road, Edinboro, PA 16412-1024. Facility Name: Washington Township Sewer Authority, Kline Rd STP. This existing facility is located in Washington Township, **Erie County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .08 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	6.7	10.0	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	20	30	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
Ammonia-Nitrogen	5.0	XXX	XXX	Geo Mean		
Nov 1 - Apr 30				7.5	XXX	15
May 1 - Oct 31	1.6	XXX	XXX	2.5	XXX	5
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg		
				Report	XXX	XXX
				Annl Avg		

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

**PA0222453**, Sewage, SIC Code 4952, 7992, **Scenic Heights Inc.**, 7830 Knoyle Road, Wattsburg, PA 16442-1002. Facility Name: Scenic Heights Golf Course. This existing facility is located in Venango Township, **Erie County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .002 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
pH (S.U.)	XXX	XXX	6.0 Daily Min	Avg Mo XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	3.0 Daily Min	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	2.0

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

**PA0239399**, Sewage, SIC Code 4952, 8800, **Craig V & Julie K King**, 2552 Mercer Butler Pike, Grove City, PA 16127-3722. Facility Name: Craig V & Julie K King SRSTP. This existing facility is located in Liberty Township, **Mercer County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Mo	XXX	XXX

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

**PA0264881**, Sewage, SIC Code 4952, 8800, **Timothy Hajec**, 650 Whitney Run Road, Corry, PA 16407-2908. Facility Name: Timothy Hajec SRSTP. This existing facility is located in Spring Creek Township, **Warren County**.

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

The receiving stream is Whitney Run, located in State Water Plan watershed 16-B and classified for High Quality Waters—Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

**PA0271365**, Sewage, SIC Code 4952, 8800, **Michael Yohe**, 5 Yohe Road, Bradford, PA 16701. Facility Name: Michael Yohe SRSTP. This existing facility is located in Corydon Township, **McKean County**.

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

The receiving stream is an Unnamed Tributary to Willow Creek, located in State Water Plan watershed 16-B and classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0272051**, Sewage, SIC Code 4952, 8800, **Bruce Sunday**, 123 Old Route 68, Evans City, PA 16033-7613. Facility Name: Bruce Sunday SRSTP. This existing facility is located in Forward Township, **Butler County**.

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

The receiving stream(s), Unnamed Tributary to Connoquenessing Creek (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
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0021890 A-2**, SIC Code 4952, **New Holland Borough Water Authority**, 436 E Main Street, New Holland, PA 17557-1404. Facility Name: New Holland WWTP. This existing facility is located in Earl Township, **Lancaster County**.

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

The receiving stream, Mill Creek (TSF (existing use)), is located in State Water Plan watershed 7-J 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 1.34 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Monthly Average	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.1
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	223	335	XXX	20	30	40
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	335	503	XXX	30	45	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Dissolved Solids	Report	XXX	XXX	Report	Report	XXX

<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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
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	60	XXX	XXX	5.4	XXX	10.8
Nov 1 - Apr 30						
May 1 - Oct 31	20	XXX	XXX	1.8	XXX	3.6
Total Phosphorus	22	XXX	XXX	2.0	XXX	4.0
Cyanide, Free	Report	Report	XXX	Report	Report	XXX
Sulfate, Total	Report	XXX	XXX	Report	Report	XXX
Chloride	Report	XXX	XXX	Report	Report	XXX
Bromide	Report	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.34 MGD.—Final 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.40	XXX	1.28
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	223	335	XXX	20	30	40
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	335	503	XXX	30	45	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Dissolved Solids	Report	XXX	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		
Ammonia-Nitrogen	60	XXX	XXX	5.4	XXX	10.8
Nov 1 - Apr 30						
May 1 - Oct 31	20	XXX	XXX	1.8	XXX	3.6
Total Phosphorus	22	XXX	XXX	2.0	XXX	4.0
Cyanide, Free	0.078	0.12	XXX	0.007	0.011	0.019
Sulfate, Total	Report	XXX	XXX	Report	Report	XXX
Chloride	Report	XXX	XXX	Report	Report	XXX
Bromide	Report	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	XXX	24,475	XXX	XXX	XXX	XXX
Net Total Phosphorus	XXX	3,263	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

*Southcentral Regional Office*

**PA0031551**, Sewage, SIC Code 8211, **Chambersburg School District**, 435 Stanley Avenue, Chambersburg, PA 17201-3605. Facility Name: Lurgan Township Elementary School. This existing facility is located in Lurgan Township, **Franklin County**.

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

The receiving stream(s), Conodoguinet Creek (WWF), is located in State Water Plan watershed 7-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 .002 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.4	XXX	1.32
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0033995**, Sewage, SIC Code 4952, **Berks County**, 633 Court Street, 14th Floor, Reading, PA 19601-4322. Facility Name: Berks County Prison & Rest Home. This existing facility is located in Bern Township, **Berks County**.

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

The receiving stream(s), Plum Creek (CWF), is located in State Water Plan watershed 3-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 0.5 MGD.—Limits

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	Report	Report	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	30.0	45.0	60.0
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean	XXX	Report
Ultraviolet light intensity ( $\mu\text{w}/\text{cm}^2$ )	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	5.5	XXX	11.0
May 1 - Oct 31						
Nov 1 - Apr 30	Report	XXX	XXX	16.5	XXX	33.0
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX



The proposed effluent limits for Outfall 101—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

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

- The amount of septage and hauled-in waste accepted is restricted according to the daily available treatment plant capacity.

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0037737**, Sewage, SIC Code 4952, **Elizabethville Borough Area Authority**, 4154 N Route 225, Elizabethville, PA 17023-9704. Facility Name: Elizabethville STP. This existing facility is located in Elizabethville Borough, **Dauphin 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), Wiconisco Creek (WWF), is located in State Water Plan watershed 6-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 .4 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	83	133	Daily Min	25.0	40.0	50
BOD <sub>5</sub>	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	100	150	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report Daily Max	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
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	Geo Mean	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	36	XXX	XXX	11.0	XXX	22
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Total Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Total Nitrogen (Total Load, lbs)	XXX	7,306	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Total Phosphorus (Total Load, lbs)	XXX	974	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Total Phosphorus (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				

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

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

- Chesapeake Bay nutrient requirements
- The permittee is granted 175 lbs/year total nitrogen offsets to meet the net total nitrogen cap load
- Stormwater prohibition
- Approval contingencies
- Proper waste/solids management
- Collected screenings, slurries, sludges, and solids management
- Restrictions on acceptance of hauled-in wastes under certain conditions
- SBR discharge condition

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

The EPA Waiver is not in effect.

*Southcentral Regional Office*

**PA0043575**, Sewage, SIC Code 4952, **Lykens Borough Authority**, 200 Main Street, Lykens, PA 17048-1132. Facility Name: Lykens STP. This existing facility is located in Lykens Borough, **Dauphin 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), Wiconisco Creek (WWF), is located in State Water Plan watershed 6-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 .41 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min XXX	0.5	XXX	1.63
CBOD <sub>5</sub>	85	136	XXX	25.0	40.0	50
BOD <sub>5</sub>	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	102	153	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Geo Mean Report	XXX	XXX

<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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30	39	XXX	XXX	11.5	XXX	23
May 1 - Oct 31	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Total Mo	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Avg Qrtly Report	XXX	Report

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	7,488	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs)	XXX	Total Annual Report	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	XXX	Total Annual Report	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) Effluent Net	XXX	998	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	Total Annual Report	XXX	XXX	XXX	XXX
		Total Annual				

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

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

- Chesapeake Bay nutrient requirements
- The permittee is granted 75 lbs/year total nitrogen offsets to meet the net total nitrogen cap load
- Stormwater prohibition
- Approval contingencies
- Proper waste/solids management
- Collected screenings, slurries, sludges, and solids management
- Restrictions on acceptance of hauled-in wastes under certain conditions
- Chlorine minimization condition
- SBR discharge condition

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

The EPA Waiver is not in effect.

*Southcentral Regional Office*

**PA0080438**, Sewage, SIC Code 4952, **Northern Lancaster County Authority**, 983 Beam Road, Denver, PA 17517-8946. Facility Name: Beam Road WWTP. This existing facility is located in Brecknock Township, **Lancaster 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, Muddy Creek (TSF), is located in State Water Plan watershed 7-J 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 .45 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of .45 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.36	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	93	150	XXX	25	40	50
Nov 1 - Apr 30						
May 1 - Oct 31	75	112	XXX	20	30	40
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	112	168	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen	22	XXX	XXX	6.0	XXX	12
Nov 1 - Apr 30						
May 1 - Oct 31	7.5	XXX	XXX	2.0	XXX	4.0
Total Phosphorus	7.5	XXX	XXX	2.0	XXX	4.0
Ultraviolet light dosage (mWsec/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

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

Parameters	Mass Units (lbs)		Minimum	Concentrations (mg/L)	
	Monthly	Annual		Average Monthly	Maximum
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrite-Nitrate as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	XXX	8,219	XXX	XXX	XXX
Net Total Phosphorus	XXX	1,096	XXX	XXX	XXX

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

The EPA Waiver is not in effect.

*Southcentral Regional Office*

**PA0081515**, Sewage, SIC Code 4952, **Lancaster County Career & Technology Center**, 1730 Hans Herr Drive, Willow Street, PA 17584-0527. Facility Name: Lancaster County Career & Technology Center—Brownstown Campus WWTP. This existing facility is located in West Earl Township, **Lancaster 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, Conestoga River (WWF), is located in State Water Plan watershed 7-J 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 .0043 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of .0043 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0043 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0081710**, Sewage, SIC Code 7033, **MHC Circle M, LP**, 2 N Riverside Plaza, Suite 800, Chicago, IL 60606-2682. Facility Name: Circle M Campground. This existing facility is located in Pequea Township, **Lancaster 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, Conestoga River (WWF), is located in State Water Plan watershed 7-J 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)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60

<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>	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Total Phosphorus	Report	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of .06 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>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Annl Avg	XXX	XXX	Annl Avg	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Annl Avg	XXX	XXX	Annl Avg	XXX	XXX
	Report			Report		
	Annl Avg			Annl Avg		

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0082201**, Sewage, SIC Code 4952, **The York Water Co.**, 130 East Market Street, York, PA 17401-1219. Facility Name: Letterkenny Township STP. This existing facility is located in Letterkenny Township, **Franklin 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), Conodoguinet Creek (WWF), is located in State Water Plan watershed 7-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 .042 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .042 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Nitrate-Nitrite as N	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX
Total Nitrogen	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX
Total Kjeldahl Nitrogen	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .042 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	8.8	14	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	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	10.5	15.7	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)		Daily Max				
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Ammonia-Nitrogen	8.4	XXX	XXX	24.0	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	2.8	XXX	XXX	8.0	XXX	16
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0083011**, Sewage, SIC Code 4952, **Newberry Township Municipal Authority**, 1915 Old Trail Road, Etters, PA 17319. Facility Name: Newberry Township WWTP. This existing facility is located in Newberry Township, **York County**.

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

The receiving stream, Susquehanna River (WWF), is located in State Water Plan watershed 7-E 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 1.3 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	271	434	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	325	488	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)		Daily Max				
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	184	XXX	XXX	17.0	XXX	XXX
Total Phosphorus	22	XXX	XXX	2.0	XXX	4.0
Zinc, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	

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

Parameters	Mass Units (lbs)		Minimum	Concentrations (mg/L)	
	Monthly	Annual		Average Monthly	Maximum
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrite-Nitrate as N	Report	XXX	XXX	Report	XXX

Parameters	Mass Units (lbs)		Minimum	Concentrations (mg/L)	
	Monthly	Annual		Average Monthly	Maximum
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	XXX	23,744	XXX	XXX	XXX
Net Total Phosphorus	XXX	3,166	XXX	XXX	XXX

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

The EPA Waiver is not in effect.

*Southcentral Regional Office*

**PA0083160**, Sewage, SIC Code 6515, **Anchor Mobile Estates Peifer & Gross Inc.**, P.O. Box 506, Elizabethtown, PA 17022-0506. Facility Name: Anchor Estates MHP. This existing facility is located in Butler Township, **Adams County**.

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

The receiving stream(s), Willoughby Run (WWF), is located in State Water Plan watershed 13-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 0.021 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	3.0	XXX	6.0
May 1 - Oct 31	XXX	XXX	XXX	9.0	XXX	18.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.021 MGD.—Limits.

Parameter	Mass Units (lbs)		Effluent Limitations			
	Monthly	Annual	Monthly	Quarterly Average	Maximum	Instant. Maximum
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Total Quarterly	Report	XXX	Report	XXX	XXX
	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Total Quarterly	Report	XXX	Report	XXX	XXX
	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Total Quarterly	Report	XXX	Report	XXX	XXX
	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Total Quarterly	Report	XXX	Report	XXX	XXX
	Report	Report	XXX	Report	XXX	XXX
Total Quarterly	Report	Report	XXX	Report	XXX	XXX

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

- Chesapeake Bay nutrients monitoring, Solids management for non-lagoon system, Chlorine minimization, Dry stream condition, and Notification of designation of responsible operator.

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

The EPA Waiver is in effect.



*Southcentral Regional Office*

**PA0085669**, Sewage, SIC Code 4952, **Centerport Borough Municipal Authority**, P.O. Box 248, Centerport, PA 19516-0248. Facility Name: Centerport STP. This existing facility is located in Centre Township, **Berks County**.

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

The receiving stream(s), Irish Creek (WWF), is located in State Water Plan watershed 3-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 0.06 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.64
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	12.5	XXX	XXX	25.0	XXX	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	15.0	XXX	XXX	30.0	XXX	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Dissolved Solids	Report	XXX	XXX	1,000.0	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen				Geo Mean		
Nov 1 - Apr 30	10.0	XXX	XXX	20.0	XXX	40
May 1 - Oct 31	5.8	XXX	XXX	11.5	XXX	23
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
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:

- The development of a High Flow Management Plan to address the impact of high flows to the treatment plant during wet weather.
- Proper handling and disposal of sludge.
- Sludge reporting to DEP including an annual Sewage Sludge Management Inventory.

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0085979**, Sewage, SIC Code 7033, **Guest Farm Village Sewer Authority**, 11364 Fort Loudon Road, Mercersburg, PA 17236-8503. Facility Name: Guest Farm Village STP. This existing facility is located in Montgomery Township, **Franklin 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 Licking Creek (TSF, MF), is located in State Water Plan watershed 13-C and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0372 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Daily Min	XXX	XXX	9.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.18	XXX	0.61
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	3.0	4.5	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	3.0	4.5	XXX	10.0	15.0	20
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
Nitrate-Nitrite as N	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Ammonia-Nitrogen	1.5	XXX	XXX	5.1	XXX	10
Nov 1 - Apr 30						
May 1 - Oct 31	0.5	XXX	XXX	1.7	XXX	3.4
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0372 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids (lbs/year)	XXX	1095 Annl Avg	XXX	XXX	XXX	XXX

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0088510**, Sewage, SIC Code 4952, **Tulpehocken Township**, P.O. Box 272, Rehrersburg, PA 19550-0272. Facility Name: Tulpehocken Township Mt Aetna STP. This existing facility is located in Tulpehocken Township, **Berks County**.

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

The receiving stream(s), Unnamed Tributary of Little Swatara Creek (CWF), is located in State Water Plan watershed 7-D 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 .055 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instan- taneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	11.5	XXX	XXX	25.0	XXX	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	13.8	XXX	XXX	30.0	XXX	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli. (No./100 ml)	XXX	XXX	XXX	Geo Mean	XXX	Report
Ammonia-Nitrogen	2.3	XXX	XXX	XXX	XXX	10.2
Nov 1 - Apr 30						
May 1 - Oct 31	0.8	XXX	XXX	1.7	XXX	3.5
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	0.9	XXX	XXX	2.0	XXX	4

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

- Proper handling and disposal of sludge
- Sludge reporting to DEP including a Sewage Sludge Management Inventory annually

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0246956**, Sewage, SIC Code 4952, **Alsace Township**, 65 Woodside Avenue, Temple, PA 19560-9530. Facility Name: Alsace Manor STP. This existing facility is located in Alsace Township, **Berks County**.

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

The receiving stream(s), Unnamed Tributary of Little Manatawny Creek (CWF, MF), is located in State Water Plan watershed 3-D and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .071 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		Instant. Maximum (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	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	14.8	XXX	XXX	25.0	XXX	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	17.8	XXX	XXX	30.0	XXX	60
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
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	Geo Mean	XXX	XXX
Ammonia-Nitrogen	3.0	XXX	XXX	5.1	XXX	10.2
Nov 1 - Apr 30						
May 1 - Oct 31	1.0	XXX	XXX	1.7	XXX	3.4

The proposed effluent limits for Outfall 001 are based on a design flow of .071 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Quarterly	Daily Maximum		Average Quarterly	Maximum	
Total Dissolved Solids	Report	XXX	XXX	1,000.0	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

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

- Proper handling and disposal of sludge
- Sludge reporting to DEP

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0294314**, Sewage, SIC Code 8811, **Stultz David**, 124 Ruskin Drive, Altoona, PA 16602-2916. Facility Name: Stultz Residence. This proposed facility is located in Napier Township, **Bedford 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), Bentz Run (WWF, MF), is located in State Water Plan watershed 11-C and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0082741**, Industrial, SIC Code 4941, **Elizabethtown Area Water Authority**, 211 W Hummelstown Street, Elizabethtown, PA 17022. Facility Name: Elizabethtown Area Water Authority. This existing facility is located in Mount Joy Township, **Lancaster 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, Unnamed Tributary of Conoy Creek (TSF), is located in State Water Plan watershed 7-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.62 MGD.—Limits.

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

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0245089**, Sewage, SIC Code 8811, **Matthew S & Barbara E Delaney**, 1405 Wexford Circle, West Chester, PA 19380-5815. Facility Name: Delaney SRSTP. This existing facility is located in East Goshen Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary of Ridley Creek (HQ-TSF, MF), is located in State Water Plan watershed 3-G and is classified for Migratory Fishes and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

I. Other Requirements

A. AMR to DEP

B. DMR to DEP if Attached

C. 1/year Measure Depth of Septage and Scum

D. Septic Tanks Pumped Out Every Three Years

E. Chlorine Minimization

F. No Stormwater

G. Necessary Property Rights

H. Proper Sludge Disposal

I. Abandon STP when Municipal Sewers Available

II. Ultraviolet (UV) Disinfection

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

*Southeast Regional Office*

**PAI130506**, MS4, **Solebury Township**, P.O. Box 139, Solebury, PA 18963-0139.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Solebury Township, **Bucks County**. The receiving stream(s), Rabbit Run (TSF, MF), Aquetong Creek (HQ-CWF, MF), Unnamed Tributary to Paunacussing Creek (HQ-CWF, MF), and Lahaska Creek (CWF, MF), is located in State Water Plan watershed 2-F and 2-E and is classified for Trout Stocking, High Quality—Cold Water, Migratory Fish, Migratory Fishes, and Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

*Southeast Regional Office*

**PA0058602**, Storm Water, SIC Code 3272, **Delaware Valley Concrete Co. Inc.**, 248 E County Line Road, Hatboro, PA 19040-2116. Facility Name: Delaware Valley Concrete Hatboro Plant. This existing facility is located in Hatboro Borough, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary of Pennypack Creek (TSF, MF), is located in State Water Plan watershed 3-J and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Quarterly Average	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 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 Quarterly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

Part C Conditions:

I. Stormwater Outfalls and Authorized Non-Stormwater Discharges

II. Best Management Practices (BMPs)

III. Stormwater Monitoring Requirements

IV. Routine Inspections

V. Preparedness, Prevention and Contingency (PPC) Plan

A. Acquire Necessary Property Rights

B. Sludge Disposal Requirement

C. Remedial Measures if Public Nuisance

D. 10-year, 24-Hour Rainfall Event Definition

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*

**PA0245593**, Storm Water, SIC Code 3271, **EP Henry an Oldcastle Co.**, 16 Anderson Road, Parker Ford, PA 19457. Facility Name: EP Henry Parker Ford Facility. This existing facility is located in East Coventry Township, **Chester County**.

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

The receiving stream, Unnamed Tributary of Schuylkill River (HQ-TSF, MF), is located in State Water Plan watershed 3-D and is classified for Migratory Fishes and High-Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 001 are based on an average stormwater flow.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
Oil and Grease	XXX	XXX	XXX	XXX	XXX	5.0

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

1. Stormwater Outfalls

2. Best Management Practices

3. Stormwater Monitoring Requirements

4. Routine Inspections

5. PPC Plan

- 6. Acquire Necessary Property Rights
- 7. Proper Sludge Disposal

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*

**PA0092037**, Sewage, SIC Code 6515, **Twin Lakes Estates LLC**, 1 Vandercastel Road, Sterling, VA 20165-5622. Facility Name: Twin Lakes Estates LLC. This existing facility is located in Unity Township, **Westmoreland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00525 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX	
	Average Monthly	Average Weekly		Average Monthly	Maximum		
Flow (MGD)	0.00525	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	0.09	XXX	0.3	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0	
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	XXX	1,000
				May 1 - Sep 30	200		
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	14.4	
				Nov 1 - Apr 30	2.9	XXX	5.8
				May 1 - Oct 31			
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0	

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00525 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00525 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Daily Max	XXX
					Report	
Manganese, Total	XXX	XXX	XXX	XXX	Daily Max	XXX
					Report	
					Daily Max	

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

This permit is a Non EPA Waiver due to discharge to a TMDL stream.

*Southwest Regional Office*

**PA0218740**, Sewage, SIC Code 4952, **Mt Pleasant Township, Westmoreland County**, P.O. Box 158, Mammoth, PA 15664-0158. Facility Name: Mountain Shadows Phase I STP. The proposed facility is located in Mount Pleasant Township, **Westmoreland County**.

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

The receiving stream(s), Boyer Run (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 0.025 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.05	XXX	0.19
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	2.0	XXX	XXX	10.0	XXX	20.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	2.0	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	1.56	XXX	XXX	Geo Mean 7.5	XXX	15.0
Nov 1 - Apr 30						
May 1 - Oct 31	0.52	XXX	XXX	2.5	XXX	5.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, 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 in effect.

*Southwest Regional Office*

**PA0255505**, Storm Water, SIC Code 1311, **MarkWest Liberty Midstream & Resources, LLC**, 4600 J Barry Court, Suite 500, Canonsburg, PA 15317-5854. Facility Name: Welling Compressor Station. This existing facility is located in Buffalo Township, **Washington County**.

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

The receiving stream, Unnamed Tributary of Wolf Run (HQ-WWF), is located in State Water Plan watershed 20-E and is classified for High Quality Waters—Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
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



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

The EPA Waiver is in effect.

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

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*Northeast Regional Office*

Applicant: **Raymondskill Properties, LLC**

Applicant Address: 550 N. Larchmont Blvd., Suite 201, Los Angeles, CA 90004

Application Number: **PAD520022 A-1**

Application Type: Major Amendment

Municipality/County: Dingman Township, **Pike County**

Project Site Name: Raymondskill Creek Estates

Total Earth Disturbance Area (acres): 17.20 acres

Surface Waters Receiving Stormwater Discharges: Raymondskill Creek, High Quality—Cold Water Fish, Migratory Fish (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: Subdivision and land development of 13 single family residential lots. On-lot sewage, individual wells, and 2,050 linear feet of proposed roadway.

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: **Lehigh Valley Health Network c/o Angelo Procaccino**

Applicant Address: Facilities & Construction Dept., 5th Floor, 2100 Mack Blvd., P.O. Box 4000, Allentown, PA 18105-4000

Application Number: **PAD390091**

Application Type: Renewal

Municipality/County: Salisbury Township, **Lehigh County**

Project Site Name: Cedar Crest Campus—ED Expansion Project

Total Earth Disturbance Area (acres): 59.75 acres

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

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

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

Project Description: Expansion of emergency department, construction of waterline, parking lots, sanitary sewer, storm sewer and associated detention 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.

*Northeast Regional Office*

Applicant: **Macungie Investors, LLC c/o Joe Depascale**

Applicant Address: P.O. Box 429, Conshohocken, PA 19428

Application Number: **PAD390092**

Application Type: Renewal

Municipality/County: Lower Macungie Township, **Lehigh County**

Project Site Name: 5374 and 5392 Hamilton Boulevard

Total Earth Disturbance Area (acres): 3.86 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: Macungie Investors, LLC is planing to develop the site into a fast food restaurant and two-story office building.

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: **Mericle 112 Armstrong, LLC**

Applicant Address: 100 Baltimore Drive, Wilkes-Barre, PA 18702

Application Number: **PAD400037 A-4**

Application Type: New

Municipality/County: Pittston Township, **Luzerne County**

Project Site Name: CenterPoint Commerce & Trade Park East Phase IIB—Lots 38, 40 and 42

Total Earth Disturbance Area (acres): 558.96 acres

Surface Waters Receiving Stormwater Discharges: 1. UNT to Mill Creek (CWF, MF), 2. EV Wetlands

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

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

Project Description: This project involves a Major Amendment for Lots # 38, # 40, and # 42 associated with CenterPoint Commerce & Trade Park East Phase IIB. Proposed revisions include a 1.22-acre increase in earth disturbance and an increase in impervious area as a result of changes to the site layout.

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: **TJA Realty Inc.**

Applicant Address: 351 Cedar Road, Bangor, PA 19013

Application Number: **PAD450188**

Application Type: New

Municipality/County: Hamilton Township, **Monroe County**

Project Site Name: Spring Street Mini Storage

Total Earth Disturbance Area (acres): 2.1 acres

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

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

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

Project Description: Construction of a 15,000-sf storage building (2-story), driveway, well, on-lot septic, stormwater BMPs, lighting, landscaping and security fence.

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: **Upper Macungie Group c/o Steve Lampmann**

Applicant Address: 104 Old Mill Road, Sellersville, PA 18960

Application Number: **PAD390115**

Application Type: Renewal

Municipality/County: Upper Macungie Township, **Lehigh County**.

Project Site Name: Hidden Meadows Land Development

Total Earth Disturbance Area (acres): 60.21 acres

Surface Waters Receiving Stormwater Discharges: Tributary to Little Lehigh Creek (aka Cedar Creek)

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

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

Project Description: 312 Townhomes with associated access roads, utilities, and stormwater management.

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

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

*Northeast Regional Office*

Applicant: **Evergreen Farms at Sterling, LLC**

Applicant Address: 4136 Bethman Road, Easton, PA 18045

Application Number: **PAD640045**

Application Type: New

Municipality/County: Sterling Township, **Wayne County**

Project Site Name: Sterling Warehouse

Total Earth Disturbance Area (acres): 55.75 acres

Surface Waters Receiving Stormwater Discharges: UNT to West Branch Wallenpaupack Creek (HQ-CWF, MF), West Branch Wallenpaupack Creek (HQ-CWF, MF) and EV Wetlands

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

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

Project Description: The project involves the construction of an 800,000 square foot warehouse with associated parking, access drives, truck docks, utilities, landscaping and stormwater management facilities.

Special Conditions: Potential Impacts to EV Wetlands.

1. The permittee shall monitor water table elevations daily at each monitoring well identified in the approved PCSM Plan for EV wetlands for a minimum of five years. Reports providing water table elevations shall be submitted to DEP every six months, beginning in (October of the 2nd year of coverage). These reports shall be submitted by October 31st and April 30th each year. All monitoring wells should confirm the presence of a water table no deeper than 12-inches below the ground surface for a period of at least 14 consecutive days during the growing season (April 1—October 1 annually) at a minimum frequency of 3 of the 5 monitoring years, unless a longer timeframe for monitoring is extended by DEP in writing. If a water table is not observed at the previously stated depth and/or for a duration of at least 14 consecutive days in 3 of 5 monitoring years (or in accordance with an alternate monitoring timeframe approved by DEP in writing), the wetland will be considered adversely impacted by the project, unless information and/or data provided to DEP demonstrates otherwise and DEP concurs that the project did not adversely impact the wetland.

2. The permittee shall provide DEP with a running comparison of monitoring data for pre-construction and post-construction monitoring every six months, beginning in (October of the 3rd year after the date of coverage). These monitoring data reports shall be submitted by October 31st and April 30th each year. If the ground water table elevation is found to be lower in post-construction monitoring for the same time period, the wetland will be considered adversely impacted by the project, unless information and/or data provided to DEP demonstrates the cause is unrelated to the project and DEP concurs that the project did not adversely impact the wetland.

3. The permittee shall delineate the boundaries of the EV wetlands in the years (5 years from date of coverage) and (7 years from the date of coverage) using the Army Corps of Engineers' 1987 Wetland Delineation Manual and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0). These wetland delineations shall be submitted to DEP on or before April 30th in the 5th year of permit coverage and on or before the permit expiration or termination date of this permit or the 7th year of permit coverage whichever is sooner, unless an alternate timeframe for submission of these delineations is approved by DEP in writing. Boundaries shall be surveyed and compared to the boundaries outlined on the approved plans. The data shall be submitted to DEP on or before April 30th of each year, beginning in (October of the 3rd year after the date of coverage). If a reduction in

size of the wetland of greater than 0.05 acre is observed, the wetland will be considered adversely impacted by the project, unless a clear and unrelated cause of the reduction in size is demonstrated and DEP concurs that the project did not adversely impact the wetland.

4. The permittee shall provide reports identifying plant species in the EV wetlands during the growing season once a year for five years beginning in (April of the 3rd year after the date of coverage). Any observed reduction in the number of different species having a wetland indicator status of (identify indicator status appropriate for the wetland in question) shall be clearly identified in the report. If a reduction is observed, the wetland will be considered adversely impacted by the project unless another clear cause of the reduction in diversity is identified and DEP concurs that the project did not adversely impact the wetland.

5. The permittee shall inspect monitoring wells, including water level loggers, at least monthly to ensure that they are not damaged and are functioning properly. If a damaged or malfunctioning well is identified, DEP shall be contacted immediately in writing, and the well shall be restored to its design specifications within two weeks, unless weather conditions do not permit and/or is otherwise extended in writing by DEP.

6. In the event that the water table falls below the bottom of a monitoring well and the water level logger in that well becomes inoperable, the well shall be inspected at a minimum of once every two weeks and the data logger shall be re-installed once the water table is again observed in the well.

7. DEP may require the monitoring period to be extended to confirm or disprove potential adverse impacts to EV wetlands. DEP will review the monitoring information submitted by the permittee and if DEP determines that the EV wetlands have been adversely impacted, the permittee shall submit to DEP for review and approval a narrative identifying the cause(s) of the impact and plans to correct it within 3 months after DEP has determined that the wetlands have been adversely impacted. If the cause(s) cannot be identified or if correction of the impact is deemed infeasible, the permittee shall submit to DEP for review and approval plans and a schedule to create (identify required mitigation area) acres of (identify the wetland mitigation required) wetlands in or along the floodplain of (identify the receiving stream) or one of its tributaries within 6 months of DEP's determination of an adverse impact, unless an alternate location for wetland creation is approved and/or this deadline is extended in writing by DEP. Construction of the replacement wetlands shall begin no later than one year after DEP's determination of an adverse impact, unless an alternate deadline is established in writing by DEP.

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

*Northeast Regional Office*

Applicant: **PD Hellertown, LLC**

Applicant Address: 91 Larry Holmes Drive, Easton, PA 18042

Application Number: **PAD480204**

Application Type: New

Municipality/County: Hellertown Borough, **Northampton County**

Project Site Name: Champion Medical Office Building

Total Earth Disturbance Area (acres): 6.68 acres

Surface Waters Receiving Stormwater Discharges: Saucon Creek, HQ-CWF, MF

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

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

Project Description: The applicant is proposing to redevelop the property with a 3-story, 90,000 GFA microhospital and medical office building. The site will also contain related site amenities and improvements inclusive of parking, landscaping, ADA facilities, lighting, utilities, retaining walls, and access drives to Main Street, Williams Street, and Franklin Street.

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.

*Southwest Regional Office*

Applicant: **Nichol Avenue McKees Rocks, LLC**

Applicant Address: 6101 Carnegie Blvd, Suite 180, Charlotte, NC 28209

Application Number: **PAD020062**

Application Type: Transfer

Municipality/County: Stowe Township, **Allegheny County**

Project Site Name: Nichol Avenue Development

Total Earth Disturbance Area (acres): 73.4 acres

Surface Waters Receiving Stormwater Discharges: Ohio River (WWF-N)

**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:** Warehouse development located along Nichol Avenue in Stowe Township, Allegheny County, PA.

**Special Conditions:** 1. The applicant shall adhere to the executed Memorandum of Understanding between SunCap Property Group and the Pennsylvania State Historic Preservation Officer dated February 1, 2023. 2. Earth disturbance shall adhere to the Soil Management Plan approved by the Department's Environmental Cleanup and Brownfield Program. 3. Prior to the beginning of work, all public water supplies or other water-related activities located downstream that may be affected by turbidity increases or other water quality changes caused by said work shall be sufficiently notified in advance to allow for preparation of any water quality changes. These include, at a minimum, West View Water Authority—Neville Island, Robert Christian, 412-931-3292.

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

*Northeast Regional Office*

**Applicant: PPL Electric Utilities Corporation**

**Applicant Address:** 827 Hausman Road, Allentown, PA 18104-9392

**Application Number: PA480001D**

**Application Type:** New

**Municipality/County:** Allen Township, Lehigh Township, Palmerton Borough, Lower Towamensing Township, Northampton County, **Carbon County**

**Project Site Name:** Siegfried-East Palmerton 230kV Line Rebuild Project

**Total Earth Disturbance Area (acres):** 173.0 acres

**Surface Waters Receiving Stormwater Discharges:** Aquashicola Creek (TSF, MF), Bertsch Creek (CWF, MF), UNT to Bertsch Creek (CWF, MF), Hokendauqua Creek (CWF, MF), UNTs to Hokendauqua Creek (CWF, MF), Indian Creek (CWF, MF), UNT to Indian Creek (CWF, MF), Lehigh River (TSF, MF) and EV wetlands

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

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

**Project Description:** The PPL EU Siegfried-East Palmerton 230kV Line Rebuild consists of the reconstruction of an existing electric utility line, approximately 7.75 miles in length. The line starts at the East Palmerton Substation, South of SR 2002, and travels east, before heading southeast, ending at the Siegfried Substation, west of SR 3019. The entire project is located within Northampton and Carbon Counties.

**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: Bridging Pennsylvania Developer I LLC**

**Applicant Address:** Nova Tower 1, Suite 300, Pittsburgh, PA 15212

**Application Number: PAD330012**

**Application Type:** New

**Municipality/County:** Brookville Borough and Pine Creek Township, **Jefferson County**

**Project Site Name:** I-80 North Fork Bridges

**Total Earth Disturbance Area (acres):** 144 acres

**Surface Waters Receiving Stormwater Discharges:** North Fork Redbank Creek & UNTs 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:** Highway improvement project to replace the existing SR 0080 EB and WB bridges over North Fork Redbank Creek, including the realignment of SR 0080 EB, to improve public safety.

Special Conditions: • Pollution of any waterway with harmful chemicals, fuels, oils, greases, bituminous material, acid, or other harmful or polluting materials, is prohibited. • The permittee shall follow the measures specified in the APR Handling Work Plan during construction. • The permittee shall maintain a copy of the Plan on-site at all times during construction, train staff to use and implement this plan, and have this plan available to provide at the request of any Department inspector.

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

*Northeast Regional Office*

Applicant: **ANR III, LLC**

Applicant Address: 4500 Falmer Drive, Bethlehem, PA 18020

Application Number: **PAD390103**

Application Type: Renewal

Municipality/County: Upper Macungie Township, **Lehigh County**

Project Site Name: Goddard School

Total Earth Disturbance Area (acres): 2.13 acres

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

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

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

Project Description: 13,219 SF day care facility with associated parking. The site will be served by public sewage and on-site well.

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: **Saucon Valley Country Club c/o Jim Roney**

Applicant Address: 2050 Saucon Valley Road, Bethlehem, PA 18015

Application Number: **PAD390285**

Application Type: New

Municipality/County: Upper Saucon Township and Lower Saucon Township, **Lehigh County** and **Northampton County**.

Project Site Name: Weyhill Course Hole 1 Irrigation Pond Expansion

Total Earth Disturbance Area (acres): 7.16 acres

Surface Waters Receiving Stormwater Discharges: Saucon Creek (CWF, MF), UNT to Saucon Creek (CWF, MF) & EV Wetlands

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

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

Project Description: Construction of new irrigation pond, irrigation system and installation of supporting utilities required to comply with DRBC pass-by flow permit condition. The project is associated with DEP Application No. E3902223-002. Chapter 105 disturbance/impacts total 3.456 acres and other Chapter 102 disturbances total 3.704 acres.

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: **Tevet Holdings, LLC**

Applicant Address: 230 North Main Street, Shrewsbury, PA 17361

Application Number: **PAD670099**

Application Type: New

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

Project Site Name: Laricina Development

Total Earth Disturbance Area (acres): 12.77 acres

Surface Waters Receiving Stormwater Discharges: UNT to Deer Creek (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: Residential active adult community development with 30 semi-detached and 16 detached units.

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: **M&G Realty Inc.**

Applicant Address: 2295 Susquehanna Trail, Suite C, York, PA 17404

Application Number: **PAD310013**

Application Type: New

Municipality/County: Smithfield Borough, **Huntingdon County**

Project Site Name: Huntingdon Rutter's Store # 93

Total Earth Disturbance Area (acres): 7.03 acres

Surface Waters Receiving Stormwater Discharges: UNT Juniata River

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: 11,000 SF Convenience Store with Gasoline and Diesel Fuel Stations, and associated improvements.

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: **Sheetz Inc.**

Applicant Address: 242 Sheetz Way, Claysburg, PA 16625

Application Number: **PAD070033**

Application Type: New

Municipality/County: Greenfield Township, **Blair County**

Project Site Name: Sarah Furnace Estate Redevelopment

Total Earth Disturbance Area (acres): 9.9 acres

Surface Waters Receiving Stormwater Discharges: Beaverdam Creek (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: Conversion of existing buildings into a bed and breakfast, event venue and meeting space, and associated parking.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southwest Regional Office*

Applicant: **Twin Ridges, LLC**

Applicant Address: 2925 Richmond Ave, Houston, TX 77098

Application Number: **PAD560012**

Application Type: New

Municipality/County: Greenville Township, Larimer Township, Northhampton Township, and Southhampton Township, **Somerset County**

Project Site Name: Twin Ridges Wind Project

Total Earth Disturbance Area (acres): 232.2 acres

Surface Waters Receiving Stormwater Discharges: UNT to Wills Creek (HQ-CWF), Laurel Run (HQ-CWF), Flaugherty Creek (CWF), Mountain Run (HQ-CWF), Gladdens Run (HQ-CWF) and Jennings Run (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: Repowering of the Twin Ridges wind energy generation facility and necessary infrastructure.

Special Conditions: All conditions and recommendations provided by DCNR Bureau of Forestry, Pennsylvania Fish and Boat, and the United States Fish and Wildlife Service regarding PNDI impacts during construction shall be followed during all stages of construction for the duration of the project. These include, but may not be limited to: All trees or dead snags greater than 5 inches in diameter at breast height that need to be harvested to facilitate the project (including any access roads or off ROW workspaces) should be cut between November 1st and March 31st to minimize impacts to tree roosting bats.

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

*Southwest Regional Office*

Applicant: **Peoples Natural Gas Company LLC**

Applicant Address: 375 North Shore Drive, Suite 600, Pittsburgh, PA 15212

Application Number: **PA300006D**

Application Type: New

Municipality/County: Morgan Township, East Bethlehem Township, West Bethlehem Township, and Deemston Borough, **Greene County and Washington County**

Project Site Name: Goodwin Tombaugh System Conversion Phase 3 Areas 7—9

Total Earth Disturbance Area (acres): 47 acres

Surface Waters Receiving Stormwater Discharges: Castile Run (WWF), Daniels Run (TSF), Plum Run (TSF), Tenmile Creek (TSF) & Tenmile Creek (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: The Project consist of the installation of 13 miles of new 2-inch, 4-inch, and 6-inch plastic gas pipeline in Morgan Township, Greene County; Deemston Borough, East Bethlehem and West Bethlehem Townships, Washington County, PA. PNG intends to complete a portion of the Project using Horizontal Directional Drilling (HDD) to reduce earth disturbance and limit environmental impacts. The remainder of the Project will be installed via trenching methods. Use of the existing pipeline will be abandoned. The pipeline will remain in place except for sections of exposed pipeline within streams and wetlands, which will be removed. Additionally, the abandoned pipeline will either be removed or capped at all stream and wetland crossings in accordance with PA DEP requirements. In-lieu of grouting the abandoned line at resource crossings, PNG shall maintain liability of the abandoned line. If there are any environmental concerns or any issues identified due to the abandoned pipe, PNG will be responsible to correct the issue. The Project will be restored to pre-construction conditions and no new permanent impervious areas are proposed.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

*Northcentral Regional Office*

Applicant: **Benjamin P. Hale**

Applicant Address: 76 Fruit Farm Road, Elysburg, PA 17824

Application Number: **PAD470005**

Application Type: New

Municipality/County: Mayberry Township, **Lycoming County**

Project Site Name: Hale Pole Barn Project

Total Earth Disturbance Area (acres): 1.988 acres



Surface Waters Receiving Stormwater Discharges: UNT to S. Br. Roaring Creek (HQ-CWF, MF) (CWF-MF)

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

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

Project Description: The project property's total area is 18,985 acres. The studied drainages area is 6.129 acres. The project's NPDES Boundary will be the property lines and totaling 18.985 acres. The project's proposed area disturbance is 1.988 acres. The proposed project consists of the following construction of an access driveway, Pole Barn, Stormwater Management structures/BMPs, on-site sewage disposal system, installation of Utilities, and grading/landscaping.

Special Conditions: N/A

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

*Southeast Regional Office*

Applicant: **Williams Field Services Company, LLC**

Applicant Address: 2000 Commerce Drive, Pittsburgh, PA 15275

Application Number: **PAD090103**

Application Type: New

Municipality/County: Falls Township, **Bucks County**

Project Site Name: Fairless Landfill Pipeline

Total Earth Disturbance Area (acres): 27.1 acres

Surface Waters Receiving Stormwater Discharges: Delaware River (WWF, MF)

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

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

Project Description: The proposed project is for the installation of approximately 14,200' of 6" steel pipeline between the proposed WMRE Fairless RNG Facility (by others) and an existing surface site in support of Williams' pipeline operations.

Special Conditions: N/A

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

## **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>
Kline's Hillside Farm 167 Coble Rd Chambersburg, PA 17202	Franklin County	3.8	506.73	Swine Turkeys	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).**

*Central Office: Safe Drinking Water Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-772-4477.*

*Contact: Jacob Fogarty, Env Eng.*

**Application No. 9996635**, Operation, Public Water Supply.

<b>Applicant</b>	<b>Premium Waters</b>
<b>Address</b>	1811 N 30th Street Quincy, IL 62301
<b>Municipality</b>	Out of State Municipality Borough
<b>County</b>	<b>Quincy</b>
<b>Responsible Official</b>	Johnathan Wilson 1811 N 30th Street Quincy, IL 62301

Application Received	January 31, 2024
Description	Permit application to sell an alkaline, distilled, and spring bottled water line.

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

*Contact: Daniel J. Cannistraci, Environmental Engineering Specialist, 717-705-4700.*

**Application No. 3060839**, Construction, Public Water Supply.

<b>Applicant</b>	<b>Castle Hill Associates</b>
<b>Address</b>	425 North 21st Street Suite 302 Camp Hill, PA 17011
<b>Municipality</b>	Straban Township
<b>County</b>	<b>Adams County</b>
<b>Responsible Official</b>	David J. Rimmel, P.E. SIOR 425 North 21st Street Suite 302 Camp Hill, PA 17011
<b>Consulting Engineer</b>	Charles A. Kehew, II, P.E. James R. Holley & Associates 18 South George St Suite 300 York, PA 17401

Application Received	January 29, 2024
Description	This application is for upgrades to the Castle Hill Mobile Home Park water system, including new disinfection contact tanks, booster pumps, a pressure tank, and related appurtenances.

*Contact: Darin Horst, Environmental Engineer, 717-705-4948.*

**Application No. 3623551**, Construction, Public Water Supply.

<b>Applicant</b>	<b>Christiana Municipal Water Authority</b>
<b>Address</b>	10 West Slokom Avenue P.O. Box 135 Christiana, PA 17509
<b>Municipality</b>	Sadsbury Township
<b>County</b>	<b>Lancaster County</b>

Responsible Official Michele Maser  
10 West Slokom Avenue  
P.O. Box 135  
Christiana, PA 17509

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

Application Received January 12, 2024

Description Emergency interconnect with  
Pennsylvania American Water  
Company, Coatesville District.

*Southwest Region: Safe Drinking Water Program, 400  
Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-  
4000.*

*Contact: Renee Diehl, Program Manager, ra-epswsdu@  
pa.gov.*

**Application No. 0424502**, Construction, Public Water  
Supply.

Applicant **Beaver Borough Municipal  
Authority**

Address 469 Third Street  
Beaver, PA 15009

Municipality Beaver Borough

County **Beaver County**

Responsible Official Scott Snyder  
469 Third Street  
Beaver, PA 15009

Consulting Engineer Martone Engineering  
206 First Street  
Pittsburgh, PA 15215

Application Received January 11, 2024

Description Addition of a mixing system in  
the 1 MG water storage tank.

**Application No. 6524502**, Construction, Public Water  
Supply.

Applicant **Municipal Authority of  
Westmoreland County**

Address 124 Park and Pool Road  
New Stanton, PA 15672

Municipality West Leechburg Borough and  
Penn Township

County **Westmoreland County**

Responsible Official Michael Kukura  
Resident Manager  
124 Park and Pool Road  
New Stanton, PA 15672

Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
P.O. Box 853  
Latrobe, PA 15650

Application Received January 25, 2024

Description West Leechburg # 2 Tank and  
Sunrise Tank painting and  
mixer.

**Application No. 0424505**, Construction, Public Water  
Supply.

Applicant **Industry Borough Municipal  
Authority**

Address 1149 Willowbrook Drive East  
Industry, PA 15052

Municipality Industry Borough

County **Beaver County**

Responsible Official Andrew Zachodni  
1149 Willowbrook Drive East  
Industry, PA 15052

Consulting Engineer Michael Baker International  
100 Airside Drive  
Airside Business Park  
Moon Township, PA 15108

Application Received January 31, 2024

Description Water Treatment Plant  
Improvements Project including  
a new water treatment building,  
breakpoint chlorination, and  
multimedia filtration systems.

#### **BIOSOLIDS INDIVIDUAL PERMITS (PABIG AND PABIS)**

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. 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 land apply biosolids subject to certain requirements in the permit.

Individuals wishing to comment on a proposed permit are invited to submit statements to the responsible DEP Regional Office noted before the application within 30-days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding an application. A response should include the name, address and telephone number of the writer and a concise statement of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Regional 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, comments received and other information on file and may be inspected and arrangements made for copying at the responsible DEP Regional Office indicated before the application.

Individuals in need of accommodations to participate in the proceedings should contact the Secretary to the Board at 717-787-3483. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984 or (800) 654-5988 (voice users).

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

*Contact: Brianna Makar, Soil Scientist, 570-826-2359.*

**PABIS No. 2204, Whiteman Farm Biosolids Site**  
865 Owl Creek Rd, Lehighton, PA 18235, Towamensing

Township, **Carbon County**. Lehigh County Authority, 112 Union Street, Allentown, PA 18102. Whiteman Farm Biosolids Site Farm in Towamensing Township, **Carbon County**. Draft permit for the beneficial use of biosolids by land application. Application received: December 26, 2023.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.*

**Roeber BRA 4HC on the Roeber BRA Wel Pad**, Primary Facility ID # **869217**, 1131 Grand View Road, Wyalusing, PA 18853, Wyalusing Township, **Bradford County**. Creston Environmental, LLC, PO Box 1373, Camp Hill, PA 17001 on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Notice of Intent to Remediate. The NIR concerns remediation of site soil contaminated with production fluid and petroleum products. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was published in *The Daily Review* on January 23, 2024. Application received: January 26, 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.*

**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 Notice of Intent to Remediate. Concentrations of chlorinated solvents have been identified in the soil, soil vapor and groundwater onsite. The concentrations exceed the PA DEP Statewide Health MCSs in the groundwater. Concentrations were below the commercial PA DEP Statewide Health MSCs in the soil and soil vapor. The contamination is related to the regional chlorinated groundwater solvent plume. The Notice of Intent to Remediate was published in *The Post-Gazette* on January 14, 2024. Application received: January 24, 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.**

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-1982.*

*Contact: Jason Dunham, Environmental Group Manager.*

**WMGR088SC001 (Formerly WMGR088). Commonwealth Disposal, Inc.**, 2340 Paxton Church Rd., Harrisburg, PA 17110-9687, Susquehanna Township, **Dauphin County**. The application proposes to modify WMGR088 to increase the Molybdenum limit of 18 mg/kg. The applicant did not identify a specific concentration to which that limit should be increased. The request for modification included analyses performed for the previous year. While many of the analyses were below the 18

mg/kg limit, 4 of the 19 analyses exceeded 18 mg/kg, with the highest level being 32 mg/kg. The applicant also indicated that the Molybdenum limit for land application of sewage sludge under 25 Pa. Code Chapter 271, Subchapter J is 75 mg/kg, which implies that the Department considers that level to be protective. Application received: August 10, 2023. Deemed administratively complete: August 10, 2023.

Comments or questions concerning the application should be directed to Jason Dunham, Environmental Group Manager, 717-787-1982, Central Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. 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.**

*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.*

**101187. County Landfill, Inc.**, 344 Walley Run Drive, Leeper, PA 16233, Farmington Township, **Clarion County**. This application is a request to reduce certain aspects of the groundwater monitoring program as allowed by the rules. This application does not propose any design, operation, or closure changes to the facility. This is a closed landfill facility which does not accept waste for disposal or perform active operations. The closure construction of this landfill, including complete covering with a PA DEP-approved final cover system, was completed in 2008. Since entering post-closure monitoring, quarterly sampling has been conducted at site groundwater wells. Results from sampling show that groundwater parameters monitored quarterly have not caused or contributed to groundwater degradation and are unlikely to cause or contribute to groundwater degradation in the future. As such, pursuant to 25 Pa. Code § 273.322(e), approval is being requested to reduce the groundwater sampling frequency from quarterly to semiannually for parameters that require quarterly monitoring. Additionally, a reduction in the number of monitoring wells is being requested to simplify the groundwater monitoring network. The proposed monitoring system will remain compliant with 25 Pa. Code § 273.282(a) and effectively monitor groundwater quality. These changes in the post-closure monitoring program requires permitting through the PA DEP Major Permit Modification process. A reduced sampling frequency is supported by the site conditions and rule provisions which are detailed in the permit modification application. Application received: February 5, 2024. Deemed administratively complete: February 5, 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.

*Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Waste Program Manager.*

**101732. Noble Environmental Specialty Recycling, LLC**, 500 Technology Drive, Canonsburg, PA 15317, West Elizabeth Borough, **Allegheny County**. Application for a new municipal waste transfer station to be located at 1101 5th Street has been withdrawn. Application received: September 25, 2023.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@pa.gov, 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.*

**Frank's Vacuum Truck Services, LLC**, 1717 New Road, Niagra Falls, NY 14304. **License No. PA-AH 0031**. Accepted: December 20, 2023.

**J and D Trucking, Inc.**, 3526 NW Boulevard, Vineland, NJ 08360. **License No. PA-AH 0652**. Accepted: November 13, 2023.

**Waste Management of PA, Inc.**, 782 Antrim Road, Wellsboro, PA 16901. **License No. PA-AH 0813**. Accepted: January 25, 2024.

**Approved Storage & Waste Hauling MA, Inc.**, 110 Edison Ave, Mt. Vernon, NY 10550. **License No. PA-AH0885**. Accepted: November 28, 2023.

### AIR QUALITY

#### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

The DEP received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, DEP's analysis, all pertinent documents

used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate DEP Regional Office. Appointments for scheduling a review must be made by calling the appropriate DEP Regional Office. The address and telephone number of the Regional Office is listed before the application notices.

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

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

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

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

#### PLAN APPROVALS

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

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

*Contact: David G. Balog, P.E. New Source Review Section Chief, 814-332-6328.*

**32-00453A: Shoemaker Funeral Home Inc., 49 North Walnut Street, Blairsville, PA 15717, Blairsville Borough, Indiana County.** Application received: January 12, 2024.

**32-00453A: Shoemaker Funeral Home Inc., 49 North Walnut Street, Blairsville, PA 15717, for the installation and initial operation of a human crematory at their facility in Blairsville Borough, Indiana County.**

#### PLAN APPROVALS

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

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

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**41-00021: Buckeye Terminals LLC, 1466 Sylvan Dell Road, South Williamsport, PA 17702, Armstrong Township, Lycoming County.** Application received: October 23, 2023. The Department intends to issue a revised State Only (Synthetic Minor) Operating Permit for the Williamsport Petroleum Bulk Station and Terminal for the purpose of incorporating the terms and conditions of Plan Approval 41-00021A into the operating permit. The facility's main sources include one (1) 567,940 gallon internal floating roof storage tank for gasoline, ethanol or petroleum distillate; one (1) 1,377,306 gallon internal floating roof storage tank for gasoline, ethanol or petroleum distillate; one (1) 1,383,186 gallon fixed roof storage tank for petroleum distillate, one (1) 452,082 gallon fixed roof storage tank for petroleum distillate, one (1) 452,762 gallon internal floating roof storage tank for gasoline, ethanol or petroleum distillate; one (1) 1,006,824 gallon storage tank for gasoline, ethanol or petroleum distillate; one (1) 10,000 gallon additives/biodiesel storage tank; one (1) tri-partition 8,500 gallon storage tank; one (1) 2,000 gallon ULSD additive storage tank; two (2) small facility comfort heat units; along with gasoline and distillate loading operations controlled by a vapor combustion unit or vapor recovery unit as well as facility-wide fugitive emissions from pumps valves and flanges. The facility has potential emissions of 3.89 tons per year of nitrogen oxides, 5.17 tons per year of carbon monoxide, 0.09 ton per year of sulfur oxides, 0.21 ton per year of particulate matter, 14.65 tons per year of volatile organic compounds, and 0.88 ton per year of total hazardous air pollutants. In any twelve consecutive month period, gasoline throughput is limited to 91,100,000 gallons and distillate throughput is limited to 315,360,000 gallons. The emission limits and work practice standards along with monitoring, record-keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

**49-00004A: Resilite Sports Products, Inc., 200 Point Township Drive, Northumberland, PA 17857, Northumberland Borough, Northumberland County.** Application received: January 3, 2023. The Department intends to

issue a plan approval to install and operate a NESTEC electric powered regenerative catalytic oxidizer to control the air contaminant emissions from Sources 106 and 202 and for a 3.45-ton increase in VOCs at the mat reconditioning operation Source 201 at their athletic products manufacturing facility. The Department's review of the information submitted by Resilite Sports Products, Inc. indicates that the installation of the proposed control device will meet all applicable air quality regulatory requirements, including the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12 pertaining to air contamination sources and the emission of air contaminants. Based on these findings, the Department intends to issue plan approval for the construction of the proposed project. The following is a listing of the conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

1.) Pursuant to the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12 and the Reasonably Available Control Technology (RACT III) requirements of 25 Pa. Code §§ 129.111—129.115:

a.) Control Device C001 associated with Sources 106 and 202 shall reduce the volatile organic compound emissions by 97% or greater or reduce the outlet volatile organic compound concentration to not equal or exceed 20 parts per million, by volume, dry basis (ppmdv) at 3% oxygen.

b.) The minimum operating temperature limit shall not be less 500°F at the inlet of the catalyst bed of Control Device C001.

c.) Control Device C001 shall be equipped with instrumentation to continuously monitor and record the inlet combustion chamber temperature.

d.) Control Device C001 shall be equipped with instrumentation to continuously monitor and record the differential pressure across the catalyst.

e.) Control Device C001 shall be maintained and operated in a manner consistent with good air pollution control practices and in accordance with the manufacturer's recommendations as well as manufacturer's maintenance plan.

f.) The permittee shall not perform operations in Sources 106 and 202 without the simultaneous operation of Control Device C001.

g.) No organic solvent-based mat coating material used in this facility shall contain volatile organic compounds in excess of 4.97 pounds per gallon of coating (minus exemptions), as applied.

h.) The annual volatile organic emissions from Sources 106 and 202 combined shall not exceed 7.93 tons in any 12 consecutive month period.

i.) The annual volatile organic compound emission from Source 201 shall not exceed 5.0 tons in any 12 consecutive month period.

j.) All cleanup operations incorporated in Source 202 shall be performed in the four (4) spray bay rooms associated with Source 106.

k.) The permittee shall keep records of the following information: the supporting calculations on a monthly basis used to calculate the VOC and VHAP from Control Device C001 associated with Sources 106 and 202 in any 12 consecutive month period; the test reports and supporting calculations used to verify compliance with the volatile organic compound destruction efficiency for Con-

trol Device C001 associated with Sources 106 and 202; the pressure drop across and the inlet temperature of Control Device C001 on a continuous basis; the permittee shall keep records of the supporting calculations on a monthly basis used to verify compliance with the volatile organic compound emission limitations for Source 201 in any 12 consecutive month period.

2.) Pursuant to the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12, there shall be no visible emissions from Control Device C001.

3.) Pursuant to the 25 Pa. Code Chapter 139:

a.) The permittee shall perform volatile organic compound stack tests upon Control Device C001 associated with Sources 106 and 202 within 180 days from the initial operation to verify compliance with the destruction efficiency of Control Device ID C001 associated with Sources 106 and 202.

b.) The performance test shall consist of three (3) separate test runs and each run shall last at least in one (1) hour in duration.

c.) The inlet temperature and the pressure drop across the catalyst bed of Control Device C001 shall be recorded on a continuous basis during the test. The Department may establish inlet and pressure drop limitations for Control Device C001 based on stack testing data.

d.) The permittee may lower the inlet catalyst bed temperature below 500°F during testing only to verify compliance with 97% destruction efficiency or 20 ppm corrected to 3% oxygen for Control Device C001. Once testing is completed, the permittee shall increase the inlet catalyst temperature of Control Device C001 to above 500°F.

e.) All testing is to be done using reference method test procedures acceptable to the Department and all testing is to be performed while Control Device C001 is operating at maximum normal operational conditions.

The facility is a Title V Major emitting facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 49-00004A, and that the permittee has demonstrated compliance with all of the plan approval conditions, then upon the facility having operated twelve consecutive months below the Major emission threshold for VOCs of 50 tons, the conditions will be incorporated into a State Only (Natural Minor) Operating Permit by means of an administrative amendment pursuant to 25 Pa. Code § 127.450 and pursuant to the operating permit requirements of 25 Pa. Code Subchapter E. All appropriate testing, monitoring, recordkeeping and reporting requirements have been included in the plan approval to ensure the facility complies with all applicable Federal and State air quality regulations. All documentation used in the evaluation of the application is available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the 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 of Environmental Protection determines such notification is sufficient. Written comments or

requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648. Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should contact the Northcentral Regional Office at 570-327-3659. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at 800-654-5984.

**49-00069A: Encina Fort Union LLC**, 1095 Evergreen Circle, Suite 510, Woodlands, TX 77380, Point Township, **Northumberland County**. Application received: November 7, 2022. For the construction of a plastics sorting operation, which includes an emergency generator, two emergency fire pumps, and fugitive emissions from facility roadways, at the proposed Point Township Circular Manufacturing Facility. The Department of Environmental Protection's (Department) review of the information submitted by Encina Fort Union LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including 40 CFR Part 60 Subpart IIII, Part 63 Subpart ZZZZ, and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction. The total combined potential to emit from all sources included in the proposed plastics sorting operation are: 5.64 tpy NO<sub>x</sub>, 3.31 tpy CO, 24.02 tpy PM, 4.98 tpy PM<sub>10</sub>, 1.39 tpy PM<sub>2.5</sub>, 0.67 tpy VOCs, 0.01 tpy SO<sub>x</sub>, 0.01 tpy HAPs, 763 tpy GHGs. The emissions from each proposed source included in this project will not exceed the following limits: Generator: 4.43 tons per year (tpy) NO<sub>x</sub> + NMHC, 2.42 tpy CO, 0.14 tpy FPM, 555 tpy GHGs Fire Pump (each): 0.52 tpy NO<sub>x</sub> + NMHC, 0.46 tpy CO, 0.03 tpy FPM, 104 tpy GHGs Roadways: 23.8 tpy FPM. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements. The engines shall comply with all applicable NSPS and NESHAPs requirements for emergency use engines, including limits on the hours of operation in non-emergency situations, monitoring hours of operation, and performing routine maintenance. Roads at the facility shall be paved, a speed limit of 20 mph shall be set for facility roadways, daily inspections of the facility including roadways are required and the permittee shall promptly clean any dirt or debris on the roadways, as necessary. Within 180 days of startup, the permittee shall conduct a site-specific study in order to better characterize actual PM emissions from facility roadways. The facility is proposed as a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 49-00069A, the requirements established in the plan approval will be incorporated into State Only Operating Permit 49-00069 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

*Contact: Shailesh Patel, P.E., Environmental Group Manager.*

**48-00037B: Chrin Brothers Sanitary Landfill Inc.**, 1225 Industrial Drive, Easton, PA 18042, Williams Township, **Northampton County**. Application received: November 15, 2023.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) that the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Chrin Brothers, Inc.—Chrin Brothers Sanitary Landfill (1225 Industrial Drive, Easton, PA 18042) for their facility located in Williams Township, Northampton County. The facility currently has a Title V Operating Permit (TVOP) 48-00037. This Plan Approval No. 48-00037B will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

Plan Approval No 48-00037B is for the removal of source-specific emission limits for the existing Flare # 004 (Source ID C01D). The Flare # 004 emission limits are potentially incorrect and overly restricts the flare's allowable operating hours. Chrin Landfill will continue to maintain compliance with the TVOP No. 48-00037 emission limits for the combined criteria pollutant emission limits from its flare group. No changes are being proposed to the existing flare itself or landfill operations.

Chrin Landfill is a major facility subject to Title V permitting requirements and is located in Williams Township, Northampton County. The flare has destruction efficiency in excess of 98% for non-methane volatile organic compounds. The landfill operation is also subject to NSPS Part 60, Subpart WWW and Subpart XXX, and MACT Part 63, Subpart AAAA. The Operating Permit will include testing, monitoring, recordkeeping, and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Permit No. 48-00037B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient.

Written comments or requests for a public hearing should be directed to Shailesh Patel, Environmental Group Manager, New Source Review Section, Air Quality



Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

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

*Contact: David G. Balog, New Source Review Section Chief, 814-332-6328.*

**33-00140D: Eastern Gas Transmission and Storage, Inc.**, 6603 West Broad Street, Richmond, VA 23230, Perry Township, **Jefferson County**. Application received: January 3, 2023.

**33-00140D: Eastern Gas Transmission and Storage, Inc.** (6603 West Broad Street, Richmond, Virginia 23230). The Department of Environmental Protection intends to issue a plan approval to Eastern Gas Transmission and Storage, Inc. (Eastern) for the installation and initial operation of two Selective Catalytic Reduction (SCR) control devices at their Punxsutawney Compressor Station facility located in Perry Township, **Jefferson County**. This is an existing Title V facility (TV33-00140). Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44.

This project aims to comply with the RACT III determination for Sources 131 (Engine 1) and 132 (Engine 2) through the installation of SCR control devices and the subsequent reduction of NO<sub>x</sub> emissions. The site address is 88 Laska Rd, Jefferson County (15767) 40° 54' 36" N, 79° 01' 09" W.

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Issuance of an Operating Permit or incorporation of a Plan Approval into a current Operating Permit is contingent upon satisfactory compliance with the Plan Approval conditions, upon the source and control device being installed and operated as stated within the application, and upon satisfactory demonstration that the emissions from the source will not be in violation of applicable Rules and Regulations of the Department.

Special conditions of the Plan Approval will include the following:

#### Site Level Additional

a) Any information required to be submitted as part of this plan approval should be submitted to the attention of New Source Review Section Chief, Air Quality Program, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

b) Issuance of an Operating Permit or incorporation of a plan approval into a current Operating Permit is contingent upon satisfactory compliance with the plan approval conditions, upon the source and control device being installed and operated as stated within the application, and upon satisfactory demonstration that the emissions from the source will not be in violation of applicable Rules and Regulations of the Department.

c) If at any time the Department has reason to believe that the air contaminant emissions are, or may be, in excess of any applicable air contaminant emission limitation, the owner or operator shall conduct such stack tests or source tests requested by the Department to determine the actual air contaminant emission rate. The owner or operator shall perform any such testing in accordance with the applicable provisions of 25 Pa. Code Chapter 139 (relating to sampling and testing) as well as in accordance with any additional requirements or conditions

established by the Department at the time the owner or operator is notified, in writing, of the need to conduct testing.

d) No person may permit air pollution as that term is defined in the act.

e) All sources shall be operated and maintained in such a manner that no owner or operator may permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source such that the malodors are detectable outside the property of the owner or operator on whose land the facility is being operated.

f) The permittee shall comply with the presumptive RACT III requirements of this plan approval as early as practicable but no later than August 3, 2024.

g) All requirements of the current operating permit remain in effect, as applicable, unless modified by this plan approval. The conditions of this plan approval supersede the conditions of previous authorizations.

#### Source Work Practice

a) The owner or operator shall:

1) Install, operate, and maintain a non-resettable hour meter.

2) Ensure the engine meets the visible emissions standards, as determined by the methods described in 25 Pa. Code § 123.43, by not exceeding the following limitations:

i) Equal to or greater than 10% for a period or periods aggregating more than three minutes in any one hour; and

ii) Equal to or greater than 30% at any time

3) Limit the engine's time spent at idle during startup or shutdown to a period appropriate for the operation of the engine and air pollution control equipment consistent with good air pollution control practices, not to exceed 30 minutes, during which time the emissions of this plan approval do not apply.

4) Operate and maintain the engine as prescribed by the manufacturer. A copy of the engine's operational and maintenance literature shall be readily available and provided to the Department upon request.

5) Operate and maintain the control device as prescribed by the manufacturer. A copy of the control device's operational and maintenance literature shall be readily available and provided to the Department upon request.

6) The catalyst bed exhaust outlet temperature shall be maintained between 450°F and 950°F during normal operation.

7) Install, operate, and maintain the monitoring and recordkeeping equipment necessary to comply with the terms of this plan approval.

#### Source Recordkeeping

a) The owner or operator shall maintain the following records at a minimum:

1) The make, model, and serial number of the engine and control device

2) A copy of the manufacturer's maintenance instructions

3) A copy of the manufacturer's engine/control device certification or vendor guarantees

4) The results of each periodic monitoring

5) The summary for each complete test report

6) The emissions calculations for each engine in accordance with 25 Pa. Code § 135.5

7) The hours of current catalyst bed service

8) The manufacturer's rating of catalyst bed service life

b) All inspection observations and maintenance performed on the control device shall be recorded in a log. This record shall, at a minimum, include:

1) Time and date of observation

2) Name, title, and initials of the observer

3) A detailed description of the observation made

4) Any corrective action taken as result of the observation

c) All inspection observations and maintenance performed on the engine shall be recorded in a log. This record shall, at a minimum, include:

1) Time and date of observation

2) Name, title, and initials of the observer

3) A detailed description of the observation made

4) Any corrective action taken as result of the observation

d) The permittee shall continuously monitor the following control device parameters:

1) Pressure differential across the catalyst bed

2) Ammonia injection rate prior to the catalyst

3) Inlet and outlet temperature to the catalyst bed

4) Inlet NO<sub>x</sub> sensor reading

5) Outlet NO<sub>x</sub> sensor reading

e) The permittee shall continuously monitor the following engine parameters (these records may be done with strip charts recorders, data acquisition systems, or manual log entries):

1) Hours of engine operation

f) The permittee shall record all excursions and corrective actions taken in response to an excursion. An excursion is considered operational outside the range recommended by the manufacturer or prescribed by this plan approval. This record shall, at a minimum, include:

1) The time and date of the excursion observation

2) The time elapsed until the corrective actions have been taken

3) Name, title, and initials of the observer

4) A detailed description of the observation made

5) The corrective action taken as result of the observation

g) The permittee shall maintain records of all monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable). The permittee shall also record the dates, times and durations, probable causes and corrective actions taken for the incidents.

h) The permittee shall record all inspections, repairs, and maintenance performed on the monitoring equipment. This record shall, at a minimum, include:

1) Time and date of observation

2) Name, title, and initials of the observer

3) A detailed description of the observation made

4) Any corrective action taken as result of the observation

Source Emission Restrictions

a) Emissions of air contaminants from the engine into the atmosphere shall not exceed the following:

1) NO<sub>x</sub>: 0.60 g/bhp-hr, 5.56 lbs./hr, 24.33 tpy\*

2) CO: 2.8 g/bhp-hr, 25.9 lbs./hr, 113.44 tpy\*

3) NMNEHC\*\*: 0.5 g/bhp-hr, 4.63 lbs./hr, 20.28 tpy\*

4) HCHO: 0.17 g/bhp-hr, 1.62 lbs./hr, 7.11 tpy\*

5) NH<sub>3</sub>: 10 PPMV at 15% oxygen

\*as calculated from a twelve month rolling total

\*\* including HCHO

Source Monitoring

a) The permittee shall monitor the following:

1) Pressure differential across the catalyst bed

2) Ammonia injection rate prior to the catalyst

3) Inlet and outlet temperature of the catalyst bed

4) Inlet NO<sub>x</sub> sensor reading

5) Outlet NO<sub>x</sub> sensor reading

6) Hours of engine operation

7) Hours of current catalyst bed service

b) The permittee shall maintain and operate the following alarm systems:

1) Hi NO<sub>x</sub> sensor value alarm, as measured at the control device outlet

2) Low/hi temperature alarm, as measured at the control device outlet

3) Low/hi differential pressure, as measured across the catalyst bed

c) The monitoring equipment shall be mounted in an accessible area and maintained in good operating conditions at all times.

Source Stack Testing

a) Within 60 days after achieving the normal production rate at which the affected source will be operated, but not later than 180 days after initial start-up of the source/control device, a stack test shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. The stack test shall be performed while the aforementioned source is operating within 10% of 100% peak (or the highest achievable) load. The stack test shall determine the following emission rates: ammonia (PPMV at 15% oxygen), CO (PPMV, g/bhp-hr, lbs/hr), NO<sub>x</sub> (PPMV, g/bhp-hr, lbs/hr), NMNEHC (PPMV, g/bhp-hr, lbs/hr), and HCHO (PPMV, g/bhp-hr, lbs/hr).

b) The stack testing program shall be repeated within twelve (12) to eighteen (18) months prior to the expiration of the facility's current operating permit (reoccurring).

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6940 or by email submitted to ra-epnwinformfilere@pa.gov.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [33-00140D: Eastern Gas Transmission and Storage] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

**Public hearing.** A public hearing will be held if requested by March 13, 2024 to accept oral comments on the proposed plan approval and proposed SIP revision. The hearing will be held, if requested, on March 20, 2024, at 9:00 AM at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be March 13, 2024. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/default.aspx>. We ask that you contact Tom Decker at 814-332-6615 or monitor the Web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Tom Decker at 814-332-6615 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

Persons 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 Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from the date of this notice 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 RACT 2 Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 2 Plan.

The review memo and draft permit modification will be posted at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Tom Decker at 814-332-6615 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

*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.*

**07-05034A: Pennsylvania Department of Military Veteran's Affairs**, 184 Veterans Boulevard, Hollidaysburg, PA 16648, Allegheny Township, **Blair County**. Application received: October 16, 2023. For the installation and operation of a 16.8 MMBtu/hr replacement steam boiler at the Hollidaysburg Veterans Home. The expected potential emissions from this project are as follows: 0.12 tpy PM<sub>10</sub>, 0.60 tpy VOC, 0.05 tpy HAPs, 0.90 tpy NO<sub>x</sub>, 0.05 tpy SO<sub>x</sub>, and 0.90 tpy CO. The Department of Environmental Protection's (DEP's) review of the information submitted by the company indicates that the air contamination sources will comply with all regulatory requirements, including monitoring, record-keeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, DEP proposes to issue a plan approval for the proposed installation. If DEP determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

*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.*

**23-0108E: Barry Callebaut USA LLC**, 903 Industrial Hwy, Eddystone, PA 19022-1531, Eddystone Borough, **Delaware County**. Application received: December 14, 2023. 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. The proposed dust collector will exhaust outdoors. The estimated particulate matter emissions from this baghouse is 0.626 ton per year. As a result of potential emissions of volatile organic compounds (VOCs), the facility is a State-Only (Synthetic Minor) facility, taking an emission restriction of 24.9 tons/year. In addition, the Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at [RA-EPSEROAQPUBCOM@a.gov](mailto:RA-EPSEROAQPUBCOM@a.gov).

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.*

**PA-65-01127: Kopp Technology Center, LLC**, 1016 Progress Circle, Bell Vernon, PA 15012, Rostraver Township, **Westmoreland County**. Application received: December 23, 2023.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44–127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval No. PA-65-01127 to authorize to manufacture clear and colored glass products and to increase production capacity by adding additional glass melting furnaces at their Technology Center located in Rostraver Township, Westmoreland County, PA.

The facility consists of seven (7) glass melt electric furnaces (2-rated at 90 kW/hr, 2-rated at 80 kW/hr, 3-rated at 12.5 kW/hr), three (3) natural gas fired Pot Furnaces (2-rated at 1.26 MMBtu/hr and 1-rated at 1.89 MMBtu/hr), two (2) natural gas fired Lehrs (rated at 6.0 MMBtu/hr and 1.0 MMBtu/hr), twenty (20) Miscellaneous Mold Heating Sources rated at 1.08 MMBtu/hr, one (1) Mixing Room, two (2) emergency generators rated at 134 bhp and 460 bhp. The emissions will be controlled by two (2) baghouses rated at 8,000 SCFM and 10,000 SCFM. The Department has determined that the proposed facility satisfies Best Available Technology (“BAT”) requirements. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.13, 123.21, 123.31, 123.41 and 127.12B; New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart JJJJ and Subpart IIII; Subpart CC—New Source Performance Standards for Glass Manufacturing and Federal National Emission Standards for Hazardous Air Pollutants (NESHAP) from 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE) and 40 CFR Part 63 Subpart SSSSSS—National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources and 40 CFR Part 98—Mandatory Greenhouse Gas Reporting Rule. The potential emissions from the facility include 4.3 tpy NO<sub>x</sub>, 3.1 tpy CO, 7.7 tpy PM, 0.8 tpy VOC, and 0.6 tpy metallic HAPs.

The Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

The Plan Approval Application, the Department’s Air Quality Review Memorandum, and the proposed Air Quality Plan Approval for this project are available for review by any interested party at the Department’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>.

A person may oppose the proposed plan approval by filing a written protest with the Department through Jesse Parihar, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; [jparihar@pa.gov](mailto:jparihar@pa.gov); or fax 412.442.4194. Each protest or set of written comments must contain the name,

address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-01127), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

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 or email, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Sheri L. Guerrieri, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to [shguerrier@pa.gov](mailto:shguerrier@pa.gov).

All comments must be received prior to the close of business 30 days after the date of this publication.

### OPERATING PERMITS

#### Notice of Intent to Issue Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**17-00044, Metaltech, Inc.**, 3547 Watson Hwy., Dubois, PA 15801, Sandy Township, **Clearfield County**. Application received: May 18, 2023. To issue a renewal State Only Operating Permit for the Sandy Twp. Plant. The facility’s main sources include five powdered metals sintering furnaces, an endothermic generator, a sizing operation, a Sinterite impregnator, a parts washer, a rust inhibitor dipping operation, and a drying oven. The facility has potential emissions of 0.12 TPY of CO; 0.09 TPY of NO<sub>x</sub>; 0.001 TPY of SO<sub>x</sub>; 3.31 TPY of PM/PM<sub>10</sub>; 15.94 TPY of VOCs; 0.26 TPY of HAPs and 176 TPY of CO<sub>2e</sub>. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121–145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department’s Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

**12-00004, Wabtec US Rail, Inc.**, 55 S Pine Street, Emporium, PA 15834, Emporium Borough, **Cameron County**. Application received: November 21, 2023. To issue a renewal State Only Operating Permit for the Emporium Plant. The facility’s main sources include several surface coating and curing lines, plantwide use of adhesives, sealants and solvents and various miscellaneous sources. The facility has potential emissions of 1.41 TPY of CO; 3.40 TPY of NO<sub>x</sub>; 0.02 TPY of SO<sub>x</sub>; 5.25 TPY of PM/PM<sub>10</sub>; 20.93 TPY of VOCs; 3.61 TPY of HAPs and 4,227 TPY of CO<sub>2e</sub>. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all

applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

**59-00008, Tennessee Gas Pipeline Company, LLC**, 1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089, Charleston Township, **Tioga County**, PA. Application received: January 24, 2023. To issue a renewal State Only Operating Permit authorization to permit continued operation of their existing Compressor Station 315 in Charleston Township, Tioga County. The facility is comprised of two natural gas fired combustion turbines, one natural gas fired emergency generator, fugitive emissions source operations, and the other existing sources, including small space heaters and boiler also fired on natural gas. The type and quantity of pollutants emitted on a facility-wide basis are, as follows: 50.0 tons/year (tpy) NO<sub>x</sub>; 59.4 tpy CO; 6.0 tpy VOC; 7.3 tpy PM<sub>10</sub> and PM<sub>2.5</sub>; 3.7 tpy SO<sub>x</sub>; 4.57 tpy HAPs (total); as well as 143,467 tpy CO<sub>2e</sub>. There were minor changes to the facility over the permit cycle, including two RFDs issued for turbine core replacements. The renewal authorization incorporates the RFD changes including the reduced PTE NO<sub>x</sub> for the turbine core replacement associated with Source ID P101, as well as other updates to ensure that State Only Permit 59-00008 contains all applicable requirements, including the testing, monitoring, recordkeeping, reporting, work practice and other compliance conditions as necessary to verify compliance. The applicable requirements are derived from 25 Pa. Code Article III, Chapters 121 and 145, relating to Air Resources. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

**47-00011, Heidelberg Materials NE, LLC**, 7660 Imperial Way, Allentown, PA 18195, Limestone Township, **Montour County**. Application received: January 24, 2024. To issue a renewal State Only (Synthetic Minor) Operating Permit for the Milton Quarry stone processing plant. The facility's sources include a limestone crushing plant consisting of multiple crushers, conveyors and screens, one cold cleaning degreaser, several fuel storage tanks and 0.5 mile of onsite unpaved haul roads. The facility has potential emissions of 0.05 TPY of CO; 0.18 TPY of NO<sub>x</sub>; 0.06 TPY of SO<sub>x</sub>; 11.64 TPY of PM/PM<sub>10</sub>; 0.01 TPY of VOCs; 0.01 TPY of combined hazardous air pollutants; 202 TPY GHGs. Several pieces of the limestone processing equipment at this plant are subject to 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Part 60. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williams-

port, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

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

**40-00061, International Paper Company**, Maplewood & Forest Drive, Humboldt Ind. Park, Hazleton, PA 18202, Hazle Township, **Luzerne County**. Application received: December 14, 2023. The Department intends to issue a renewal State-Only Operating Permit for the operation of sources at their corrugated box manufacturing facility. The proposed permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*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**. Application received: December 19, 2023. The Department intends to renew the State Only Operating Permit for Seaway Manufacturing Corporation which manufactures windows, doors, and enclosures using aluminum, steel, 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 air makeup units. 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.

*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.*

**05-05024, JLG Industries, Inc.**, 1 JLG Drive, McConnellsburg, PA 17233, Bedford Township, **Bedford County**. Application received: November 20, 2023. To issue a State Only Operating Permit for the aerial lift equipment reconditioning center. This is for renewal of the existing state-only permit. The actual emissions from the facility in 2022 are estimated at 20.1 tons of VOCs, 1.2 tons CO, 1.6 tons NO<sub>x</sub>, and < 1 ton each of HAP, PM<sub>10</sub> and PM<sub>2.5</sub> emissions. The operating permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with 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); 40 CFR Part 63, Subpart HHHHHH (National Emissions Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources); 40 CFR Part 63, Subpart CCCCC (National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities); and 40 CFR Part 63, Subpart ZZZZ (National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines).

**07-05044, New Enterprise Stone & Lime Company, Inc.**, Rt. 36, Roaring Spring, PA 16673, Taylor Township, **Blair County**. Application received: March 13, 2023. To issue a State Only Operating Permit for the asphalt and nonmetallic mineral processing operations at the Roaring Spring Quarry. This is for renewal of the existing State-Only Permit. Facility-wide actual emissions in 2022 were estimated to be the following: CO—5.86 tpy, NO<sub>x</sub>—1.17 tpy, PM<sub>10</sub>—2.55 tpy, SO<sub>2</sub>—0.15 tpy, VOC—1.44 tpy. The operating permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and 40 CFR 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

**22-03002, Philadelphia Macaroni Company**, 523 South 17th Street, Harrisburg, PA 17104, City of Harrisburg, **Dauphin County**. Application received: December 15, 2023. To issue a State-Only Operating Permit for its pasta and noodle manufacturing facility. This is for renewal of the existing State-Only Permit. The subject facility has the potential-to-emit 12.3 tpy of NO<sub>x</sub>, 10.1 tpy of CO, 0.4 tpy of SO<sub>x</sub>, 7.9 tpy of PM, 7.6 tpy of VOC and 6.0 tpy of HAP. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19011, 484-250-5900.*

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

**46-00254, Campania Int'l Inc.**, 2452 Quakertown Rd, Pennsburg, PA 18073-1008, Upper Hanover Township, **Montgomery County**. Application received: December 16, 2022. The facility manufactures concrete ornaments for the landscaping and interior design industries at its facility in Montgomery County. This action is for the renewal of the existing state-only operating permit. The operating permit includes monitoring, recordkeeping and work practice requirements designed to ensure this facility complies with all applicable air quality regulations. Operations at the facility include design and construction of fiberglass molds, mixing and pouring of concrete, grinding, painting, wrap and pack, and shipping. The facility has a facility-wide VOC emissions of 24.99 tons per 12-month rolling sum. The potential emissions of methanol and styrene are each limited to 9.99 tons per 12-month rolling sum. Emissions of all other criteria pollutants are considered minor. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**09-00189, Eureka Stone Quarry/Warrington**, 1506 Easton Rd, Warrington, PA 18976, Warrington Township, **Bucks County**. Application received: January 19, 2024. This action is for the renewal of a Non-Title V Facility, State-Only, Synthetic Minor Permit for a quarrying and stone crushing operation at this site. The proposed renewal of the Operating Permit does not authorize any increase in air emissions, of regulated pollutants, previously approved levels. Eureka has the following PM emission limits: Total PM from the facility is limited to 71 tpy, of that, PM<sub>10</sub> is limited to 25 tpy and PM<sub>2.5</sub> is limited to 6 tpy. The entire crushing plant has a throughput limit to ensure Eureka does not exceed the PM emission limits. The renewed permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, State, and Federal 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.

**15-00092, Main Line Hospitals Inc/Paoli Hospital**, 255 W Lancaster Ave, Paoli, PA 19301, Willistown Township, **Chester County**. Application received: June 9, 2023. This action is for the renewal of the Synthetic Minor Permit. There are no new sources. Sources of emission at the facility are: boilers, generators, and ethylene oxide sterilizers. The facility takes an emission restriction of 24.9 tons/year of NO<sub>x</sub> emissions. The facility is an area source of CO, NO<sub>x</sub>, PM, SO<sub>x</sub>, VOC, and HAP emissions. Actual emissions over the last three years averaged 4.07 tons/year of CO, 5.10 tons/year of NO<sub>x</sub>, 0.73 ton/year of PM, 0.16 ton/year of SO<sub>x</sub>, 0.26 ton/year of VOC, and 0.03 ton/year of HAP. The facility is subject to 40 CFR Part 60 Subpart Dc, 40 CFR Part 60 Subpart III, 40 CFR Part 63 Subpart WWWW, and Pennsylvania State regulations. The permit contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**09-00235, CP Converters Inc/Bristol Twp**, 181 Ritzenhouse Cir, Bristol, PA 19007-1617, Bristol Township, **Bucks County**. Application received: October 17, 2022. This action is for the renewal of a State-Only, Synthetic Minor Permit for a printing company consisting of two (2) 10-color flexographic presses, one (1) extrusion laminator and several insignificant sources listed in Section H of the permit. The main pollutant from the facility are VOCs, which are limited to 24.900 tpy facility-wide. The printing presses have a combined VOC limit of 20.00 tpy and are controlled with an RTO. Laminator emissions are limited to 4.05 tpy VOC by limiting the use of isopropyl alcohol in the process to 8,100 lbs/yr. All appropriate monitoring, recordkeeping and work practice requirements as required under 25 Pa. Code §§ 127.441, 129.52b and 129.67a. 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.

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**PLAN APPROVALS**


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


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

*Contact: Shailesh Patel, P.E., EEM.*

**35-00003C, General Dynamics Ordnance and Tactical Systems**, 156 Cedar Avenue, Scranton, PA 18504, City of Scranton, **Lackawanna County**. Application received: November 30, 2023.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to General Dynamics Ordnance and Tactical Systems (156 Cedar Avenue, Scranton, PA 18505-1138) for their facility located in Scranton, Lackawanna County. This Plan Approval No. 35-00003C will be incorporated into a State Only Permit through an administrative amendment at a later date.

Plan Approval No. 35-00003C is for the construction a new Welding Line # 2 with dust collector and to replace an existing CVM coalescing filter with a new similar unit.

VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. Particulate emissions will not exceed 0.02 grain/dscf from the fabric collectors. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. These limits will meet BAT requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

The Plan approval and Operating Permit will include testing, monitoring, recordkeeping, and reporting requirements designed to keep the sources operating within all applicable air quality requirements. For further details, contact Shailesh Patel at (570) 826-2511 within 30 days after publication date.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Permit No. 35-00003C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that

such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Shailesh Patel, Environmental Engineering Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

**35-00008A, Gentex Corporation**, 324 Main Street, Simpson, PA 18407, Fell Township, **Lackawanna County**. Application received: December 1, 2023.

*Contact: Shailesh R Patel, P.E., New Source Review Chief, 570-826-2357.*

**40-00157A, Forbo Flooring Systems**, 8 Maplewood Drive, Hazle Township, PA 18202, Hazle Township, **Luzerne County**. Application received: October 18, 2023. In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Forbo Flooring Systems (8 Maplewood Drive, Hazle Township, PA 18202) for their facility in Hazle Township, Luzerne County. This Plan Approval No. 40-00157A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date. Plan Approval No. 40-00157A is for the installation of one (1) digital printing line with one (1) natural gas-fired dryer rated at 4.00 million British thermal units (Btu) per hour (MMBtu/hr) and one (1) lamination line with one (1) natural gas-fired cure oven rated at 4.00 million British thermal units (Btu) per hour (MMBtu/hr) with one (1) Candle Filter to control process emissions. Volatile Organic Compound (VOC) emissions from the facility will be limited to 30.05 TPY limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions, 25 Pa. Code § 123.13 for particulate matter (PM), and NSPS Subpart VVV. Best Available Technology (BAT) for the Printing and Digital Printing Lines shall be the use of Good Work Practices, highly efficient transfer efficiency methods, and low-VOC/volatile HAP process materials and inks. BAT for the lamination line shall be the use of a candle filter to capture and control PM aerosol emissions. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Permit No. 40-00157A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written

comments or requests for a public hearing should be directed to Shailesh R Patel, P.E., Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2357 within 30 days after publication date.

## COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

Mining activity permits issued in response to such applications are also subject to applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (DEP). A copy of the application is available for inspection at the District Mining Office indicated above each application. Requests for 401 Water Quality Certifications are included in individual application only if noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or Local Government Agency or Authority to DEP at the address of the District Mining Office indicated above each

application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

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

### Coal Applications

**Effluent Limits**—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunction with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

Contact: Bonnie Herbert, Clerical Assistant 3.

**Mining Permit No. 30101301. NPDES No. PA0235971. CWMM, LLC**, 165 East Union Street, Suite 300, Somerset, PA 15501, Dunkard, Perry, Whiteley and Greene Townships, **Greene County**. To renew the permit and related NPDES permit. Application received: August 21, 2017. Accepted: February 22, 2018. Denied: June 14, 2023.

**Mining Permit No. 63841302. NPDES No. PA0236446. Washington County Land Resources, Inc.**, 46226 National Road, St. Clairsville, OH 43950, New Eagle Borough, **Washington County**. To renew the permit and related NPDES permit. Application received: February 18, 2021. Accepted: February 18, 2021.

**Mining Permit No. 17031301. NPDES No. PA0235571. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, Cherry Tree Borough, Burnside and Montgomery Townships, **Clearfield and Indiana Counties**. To renew the permit and related NPDES permit. Application received: December 6, 2023. Accepted: January 26, 2024.

**Mining Permit No. 63921301. NPDES No. PA0214434. Washington County Land Resources, Inc.**, 46226 National Road, St. Clairsville, OH 43950, Fallowfield and Carroll Townships, **Washington County**. To renew the permit and related NPDES permit. Application received: December 7, 2023. Accepted: January 29, 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 for construction of airshaft, substation, ventilation air methane system and boreholes, affecting 17.9 proposed surface acres. Application received: December 13, 2023. Accepted: February 1, 2024.



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

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

**Mining Permit No. 16190101. Ben Hal Mining, Inc.**, 389 Irishtown Road, Grove City, PA 16127, Highland Township, **Clarion County**. Renewal of an existing surface mine for reclamation only. Application received: February 2, 2024.

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

*Contact: Cassie Stanton, Clerical Assistant 2, 814-342-1000.*

**Mining Permit No. 17813024. NPDES No. PA0608777. EnerCorp, Inc.**, 1310 Allport Cutoff, Morrisdale, PA 16858, Bradford Township, **Clearfield County**. Modification of an NPDES permit for a bituminous surface mine for passive treatment only site affecting 8.3 acres. A modification to the upper limit PH discharge limitation is proposed. Receiving stream(s): Unnamed Tributary to the West Branch of Susquehanna River classified for the following use(s): WWF. Application received: January 24, 2024. Accepted: January 31, 2024.

**Mining Permit No. 17793044. NPDES No. PA0119334. River Hill Coal Company, Inc.**, P.O. Box 141, Kylertown, PA 16847, Karthaus Township, **Clearfield County**. Permit renewal application for a bituminous surface coal mine and associated NPDES permit affecting 28.9 acres. Remaining mining activities consist only of reclamation and operation and maintenance of a post-mining mine drainage water treatment system. Receiving stream(s): Saltlick Run classified for the following use(s): HQ-CWF and MF. Application received: January 31, 2024. Accepted: January 31, 2024.

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

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

**Mining Permit No. 49080104. NPDES Permit No. PA0224987. D. Molesevich & Sons Construction Co., Inc.**, P.O. Box 121, Mt. Carmel, PA 17851, Mount Carmel Township, **Northumberland County**. Renew an anthracite surface mine, refuse reprocessing operation and NPDES permit for discharge of treated mine drainage affecting 402.0 acres. Receiving streams: Quaker Run, Coal Run and South Branch Roaring Creek, classified for the following uses: HQ—CWF, MF. Application received: January 26, 2024.

**Mining Permit No. 54830101. Premium Fine Coal, Inc.**, P.O. Box 268, Tamaqua, PA 18252, Blythe Township, **Schuylkill County**. Renewal of an anthracite surface mine operation affecting 152.1 acres. Receiving stream: UNT to Schuylkill River, classified for the following uses: CWF, MF. Application received: January 29, 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.			

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

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

**Mining Permit No. 42042804. NPDES No. PA0280658. Richard A. Powell**, 1423 West Kane Road, Kane, PA 16735, Wetmore Township, **McKean County**. Renewal of an NPDES permit. Application received: January 22, 2024.

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

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

**Mining Permit No. 58242502. NPDES Permit No. PA0226424. Thomas J. Kazmierczak, Sr.**, 1000 Union Street, Taylor, PA 18517, New Milford Township, **Susquehanna County**. New NPDES Permit on a GP105 quarry operation affecting 10.0 acres. Receiving stream: Wellmans Creek, classified for the following uses: HQ—CWF, MF. Application received: January 29, 2024.

### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (NPDES) permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (DEP) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

#### *Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

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

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

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

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

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

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

#### *Coal NPDES Draft Permits*

*California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.*

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**NPDES No. PA0215121. Mining Permit No. 56981301. Quecreek Mining, Inc.,** P.O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, Somerset Township, **Somerset County**. Application received: September 27, 2023. Accepted: September 27, 2023.

A renewal to the NPDES permit, affecting 47.86 surface acres and 4,774.0 underground acres related to a coal mining activity permit. Receiving stream(s): Quemahoning Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL.

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

The proposed effluent limits for Outfall 001 discharging to Quemahoning Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 003 discharging to Tributary 45560 to Quemahoning Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Aluminum	(mg/l)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 005 discharging to Tributary 45560 to Quemahoning Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 006 discharging to Quemahoning Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect.

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

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

**NPDES No. PA0214442. Mining Permit No. 32901602. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, Burrell Township, **Indiana County**. NPDES renewal for the I-22 Tipple affecting 40.8 acres. Receiving stream: unnamed tributaries to Conemaugh River classified for the following use: CWF. Application received: December 12, 2022.

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

The following outfalls discharge to unnamed tributary to Conemaugh River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond)	N
002 (Treatment Pond)	N

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

*Outfalls: 001 and 002(All Weather Conditions)*

<i>Discharge Parameter</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH (S.U.)	6.0	N/A	N/A	9.0
Total Suspended Solids (mg/L)	N/A	35.0	70.0	90.0
Iron, Total (mg/L)	N/A	1.5	3.0	3.7
Manganese, Total (mg/L)	N/A	1.0	2.0	2.5
Aluminum, Total (mg/L)	N/A	0.75	0.75	0.75
Osmotic Pressure (milliosmoles/kQ)	N/A	50	100	125
Net Alkalinity (as CaCO <sub>3</sub> , mg/L)	0.0	N/A	N/A	N/A
Alkalinity, Total (as CaCO <sub>3</sub> , mg/L)			Report	
Acidity, Total (as CaCO <sub>3</sub> , mg/L)			Report	
Flow (gpm)			Report	
Temperature (°C)			Report	
Total Dissolved Solids (mg/L)			Report	
Sulfate, Total (mg/L)			Report	
Chloride (mg/L)			Report	

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

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

**NPDES No. PA0588407. Mining Permit No. 02860201. IP Harmor Holdings, LLC**, 2929 Allen Parkway, Suite 3275, Houston, TX 77019, Harmar Township, **Allegheny County**. Application received: May 24, 2021.

NPDES permit renewal at a surface coal refuse reprocessing permit, affecting 88.5 acres on a 168.3-acre permit area. Receiving stream: Guys Run, classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is PWS 5020056 (Wilkesburg-Penn Joint Water Authority) with an intake on the Allegheny River. Application received: May 24, 2021.

The following treated wastewater outfalls discharge to Guys Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Treatment Facility Outfall
002	N	Treatment Facility Outfall

The proposed effluent limits for the previously listed Outfall 001 are as follows:

<i>Parameter (Limits in mg/l unless otherwise noted)</i>	<i>Maximum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	6.0	N/A	N/A	9.0
Total Suspended Solids	N/A	35.0	70.0	90.0
Iron, Total	N/A	1.5	3.0	3.75
Manganese, Total	N/A	1.0	2.0	2.5
Aluminum, Total	N/A	1.5	3.0	3.75
Net Alkalinity, Total (as CaCO <sub>3</sub> )	0.0	N/A	N/A	N/A
Alkalinity, Total (as CaCO <sub>3</sub> )			Report	
Acidity, Total (as CaCO <sub>3</sub> )			Report	
Sulfate			Report	
Thallium, Total (ug/l)			Report	
Osmotic Pressure (mOsm/kg)			Report	
Specific Conductivity (µmhos/cm)			Report	
Temperature (°C)			Report	
Flow (gpm)			Report	

The proposed effluent limits for the previously listed Outfall 002 are as follows:

<i>Parameter (Limits in mg/l unless otherwise noted)</i>	<i>Maximum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	6.0	N/A	N/A	9.0
Total Suspended Solids	N/A	35.0	70.0	90.0
Iron, Total	N/A	1.5	3.0	3.75
Manganese, Total	N/A	2.0	4.0	5.0
Aluminum, Total	N/A	0.75	1.5	1.87
Net Alkalinity, Total (as CaCO <sub>3</sub> )	0.0	N/A	N/A	N/A
Alkalinity, Total (as CaCO <sub>3</sub> )			Report	
Acidity, Total (as CaCO <sub>3</sub> )			Report	

<i>Parameter (Limits in mg/l unless otherwise noted)</i>	<i>Maximum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Sulfate			Report	
Osmotic Pressure (mOsm/kg)			Report	
Specific Conductivity (µmhos/cm)			Report	
Temperature (°C)			Report	
Flow (gpm)			Report	

*Noncoal NPDES Draft Permits*

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

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

**NPDES No. PA095985. Mining Permit No. 44930301. Glenn O. Hawbaker, Inc.,** 1952 Waddle Road, Suite 203, State College, PA 16802, Armagh Township, **Mifflin County.** Renewal of an NPDES permit affecting 178.3 acres related to a noncoal mining activity permit. Receiving stream: Laurel Creek, classified for the following use: HQ-CWF. Application received: September 19, 2023.

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

The following treated wastewater outfalls discharge to Laurel Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate [*]</i>
001	Existing	Stormwater	Precipitation Induced

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

*Outfalls: 001 (Dry Weather Discharges)*

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Suspended Solids (ml/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report

*Outfalls: 001 (10-yr/24-hr Precip. Event)*

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Settleable Solids (ml/L)	XXX	XXX	XXX	0.5
pH (S.U.)	6.0	XXX	XXX	9.0

*Outfalls: 001 (>10-yr/24-hr Precip. Event)*

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH (S.U.)	6.0	XXX	XXX	9.0

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

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

**NPDES Permit No. PA0124028. Mining Permit No. 7675SM1. Pennsy Supply, Inc.,** 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, West Cornwall & South Annville Townships, **Lebanon County.** Application received: September 28, 2023.

Renew NPDES permit affecting 195.93 acres. Receiving stream: Bachman Run, classified for the following use: TSF. TMDL for Total Phosphorus.

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

The following treated wastewater outfalls discharge to Bachman Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
001	Existing	Treatment Facility Outfall	6.0 MGD
002	Existing	Treatment Facility Outfall	6.0 MGD

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

Parameter (unit)	Minimum	30-Day Average	Daily Maximum	Instant Maximum
pH <sup>i</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)		6.0		

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

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office noted above the application.

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

#### Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Central Office: Regional Permit Coordination Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: RA-EPREGIONALPERMIT@pa.gov.

**E4083224-003. Pennsylvania Turnpike Commission**, 700 S. Eisenhower Blvd, Middletown, PA 17057, Bear Creek Township, and Plains Township, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 4, 2024.

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

Turnpike I-476 Mill Creek Bridge (NB-647) Replacement Project. 1. To construct and maintain a replacement bridge structure (NB-647) approximately 80 feet wide, 2 spans with span lengths 183 feet and 172 feet, across Mill Creek (HQ-CWF, MF) for an aerial impact of 35 feet and an underclearance of approximately 76 feet. (Lat. 41.25340, Long. -75.76765) 2. To restore Mill Creek (HQ-CWF, MF) banks and bed impacting 311 linear feet of the stream with R-7 rock stabilization and removal of an abandoned access road and masonry wall. In total the project will result in 0.22 acre (9,405 SF) of temporary and 0.17 acre (7,361 SF) of permanent stream impact. No temporary or permanent impacts to the floodway or wetlands are proposed. The project is located at Milepost A110.00 over Mill Creek and PennDOT SR 2036 (Bald Mountain Road) (Pittston and Wilkes-Barre East, PA Quadrangle) in Bear Creek Township and Plains Township, Luzerne County. Latitude: 41.2533°, Longitude: -75.7678°.

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNNOGPRG@pa.gov.

**E5729223-009. Chesapeake Appalachia LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Cherry Township, **Sullivan County**. U.S. Army Corps of Engineers Baltimore District. Application received: December 12, 2023.

To construct, operate, and maintain: 1. (Wetland AA) One 16-inch diameter temporary surface waterline and temporary timber mats impacting 565 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41.554174°, -76.406705°); 2. (Wetland B) One 16-inch diameter temporary surface waterline and temporary timber mats impacting 2,876 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41.552459°, -76.412395°); 3. (Wetland C) One 16-inch diameter temporary surface waterline impacting 47 square feet of a palustrine emergent (PEM) wetland (Dushore, PA Quadrangle 41.552085°, -76.413290°); 4. (Wetland D) One 16-inch diameter temporary surface waterline and temporary timber mats impacting 260 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41.552032°, -76.413704°); 5. (Stream 1) One 16-inch diameter temporary surface waterline and temporary timber mats impacting 25 linear feet of an unnamed tributary of Lick Creek (EV) (Dushore, PA Quadrangle 41.550301°, -76.416839°); 6. (Wetland E) One 16-inch diameter temporary surface waterline and temporary timber mats impacting 438 square feet of a palustrine emergent (PEM) wetland (Dushore, PA Quadrangle 41.549128°, -76.417120°); 7. (Wetland G) One 16-inch diameter temporary surface waterline and temporary timber mats impacting 345 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41.547733°, -76.420228°). The project will result in 25 linear feet of

temporary stream impacts and 4,531 square feet (0.104 acre) of wetland impacts all for the purpose of installing a temporary fresh waterline in Cherry Township, Sullivan County.

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Clarissa Alcorn, Aquatic Biologist 2, 570-321-6525.*

**E4104224-003. Lycoming County Water and Sewer Authority**, P.O. Box 186, Montoursville, PA 17754, Fairfield Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 26, 2024.

The applicant is proposing a groundwater withdrawal for operation of their existing Tules Run Well (PW-2). The project will impact a 0.03-acre palustrine emergent wetland. The wetland is located within the Tules Run watershed (WWF, MF). Operation of PW-2 withdraws groundwater, which may result in permanent changes to the groundwater basal flow, indirectly affecting connected resources. This project will have a de minimis wetland impact; no mitigation is required. The wetland is classified as exceptional value, and no threatened or endangered species are known to exist within the project area. Latitude: 41° 14' 46.72", Longitude: -76° 52' 0.82".

*Contact: James Cassidy, Senior Civil Engineer, 570-855-9764.*

**E6004224-001. Lewisburg Borough**, 55 South Fifth Street, Lewisburg, PA 17837, Lewisburg Borough, **Union County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 11, 2024.

Lewisburg Borough is proposing to complete renovations to the existing Kidsburg Park located in Lewisburg, PA. The proposed Limits of Disturbance (LOD) area for the project is 0.77 acre. Construction of this project will entail cut and fill grading operations within the FEMA delineated floodway and 100-year floodplain for Limestone Run (WWF, MF). The cut and fill operations will result in a net increase in floodway capacity and floodplain storage of approximately 2,400 cubic yards. Latitude: 40.9603°, Longitude: -76.8853°.

**E6004223-003. Ron Stahl**, 323 Sierra Lane, Mifflinburg, PA 17844, Mifflinburg Borough, **Union County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 11, 2023.

The applicant, Ronald Stahl, and developer West End Bible Fellowship proposes a stream crossing access to a future overflow parking area future church that will be owned by the developer. The project will propose the installation of a 24 feet wide access drive to access the parcel being added onto the existing parcel to the West End Bible Fellowship Church. The access drive will need to cross UNT 18158 to Laurel Run classified as EV-CWF, MF and will impact 19' x 52' area of the stream. There will be overflow pipes consisting of 1-36 foot 36' dia. SLCCP Pipe. The driveway will be utilized to gain access to the west side of the parcel which is being added onto the existing parcel which contains the West End Bible Church. Latitude: 40.8810°, Longitude: -77.2007°.

**E6004223-003. Ron Stahl**, 323 Sierra Lane, Mifflinburg, PA 17844, Mifflinburg Borough, **Union County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 5, 2024.

The applicant desires to create and maintain a permanent driveway crossing from Route 236, over UNT 18158 to Laurel Run, into their property located on the west side of the stream. In addition, the applicant desires to construct and maintain a curb located on the east side of the stream. The curb will ensure that flooding does not occur which would impact the properties located on the eastern side of the stream. The resources present include UNT 18158 to Laurel Run, the adjacent 100 year floodway (50 foot rule). No work will occur in wetlands as they do not exist on the property. The proposed work will impact the UNT 18158 to Laurel Run by installation of a 10 ft W x 5'2.5" H x 36 ft L permanent structural plate arch culvert with associated, and rip-rap inlet/outlet protection with associated overflow pipes which consist of a 36' long 36" diameter SLCCP pipe and a 36' long 48" diameter SLCCP pipe and a 142' long concrete curb. The proposed encroachment for the permanent driveway, including roadway fill, floodplain relief culverts concrete curb and protective rip-rap will impact 4,720 sq. ft. of the 100 year floodway and 690 sq. ft. of the stream. Please refer to the attached detailed site plans for specific construction and site grading information. Latitude: 40.881057°, Longitude: -77.200671°.

**E4104223-008. Shawn Branton**, 1604 Nippenose Road, Jersey Shore, PA 17740, Jersey Shore Borough, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 20, 2023.

The proposed deck and porch floor will be at an elevation of 538.42 feet. The predevelopment displacement area was 134 square feet. After completion of the proposed modifications the post-development displacements will be 47 square feet. The result is an 87 SF reduction in displacement area. This data supports the fact that the project will not impact the 100-year flood elevation, floodway, or the floodway widths of the river. Latitude: 41.1965°, Longitude: -77.1992°.

*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.*

**E4502124-001. PA Department of Transportation, Eng District 5-0**, 1002 Hamilton Street, Allentown, PA 18101, Pocono Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 8, 2024.

To authorize the following water obstructions and encroachments associated with the SR 715/611 Section 01B Project: 1. To remove an existing stream crossing and to construct and maintain a new 75' wide single span bridge that will carry SR 0715 over Pocono Creek (HQ-CWF, MF) having a normal clear span of 82' and a minimum underclearance of 10' and to construct and maintain appurtenant structure features. 2. To construct and maintain an outfall in the floodway of Pocono Creek (HQ-CWF, MF) consisting of an outfall pipe, endwall and riprap apron protection. 3. To fill 196-LF of a tributary to Pocono Creek (HQ-CWF, MF) watercourse from SR 0611 drainage modifications. 4. To permanently impact 0.01 acre of PEM/PSS wetlands for SR 0611 widening. The proposed project is located along SR 715, SR 611, SR 4004 from I-80 exits 298 to 299 (Mount Pocono, PA Quadrangle, Latitude: 41.048301°, Longitude: -75.310954° to Latitude: 41.042624°, Longitude: -75.307680°) in Pocono Township, Monroe County. Latitude: 41.048301°, Longitude: -75.310954°.

**E4502224-002. Christopher Carr**, 45 Fox Drive, Pottstown, PA 19465, Coolbaugh Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 23, 2024.

To construct and maintain a 4-foot wide by 24-foot long section of modular aluminum dock within the basin of Sunset Lake (EV). The project is located at Lot 2351, Section H-11 in the Stillwater Lake Community (Tobyhanna, PA Quadrangle, Latitude: 41.132465; Longitude: -75.396597) in Coolbaugh Township, Monroe County. Latitude: 41.132465°, Longitude: -75.396597°.

**E4002224-005. Jeff Barrett**, 3193 Lakeside Drive, Harveys Lake, PA 18618, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 1, 2024.

To construct and maintain an addition to an existing dock structure consisting of a 420 ft<sup>2</sup>, pile-supported dock at Pole # 288 within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located at 3193 Lakeside Drive, approximately 0.2 mile east of the intersection of Lehman Outlet Road and Robin Road (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 0"; Longitude: -76° 2' 34.8") in Harveys Lake Borough, Luzerne County. Latitude: 41° 21' 0", Longitude: -76° 2' 34.8".

**E4002224-006. Jennifer Hilla-Josefowicz**, 50 Autumn Drive, Mountain Top, PA 18707-1256, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 2, 2024.

To remove an existing structure and to construct and maintain a 1,285 ft<sup>2</sup>, pile-supported boathouse and a 1,750 ft<sup>2</sup>, pile-supported dock at Pole # 115 within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located 0.1 mile southwest of the intersection of Roosevelt Street and Lakeside Drive (Noxen, PA Quadrangle, Latitude: 41° 22' 44.15"; Longitude: -76° 2' 46.6") in Harveys Lake Borough, Luzerne County. Latitude: 41° 22' 44.15", Longitude: -76° 2' 46.6".

**E4002224-004. Wyoming Valley Sanitary Authority**, 1000 Wilkes-Barre Street, Hanover Township, PA 18704, Plains Township, Wilkes-Barre City, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 23, 2024.

To construct and maintain a stream restoration project along a 359-LF reach of Mill Creek (CWF, MF) with work consisting of re-grading to create a constructed stream channel having a 20- to 30-foot wide bed bottom lined with natural streambed material and 2.5:1 embankment side slopes. Other improvements will include three (3) J hook enhancement structures, three (3) scour pools, live stake embankment and floodplain plantings, and R-6 riprap bank protection along the existing exposed sanitary sewer line/manhole. This project will result in 294 yd<sup>3</sup> of total fill within the floodway and 815 yd<sup>3</sup> of total fill within the floodplain. The project access is located at the end of Dewey Lane after the intersection with E. Main Street (Miners' Mills, PA) (Pittston, PA Quadrangle, Latitude: 41° 16' 14.66", Longitude: -75° 50' 3.70") in Plains Township and Wilkes-Barre City, Luzerne County. Latitude: 41° 16' 14.66", Longitude: -75° 50' 3.70".

**E3902223-007. PA Department of Transportation, Eng District 5-0**, 1002 Hamilton Street, Allentown, PA 18101, Slatington Borough, **Lehigh County**. U.S. Army Corps of Engineers Philadelphia District. Application received: November 14, 2023.

To remove an existing stream crossing and to construct and maintain a new 41' wide two span bridge that will

carry SR 7408 over Trout Creek (CWF, MF) having a normal clear span of 257' and a minimum underclearance of 16' and to construct and maintain appurtenant structure features. The proposed project is located along SR 7408 approximately 0.1 mile south of the SR 7408 and SR 4018 intersection (Palmerton, PA Quadrangle, Latitude: 40.751804°, Longitude: -75.606004°) in Slatington Borough, Lehigh County. Latitude: 40.751804°, Longitude: -75.606004°.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

**E2103224-001. Mr. Mark A Malarich, Borough of Carlisle**, 53 West South Street, Carlisle, PA 17013, Carlisle Borough, **Cumberland County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 11, 2024.

To install a new submersible pump manhole and a meter manhole in the floodplain of Conodoguinet Creek (WWF, MF). The project proposes to permanently impact 354 square feet and temporarily impact 380 square feet of the floodplain of Conodoguinet Creek (WWF, MF). All impacts are for the purpose of upgrading the sludge processing capabilities of the treatment plant. There are no wetland impacts associated with this project. Latitude: 40.2225°, Longitude: -77.1892°.

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

*Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.*

**E4601224-004. Mileone Fort Washington, LLC**, 3301 Briggs Chaney Road, Silver Spring, MD 20904, Whitmarsh Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 23, 2024.

To construct and maintain a multi-story automotive dealership expansion to existing facility and required amenities within the floodway/floodplain of Sandy Run (TSF-MF) and UNT to Sandy Run (TSF-MF) associated with the business expansion. The facility and associated improvements will require excavation, grading, fill placement, and the establishment of 2 stormwater outfall structures. The project is located at 500-512 Pennsylvania Avenue (Ambler, PA USGS Quadrangle) in Whitmarsh Township, Montgomery County. Latitude: 40.133988°, Longitude: -75.207310°.

**E5101224-001. Rhoads Industries, Inc.**, 1900 Kitty Hawk Avenue, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 24, 2024.

Rhoads Industries, Inc., is proposing to perform the following water obstruction and encroachment activities at Pier 6A in the Navy Yard: 1) To partially demolish and fully reconstruct an existing 20,600 square foot pier within the Delaware River (WWF) which involves the installation of a new 600-foot bulkhead around the exiting pier resulting in an additional 2,428 square feet of permanent watercourse impact. This activity also includes three (3) concrete jacking pads and two (2) new mooring/breasting dolphins. 2) To mechanically dredge two (2) areas east and south of the newly reconstructed pier resulting in 7,212 square feet and 27,932 square feet, respectively, of permanent watercourse impact with a total of 13,488 cubic feet of dredged material to be



removed. 3) To mitigate for the new 5,082 square feet of filled area within the combined footprint of the new Pier 6A, the jacking pads and mooring dolphins, a 5,724 square-foot earthen fill pier will be removed at the Fort Mifflin Facility. The Pier 6A Reconstruction Project is located within the Navy Yard at 1900 Kitty Hawk Avenue in Philadelphia, Philadelphia County (USGS PA Philadelphia Quadrangle). Latitude: 39.885642°, Longitude: -75.186187°.

**E4601224-005. Montgomery Township**, 1001 Stump Road, Montgomeryville, PA 18936, Montgomery Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 24, 2024.

Montgomery Township is proposing to remove a low head dam within Little Neshaminy Creek (WWF-MF) and in its place, construct and maintain a 55-foot long, 12-foot-wide prefabricated pedestrian bridge on concrete foundation abutments as part of the Powerline Trail Connector Project. This project also includes regrading of the stream bed through the new structure with slop/toe protection with live stakes. Overall, this project will have 250 linear feet (4,000 square feet, 0.092 acre) of permanent watercourse impact with 6,875 square feet (0.158 acre) of permanent floodway impact for the dam removal. 13.5 linear feet (271.4 square feet, 0.006 acre) of permanent watercourse impact with 430.7 square feet (0.010 acre) of permanent floodway impact is proposed for the pedestrian bridge. In addition, there will also have permanent floodplain impact due to the construction and maintenance of the pedestrian trail through the floodplain. This project is located within Gazebo Park in

Montgomery Township, Montgomery County (USGS PA Ambler Quadrangle). Latitude: 40.237560°, Longitude: -75.225514°.

*Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: D. J. Stevenson, 412-442-4281, RA-EPSW-OGSUBMISSION@pa.gov.*

**E6307224-001. MarkWest Liberty Midstream & Resources, LLC**, 4600 J. Barry Court, Suite 500, Canonsburg, PA 15317, Donegal Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 29, 2024. Latitude: 40.103408°, Longitude: -80.467867°.

The project proposes to expose approximately 1,857 LF of one (1) existing 12-in steel gas pipeline (Hunter Pipeline), and approximately 5,497 LF of one (1) existing 12-in steel gas line, 5,519 LF of one (1) existing 16-in steel gas line, and 5,502 LF of one (1) existing 20-in steel gas line (Wilhelm Carpenter Pipeline) in preparation for longwall mining activities under these pipelines. Pipeline exposure is anticipated to last approximately six months and will result in temporary impacts to three (3) Palustrine Emergent (PEM) wetlands and five (5) streams (UNTs to Dutch Fork, a High-Quality Warm Waters Fisheries) and their associated floodways. Proposed project impacts include excavation of the existing pipelines, stockpiling of soils, installation of temporary flume pipes and riprap outlet protection, installation of timber mat bridges over streams and wetlands for equipment crossing, and site restoration post-construction.

<i>Stream Impacts</i>								
<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Latitude / Longitude</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Area Temp. (LF)</i>	<i>Impact Area Temp. (Ac)</i>
SC-1/Stream G (UNT to Dutch Fork)	Ephemeral	Flume Pipe	HQ-WWF	40.1013560 -80.4731250	272	0	68	0.006
SC-1/Stream G (UNT to Dutch Fork)	Ephemeral	Aerial Span Mat Bridge	HQ-WWF	40.1013560 -80.4731250	40	0	10	0.001
SC-1/Stream G (UNT to Dutch Fork)	Ephemeral	Excavation	HQ-WWF	40.1013560 -80.4731250	284	0	71	0.006
SC-1/Stream G (UNT to Dutch Fork)	Ephemeral	RipRap Apron	HQ-WWF	40.1013560 -80.4731250	200	0	20	0.005
SC-2/Stream H (UNT to Dutch Fork)	Perennial	Flume Pipe	HQ-WWF	40.1011370 -80.4741960	240	0	60	0.005
SC-2/Stream H (UNT to Dutch Fork)	Perennial	Aerial Span Mat Bridge	HQ-WWF	40.1011370 -80.4741960	35	0	10	0.001
SC-2/Stream H (UNT to Dutch Fork)	Perennial	Excavation	HQ-WWF	40.1011370 -80.4741960	210	0	60	0.005
SC-2/Stream H (UNT to Dutch Fork)	Perennial	RipRap Apron	HQ-WWF	40.1011370 -80.4741960	200	0	20	0.005
SC-3/Stream J (UNT to Dutch Fork)	Perennial	Flume Pipe	HQ-WWF	40.1048600 -80.4761970	460	0	115	0.01
SC-3/Stream J (UNT to Dutch Fork)	Perennial	Aerial Span Mat Bridge	HQ-WWF	40.1048600 -80.4761970	60	0	20	0.001
SC-3/Stream J (UNT to Dutch Fork)	Perennial	Excavation	HQ-WWF	40.1048600 -80.4761970	330	0	110	0.007
SC-3/Stream J (UNT to Dutch Fork)	Perennial	RipRap Apron	HQ-WWF	40.1048600 -80.4761970	340	0	34	0.007

<i>Stream Impacts</i>								
<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Latitude/ Longitude</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Area Temp. (LF)</i>	<i>Impact Area Temp. (Ac)</i>
SC-4/Stream K (UNT to Dutch Fork)	Perennial	Flume Pipe	HQ-WWF	40.1049250 -80.4761850	74	0	21	0.002
SC-4/Stream K (UNT to Dutch Fork)	Perennial	Excavation	HQ-WWF	40.1049250 -80.4761850	53	0	21	0.001
SC-5/Stream M (UNT to Dutch Fork)	Perennial	Flume Pipe	HQ-WWF	40.1071660 -80.4775040	50	0	10	0.001
SC-5/Stream M (UNT to Dutch Fork)	Perennial	Aerial Span Mat Bridge	HQ-WWF	40.1071660 -80.4775040	300	0	60	0.007
SC-5/Stream M (UNT to Dutch Fork)	Perennial	Excavation	HQ-WWF	40.1071660 -80.4775040	170	0	62	0.004
SC-5/Stream M (UNT to Dutch Fork)	Perennial	RipRap Apron	HQ-WWF	40.1071660 -80.4775040	310	0	17	0.007
SC-1/Stream G (UNT to Dutch Fork)	Floodway	Aerial Span Mat Bridge	HQ-WWF	40.1013560 -80.4731250	170	0	17	0.004
SC-1/Stream G (UNT to Dutch Fork)	Floodway	Excavation	HQ-WWF	40.1013560 -80.4731250	700	0	100	0.02
SC-2/Stream H (UNT to Dutch Fork)	Floodway	Aerial Span Mat Bridge	HQ-WWF	40.1011370 -80.4741960	250	0	25	0.006
SC-2/Stream H (UNT to Dutch Fork)	Floodway	Excavation	HQ-WWF	40.1011370 -80.4741960	6,660	0	111	0.15
SC-3/Stream J (UNT to Dutch Fork)	Floodway	Aerial Span Mat Bridge	HQ-WWF	40.1048600 -80.4761970	1,460	0	73	0.03
SC-3/Stream J (UNT to Dutch Fork)	Floodway	Excavation	HQ-WWF	40.1048600 -80.4761970	6,030	0	134	0.14
SC-4/Stream K (UNT to Dutch Fork)	Floodway	Excavation	HQ-WWF	40.1049250 -80.4761850	2,226	0	106	0.05
SC-5/Stream M (UNT to Dutch Fork)	Floodway	Aerial Span Mat Bridge	HQ-WWF	40.1071660 -80.4775040	340	0	34	0.008
SC-5/Stream M (UNT to Dutch Fork)	Floodway	Excavation	HQ-WWF	40.1071660 -80.4775040	5,700	0	114	0.13
WC-1/ Wetland E	Palustrine Emergent	Excavation	-	40.1011900 -80.4697200	700	0	50	0.02
WC-1/ Wetland E	Palustrine Emergent	Aerial Span Mat Bridge	-	40.1011900 -80.4697200	280	0	20	0.006
WC-2/ Wetland K	Palustrine Emergent	Excavation	-	40.1010060 -80.4740720	198	0	18	0.005
WC-3/ Wetland G	Palustrine Emergent	Excavation	-	40.1049040 -80.4761800	2,244	0	68	0.05

Contact: Dana Drake, Program Manager.

**E0405223-008. Franklin Township**, 897 Route 288, Fombell, PA 16123, Franklin Township, **Beaver County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: June 26, 2023.

The applicant proposes to: 1. Construct and maintain a 71 linear foot (LF) extension at the downstream end of the existing 98 LF long, dual 24-inch diameter corrugated plastic pipes. This extension will consist of 9 LF of new dual 24-inch diameter high density polyethylene (HDPE) pipes, into a new cast-in-place PennDOT type 6 inlet box, followed by 60 LF of new 40-inch diameter spiral rib aluminized steel pipe, plus outlet protection. This activity will result in the creation of a 169 LF stream enclosure of an unnamed tributary (UNT) to Connoquenessing Creek

(WWF). Fill will be placed within this watercourse and within 855 square feet (SF) of its associated floodway, over this extension. 2. Remove an existing 15-inch diameter 45 LF long corrugated plastic pipe storm sewer pipe and construct and maintain a replacement 15-inch diameter 45 LF long HDPE pipe within the floodway of the same UNT to Connoquenessing Creek. This storm sewer pipe will connect into one of the 9 LF 24-inch HDPE extensions noted in item 1. This activity will result in 63 SF of permanent impact and 105 SF of temporary impact to the floodway. For the purposes of improving vehicular and pedestrian safety, replacing aging infrastructure, and protecting existing infrastructure in the project area. Cumulatively, the project will permanently impact approximately 101 LF of the UNT to Connoquenessing Creek. In addition, the project will permanently impact

approximately 918 SF and temporarily impact approximately 105 SF of the UNT to Connoquenessing Creek's floodway. Compensatory mitigation for permanent impacts to watercourses will be provided through the purchase of credits from the Department's in-lieu fee program. The project site is located on the east side of Mecklem Lane at its intersection with Franklin Street (Beaver Falls, PA USGS topographic quadrangle; 40° 51' 11.1228" N, -80° 15' 44.9590" W; Sub-basin 20C; USACE Pittsburgh District). Latitude: 40° 51' 11", Longitude: -80° 15' 44".

**E3005223-002. Advanced Masonry, Inc.**, 515 South Eighty Eight Road, Carmicheals, PA 15320, Cumberland Township, **Greene County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: February 10, 2023.

To: Maintain 0.09 acre of fill that was placed in a wetland (PEM) and the assumed floodway of an unnamed tributary to Glades Run (WWF), for the purpose of constructing an additional self-storage building, at an existing facility. The project site is located at 515 S. Eighty Eight Rd (Carmichaels, PA USGS topographic quadrangle; N: 39° 53' 1.98"; W: -79° 58' 12.28"; Sub-basin 19B; USACE Pittsburgh District).

**E6505123-015. PennDOT District 12-0**, 825 N. Galatin Ave. Ext., Uniontown, PA 15401, Rostraver Township, **Westmoreland County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: November 6, 2023. Latitude: 40° 8' 42", Longitude: -79° 48' 53".

**E6505123-015, PennDOT District 12-0**, 825 N. Galatin Ave. Ext., Uniontown, PA 15401, Rostraver Township, **Westmoreland County**; Pittsburgh ACOE District.

To:

1. Remove 5 LF of the existing 90 LF long, 10' by 6.5' concrete arch culvert, and to construct and maintain a 22 LF upstream extension and a 19 LF downstream extension, in kind. The new total length of the stream enclosure is 126 LF, having a permanent impact of 197 LF and temporary impact of 215 LF to a UNT (SN9) to Cedar Creek (TSF).

2. Construct and maintain two (2) new 18" RCP stormwater outfalls, namely OF P-1 and OF Q-1, including rock aprons, having a combined permanent impact of 18 LF and temporary impact of 50 LF to a UNT (SN9) to Cedar Creek (TSF).

3. Construct maintain a 19 LF upstream extension, to the existing 186 LF long, 6' by 6' R/C box culvert, in kind, for a total length of 205 LF, having a permanent impact of 251 LF and temporary impact of 274 LF to a UNT (SN1) to Cedar Creek (TSF), as well as a permanent impact of 9 LF to a UNT (SN3) to Cedar Creek (TSF) and a temporary impact of 66 LF to a UNT (SN2) to Cedar Creek (TSF).

4. Construct and maintain a new 18" RCP stormwater outfall, namely OF V-1, and to construct and maintain a new 24" RCP stormwater outfall, namely OF U-1, including end walls and rock aprons, having a combined permanent watercourse impact of 8 LF, temporary watercourse impact of 12 LF, and temporary floodplain impact of approximately 0.003 ac, to a UNT (SN1) to Cedar Creek (TSF).

5. Construct and maintain an extension of 19 LF upstream, to the existing 222 LF long, 54" CMP/RCP culvert, in kind, for a total length of 238 LF, including new end walls, inlet and outlet protection, and to construct and maintain 36 LF of perennial channel relocation

upstream from the culvert, having a permanent impact of 322 LF and temporary impact of 328 LF to a UNT (SS5) to Cedar Creek (TSF). This activity will also result in a permanent impact of 7 LF and temporary impact of 17 LF to a UNT (SS10) to Cedar Creek (TSF).

6. Construct and maintain a new 24" RCP stormwater outfall, namely OF H-1, having a permanent impact of 10 LF and temporary impact of 20 LF to a UNT (SS5) to Cedar Creek (TSF).

7. Remove 105 LF of the existing 18" RCP culvert from UNT (SN5) to Cedar Creek (TSF), and to place and maintain fill within this section of watercourse plus an additional 149 LF of this perennial stream channel, having a total permanent impact of 254 LF to SN5.

8. Place and maintain fill within 232 LF of a UNT (SN8) to Cedar Creek (TSF), and to construct and maintain a 247 LF channel relocation of this watercourse, for a net gain of 15 LF of perennial channel.

9. Construct and maintain a new end-wall for the existing 24" RCP stormwater outfall, namely OF A-4, having a permanent impact of 15 LF and a temporary impact of 45 LF to a UNT (SS16) to Speers Run (TSF).

10. Abandon in place approximately 137 LF of the existing 18" RCP/CMP culvert, which conveys a portion of a UNT (SS20) to Speers Run (TSF). This existing pipe will be cut, capped, and filled. Then, fill be placed within 262 LF of SS20, in association with the construction of a new Stormwater Management (SWM) Basin, namely Basin # 1, and to construct and maintain a 216 LF 18" RCP enclosure, and 173 LF of new channel to convey the relocated SS20. This activity will result in a loss of 89 LF of open channel.

11. Construct and maintain a new 54" RCP stormwater outfall, namely OF A-14, to tie-in to Basin # 1, including end walls and rock apron, having a permanent impact of 3 LF and a temporary impact of 7 LF to a UNT (SS20) to Speers Run (TSF).

12. Place and maintain fill within 221 LF of a UNT (SN27) to Speers Run (TSF), and to construct and maintain a 42 LF channel relocation, for a net loss of 179 LF of ephemeral channel.

13. Place and maintain fill within 966 LF of UNT (SN24) to Speers Run (TSF), which consists of 436 LF of open channel, 70 LF of 36" CMP, 191 LF of 36" CMP, 151 LF of 24" CMP, and 118 LF of 48" CMP. These existing pipes will be abandoned in place by cutting, capping, and filling. Then, to construct and maintain 1,459 LF of relocated channel within a 324 LF long 36" RCP culvert, 880 LF long 42" RCP culvert, and 116 LF long 48" RCP culvert, each including end walls and rock aprons, resulting in the loss of 436 LF of open channel, and having a combined permanent impact of 966 LF and a combined temporary impact of 979 LF to a UNT (SN24) to Speers Run (TSF). The temporary impacts are associated with erosion and sedimentation control measures during construction.

14. Construct and maintain three (3) new 18" RCP stormwater outfalls, namely OF D-2, OF D-13, and OF D-26, having a combined permanent impact of 6 LF and a temporary impact of 21 LF to a UNT (SN24) to Speers Run (TSF).

15. Construct and maintain a new 24" RCP stormwater outfall with end walls and rock apron, namely OF D-4, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SN24) to Speers Run (TSF).

16. Place and maintain fill within 15 LF of a UNT (SN25) to Speers Run (TSF).

17. Place and maintain fill within 40 LF of a UNT (SN23) to Speers Run (TSF), and to construct and maintain a 74 LF channel relocation, for a net gain of 34 LF of open intermittent channel, having a temporary impact of 44 LF and a permanent impact of 40 LF to SN23.

18. Place and maintain fill within 40 LF of a UNT (SS15) to Speers Run (TSF).

19. Place and maintain fill within 400 LF of a UNT (SN21) to Speers Run (TSF), consisting of 117 LF of open channel, and 25 LF of existing 12" CPP culvert, and 258 LF of 24" a combined CPP/CMP/RCP culvert. These pipes will be abandoned in place by cutting, capping, and filling. This activity will have a combined permanent impact of 400 LF to SN21.

20. Place and maintain fill within 807 LF of a UNT (SS18) to Speers Run (TSF), consisting of 207 LF of open channel, 10 LF of an existing 18" RCP culvert, which will be removed, as well as 590 LF of an existing 36" CMP/RCP culvert, which will be abandoned in place by cutting, capping, and filling. Then, to construct and maintain 507 LF of relocated channel, consisting of 74 LF open channel, 51 LF 30" RCP, and a 382 LF 36" RCP culvert, each with new end-walls and rock aprons, resulting in the loss of 133 LF of open channel, and having a combined permanent impact of 807 LF and a temporary impact of 850 LF to SS18. The temporary impacts are associated with erosion and sedimentation control measures during construction.

21. Construct and maintain a new 30" RCP stormwater outfall, namely OF F-6, including an end-wall and rock apron, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SS18) to Speers Run (TSF).

22. Construct and maintain a new 18" RCP stormwater outfall, namely OF F-7, including an end-wall and rock apron, having a permanent impact of 2 LF and a temporary impact of 7 LF to a UNT (SS18) to Speers Run (TSF).

23. Remove an existing 15" CMP stormwater pipe and outfall, and to construct and maintain a replacement 15" RCP stormwater outfall, namely OF Y-6, including end walls and a rock apron, having a combined permanent impact of 8 LF and a temporary impact of 36 LF to a UNT (SS18) to Speers Run (TSF).

24. Place and maintain fill within 78 LF of a UNT (SN20) to Speers Run (TSF).

25. Place and maintain fill within 139 LF of a UNT (SN22) to Speers Run (TSF).

26. Place and maintain fill within 1,304 LF of a UNT (SN19) to Cedar Creek (TSF), consisting of 249 LF of open channel, approximately 100 LF of 18" RCP, 300 LF 24" RCP, 210 LF 12" RCP, and 445 LF 15" CPP, which will be abandoned in place by cutting, capping, and filling. Then, to construct and maintain 838 LF of relocated channel, consisting of 502 LF of open channel, 35 LF of 18" RCP culvert, and 285 LF 24" RCP culvert, including end walls and rock aprons, resulting in a gain of 253 LF of open channel, and having a combined permanent impact of 1,304 LF and a temporary impact of 1,335 LF to SN19. The temporary impacts are associated with erosion and sedimentation control measures during construction.

27. Construct and maintain a new 30" RCP stormwater outfall, namely of G-6, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SN19) to Cedar Creek (TSF).

28. Place and maintain fill within 774 LF of a UNT (SS22) to Cedar Creek (TSF), consisting of 240 LF of open channel, and 534 LF of existing 36" RCP culvert, which will be abandoned in place by cutting, capping, and filling. Then, to construct and maintain 799 LF of relocated channel, consisting of 263 LF of open channel, 504 LF of 36" RCP, and 32 LF of 53 x 34" elliptical RCP, including end walls and rock aprons, resulting in a gain of 23 LF of open channel, and having a combined and a permanent and temporary impact of 774 LF to a SS22, as well as a permanent impact of 3 LF and a temporary impact of 35 LF to a UNT (SS21) to Cedar Creek (TSF).

29. Construct and maintain a new 18" RCP stormwater outfall, namely OF G-2, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SS22) to Cedar Creek (TSF).

30. Place and maintain fill within 102 LF of a UNT (SN18) to Cedar Creek, and to construct and maintain 6 LF of relocated channel, a new Stormwater Management (SWM) Basin, namely Basin # 3, and a new 18" RCP stream outfall with end walls and rock apron, resulting in the loss of 96 LF of open channel, and having a combined permanent impact of 102 LF and a temporary impact of 106 LF to SN18. The temporary impacts are associated with erosion and sedimentation control measures during construction.

31. Abandon in place approximately 630 LF of 18" RCP/CMP, which will be cut, capped, and filled, and to construct and maintain 68 LF of relocated channel, consisting of 40 LF of open channel and 28 LF 36" CMP culvert, including end walls and rock apron, having a combined permanent impact of 1,048 LF and a temporary impact of 1,055 LF to a UNT (SN17) to Cedar Creek (TSF). The temporary impacts are associated with erosion and sedimentation control measures during construction.

32. Place and maintain fill within 10 LF of a UNT (SN16) to Cedar Creek (TSF), having temporary impact of 26 LF to SN16. The temporary impacts are associated with erosion and sedimentation control measures during construction.

33. Place and maintain fill within 39 LF of a UNT (SS9) to Cedar Creek (TSF), and to construct and maintain a new 18 LF 24" RCP culvert, including end-walls and a rock apron, resulting in the loss of 39 LF of open channel, and having a permanent impact of 39 LF and a combined temporary impact of 76 LF to SS9. The temporary impacts are associated with erosion and sedimentation control measures during construction.

34. Place and maintain fill within 226 LF of a UNT (SS7) to Cedar Creek (TSF), consisting of 100 LF of open channel, and 126 LF 18" CMP culvert, which will be abandoned in place by cutting, capping, and filling, resulting in the loss of 100 LF of open channel, and having a combined permanent impact of 226 LF to SS7.

35. Place and maintain fill within 61 LF of a UNT (SN31) to Cedar Creek (TSF), and to remove 117 LF of an existing 18" CMP culvert, resulting in the loss of 61 LF of open channel, and having a combined permanent impact of 178 LF to SN31.

36. Abandon in place approximately 95 LF of existing 30" RCP culvert, which will be cut, capped, and filled. Then, to construct and maintain a replacement 130 LF

30" RCP culvert, including end walls and a rock apron, having a combined permanent impact of 150 LF and a temporary impact of 216 LF to a UNT (SN30) to Cedar Creek (TSF). The temporary impacts are associated with erosion and sedimentation control measures during construction.

37. Construct and maintain a new 18" RCP stormwater outfall, namely OF M-5, having a permanent impact of 2 LF and a temporary impact of 7 LF to a UNT (SN30) to Cedar Creek (TSF).

38. Place and maintain fill within 23 LF of a UNT (SN10) to Cedar Creek (TSF).

39. Place and maintain fill within 212 LF of a UNT (SN11) to Cedar Creek (TSF).

40. Place and maintain fill within 30 LF of a UNT (SS2) to Cedar Creek (TSF), and to remove 93 LF of existing 36" RCP culvert. Then, to construct and maintain a replacement 121 LF 24" RCP, including end walls and a rock apron, resulting in the loss of 30 LF of open channel, and having a combined permanent impact of 123 LF and a temporary impact of 129 LF to SS2. The temporary impacts are associated with erosion and sedimentation control measures during construction.

41. Construct and maintain a new 18" RCP stormwater outfall, namely OF R-4, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SS2) to Cedar Creek (TSF).

42. Place and maintain fill within 62 LF of a UNT (SN4) to Cedar Creek (TSF).

43. Construct and maintain fill within 0.035 acre of a Palustrine Emergent (PEM) Wetland, namely WN3, in association with the construction of a new 'Westbound' acceleration ramp for SR 70, namely Ramp A.

44. Place and maintain fill within 0.012 acre of a Palustrine Emergent (PEM) Wetland, namely WS11.

45. Place and maintain fill within 0.034 acre of a Palustrine Scrub Shrub (PSS) Wetland, namely WS12.

46. Place and maintain fill within 0.076 acre of a Palustrine Emergent (PEM) Wetland, namely WN2.

47. Place and maintain fill within 0.051 acre of a Palustrine Emergent (PEM) Wetland, namely WS7.

48. Construct and maintain a new stormwater drainage swale by excavating within 0.005 acre of a Palustrine Emergent (PEM) Wetland, namely WS6.

49. Place and maintain fill within 0.060 acre of a Palustrine Emergent (PEM) Wetland, namely, WN1, and also having a temporary impact of 0.027 acre to WN1.

50. Place and maintain fill within 0.013 acre of a Palustrine Forested (PFO) Wetland, namely WS3.

51. Mitigation for stream impacts will be provided by constructing 1,600 LF of perennial stream channel restoration within Cedar Creek (TSF), including mud sills, cross vanes, root wads, toe logs, as well as appurtenant grading and planting. Mitigation for wetland impacts will be provided by the use of credits from the PennDOT District 12-0 SGL # 297 Wetland Mitigation Bank.

For the purpose of reconstructing and widening section D10 of Interstate SR 0070, including both on and off-alignment improvements, intersection reconfigurations, and a full depth roadway reconstruction. The project will have a cumulative and permanent impact to 8,730 LF of watercourses, and an approximate and cumulative temporary impact to 9,060 LF of watercourses. The project will also have 0.286 acre of permanent impact and 0.027 acre of temporary impact on wetlands.

The project site is located along SR 70, between the intersection of SR 70 and SR 3011, and the intersection of SR 70 and SR 51, (Donora, PA USGS topographic quadrangle; N: 40°, 8', 42.5032"; W: -79°, 48', 53.8498"; Sub-basin 19G; USACE Pittsburgh District), in Rostraver Township, Westmoreland County.

#### ENVIRONMENTAL ASSESSMENTS

*Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.*

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

**EA0829224-001. Chesapeake Appalachia LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Litchfield Township, Bradford County. U.S. Army Corps of Engineers Baltimore District. Application received: January 31, 2024.

The construction of the existing well pad resulted in 2,024 square feet (0.046 acre) of temporary impacts to a Palustrine Emergent Wetland. The project proposes 2,024 square feet (0.046 acre) of restoration activities and the replanting of native hydrophytic vegetation within the impacted wetland. The project will result in 2,024 square feet (0.046 acre) of temporary Palustrine Emergent Wetland impacts (Litchfield, PA Quadrangle, Latitude: 41.986231°, Longitude: -76.452670°).

#### 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.*

**D56-154EA. John Monocello**, 125 Lind Lane, Rockwood, PA 15228, Middlecreek Township, Somerset County. Applicant proposes to remove the Fall Creek Dam to eliminate a threat to public safety and to restore approximately 200 feet of stream channel to a free-flowing condition. The wooden plank jack-dam is 2.5 feet high and will be removed by hand. The project is located across Fall Creek (HQ-CWF) (Kingwood, PA Quadrangle, Latitude: 39.9581°, Longitude: -79.2862°). Application received: January 30, 2024.

*Contact: Ron Mease, PE, Senior Civil Engineer, 717-787-7652.*

**D59-061. Pennsylvania Fish and Boat Commission**, 595 Rolling Ridge Drive, Bellefonte, PA 16823-9620, Clymer Township, Tioga County. Rehabilitation of Beechwood Dam including reconstruction of the embankment with a new drainage system and flatter slopes, lining the auxiliary spillway with roller compacted concrete, and the addition of a downstream stilling basin, Latitude: 41°, 51', 17", Longitude: -77°, 30', 46.9". Application received: November 20, 2023.

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**ACTIONS**


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**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT**  
**FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at [www.dep.pa.gov/CWPUBLICNOTICE](http://www.dep.pa.gov/CWPUBLICNOTICE).

DEP office contact information to review official files relating to the final actions in Section I is as follows:

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES\_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES\_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES\_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.*

*DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES\_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.*

*DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES\_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.*

*DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES\_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.*

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. §§ 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec’y, Dep’t of Env’tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec’y, Dep’t of Env’tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep’t of Env’tl. Prot.*, 1577 C.D. 2019 WL 2420667

(Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

**I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.**

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0088927	CAFO Individual NPDES Permit	Issued	Keating James 1620 Beans Cove Road Clearville, PA 15535-8037	Southampton Township Bedford County	SCRO
PA630009D	Chapter 102 Individual NPDES Permit	Issued	Peoples Natural Gas Co. LLC 375 North Shore Drive Suite 600 Pittsburgh, PA 15212-5866	Amwell Township Washington County	SWRO
PAD250023	Chapter 102 Individual NPDES Permit	Issued	PTV 1276 LLC 400 Penn Center Boulevard Bldg 4 Suite 1000 Pittsburgh, PA 15235	Platea Borough Erie County	NWRO
PAD280018	Chapter 102 Individual NPDES Permit	Issued	Outdoor Contr Inc. 14703 Indian Springs Road Hancock, MD 21750-2232	Greencastle Borough Franklin County	SCRO
PAD310013	Chapter 102 Individual NPDES Permit	Issued	M&G Realty, Inc. 2295 N Susquehanna Trail York, PA 17404-8495	Smithfield Township Huntingdon County	SCRO
PAD390111	Chapter 102 Individual NPDES Permit	Issued	Air Products & Chemicals Inc. 7201 Hamilton Boulevard Allentown, PA 18195-9642	Lower Macungie Township Lehigh County	NERO
PAD450177	Chapter 102 Individual NPDES Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Hamilton Township Monroe County	NERO
PAD500019	Chapter 102 Individual NPDES Permit	Issued	Weaver Brent 1828 Kenbrook Road Lebanon, PA 17046-1607	Saville Township Perry County	SCRO
PAD570003	Chapter 102 Individual NPDES Permit	Issued	Loyalsock Foundation P.O. Box 194 Laporte, PA 18626-0194	Laporte Borough Sullivan County	NCRO
4600421	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Montgomery County SPCA 19 E Ridge Pike Conshohocken, PA 19428-2116	Upper Frederick Township Montgomery County	SERO
PAI130028	MS4 Individual NPDES Permit	Waived	Newlin Township 1751 Embreeville Road Coatesville, PA 19320	Newlin Township Chester County	SERO
PAI133522	MS4 Individual NPDES Permit	Issued	Womelsdorf Borough 101 West High Street Womelsdorf, PA 19567	Womelsdorf Borough Berks County	SCRO
PA0005754	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	Allegheny & Tsingshan Stainless LLC 100 River Road Brackenridge, PA 15014-1537	Midland Borough Beaver County	SWRO
PA0245399	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	Morrisville Municipal Authority 35 Union Street Morrisville, PA 19067	Falls Township Bucks County	SERO
PA0013463	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	US Steel Corp 400 Middle Drive Fairless Hills, PA 19030	Falls Township Bucks County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0218227	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Washington Township Municipal Authority 1390 Fayette Avenue Belle Vernon, PA 15012-2535	Fayette City Borough Fayette County	SWRO
PA0253588	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Diversified Products LLC 101 McQuiston Drive Jackson Center, PA 16133-1633	South Bend Township Armstrong County	NWRO
PA0033219	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Denied	Little Creek MHP LLC 100 Swale Brook Lane Milford, PA 18337-7014	New Sewickley Township Beaver County	SWRO
PA0084417	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Quad B Enterprises LLC P.O. Box 487 Shermans Dale, PA 17090-0487	Carroll Township Perry County	SCRO
PA0100676	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Reorganized Church of Jesus Christ Of Latter Day St 9017 Chillicothe Road Temple Grove Business Office Kirtland, OH 44094-9261	Delaware Township Mercer County	NWRO
PA0028274	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	New Wilmington Borough 134 High Street New Wilmington, PA 16142-1104	New Wilmington Borough Lawrence County	NWRO
PA0044261	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	PA DCNR Facility Design & Const Bureau 205 Canoe Creek Road Hollidaysburg, PA 16648-8444	Frankstown Township Blair County	SCRO
PA0081361	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	The York Water Co. 130 E Market Street York, PA 17401-1219	Monaghan Township York County	SCRO
PA0088609	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Broad Top Township 124 Hitchens Road P.O. Box 57 Defiance, PA 16633-9002	Broad Top Township Bedford County	SCRO
PA0090140	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Clymer Borough Municipal Authority 470 Adams Street Clymer, PA 15728-1156	Clymer Borough Indiana County	NWRO
0471422	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Denied	Little Creek MHP LLC 100 Swale Brook Lane Milford, PA 18337-7014	New Sewickley Township Beaver County	SWRO



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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6788412	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	The York Water Co. 130 E Market Street York, PA 17401-1219	Monaghan Township York County	SCRO
NOEXNW177	No Exposure Certification	Issued	Quality Carriers Inc. 102 Pickering Way Suite 105 Exton, PA 19341-1330	Parker Township Butler County	NWRO
NOEXSE365	No Exposure Certification	Issued	FedEx Ground Pkg System Inc. Environmental Services 1000 FedEx Drive Moon Township, PA 15108	West Whiteland Township Chester County	SERO
PAG030010	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	PCI Fairless Hills LLC 529 Terminal Avenue New Castle, DE 19720-1426	Falls Township Bucks County	SERO
PAG030018	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Naval Foundry & Propeller Center 1701 Kitty Hawk Avenue Philadelphia, PA 19112-1805	Philadelphia City Philadelphia County	SERO
PAG030074	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Rhoads Ind Inc. 1900 Kitty Hawk Avenue Philadelphia, PA 19112-1806	Philadelphia City Philadelphia County	SERO
PAG030077	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Smyrna Ready Mix Concrete 1000 Hollinghead Circle Murfreesboro, TN 37129	Darby Township Delaware County	SERO
PAG030104	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Mahoney Environmental Solutions LLC 8 Union Street Modena, PA 19320	Modena Borough Chester County	SERO
PAG030146	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Joe Mattero Recycling 316 W 7th Street Lansdale, PA 19446-2218	Lansdale Borough Montgomery County	SERO
PAG030185	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	SD Richman Sons Inc. 2435 Wheatsheaf Lane Philadelphia, PA 19137	Philadelphia City Philadelphia County	SERO
PAG030235	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	BFI Transfer System of PA LLC 372 S Henderson Road King of Prussia, PA 19406-2408	Upper Merion Township Montgomery County	SERO
PAG030292	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Future Foam, Inc. 259 Canal Road Fairless Hills, PA 19030-4305	Falls Township Bucks County	SERO
PAG030295	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	New Enterprise Stone & Lime Co. Inc. P.O. Box 77 New Enterprise, PA 16664-9137	Douglass Township Montgomery County	SERO
PAG032233	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Amazon Com Service LLC P.O. Box 80842 Seattle, WA 98108-0842	Pittston Township Luzerne County	NERO
PAG032256	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	DH Manufacturing LLC 1731 Catlin Road Kingsley, PA 18826-7746	Bridgewater Township Susquehanna County	NERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG032418	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Crafo Inc. P.O. Box 1639 Jackson, MS 39215-1639	Hanover Township Lehigh County	NERO
PAG032419	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Dayton Superior Corp 55 N Pine Street Tremont, PA 17981-1410	Tremont Borough Schuylkill County	NERO
PAG032420	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Phoenix Tube Co. Inc. 1185 Win Drive Bethlehem, PA 18017-7060	Bethlehem City Northampton County	NERO
PAG033788	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	PA Precision Cast Parts Inc. P.O. Box 1429 Lebanon, PA 17042-1429	Lebanon City Lebanon County	SCRO
PAG033800	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Flinchbaugh Engineering Inc. 4387 Run Way York, PA 17406-8005	Hellam Township York County	SCRO
PAG033838	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	High Steel Structures LLC P.O. Box 10008 1853 William Penn Way Lancaster, PA 17605-0008	East Lampeter Township Lancaster County	SCRO
PAG033891	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ardent Mills LLC 2800 Black Bridge Road York, PA 17406-9703	Manchester Township York County	SCRO
PAG033949	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sunoco Midstream LLC 8111 Westchester Drive Dallas, TX 75225-6140	Allegheny Township Blair County	SCRO
PAG033981	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Airgas USA LLC P.O. Box 13577 Reading, PA 19612-3577	Muhlenberg Township Berks County	SCRO
PAG034008	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Blue Triangle Hardwoods Inc. 156 Industrial Boulevard Everett, PA 15537-3326	West Providence Township Bedford County	SCRO
PAG034026	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	CNH Industrial America LLC 300 Diller Avenue New Holland, PA 17557-1631	New Holland Borough Lancaster County	SCRO
PAG034075	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Blair County Recovery & Towing Inc. 142 Burchfield Lane Duncansville, PA 16635-4623	Blair Township Blair County	SCRO
PAG034856	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ford Concrete Inc. 15 Briar Hill Road Osceola, PA 16942-9756	Middlebury Township Tioga County	NCRO
PAG034879	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	GAF Keystone LLC 2093 Old Route 15 New Columbia, PA 17856-9375	White Deer Township Union County	NCRO
PAG034890	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Hodes Ind Inc. P.O. Box 5150 Pleasant Gap, PA 16823-5150	Spring Township Centre County	NCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG034933	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Pine Hill Inc. P.O. Box 62 Blossburg, PA 16912-0062	Ward Township Tioga County	NCRO
PAG036172	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sprague Energy LLC 1045 W Chestnut Street Washington, PA 15301-5306	Washington City Washington County	SWRO
PAG036183	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JJ Kennedy Inc. P.O. Box 69 Zelienople, PA 16063-0069	Kittanning Township Armstrong County	NWRO
PAG036184	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JJ Kennedy Inc. P.O. Box 69 Zelienople, PA 16063-0069	Cherryhill Township Indiana County	NWRO
PAG036197	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	VGP Holdings LLC 501 Railroad Street Rochester, PA 15074-1967	Rochester Township Beaver County	SWRO
PAG036294	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Norfolk Southern Railway Co. 650 W Peachtree Street NW Box 13 Atlanta, GA 30308-1925	Waynesburg Borough Greene County	SWRO
PAG036295	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Valmont Pittsburgh Galvanizing 9 S 12th Street Midland, PA 15059-1641	Midland Borough Beaver County	SWRO
PAG036329	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Arden Landfill Inc. 625 Cherrington Parkway Moon Twp, PA 15108	Chartiers Township Washington County	SWRO
PAG036456	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Georgia Financial XIII LLC 6200 Riverside Drive Cleveland, OH 44135	Avonmore Borough Westmoreland County	SWRO
PAG036485	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Norfolk Southern Railway Co. 650 W Peachtree Street NW Box 13 Atlanta, GA 30308-1925	Union Township Washington County	SWRO
PAG036552	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	MLP Steel LLC 18 Mount Pleasant Road Scottsdale, PA 15683-1208	Scottsdale Borough Westmoreland County	SWRO
PAG038302	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Reed Oil Co. 511 Montgomery Avenue New Castle, PA 16102-1111	New Castle City Lawrence County	NWRO
PAG038314	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Reed Oil Co. 511 Montgomery Avenue New Castle, PA 16102-1111	Grove City Borough Mercer County	NWRO
PAG038320	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Covanta Environmental Solutions LLC 61 River Park Drive New Castle, PA 16101	New Castle City Lawrence County	NWRO
PAG038329	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	CSX Transportation Inc. 500 Water Street # J275 Jacksonville, FL 32202-4423	Erie City Erie County	NWRO

## NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG038346	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Brookville Equip Corp 175 Evans Street Brookville, PA 15825-9411	Pine Creek Township Jefferson County	NWRO
PAG038352	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JJ Kennedy Inc. P.O. Box 69 Zelienople, PA 16063-0069	Perry Township Mercer County	NWRO
PAG038403	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	IA Const Corp P.O. Box 568 Franklin, PA 16323-0568	Paint Township Clarion County	NWRO
PAG038405	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	IA Const Corp P.O. Box 568 Franklin, PA 16323-0568	Sugarcreek Borough Venango County	NWRO
PAG038423	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Waste Management PA Inc. 18380 Paint Boulevard Shippenville, PA 16254-4130	Paint Township Clarion County	NWRO
PAG038436	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	DFA Dairy Brands Fluid LLC 1858 Oneida Lane Sharpsville, PA 16150-9638	South Pymatuning Township Mercer County	NWRO
PAG038437	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Greenville Borough Mercer County 125 Main Street Greenville, PA 16125-2701	Greene Township Mercer County	NWRO
PAG038467	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Marion Center Supply Inc. 517 Church Street P.O. Box 173 Marion Center, PA 15759-0173	Marion Center Borough Indiana County	NWRO
PAG038477	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Erie Bronze & Alum Co. 6300 W Ridge Road Erie, PA 16506-1021	Fairview Township Erie County	NWRO
PAG038495	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Rolling Frito Lay Sales LP 23 Beethoven Street Binghamton, NY 13905-4250	Cranberry Township Butler County	NWRO
PAG038522	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Meridien Hardwoods of PA Inc. Old Pittsfiled Road P.O. Box 227 Pittsfield, PA 16340	Pittsfield Township Warren County	NWRO
PAG038524	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	American Hard Chrome LLC 925 Industrial Street New Castle, PA 16102-1329	New Castle City Lawrence County	NWRO
PAG038536	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	CCL Container Hermitage Inc. 1 Llodio Drive Hermitage, PA 16148-9015	Hermitage City Mercer County	NWRO
PAG041241	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Balter Joseph 845 Samick Drive Erie, PA 16509	Summit Township Erie County	NWRO
PAG041259	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Mueller Gary 395 Vernon Road Greenville, PA 16125-9256	West Salem Township Mercer County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG050092	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	Bob Nolans Auto Service 2464 Bristol Pike Bensalem, PA 19020-5244	Bensalem Township Bucks County	SERO
PAG124878	PAG-12 NPDES General Permit for CAFOs	Issued	Lehman Carlin 1737 Parthemer Road McClure, PA 17841-8162	West Beaver Township Snyder County	SCRO
PAG152204	PAG-15 NPDES General Permit for Pesticides	Issued	Baylors Lake Assoc 103 Spur Lane P.O. Box 126 Fleetville, PA 18420-0130	Benton Township Lackawanna County	NERO
0210402	Pump Stations Individual WQM Permit	Issued	Aleppo Township 100 North Drive Suite 2 Sewickley, PA 15143-2383	Aleppo Township Allegheny County	SWRO
3223401	Pump Stations Individual WQM Permit	Issued	Blairsville Municipal Authority 203 E Market Street Blairsville, PA 15717-1120	Blairsville Borough Indiana County	NWRO
0466S18	Pump Stations Individual WQM Permit	Issued	W Mifflin Sanitary Sewer & Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
6723408	Pump Stations Individual WQM Permit	Issued	Dallastown Borough 175 E Broad Street Dallastown, PA 17313-1839	Dallastown Borough York County	SCRO
6796411	Pump Stations Individual WQM Permit	Issued	The York Water Co. 130 E Market Street York, PA 17401-1219	Monaghan Township York County	SCRO
08512-S	Pump Stations Individual WQM Permit	Issued	W Mifflin Sanitary Sewer & Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
0561S52	Sewer Extensions Individual WQM Permit	Issued	Greater Johnstown Water Authority 640 Franklin Street Johnstown, PA 15901-2630	Westmont Borough Cambria County	SWRO
564S4	Sewer Extensions Individual WQM Permit	Issued	Greater Johnstown Water Authority 640 Franklin Street Johnstown, PA 15901-2630	Westmont Borough Cambria County	SWRO
08250-S	Sewer Extensions Individual WQM Permit	Issued	W Mifflin Sanitary Sewer & Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
08335-S	Sewer Extensions Individual WQM Permit	Issued	W Mifflin Sanitary Sewer & Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
08454-S	Sewer Extensions Individual WQM Permit	Issued	W Mifflin Sanitary Sewer & Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
08601-S	Sewer Extensions Individual WQM Permit	Issued	W Mifflin Sanitary Sewer & Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
08772-S	Sewer Extensions Individual WQM Permit	Issued	W Mifflin Sanitary Sewer & Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
09152-S	Sewer Extensions Individual WQM Permit	Issued	W Mifflin Sanitary Sewer & Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
09229-S	Sewer Extensions Individual WQM Permit	Issued	W Mifflin Sanitary Sewer & Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
PA0261939	Single Residence STP Individual NPDES Permit	Issued	Gerlach Amy 790 Oliver Street Newport, PA 17074-8901	Oliver Township Perry County	SCRO
PA0295329	Single Residence STP Individual NPDES Permit	Issued	David and Heather Defazio 2506 Deer Run Trail Erie, PA 16509-5676	Greene Township Erie County	NWRO
PA0295345	Single Residence STP Individual NPDES Permit	Issued	Mark Kosick 266 Roenigk Road Boyers, PA 16020-1318	Slippery Rock Township Butler County	NWRO
1023413	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Mark Kosick 266 Roenigk Road Boyers, PA 16020-1318	Slippery Rock Township Butler County	NWRO
2523425	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	David and Heather Defazio 2506 Deer Run Trail Erie, PA 16509-5676	Greene Township Erie County	NWRO
4323414	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Mueller Gary 395 Vernon Road Greenville, PA 16125-9256	West Salem Township Mercer County	NWRO
PA0285200	Small Flow Treatment Facility Individual NPDES Permit	Issued	Pittsburgh Oratory 4450 Bayard Street Pittsburgh, PA 15213-1506	Ligonier Township Westmoreland County	SWRO
2398404	Small Flow Treatment Facility Individual WQM Permit	Issued	SG MF Glen Mills Investors LLC 3843 West Chester Pike Newtown Square, PA 19073-2304	Chester Heights Borough Delaware County	SERO
6523403	Small Flow Treatment Facility Individual WQM Permit	Issued	Pittsburgh Oratory 4450 Bayard Street Pittsburgh, PA 15213-1506	Ligonier Township Westmoreland County	SWRO

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## II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090265	PAG-02 General Permit	Issued	Heritage Creek Golf, LLC 1949 Meetinghouse Road Jamison, PA 18929-1146	Warwick Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@pa.gov

## NOTICES

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC09634	PAG-02 General Permit	Issued	1250 West Bristol Road LLC 980 Jacksonville Road Ivyland, PA 18974	Warminster Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC460845	PAG-02 General Permit	Issued	W B Homes Land Acquisitions LP 404 Sumneytown Pike Suite 200 North Wales, PA 19454-2537	Hatfield Township Montgomery County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 19454-2537 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC460828	PAG-02 General Permit	Issued	Linfield Corporate Center LP 1030 West Germantown Pike East Norriton, PA 19403-3929	Limerick Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC460774	PAG-02 General Permit	Issued	Main Street Royersford 334 Main Street Royersford, PA 19468-2402	Royersford Borough Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC460803	PAG-02 General Permit	Issued	761 Collegeville Rd LLC 2965 West Germantown Norristown, PA 19401-1035	Skippack Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC110112	PAG-02 General Permit	Issued	Butterfli Holdings 49, LLC 30100 Chargrin Boulevard Suite 301 Pepper Pike, OH 44124	Richland Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 240 Ebensburg, PA 15931 814-472-2120 SWRO
PAC460854	PAG-02 General Permit	Denied	Gwynedd Mercy University 1325 Sumneytown Pike Gwynedd Valley, PA 19437	Lower Gwynedd Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC430107	PAG-02 General Permit	Issued	Pennsylvania Department of General Services 1800 Herr Street Harrisburg, PA 17125	City of Hermitage Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC250208	PAG-02 General Permit	Issued	Matthew and Chicaga Bauer 7382 McGill Road Harborcreek, PA 16421	Harborcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC160055	PAG-02 General Permit	Issued	Clarion County Conservation District 249 S 2nd Avenue Clarion, PA 16214	Paint Township Clarion County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC150360	PAG-02 General Permit	Issued	PennDOT 400 North Street 7th Floor Harrisburg, PA 17120	Parkesburg Borough Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150358	PAG-02 General Permit	Issued	Pleasantville Farms, LLC 330 Landenberg Rd Landenberg, PA 19350	New Garden Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150368	PAG-02 General Permit	Issued	High Vision Management LLC 566 E. Baltimore Pike Avondale, PA 19311	West Nottingham Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150357	PAG-02 General Permit	Issued	4102 Associates, LLC 418 Creamery Way Exton, PA 19341	Caln Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150111	PAG-02 General Permit	Issued	Frank C. Lordi, Jr. 700 Pheasant Run Kennett Square, PA 19348	West 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
PAC150235 A-2	PAG-02 General Permit	Issued	Longwood Gardens P.O. Box 501 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



<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC150370	PAG-02 General Permit	Issued	Octorara Area School District 228 Highland 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
PAC090630	PAG-02 General Permit	Issued	44 Industrial Capitol, LLC 132 Veterans Lane, A131 Doylestown, PA 18901	New Britain Borough Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC230272	PAG-02 General Permit	Issued	MIPC, LLC 920 Cherry Tree Road Aston, PA 19014	Trainer Borough and Upper Chichester Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC010247	PAG-02 General Permit	Issued	Oxford Township 780 Hanover Street New Oxford, PA 17350	Oxford Township and Berwick Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC360826	PAG-02 General Permit	Issued	Owl Hill Properties LLC 24 Windsor Lane Lititz, PA 17543	Warwick Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360772 A-1	PAG-02 General Permit	Issued	KW Cornerstone W-3, LLC 6259 Reynolds Mill Road Seven Valleys, PA 17360	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360809 A-1	PAG-02 General Permit	Issued	David J. Petersheim 476 Spring Valley Road Quarryville, PA 17566	East Drumore Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360914	PAG-02 General Permit	Issued	Manheim Township 1840 Municipal Drive Lancaster, PA 17601	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC200102	PAG-02 General Permit	Issued	PADOT District 1 255 Elm Street Oil City, PA 16301	West Mead Township City of Meadville Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360445 A-1	PAG-02 General Permit	Issued	Regency V, LP 1899 Lititz Pike Lancaster, PA 17601	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360881	PAG-02 General Permit	Issued	Eli S. Stoltzfus 228 Hollow Road Gordonville, PA 17529	Leacock Township Schuylkill County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC670679	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	Dover Township York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430
PAC670664	PAG-02 General Permit	Issued	Todd and Lori Mainhart 171 Chainsaw Road Dillsburg, PA 17019	Franklin Township York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430
PAC670693	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	Shrewsbury Borough York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430
PAC670669	PAG-02 General Permit	Issued	L Cubed Corporation 871 Range End Road Dillsburg, PA 17019	Franklin Township York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430
PAC670683	PAG-02 General Permit	Issued	Ephraim Fisher 4506 Delta Road Delta, PA 17314	Lower Chanceford Township York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430
PAC670682	PAG-02 General Permit	Issued	Robert W and Diane L Buser 34 Buser Farm Lane York, PA 17406	Lower Windsor Township York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430
PAC670680	PAG-02 General Permit	Issued	Dallastown Borough 175 East Broad Street Dallastown, PA 17313	Dallastown Borough York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430
PAC670649	PAG-02 General Permit	Issued	Mid-Atlantic Interstate Transmission 2800 Pottsville Pike Reading, PA 19605	Newberry Township York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC560086	PAG-02 General Permit	Issued	Peoples Natural Gas Company LLC 3115 Elton Road Johnstown, PA 15904	Somerset Township Lincoln Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC040097 A-1	PAG-02 General Permit	Issued	Center Township 224 Center Grange Road Aliquippa, PA 15001	Center Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC630307	PAG-02 General Permit	Issued	People's Natural Gas Company, LLC 375 North Shore Drive Pittsburgh, PA 15212	Morris Township Washington County	Washington County Conservation District 218 Donahoe Road Washington, PA 15301 724-705-7098 SWRO
PAC630296	PAG-02 General Permit	Issued	Stankiewicz Enterprises Ltd 1002 Arentzen Blvd Charleroi, PA 15022	Cecil Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PA110006C	PAG-02 General Permit	Issued	Indiana County Municipal Service Authority 602 Kolter Drive Indiana, PA 15701	Black Lick Township and Pine Township Cambria County and Indiana County	Cambria County Conservation District 401 Candlelight Drive Suite 240 Ebensburg, PA 15931 814-472-2120 SWRO
PAC650135	PAG-02 General Permit	Issued	Michelle Kish 5149 Trillium Drive Export, PA 15632	Murrysville Borough Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC650375	PAG-02 General Permit	Issued	PTV 1332, LLC Robert McCollim 400 Penn Center Blvd Building 4 Suite 1000 Pittsburgh, PA 15235	South Huntingdon Township Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC040054	PAG-02 General Permit	Issued	Adam's Place, LLC 3555 Washington Road McMurray, PA 15317	Big Beaver Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 150001 724-378-1701 SWRO

## 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: Lorrie Fritz, Clerical Assistant 2, 570-830-3048.*

#### Operation Permit No. 3540017, Public Water Supply.

Applicant	<b>Municipal Authority of the Township of Blythe</b>
Address	375 Valley Street New Philadelphia, PA 17959
Municipality	Schuylkill Township
County	<b>Schuylkill County</b>
Consulting Engineer	Ms. Karen Pollock, P.E. Systems Design Engineering, Inc. 1032 James Drive Leesport, PA 19533
Application Received	December 26, 2023
Permit Issued	February 2, 2024
Description	Consolidated Operations Permit and Operations Permit for SCADA System at Moss Glen, Silver Creek and Crystal Run WTPs.

*Contact: Ryan Fox, Env. Engineering Specialist, 570-826-2533.*

#### Emergency Permit No. 3480029-EP, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Address	1 Aqua Way White Haven, PA 18661
Municipality	Moore Township
County	<b>Northampton County</b>
Consulting Engineer	Daid Mvissenda, P.E. 75 Valley Stream Parkway Malvern, PA 19355
Application Received	January 23, 2024
Permit Issued	January 30, 2024

Description	Emergency Bulk Water Hauling Permit issued to Aqua PA—Evanwood to supply water to the system while preliminary new source development is conducted.
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#### Transfer Permit No. 3540044, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Address	762 W. Lancaster Ave. Bryn Mawr, PA 19010
Municipality	Shenandoah Borough
County	<b>Schuylkill County</b>
Application Received	August 9, 2023
Permit Issued	February 6, 2024
Description	Permit Transfer issued for the Borough of Shenandoah Water Treatment Plant and associated facilities to Aqua Pennsylvania, Inc.

*Contact: Ryan Fox, Env. Engineering Specialist, 570-826-2533.*

#### Construction Permit No. 5423509MA, Minor Amendment, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Address	762 W. Lancaster Ave. Bryn Mawr, PA 19010
Municipality	Deer Lake Borough
County	<b>Schuylkill County</b>
Consulting Engineer	Jonathan W. Morris 298 East 5th Street Suite 1 Bloomsburg, PA 17815
Application Received	September 6, 2023
Permit Issued	January 30, 2024
Description	Chemical Feed Pump Replacement Project.

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh Rivers Clerical Assistant, 484-250-5887.*

#### Construction Permit No. 0923519, Major Amendment, Public Water Supply.

Applicant	<b>Peddlers Village Partnership</b>
Address	P.O. Box 218 Lahaska, PA 18931
Municipality	Buckingham Township
County	<b>Bucks County</b>
Consulting Engineer	Gilmore & Associates, Inc. 65 East Butler Avenue New Britain, PA 18901-5106
Application Received	October 13, 2023
Permit Issued	January 10, 2024
Description	Water supply well and treatment plant.

#### Construction Permit No. 1521528, Major Amendment, Public Water Supply.

Applicant	<b>PA American (Shady Lane)</b>
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Address 852 Wesley Drive  
Mechanicsburg, PA 17055-4436

Municipality East Vincent Township

County **Chester County**

Consulting Engineer Gannett Fleming, Inc.  
207 Senate Avenue  
Camp Hill, PA 17011-2316

Application Received December 30, 2021

Permit Issued May 8, 2023

Description New water treatment plant will be constructed on a greenfield site near the existing water treatment plant. The new WTP will utilize conventional treatment (flocculation, sedimentation, gravity sand filtration) plus UV treatment.

**Construction Permit No. 1522526**, Major Amendment, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**

Address 762 W. Lancaster, Inc.  
Bryn Mawr, PA 19010-3402

Municipality East Bradford  
East Marlborough Twps.

County **Chester County**

Consulting Engineer BCM Engineers/Atlas Technical  
Consultants  
920 Germantown Pike  
Suite 200  
Plymouth Meeting, PA 19462

Application Received October 17, 2022

Permit Issued October 17, 2023

Description Install two-line application points at IMWTP and installation of a corrosion inhibitor system at WWH.

**Construction Permit No. 1523522**, Major Amendment, Public Water Supply.

Applicant **New Bolton Center**

Address 382 W. Street Road  
Kennett Square, PA 19348

Municipality East Marlborough Township

County **Chester County**

Consulting Engineer Remington & Vernick Engineers  
600 W. Hamilton Street  
Suite 320  
Allentown, PA 18101

Application Received October 25, 2023

Permit Issued January 10, 2024

Description Change of water source from onsite wells to CWA supply.

**Construction Permit No. 0923515**, Major Amendment, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc. (Edgely)**

Address 762 W. Lancaster Avenue  
Bryn Mawr, PA 19010-3402

Municipality Bristol Township

County **Bucks County**

Consulting Engineer Mott McDonald  
111 Wood Avenue  
Iselin, NJ 08830-4112

Application Received September 25, 2023

Permit Issued January 24, 2024

Description Project involves the addition of an AIX resin filter system at the Edgely WTMT plant for the removal of PFAS.

**Construction Permit No. 1523524**, Major Amendment, Public Water Supply.

Applicant **Aqua PA, Inc. (Lloyd Ave)**

Address 762 W. Lancaster, Inc.  
Bryn Mawr, PA 19010-3402

Municipality Caln Township

County **Chester County**

Consulting Engineer GHD, Inc.  
225 Grandview Avenue  
Suite 403  
Camp Hill, PA 17011

Application Received November 20, 2023

Permit Issued January 16, 2024

Description Lloyd Avenue watermain & Rock Raymond Booster Station modifications.

*Contact: Kimberleigh Rivers Clerical Assistant 2, 484-250-5887.*

**Construction Permit No. 0922522**, Major Amendment, Public Water Supply.

Applicant **Warwick House**

Address 1460 Meetinghouse Road  
Hartsville, PA 18974-1070

Municipality Warwick Township

County **Bucks County**

Consulting Engineer Suburban Water Technology, Inc.  
1697 Swamp Pike  
Gilbertsville, PA 19525

Application Received October 14, 2022

Permit Issued August 23, 2023

Description Permit for adding pH adjustment to existing system.

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

*Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.*

**Operation Permit 1423509MA**. PWSID No. **4140087**. **PA American Water—Philipsburg**, 852 Wesley Drive, Mechanicsburg, PA 17055, Rush Township, **Centre County**. Application received: January 26, 2024. Permit Issued: January 26, 2024. This permit authorizes the permittee to operate Trout Run Well 1 after cleaning and rehabilitation in Rush Township, Centre County.

*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 7360077.** PWSID No. **7360077.** **Mt. Hope Nazarene Retirement Community**, 3026 Mt. Hope Home Road, Manheim, PA 17545, Rapho Township, **Lancaster County**. Application received: January 22, 2024. Permit Issued: February 1, 2024. This action authorizes operation of the Mt. Hope Nazarene Retirement Community public water system, with the inclusion of a new water softening system and the repositioning of a pressure tank.

**Construction Permit 3623545 MA.** PWSID No. **7360490.** **Chester County Solid Waste Authority**, 7224 Division Highway, Narvon, PA 17555, Caernarvon Township and Salisbury Township, **Lancaster County**. Application received: November 13, 2023. Permit Issued: February 2, 2024. An application for a water service line to a new building on the Lanchester Landfill property, and an ultraviolet light disinfection system in that building, was withdrawn on February 2, 2024.

**Construction Permit 3623524.** PWSID No. **7360940.** **Flory's Camping**, 99 N Ronks Rd, Ronks, PA 17572, East Lampeter Township, **Lancaster County**. Application received: August 3, 2023. Permit Issued: February 5, 2024. Application denied due to non-response to two technical review letters.

*Contact: Thomas Filip, Environmental Engineer, 717-705-4708.*

**Construction/Operation Permit 0623518 MA.** PWSID No. **3060059.** **Reading Area Water Authority**, 1801 Kutztown Rd, Reading, PA 19604, Bern Township, **Berks County**. Application received: August 22, 2023. Permit Issued: January 29, 2024. Interconnections with Bern Township Municipal Authority.

**Construction/Operation Permit 0623524 MA.** PWSID No. **3060066.** **Western Berks Water Authority**, 91 Water Rd, Sinking Spring, PA 19608-9633, Bern Township, **Berks County**. Application received: September 29, 2023. Permit Issued: January 29, 2024. Interconnection with Bern Township Municipal Authority.

**Construction/Operation Permit 0623526 MA.** PWSID No. **3060045.** **Bern Township Municipal Authority**, 1069 Old Bernville Rd, Reading, PA 19605, Bern Township, **Berks County**. Application received: November 8, 2023. Permit Issued: January 29, 2024. Interconnections with Reading Area Water Authority.

**Construction/Operation Permit 0623527 MA.** PWSID No. **3060045.** **Bern Township Municipal Authority**, 1069 Old Bernville Rd, Reading, PA 19605, Bern Township, **Berks County**. Application received: November 9, 2023. Permit Issued: January 29, 2024. Interconnection with Western Berks Water Authority.

**Construction/Operation Permit 2223514 MA.** PWSID No. **7220017.** **Pennsylvania American Water**, 852 Wesley Drive, Mechanicsburg, PA 17055, North Londonderry Township, **Dauphin County**. Application received: November 29, 2023. Permit Issued: January 30, 2024. Use of a temporary hydropneumatic tank.

*Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.*

**Emergency Permit 0124503 E.** PWSID No. **7010055.** **Legacy Eagle View, LLC**, 32313 Broadway Street, Suite

101, Sebring, FL 33870, Berwick Township, **Adams County**. Application received: January 31, 2024. Permit Issued: February 1, 2024. Emergency operation permit for bulk water hauling at the Eagle View Mobile Home Park.

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

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

**Construction/Operation Permit 6323501.** PWSID No. **5630064.** **Dean's Water Service, Inc.**, 950 Jessop Place, Washington, PA 15301, Canton Township and Somerset Township, **Washington County**. Application received: March 13, 2023. Permit Issued: January 31, 2024. Issuance of Construction/Operation Permit No. 6323501 for Dean's Water Service Bulk Water Hauling System.

**Operation Permit 1123517.** PWSID No. **4110011.** **Gallitzin Borough Water Authority**, 411 Convent Street, Suite 10, Gallitzin, PA 16641, Gallitzin Township, **Cambria County**. Application received: February 5, 2024. Permit Issued: February 5, 2024. Issuance of Operation Permit No. 1123517 for the Flow Weighted Average Calculations used to estimate the Combined Filter Effluent Turbidity at the Gallitzin Borough Water Authority Water Treatment Plant.

**Operation Permit 6520508.** PWSID No. **5650080.** **Ligonier Township Municipal Authority**, 1 Municipal Park Drive, Ligonier, PA 15501, Ligonier Township and Fairfield Township, **Westmoreland County**. Application received: November 22, 2023. Permit Issued: 12/28/2023. Issuance of Operation Permit 6520508 to Ligonier Township Municipal Authority for upgrades to the Authority's distribution system including the installation of new waterline, four pressure reducing vaults, two new pump stations, upgrades to the existing Waterford Waterworks Control Building, and the 250,000-gallon Darlington Water Storage Tank.

*Contact: Renee Diehl, Program Manager, ra-epswsdw@pa.gov.*

**4-log Treatment of Viruses for Groundwater Sources Permit 1123508GWR.** PWSID No. **4110020.** **Marsteller Community Water Authority**, 274 Farrell Road, Marsteller, PA 15762, Barr Township, **Cambria County**. Application received: June 16, 2023. Permit Issued: January 30, 2024. 4-log Treatment of Viruses for Groundwater Sources: Mine 22 (Source # 001) and Mine 21 (Source # 002).

**Operation Permit 0223532.** PWSID No. **5020039.** **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, Baldwin Borough, **Allegheny County**. Application received: January 25, 2024. Permit Issued: February 1, 2024. Installation of a 12,500-gallon temporary bulk storage tank for ferric chloride at the Hays Mine Water Treatment Plant.

**Operation Permit 6522514MA.** PWSID No. **5260036.** **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672, Sewickley Township, **Westmoreland County**. Application received: January 31, 2024. Permit Issued: February 5, 2024. Lowber Road Pressure Control Vault along Lowber Road.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as Amended, 35 P.S. § 750.5.**

*Southcentral Region: Clean Water Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Cory Zimmerman, Sewage Planning Specialist, 717-705-4793.*

*Plan Location:*

<i>Municipality</i>	<i>Address</i>	<i>County</i>
Sadsbury Township	7182 White Oak Rd. Christiana, PA 17509	Lancaster County

*Plan Description:*

**Sadsbury Township Act 537 Sewage Facilities Plan Special Study**, A1-36949-ACT. Approval of an update to the official plan of Sadsbury Township, **Lancaster County** has been issued. This action is a result of the review of a plan update entitled Sadsbury Township Act 537 Sewage Facilities Plan Special Study (DEP Code No. A1-36949-ACT; APS ID No. 1104402). The plan update documents the transfer of existing wastewater collection and conveyance facilities from Sadsbury Township and Sadsbury Township Municipal Authority to Pennsylvania-American Water Company. The Department's review of the plan update has not identified any significant impacts resulting from this proposal.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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**The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

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Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

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

The Department has received the following plans and reports.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.*

**Roeber BRA 4HC on the Roeber BRA Well Pad**, Primary Facility ID # **869217**, 1131 Grand View Road, Wyalusing, PA 18853, Wyalusing Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with production fluid and petroleum products. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

*Contact: Eric Supey, Environmental Program Manager.*

**UGI-Former Bridge Street Manufactured Gas Plant**, Primary Facility ID # **636925**, 1010 Bridge Street, Scranton, PA 18505, City of Scranton, **Lackawanna County**. Stantec, 1060 Andrew Drive, West Chester, PA 19380, on behalf of UGI Utilities, Inc., 1 UGI Drive, Denver, PA 17517, submitted a Risk Assessment/Cleanup Plan concerning remediation of soil and groundwater contaminated with residual chemicals associated with historic manufactured gas plant operations. The Risk Assessment/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**316 Dorys Road**, Primary Facility ID # **850933**, 316 Dorys Road, Dingmans Ferry, PA 18328, Porter Township, **Pike County**. Bluestone Environmental, 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of Robert Takacs, 1170 West Main Street, Stroudsburg, PA 18360, submitted a Final Report concerning remediation of soil and groundwater contaminated with heating oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.*

**Former Graybill Property**, Primary Facility ID # **623230**, 200 North Broad Street, York, PA 17401, City of York, **York County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Redevelopment Authority of the City of York, 101 South George Street, York, PA 17401, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs and Metals. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the Statewide health and site-specific standards.

**Former Graybill Property**, Primary Facility ID # **623230**, 200 North Broad Street, York, PA 17401, City of York, **York County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Statewide

Partners, LLC, 3405 North 6th Street, Harrisburg, PA 17110, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs & Metals. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the Statewide health and 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.*

**Rose Ridge**, Primary Facility ID # **868708**, 4769 Gibsonia Road, Allison Park, PA 15101, West Deer Township, **Allegheny County**. PVE, LLC, 2000 Georgetown Drive, Suite 101, Sewickley, PA 15143, on behalf of Traditions of America, 1235 Westlakes Drive, Suite 300, Berwyn, PA 19312, submitted a Final Report concerning remediation of soil contaminated with arsenic, cobalt, manganese, selenium, and thallium. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

**EQT Stattler Road Well Pad**, Primary Facility ID # **867122**, 223 Stattler Road, Waynesburg, PA 15370, Whiteley Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

**The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analy-

sis. 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.*

**WR 64 Fiondi Pad**, Primary Facility ID # **863086**, 916 Lane Road, Montrose, PA 18801, Middletown Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of soil contaminated with servicing fluid used in the well cleanout process. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: January 31, 2024.

**Rayco Eurospec Motors**, Primary Facility ID # **870812**, 715 Wyoming Avenue, Kingston, PA 18704, Kingston Borough, **Luzerne County**. Geological & Environmental Associates, 430 West Mountain Road, Plymouth, PA 18651, on behalf of Rayco Eurospec Motors, 715 Wyoming Avenue, Kingston, PA 18704, submitted a Final Report concerning remediation of soil contaminated with gasoline. The Final Report demonstrated attainment of the Statewide health standards. Approved: February 5, 2024.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: Lee, 814-332-6127.*

**Green Shingle Svc & Rest FMR**, Primary Facility ID # **835158**, 6468 Sterrettania Road, Fairview, PA 16415, McKean Borough, **Erie County**. Environmental Geo-Services, 40 Callahan Road, Greenville, PA 16125, on behalf of Old PIDI, Inc., c/o Caesars Entertainment, 100 West Liberty Street, Reno, NV 89501, submitted a Final Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, naphthalene, cumene, methyl tertiary butyl ether (MTBE), 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the site-specific standards. Approved: February 1, 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.*

**Michael Black Property**, Primary Facility ID # **871172**, 420 Willow Street, Highspire, PA 17113, Highspire Borough, **Dauphin County**. Environmental Maintenance Co., Inc., 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Mr. Michael Black, 683 Sand Spur Drive, Eppers, PA 17319, submitted a Final Report concerning remediation of soil and groundwater contaminated with No. 2 Heating Oil. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: January 30, 2024.

**Michael Black Property**, Primary Facility ID # **871172**, 420 Willow Street, Highspire, PA 17113, Highspire Borough, **Dauphin County**. Environmental Maintenance Co., Inc., 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of E&E Oil Company LLC, 1608 Walnut Street, Harrisburg, PA 17103, submitted a Final Report concerning remediation of soil and groundwater contaminated with No. 2 Heating Oil. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: January 30, 2024.

**Harley Davidson/Former York Naval Ordnance Plant**, Primary Facility ID # **623248**, 1425 Eden Road, York, PA 17402, Springettsbury Township, **York County**. Groundwater Sciences Corporation, 2550 Interstate Drive, Suite 303, Harrisburg, PA 17110, on behalf of Harley-Davidson Motor Co., Inc., 1425 Eden Road, York, PA 17402, submitted a Final Report concerning remediation of soil and groundwater contaminated with Chlorinated VOCs. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: January 31, 2024.

**Harley Davidson/Former York Naval Ordnance Plant**, Primary Facility ID # **623248**, 1425 Eden Road, York, PA 17402, Springettsbury Township, **York County**. Groundwater Sciences Corporation, 2550 Interstate Drive, Suite 303, Harrisburg, PA 17110, on behalf of AMO Environmental Decisions, 875 North Easton Road, Suite 10, Doylestown, PA 18902, submitted a Final Report concerning remediation of soil and groundwater contaminated with Chlorinated VOCs. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: January 31, 2024.

**Former RH Sheppard Co., Inc.**, Primary Facility ID # **852634**, 101 Philadelphia Street, Hanover, PA 17331, Hanover Borough, **York County**. Arcadis U.S., Inc., 10 Friends Lane, Suite 100, Newtown, PA 18940, on behalf of ZF Group (This is in Germany but there's nowhere to choose a country), 21 Am Lindener Hafen, Hannover, GA 30453, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with Chlorinated VOCs. The Report demonstrated attainment of the site-specific standards. Issued a technical deficiency letter: January 31, 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.*

**East Liberty Phase IV**, Primary Facility ID # **837380**, along Larimer Avenue, Winslow Street, and Maxwell Way,

Pittsburgh, PA 15206, City of Pittsburgh, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of Housing Authority of the City of Pittsburgh, 412 Boulevard of the Allies, Suite 901, Pittsburgh, PA 15219, submitted a Final Report concerning remediation of soil contaminated with arsenic, benzene, carbon disulfide, cis-1,2-dichloroethene, chloroform, methyl ethyl ketone, tetrachloroethane, toluene, trichloroethane, xylenes, acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(g,h,i)perylene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, bis(2-ethylhexyl)phthalate, fluoranthene, dibenzofuran, dibenz(a,h)anthracene, fluorene, 2-methyl-naphthalene, naphthalene, phenanthrene, pyrene, indeno (1,2,3-cd) pyrene, antimony, arsenic barium, beryllium, boron, cadmium, chromium, cobalt, copper, cyanide, iron, lead, manganese, mercury, nickel, selenium, silver, thallium, tin, vanadium, and zinc. The Final Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: January 9, 2024.

**108 43rd Street**, Primary Facility ID # **863424**, 4107 Willow Street and 108 43rd Street, Pittsburgh, PA 15201, City of Pittsburgh, **Allegheny County**. Langan Engineering & Environmental Services, Inc., 2400 Ansys Drive, Suite 403, Canonsburg, PA 15317, on behalf of Willow Street Land, LLC, 800 Westchester Avenue, Suite N-349, Rye Brook, NY 10573, submitted a Baseline Environmental Report concerning remediation of groundwater contaminated with tetrachloroethene (PCE), tetrachloroethene (TCE), arsenic, iron, manganese, vinyl chloride, and aluminum. The Report demonstrated attainment of the special industrial area provision of act 2. Approved: January 24, 2024.

**Scenic Drive Incident**, Primary Facility ID # **870879**, 699 Scenic Drive, Avella, PA 15312, Independence Township, **Washington County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of McKissick Trucking, Inc., P.O. Box 62, Venus, PA 16364, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: January 16, 2024.

**Olympus Energy Calliope Well Pad**, Primary Facility ID # **871136**, 812 White Cloud Road, New Kensington, PA 15068, Upper Burrell Township, **Westmoreland County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Olympus Energy, LLC, 501 Technology Drive, Suite 1200, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, zinc, benzene, tert-butylbenzene, sec-butylbenzene, cyclohexane, ethylbenzene, isopropylbenzene (cumene), naphthalene, toluene, total, xylenes, trimethylbenzene, 1,2,4-trimethylbenzene, 1,3,5-acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, biphenyl, chrysene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, 2-methylnaphthalene, phenanthrene, phenol and pyrene. The Final Report did not demonstrate attainment of the Statewide health and background standards. Issued a technical deficiency letter: January 18, 2024.

**Equitrans George L Reade 1 Well Pad**, Primary Facility ID # **862892**, 555 Dishong Mountain Road, Johnstown, PA 15906, Jackson Township, **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 did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: January 25, 2024.

**EQT Iron Man Well Pad**, Primary Facility ID # **870875**, 136 Amos Road, Scenery Hill, PA 15360, North Bethlehem Township, **Washington County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: January 29, 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.*

**Frank's Vacuum Truck Services, LLC**, 1717 New Road, Niagra Falls, NY 14304. **License No. PA-AH 0331**. Application received: December 20, 2023. Effective January 31, 2024.

**J and D Trucking, Inc.**, 3526 NW Boulevard, Vineland, NJ 08360. **License No. PA-AH 0652**. Application received: November 13, 2023. Effective January 31, 2024.

**Waste Management of PA, Inc.**, 782 Antrim Road, Wellsboro, PA 16901. **License No. PA-AH 0813**. Application received: January 25, 2024. Effective January 31, 2024.

**Approved Storage & Waste Hauling MA, Inc.**, 110 Edison Ave, Mt. Vernon, NY 10550. **License No. PA-AH 0885**. Application received: November 28, 2023. Effective January 30, 2024.

#### RESIDUAL WASTE GENERAL PERMITS

**Action(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101–6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.**

*Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Waste Program Manager.*

**WMGR143. Kurt J. Lesker Company, Inc.**, 1925 Route 51, Clairton, PA 15025, Jefferson Hills Borough,

**Allegheny County**. Residual Waste General Permit WMGR143 expired on September 26, 2023. The applicant is not seeking renewal and submitted a Closure Report and bond release request on December 8, 2023. Application received: December 8, 2023. Permit expired: September 26, 2023. Approved: February 6, 2024.

Persons interested in reviewing the permit may contact Regional Files, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Action(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.*

**WMGR081-NE002. Texas Recovery Systems of Pennsylvania LLC**, 6370 Hedgewood Drive, Suite 110, Allentown, PA 18106, Upper Macungie Township, **Lehigh County**. A determination of applicability for the processing of electronic waste for beneficial reuse. Application received: October 7, 2020. Permit issued: January 31, 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

**Action(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101–6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

*Contact: Roger Bellas, Environmental Program Manager, 570-826-2201.*

**101600. Waste Reduction, Recycling & Transfer Inc.**, 2100 Sans Souci Parkway, Hanover Township, PA 18706, Hanover Township, **Luzerne County**. A major permit modification to expand the permit area and construct a new building at the existing municipal waste transfer station. Application received: June 7, 2022. Issued: February 2, 2024.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre,

PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

## AIR QUALITY

### Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

*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.*

**GP9-17-530: Junior Coal Contracting Inc.**, 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township, **Clearfield County**. Received authorization to construct and operate one 230-bhp Caterpillar diesel engine to operate the Terex portable screener as well as two 97-bhp Deutz Ag diesel engines to operate the Chieftain screeners and the other associated, new sources submitted for the Vought Operation pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9). Application received: December 11, 2023. Issued: February 5, 2024.

**GP3-17-530: Junior Coal Contracting Inc.**, 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township, **Clearfield County**. Received authorization to construct and operate one Terex portable crusher powered by the 230-bhp Caterpillar diesel engine as well as two Chieftain portable screeners powered by the two 97-bhp Deutz Ag diesel engines and the other associated, new sources submitted for the Vought Operation pursuant to the General Plan Approval and General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3). Application received: December 11, 2023. Issued: February 5, 2024.

**AG5A-41-0004B: Beech Resources, LLC**, 3033 East 1st Avenue, Suite 400, Denver, CO 80206, Lycoming Township, **Lycoming County**. To construct and operate one 1,775 bhp Caterpillar G3606TALE 4SLB natural gas-fired compressor engine as well as continue to operate existing sources 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 Premier Well Site. Application received: January 2, 2024. Issued: February 2, 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.*

**GP6-28-03015: Tip Top Cleaners**, 337 Wayne Avenue, Chambersburg, PA 17201, Chambersburg Borough, **Franklin County**. For an existing petroleum dry cleaning operation, under GP6. The general permit authorization was renewed. Application received: January 8, 2024. Issued: February 1, 2024.

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

**GP1-22-03026A: Milton Hershey School**, 1201 Homestead Lane, P.O. Box 830, Hershey, PA 17033, Derry

Township, **Dauphin County**. For two existing natural gas-fired boilers, 24.5 MMBtu/hr each, at the Milton Hershey School Central Power Plant. The general permit authorization was renewed. Application received: January 11, 2024. Issued: January 31, 2024.

**GP14-22-03101: Wiedeman Funeral Home & Cremation Services, Inc.**, 357 South Harrisburg Street, Oberlin, PA 17113, Swatara Township, **Dauphin County**. For a human crematory, under GP14, at the facility. The general permit authorization was renewed. Application received: January 12, 2024. Issued: February 1, 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.*

**GP3-46-0174, GP11-46-0080: Almac North American HQ**, 25 Fretz Rd, Souderton, PA 18964-2610, Lower Salford Township, **Montgomery County**. The H&K Group submitted a request to obtain a General Plan Approval and General Operating Permit for a portable nonmetallic mineral processing plant (GP-3) located at ALMAC North American Headquarters along with a General Plan Approval and General Operating Permit for the Diesel or No. 2 Fuel Fired Internal Combustion Engines (GP-11) to power the portable nonmetallic mineral processing plant. The GP3 and GP11 are being relocated from an existing site (DHL Jobsite, Annville Township, Lebanon County). Both GP's have a current expiration date of January 19, 2027. The H&K Group is using the previously-mentioned permits for crushing of existing on-site aggregate to be used onsite as sub-base. No third-party materials will be delivered to the site for recycling; only existing aggregate waste is being crushed. Application received: December 26, 2023. Issued: January 29, 2024.

**GP3-46-0175: Watts Services LLC**, 900 Mancill Mill Rd, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. This action is for the relocation of two portable nonmetallic mineral processing plants consisting of (1) Terex Finlay J-1160 Crusher and associated Conveyor and (1) Terex Powerscreen Cone Crusher and associated conveyer to a construction site at this location. Application received: January 29, 2024. Issued: February 5, 2024.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.*

**GP5A-63-01036C/AG5A-63-00019C: EQT Production Company**, 400 Woodcliff Drive, Canonsburg, PA 15317, East Finley Township, **Washington County**. On January 31, 2024, EQT Production Company (400 Woodcliff Drive, Canonsburg, PA 15317) was issued GP5A-63-01036C/AG5A-63-00016C authorization for the continued operation of their existing and modified sources which include: Eleven (11) gas wells, four (4) GPUs each rated at 2.5 MMBtu/hr, one (1) indirect fired line heater rated at 1.5 MMBtu/hr, four (4) 400-bbl produced water storage tanks, two (2) 400-bbl Condensate tanks, six (6) 550-gallon methanol tanks, truck load-out, two (2) enclosed flares rated at 12.2 MMBtu/hr, one (1) low pressure separator rated at 1.5 MMBtu/hr, fugitives, and miscellaneous venting sources at their Ealy Well Site located in East Finley Township, Washington County. Application received: December 22, 2023. Authorized: January 31, 2024.

**GP5-30-00230D/AG5-30-00001C: Greylock Midstream, LLC**, 500 Corporate Landing, Charleston, PA 25311, Greene Township, **Greene County**. On February 5, 2024, to authorize construction and operation of: Five (5) natural gas-fired Caterpillar Compressor Engines (2-existing and 3-new replaced), each rated at 1,775 bhp, controlled by oxidation catalyst and regulated by air/fuel ratio controller, three (3) TEG Dehydrator each rated at 50 MMscfd, equipped with a flash tank and a reboiler rated at 1.00 MMBtu/hr, controlled by an enclosed combustor rated at 5.0 MMBtu/hr; 95% control efficiency, three (3) Produced Water Storage Tanks, each 4,200-gallon capacity; truck loadout operations, and pneumatic controllers at their Veres Compressor Station, located in Greene Township, Greene County. Application received: December 27, 2023. Authorized: February 5, 2024.

**GP5A-30-00245B/AG5A-30-00003A: CNX Gas Company, LLC**, 359 Scott Hill Road, Wind Ridge, PA 15377, Richhill Township, **Greene County**. Authorization issued on February 2, 2024, for the continued use of their existing sources which include: Five (5) natural gas wells. Five (5) unheated gas processing units (GPU), each rated at 1.75 MMBtu/hr. Five (5) 400 bbl produced water storage tanks controlled by the enclosed combustor. Truck load out operations controlled by the enclosed combustor. Facility fugitives, pneumatic controllers, and venting blow downs. Application received: December 15, 2023. Accepted: February 2, 2024.

**AG5A-63-00037A (GP5A-63-01076A): Range Resources Appalachia, LLC**, 300 Town Center Boulevard, Canonsburg, PA 15317, Jefferson Township, **Washington County**. For authorization under GP-5A for construction and/or operation of sources and controls associated with natural gas production operations at its MCC Partners Unit 11188 Well Pad. Application received: October 30, 2023. Authorized: January 26, 2024.

**AG5A-63-00034A (GP5A-63-01075A): Range Resources Appalachia, LLC**, 300 Town Center Boulevard, Canonsburg, PA 15317, Robinson Township, **Washington County**. For authorization under GP-5A for construction and/or operation of sources and controls associated with natural gas production operations at its Robin Hill B Unit 17818 Well Pad. Application received: October 23, 2023. Authorized: January 18, 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.*

**14-00046A: McGhee Scrap Co.**, 112 Birch St., Beech Creek, PA 16822, Liberty Township, **Centre County**. Issued a plan approval for the proposed construction and operation of the above facility's shredder project, including the Source ID P001 shredder operation, a ECS plant operation (Source ID P002), as well as the two diesel engines associated with Source IDs P003 and P004 that will be used to power the new shredder at their Beach Creek/scrapyard facility. Application received: September 8, 2023. Issued: January 29, 2024.

**14-00045A: GP Cabinets LLC**, 276 Spearing St., Howard, PA 16841, Howard Borough, **Centre County**.

Was issued a plan approval for the construction and operation of a surface coating operation (four (4) paint booths equipped with panel filters) at their cabinet manufacturing facility. Application received: September 1, 2023. Issued: January 29, 2024.

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

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

**36-05152G: Kellogg USA LLC**, 2050 State Road, Lancaster, PA 17601, East Hempfield Township, **Lancaster County**. For the installation of a Bumped Rice Cooler on the Combo Line, Source ID 100E, that will be controlled by an American Air Filter, Model W, Size 24, Rotoclone Wet Scrubber at the breakfast food processing facility. Application received: September 21, 2023. Issued: January 30, 2024.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.*

**PA-65-00840: Eastern Gas Transmission and Storage, Inc.**, 267 McLlvaine Road, Greensburg, PA 15601, Hempfield Township, **Westmoreland County**. On January 17, 2024, the Department issued a plan approval to authorize the construction and temporary operation of Selective Catalytic Reduction (SCR) units on each of two compressor engines at South Oakford Compressor Station, in order to achieve the presumptive RACT III requirements for each engine. The addition of the SCR will result in a reduction of NO<sub>x</sub> emissions from this existing facility. Presumptive RACT III conditions are included in the plan approval for the other equipment at the compressor station as needed, including one natural gas-fired boiler, one glycol dehydration unit, one produced fluids tank, one parts washer, four compressors driven by the two compressor engines, one auxiliary generator, and fugitive emissions sources. The plan approval includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at the facility located in Hempfield Township, Westmoreland County. Application received: December 19, 2022. Issued: January 17, 2024.

**PA-65-00979B: Laurel Mountain Midstream Operating, LLC**, 111 Enterprise Ln, Connellsville, PA 15425, West Newton Borough, **Westmoreland County**. Plan approval extension issuance date February 5, 2024, and effective February 28, 2024 to prepare and submit Operating Permit application for their Herminie Compressor Station located in West Newton Borough, Westmoreland County. Application received: January 25, 2024. Issued: February 5, 2024.

**PA-30-00089E: Eastern Gas Transmission and Storage, Inc.**, 1657 Jefferson Rd., Waynesburg, PA 15370, Franklin Township, **Greene County**. On February 6, 2024, the Department issued a plan approval to authorize the for installation of one Solar Taurus 60-7800S natural gas-fired compressor turbine rated at 7,684 HP at ISO conditions, controlled by an oxidation catalyst, at the Crayne Compressor Station. The plan approval includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at the facility located in Franklin Township, Greene County. Application received: June 16, 2023. Issued: February 6, 2024.

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**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.**

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*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.*

**18-00009: Clinton County Solid Waste Authority**, P.O. Box 209, McElhattan, PA 17748, Wayne Township, **Clinton County**. The Department issued a renewal Title V Operating Permit for their Wayne Township Landfill facility for the renewal of the Title V Operating Permit and to incorporate the applicable requirements of Plan Approval 18-00009G. The Title V Operating Permit contains all applicable regulatory requirements including testing, monitoring, recordkeeping and reporting conditions. Application received: January 27, 2023. Renewal issued: January 31, 2024. New expiration date: January 30, 2029.

**49-00001: Mt. Carmel Cogen, Inc.**, Marion Heights Road, Marion Heights, PA 17832, Mount Carmel Township, **Northumberland County**. The Department issued a renewal Title V Operating Permit for the Mt. Carmel Cogeneration Culm Fired Cogeneration Plant for the renewal of the Title V Operating Permit and to incorporate the applicable RACT III requirements of 25 Pa. Code §§ 129.111—129.115 for existing sources at the facility. The Title V Operating Permit contains all applicable regulatory requirements including testing, monitoring, recordkeeping and reporting conditions. Application received: October 25, 2022. Renewal issued: January 31, 2024. New expiration date: January 30, 2029.

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

*Contact: Norm Frederick, 570-826-2409.*

**39-00040: Carpenter Co./Upper Macungie**, P.O. Box 519, 57A Olin Way, Fogelsville, PA 18051-0519, Upper Macungie Township, **Lehigh County**. 39-00040: Carpenter Co./Upper Macungie (P.O. Box 519, 57A Olin Way, Fogelsville, PA 18051-0519). On January 29, 2024, the Department issued a renewal Title V Operating Permit for the manufacturing of plastics and foam products facility located in Upper Macungie Township, Lehigh County. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G. The main sources at this facility consist of a 16.329 MMBtu/HR boiler, EPS manufacturing, and polyurethane foam manufacturing. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. On April 23, 2016, the Pennsylvania Department of Environmental Protection (PADEP) published 25 Pa. Code §§ 129.96—129.100, Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOC, also known as Reasonably Available Control Technology (RACT) II. Carpenter Co., Upper Macungie Plant qualifies as a major source of VOC emissions because facility-wide potential VOC emissions are above the RACT II major source threshold (i.e., 50 tons per year). As a result, the VOC-emitting operations at the facility will be subject to the provisions of the RACT II rule. The VOC emitting sources at the facility are Source ID # 033, Boiler—EPS Building, and Source ID # 034, Misc. Natural Gas Usage. The Presumptive RACT II requirements are included in

the TV Operating Permit. The Title V 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: March 3, 2023. Renewal issued: January 29, 2024.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.*

**30-00194: EQM Gathering Opco, LLC**, 2200 Energy Dr, Canonsburg, PA 15317, Morris Township, **Greene County**. On February 6, 2024, the Department issued a minor modification of Title V Only Operating Permit for the operation of the Callisto Compressor Station in Morris Township, Greene County. The air contamination sources at this facility include five (5) natural gas compressors driven by four-stroke lean-burn, 4,735-bhp, Caterpillar model # G3616 LE, natural gas-fired compressor engines and two (2) triethylene glycol (TEG) dehydration (dehy) units. The larger dehy consists of two smaller units that were interconnected and is rated at 240 MMcf per day. The other unit is rated at 120 MMcf per day. Each dehy is equipped with a 1.5 MMBtu/hr reboiler and a 1,420 scfm, enclosed ground flare. Additional sources at the facility include five (5) microturbine generators rated at 268 bhp each, blowdown and operating fugitives, pigging operations, two (2) 210-barrel each condensate tanks, and a fuel gas heater rated at 0.38 MMBtu/hr. The air contamination sources at nearby Browns Creek Station are also included in the Callisto Title V Operating Permit. This dehydration station contains two (2) 210-barrel and one (1) 50-barrel condensate tanks, one (1) 4.0 MMcf per day dehydration unit, and an enclosed ground flare. The purpose of this minor modification is to update air contamination source regulatory compliance language from previous RACT II requirements to current RACT III requirements per 25 Pa. Code §§ 129.111—129.115. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The five (5) compressor engines are subject to Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. Compressors Nos. 4 and 5 are subject to Subpart OOOO—Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution. The three (3) TEG Dehydrator Units are subject to Subpart HH—National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities. The final modified Operating Permit includes emission limitations, monitoring, work practice, reporting, and recordkeeping requirements for the facility. Application received: May 5, 2023. Deemed administratively complete: December 17, 2023.

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**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.**

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*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.*

**14-00021: Heidelberg Materials NE, LLC**, 7660 Imperial Way, Allentown, PA 18195, Marion Township, **Centre County**. Was issued a renewal State Only (Synthetic

Minor) Operating Permit for their Curtin Gap Crushing Plant 139 located in Marion Township, Centre County. The State Only (Synthetic Minor) Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: August 11, 2023. Issued: January 16, 2024.

**41-00058: Charles Construction Co.**, 838 E. Central Ave., Jersey Shore, PA 17740, Limestone Township, **Lycoming County**. Was issued a renewal State Only (Synthetic Minor) Operating Permit for their Jersey Shore Asphalt Plant located in Limestone Township, Lycoming County. The State Only (Synthetic Minor) Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: October 6, 2023. Issued: January 23, 2024.

**14-00025: Restek Corporation**, 110 Benner Circle, Bellefonte, PA 16823, Benner Township, **Centre County**. Was issued a renewal State Only (Natural Minor) Operating Permit for their facility located in Benner Township, Centre County. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: January 13, 2023. Issued: January 17, 2024.

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

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

**48-00113: Cantelmi Long Funeral Home**, 500 Linden Street, Bethlehem, PA 18018-6250, 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 a Matthews cremation unit. 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: November 2, 2023. Accepted: November 2, 2023. Issued: January 31, 2024.

**40-00008: Offset Paperback Manufacturers Inc.**, 2211 Memorial Hwy., Dallas, PA 18612, Dallas Borough, **Luzerne County**. The Department issued a renewal State-Only Operating Permit for the operation of sources at their print and bind paperback books manufacturing facility. The permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: May 17, 2023. Accepted: June 1, 2023. Issued: January 24, 2024.

**58-00012: Blue Ridge School District**, 5150 School Rd., New Milford, PA 18834, New Milford Township, **Susquehanna County**. The Department issued a renewal State-Only Operating Permit for the operation of sources at their elementary and secondary schools. The permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: January 27, 2023. Accepted: February 9, 2023. Issued: January 10, 2024.

**39-00005: Vorteq Coil Finishers, LLC**, 2233 26th St. SW, Allentown, PA 18103, City of Allentown, **Lehigh County**. The Department issued a renewal State-Only Operating Permit for the operation of sources at their

metal coating and allied services manufacturing facility. The permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: April 19, 2023. Accepted: May 2, 2023. Issued: January 18, 2024.

**40-00133: Interstate Metal Recycling**, 1010 Winters Ave., Hazle Township, PA 18202, Hazle Township, **Luzerne County**. The Department issued an initial State-Only Operating Permit for the operation of an auto shredder at their existing facility. The permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: July 6, 2022. Accepted: July 20, 2023. Issued: January 31, 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.*

**25-00197: Erie Bronze & Aluminum Co.**, 6300 W. Ridge Rd, Erie, PA 16506, Fairview Township, **Erie County**. The Department renewed the State Only Operating Permit for the Erie Bronze & Aluminum facility which manufactures aluminum and bronze castings. The primary sources at the facility include 6 electric induction furnaces, 2 natural gas fueled crucible furnaces, 2 natural gas fueled ovens rated at 600,000 Btu/hr each, sand handling, foundry operations, saws and grinders, a parts washer, and a 32 hp natural gas fueled emergency generator. Particulate matter emissions from the sand handling are controlled by a dust collector. Particulate matter emissions from the induction furnaces, the saws and grinders, and the foundry operations are controlled by dust collectors. The facility is a Natural Minor. Potential emissions are as follows: PM 35.7 tpy; NO<sub>x</sub> less than 1 tpy; SO<sub>x</sub> less than 1 tpy; CO 3.5 tpy; VOC less than 1 tpy. The facility is subject to 40 CFR Part 63 Subpart ZZZZZZ, National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries. The emergency generator is subject to 40 CFR Part 60 Subpart JJJJ, New Source Performance Standards for Stationary Spark Ignited Internal Combustion Engines. 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: October 26, 2022. Renewal issued: January 30, 2024.

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

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

**21-03033: Lane Enterprises, LLC**, 1244 Claremont Road, Carlisle, PA 17015-9742, Middlesex Township, **Cumberland County**. For the metal coating facility. The State-Only permit was renewed. Application received: November 8, 2023. Issued: February 2, 2024.

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

**22-03051: Buse Funeral Home**, 9066 Jonestown Road, Grantville, PA 17028, East Hanover Township, **Dauphin County**. For the human crematory at the

funeral home. The State-Only permit was renewed. Application received: January 26, 2023. Issued: January 29, 2024.

**22-05013: Mountain Ridge Metals, Inc.**, 1517 State Route 2019, Millersburg, PA 17061, Upper Paxton Township, **Dauphin County**. For the aluminum extruded products manufacturing facility. Application received: July 31, 2023. Issued: January 30, 2024.

**22-03022: Wenger Feeds, LLC**, 101 W. Harrisburg Avenue, Rheems, PA 17570, Lykens Township, **Dauphin County**. For the animal feed mill. The State-Only permit was renewed. Application received: January 31, 2023. Issued: February 1, 2024.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

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

**46-00059: Handelok Bag Co, Inc.**, 87 Commerce Dr, Telford, PA 18969, Lansdale Borough, **Montgomery County**. This is a renewal of a non-Title V, Synthetic Minor Operating Permit for the operation of a non-heatset flexographic printing facility. Application received: August 17, 2022. Issued: February 1, 2024.

**15-00095: Longwood Gardens**, Route 1, Kennett Square, PA 19348-0501, East Marlborough Township, **Chester County**. This action is for the renewal of State-Only Synthetic Minor Permit for boilers and electric generators located in the formal gardens, exhibition halls, greenhouses and other support structures of the facility. Application received: October 31, 2022. Issued: February 5, 2024.

*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.*

**63-00965: EQM Gathering OPCO, LLC**, 477 Deems Park Road, Bentleyville, PA 15427, West Pike Run Township, **Washington County**. On February 1, 2024, the Department of Environmental Protection issued a natural minor State-Only Operating Permit to EQM Gathering OPCO, LLC's Twilight Compressor Station located in West Pike Run Township, Washington County. This facility is subject to the applicable requirements of 25 Pa. Code, Chapters 121—145, 40 CFR Part 60 Subparts JJJJ, OOOO and IIII, and 40 CFR Part 63 Subparts ZZZZ and HH. The air quality Operating Permit includes emission limitations, operating requirements, monitoring requirements, performance testing, work practice standards, reporting, and recordkeeping requirements for the site. Application received: February 9, 2023. Deemed administratively complete: February 23, 2023.

**Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**37-00234: Linde Advanced Material Technologies, Inc.**, 595 Honeybee Lane, New Castle, PA 16105, Wilmington Township, **Lawrence County**. The permit

was administratively amended to incorporate the change of ownership, plant name and contact information. On July 1, 2023, Praxair Surface Technologies, Inc officially changed its name to Linde Advanced Material Technologies, Inc. Application received: September 5, 2023. Revised: January 24, 2024.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

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

**46-00005: Merck, Sharp & Dohme Corp**, 770 Sumneytown Pike, West Point, PA 19486-8000, Upper Gwynedd Township, **Montgomery County**. Pursuant to 25 Pa. Code § 127.450, the Title V Operating Permit 46-00005 has been amended to incorporate Plan Approval Nos. 46-0005AU and 46-0005AV. Under Plan Approval No. 46-0005AU, Merck, Sharp & Dohme Corporation ("Merck"): (1) constructed a new Building 63, that utilizes Good Manufacturing Practices ("GMP"), which involves the use of cleaners and disinfectants containing VOCs (Source ID 113); (2) installed a new biological process in the new Building 63, that uses VOC solvents (Source ID 384); and (3) installed a 772 BHP natural gas-fired generator set to provide emergency back-up electrical power to Building 63 (Source 769). Under Plan Approval No. 46-0005AV, Merck constructed a new wing for Building 60 and retrofitted part of existing Building 69D to create additional GMP spaces. This resulted in a revision to Source ID 105 (Biological Manufacturing) and the creation of a new Source ID 114 (Buildings 60 and 69D), for addressing VOC emissions from the new GMP spaces. The Title V Operating Permit contains monitoring and recordkeeping requirements designed to keep the facility operating within the allowable emissions and all applicable air quality requirements. Application received: January 12, 2024. Issued: February 1, 2024.

**15-00148: Piasecki Aircraft Corporation**, 110 E Stewart Huston Dr, Coatesville, PA 19320, Sadsbury Township, **Chester County**. Pursuant to 25 Pa. Code § 127.450, the State-Only Operating Permit 15-00148 was amended for a change in the ownership from Sikorsky Aircraft Corporation to Piasecki Aircraft Corporation. Piasecki Aircraft Corporation will also be the operator of this facility. The permit limits sitewide VOC emission to 24.99 tpy and individual and total HAP emissions to 9.90 tpy and 24.99 tpy respectively. The permit includes monitoring, recordkeeping and reporting requirements designed to address all applicable air quality requirements. Application received: January 19, 2024. Issued: January 31, 2024.

*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.*

**04-00708: WATCO Transloading, LLC**, 2701 Midland Beaver Road, Industry, PA 15052, Industry Borough, **Beaver County**. On January 24, 2024, the Department of Environmental Protection (DEP) authorized an administrative amendment for a transloading facility that handles and warehouses ferroalloy metals, pig iron, gypsum, steel, non-ferrous metals, and general commodities to incorporate plan approval PA-04-00708B into the natural minor State-Only Operating Permit for a replacement baghouse. The facility is located in Industry Borough, Beaver County. The permit includes throughput limitations, operating requirements, monitoring requirements,

and recordkeeping requirements for the site. Application received: November 20, 2023. Accepted: November 30, 2023.

**30-00258: ECC Windsor, Inc.**, 1919 14th Street, Suite 700, Boulder, CO 80203, Richhill Township, **Greene County**. On February 6, 2024, the Department of Environmental Protection issued a modification to the natural minor State-Only Operating Permit for a mine methane flaring project consisting of two (2) John Zink Company, LLC ZTOF6X30 enclosed flares located in Richhill Township, Greene County at coordinates 39.8994276, -80.483075. The modification corrected an error requiring an ISO 17025 accreditation for the laboratory conducting a gas analysis, though an annual gas analysis is still required. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Application received: November 22, 2023. Accepted: November 23, 2023.

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

**36-05062A: Manheim Auto Auction**, 1190 Lancaster Road, Manheim, PA 17545, Penn Township, **Lancaster County**. Pursuant to 25 Pa. Code § 127.449(i), this *Pennsylvania Bulletin* Notice is for a de minimis emissions increase of 0.003 tpy NO<sub>x</sub> and 0.002 tpy CO resulting from the installation of a 20 kw, natural gas fired emergency generator. This is the first de minimis emissions increase at the facility during the term of the current Operating Permit.

**ACTIONS ON COAL AND NONCOAL APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).**

*Coal Permits*

*California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.*

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**Mining Permit No. 33071301. NPDES No. PA0236080. Rosebud Mining Company**, 301 Market

Street, Kittanning, PA 16201, Snyder Township, **Jefferson County**. To revise the permit and related NPDES permit affecting 150.6 underground acres and 150.6 subsidence control plan acres. Application received: January 31, 2022. Accepted: March 31, 2022. Issued: January 31, 2024.

**Mining Permit No. 56131301. NPDES No. PA0236209 and GP12-56131301. Wilson Creek Energy, LLC**, 1576 Stoystown Road, Friedens, PA 15541, Conemaugh and Jenner Townships, **Somerset County**. To operate a new deep mine and related NPDES permit, affecting 40.1 surface acres, 3971.1 underground acres and 3971.1 subsidence control plan acres. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-56131301. Receiving Stream: Roaring Run, classified for the following use: CWF. Application received: May 10, 2017. Accepted: September 7, 2017. Issued: January 19, 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. 11120201. NPDES No. PA0269042. Robindale Energy Services, Inc.**, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, East Taylor Township, **Cambria County**. Permit renewal for the continued operation and restoration of a bituminous surface mine affecting 145.2 acres. Receiving streams: unnamed tributaries to Little Conemaugh River classified for the following use: CWF. Application received: March 6, 2023. Renewal issued: January 30, 2024.

**Mining Permit No. 56170104. NPDES No. PA0279692. Wilson Creek Energy, LLC**, P.O. Box 260, Friedens, PA 15541, Somerset and Stonycreek Townships, **Somerset County**. Permit renewal for the continued operation and restoration of a bituminous surface mine affecting 569.9 acres. Receiving streams: unnamed tributary to Kimberly Run to Casselman River, Schrock Run to Stonycreek River to Conemaugh River, classified for the following uses: CWF and WWF. Application received: June 8, 2023. Renewal issued: January 30, 2024.

**Mining Permit No. 56180101. NPDES No. PA0269492. PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, Stonycreek Township, **Somerset County**. NPDES renewal of a bituminous surface & auger mine affecting 348.3 acres. Receiving streams: Schrock Run and unnamed tributary # 2 to Glades Creek classified for the following uses: CWF & WWF. Application received: June 20, 2023. Renewal issued: January 30, 2024.

**Mining Permit No. 56120201. NPDES No. PA0268933. Robindale Energy Services, Inc.**, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, Conemaugh Township, **Somerset County**. Permit renewal for the continued operation and restoration of a bituminous surface mine affecting 145.2 acres. Receiving streams: unnamed tributaries to/and Kaufman Run and Stonycreek River classified for the following uses: CWF, WWF. Application received: July 11, 2023. Renewal issued: January 30, 2024.

**Mining Permit No. 11120202. NPDES No. PA0269085. Maple Coal Company**, 1501 Ligonier Street, Latrobe, PA 15650, Barr Township and Blacklick Township, **Cambria County**. Permit renewal for the continued operation and restoration of a bituminous surface mine affecting 48.0 acres. Receiving streams: Elk Creek to North Branch of Blacklick Creek to Blacklick



Creek to Conemaugh River, classified for the following uses: CWF, TSF, WWF. Application received: July 11, 2023. Renewal issued: January 30, 2024.

**Mining Permit No. 56920114. NPDES No. PA0212334. Mountaineer Mining Corporation**, 1010 Garrett Shortcut Road, Berlin, PA 15530, Southampton Township, **Somerset County**. Permit renewal for the continued operation and restoration of a bituminous surface and auger mine affecting 278.5 acres. Receiving streams: unnamed tributaries to North Branch of Jennings Run, Jennings Run & unnamed tributaries to Jennings Run classified for the following use: CWF. Application received: May 24, 2023. Renewal issued: February 1, 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. 31180301. NPDES No. PA0279668. U.S. Silica Company**, 12942 Oriskany Road, Mapleton Depot, PA 17042, Brady Township, **Huntingdon County**. Renewal of NPDES permit affecting 85.5 acres. Receiving stream: Mill Creek, classified for the following uses: TSF & MF. Application received: August 29, 2023. Renewal issued: January 30, 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. 20800302. NPDES No. PA0280551. L. R. Glover Gravel**, 2188 Strong Road, Waterford, PA 16441, Bloomfield Township, **Crawford County**. Renewal of an NPDES permit. Application received: September 15, 2023. Issued: February 6, 2024.

**Mining Permit No. 20910303. NPDES No. PA0259454. Don & Randy Ferris, Inc.**, 237333 Mackey Hill Road, Cambridge Springs, PA 16403, Rockdale Township, **Crawford County**. Renewal of an NPDES permit. Application received: October 10, 2023. Issued: February 6, 2024.

**Mining Permit No. 20910306. NPDES No. PA0280518. R. Hunter, Inc.**, 15428 Sheeta Road, Guys Mills, PA 16327, Richmond Township, **Crawford County**. Renewal of an NPDES permit. Application received: July 14, 2023. Issued: February 6, 2024.

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 41060801. NPDES No. PA0269808. McClintock Quarries, LLC**, 15222 US Hwy 220, Muncy Valley, PA 17758, Penn Township, **Lycoming County**. Transfer of an existing small noncoal (industrial minerals) mining site and renewal of the associated NPDES permit affecting 5 acres. Transfer of permit from Estate of Jack L McClintock. Receiving stream(s): Muncy Creek to Susquehanna River classified for the following use(s): TSF, MF, EV. Application received: February 6, 2023. Accepted: February 6, 2023. Issued: January 24, 2024.

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

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

**Mining Permit No. 64160301. NPDES Permit No. PA0225622. Wayco, Inc.**, 198 O'Connell Road, Waymart, PA 18472, Palmyra Township, **Wayne County**. Renew NPDES Permit on a quarry operation. Receiving stream: UNT to Lake Wallenpaupack. Application received: November 24, 2021. Renewal issued: January 31, 2024.

**Mining Permit No. 58100302. NPDES Permit No. PA0224855. William M. Ruark**, P.O. Box 127, Meshoppen, PA 18630, Dimock Township, **Susquehanna County**. Renew NPDES Permit on a quarry operation. Receiving stream: UNT to Elk Lake Stream. Application received: June 23, 2023. Renewal issued: February 1, 2024.

**Mining Permit No. 5278SM4. Pocono Sand & Stone, LLC**, P.O. Box 540, Newfoundland, PA 18445, Greene Township, **Pike County**. Transfer of a quarry operation from G.F. Edwards, Inc. affecting 67.0 acres. Receiving stream: Freeling Run. Application received: June 20, 2023. Transfer issued: February 2, 2024.

**Mining Permit No. 52970301. NPDES Permit No. PA0226033. Pocono Sand & Stone, LLC**, P.O. Box 540, Newfoundland, PA 18445, Greene Township, **Pike County**. Transfer of a quarry operation from G.F. Edwards, Inc. affecting 105.56 acres. Receiving stream: Freeling Run. Application received: June 20, 2023. Transfer issued: February 2, 2024.

**Mining Permit No. 58232511. Bluestone Source, LLC**, 219 N. Main Avenue, Scranton, PA 18504, Forest Lake Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 quarry operation affecting 5.0 acres. Receiving stream: Middle Branch Wyalusing Creek. Application received: August 9, 2023. Permit issued: February 5, 2024.

**Mining Permit No. 58232511. GP104 No. PAM123022. Bluestone Source, LLC**, 219 N. Main Avenue, Scranton, PA 18504, Forest Lake Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Middle Branch Wyalusing Creek. Application received: August 9, 2023. Coverage issued: February 5, 2024.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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**Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.**

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#### *Blasting Permits*

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

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

**Permit No. 02244001. Veit & Company, Inc.**, 14000 Veit Place, Rogers, MN 55374, Forward Township, **Allegheny County**. Blasting Activity Permit issued for the demolition of the Monongahela River Locks & Dam No. 3 Decommissioning, with an expiration date of December 2025. Application received: January 23, 2024. Issued: January 31, 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.**

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Stephen Kardoheley, Project Manager, 814-342-8216.*

**E1804223-003. PA Department of Conservation and Natural Resources**, 400 Market Street, 8th floor, Harrisburg, PA 17101-2301, Colebrook Township, **Clinton County**. U.S. Army Corps of Engineers Baltimore District.

The Department has issued a Chapter 105 permit to the PA Department of Conservation and Natural Resources (DCNR) to construct and maintain a stream crossing, consisting of a 32.5 foot long bridge constructed of geosynthetic reinforced soil footers with prestressed concrete plank beams and a reinforced concrete deck. The structure will be located on Graham Road in Colebrook Township, Clinton County within the Sproul State Forest. The purpose of the proposed crossing is to replace the existing crossing approx. 20 feet upstream and will accommodate larger vehicles. The structure spans Graham Run which is listed in Ch. 93 as a High-Quality Cold-Water Fishery (HQ—CWF) with Migratory Fish (MF) and is listed by the PA Fish and Boat Commission as having Natural Trout Reproduction. There are no anticipated adverse impacts to wetlands or waters of the U.S. or aquatic resources from this crossing project. Latitude: 41° 10' 22.48", Longitude: -77° 31' 55.17". Application received: September 19, 2023. Issued: January 22, 2024.

*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.*

**E6602223-001. Tunkhannock Borough**, 126 Warren Street, Suite # 2, Tunkhannock, PA 18657, Tunkhannock Borough, **Wyoming County**. U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a 30-foot by 40-foot, single story, three-sided utility shed in the floodway of Swale Brook (CWF, MF) located at 41 McCord Street, Tunkhannock Borough, PA 18657. The shed will be constructed on a compacted gravel pad that is to be elevated approximately 2 feet above the FEMA flood. 41° 32' 28", -75° 56' 29" Latitude: 41° 32' 28", Longitude: -75° 56' 29". Application received: September 1, 2023. Issued: February 1, 2024.

**E4002222-014. Karen Kaminski**, 1315 Lakeside Drive, Harveys Lake, PA 18618, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a 1,768 ft<sup>2</sup>, pile-supported dock and boathouse within normal pool elevation of Harveys Lake (HQ—CWF, MF). The project is located at 1315 Lakeside Drive (SR 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 22' 42"; Longitude: -76° 1' 52") in Harveys Lake Borough, Luzerne County. Latitude: 41° 22' 42", Longitude: -76° 1' 52". Application received: September 28, 2022. Issued: January 31, 2024.

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: RA-EPWW-NWRO@pa.gov.*

**E2706223-001. Tionesta Borough**, 631 Elm Street, Tionesta, PA 16353, Tionesta Borough, **Forest County**. U.S. Army Corps of Engineers Pittsburgh District.

To construct and maintain a 12-inch diameter stormwater outfall to a backwater channel of the Allegheny River along State Route 36 approximately 0.25 mile south of the intersection of SR 36 and SR 62. Latitude: 41.490748°, Longitude: -79.456913°. Application received: September 14, 2023. Issued: February 2, 2024.

**E2006220-021. Drew Russ**, 4025 Lawnview Avenue, Pittsburgh, PA 15227, Summit Township, **Crawford County**. U.S. Army Corps of Engineers Pittsburgh District.

Permit No. E2006220-021 is hereby amended to authorize the change in configuration of the approved dock structure on the west side of Conneaut Lake north of the former Conneaut Lake Park. The revised structure is shown to extend approximately 142 feet from the shore and has a maximum overall width of 46 feet. Latitude: 41.635295°, Longitude: -80.31175°. Application received: September 9, 2023. Issued: January 31, 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.*

**E1501222-008. 250 East Market Street Partners, LLC**, 120 Pennsylvania Avenue, Malvern, PA 19355, West Chester Borough, **Chester County**. U.S. Army Corps of Engineers Philadelphia District.

250 East Market Street Partners, LLC, are proposing the following-listed water obstruction and encroachment activities associated with 250 East Market Street, within the floodway of Goose Creek, tributary of Chester Creek (TSF). To demolish existing buildings and extend the existing 8.5' x 11' box culvert (by 83 feet on skew), including: (1) Attach a concrete access and transition vault: 15' x 16', and (2) Install a concrete apron: 21' x 32'. Impacts include permanent stream impact of 624 sq feet (0.014 acre) and permanent floodway impacts of 1,450 sq feet (0.033 acre). The site is located near the intersection of High and Market Streets (West Chester, PA) in West Chester Borough, Chester County. Latitude: 39.96100°, Longitude: -75.75600°. Application received: October 10, 2022. Permit issued: January 31, 2024.

**E4601223-031. Cheltenham Township**, 8230 Old York Road, Elkins Park, PA 19027, Cheltenham Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following-listed water obstruction and encroachment activities associated with the removal of approximately 4,222 SF/0.9 acre/140 linear feet of vegetative gravel bar and to stabilize approximately 49 linear feet of stream bank of Tookany Creek (WWF, MF) as a part of the Gimble Field improvement project. The site is located near the intersection of Cedar and Harrison Roads (Frankford, PA USGS Map) in Cheltenham Township, Montgomery County. Latitude: 40.067914°, Longitude: -75.120695°. Application received: November 3, 2023. Permit issued: February 2, 2024.

**E5101223-002. Philadelphia Parks & Recreation**, 1515 Arch Street, 10th Floor, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District.

The City of Philadelphia Department of Parks and Recreation is proposing the following activities at the FDR Park Picnic and Play project, which is located along Shed Brook Creek and Half-moon Lagoon near the northwestern portion of FDR Park for the purpose of providing park amenities for the local community, recreational, and wellness purposes: 1) Removal of two existing structurally unsound bridges along Shed Brook Creek for the total Impacts: ~1,200 sf. 2) Construction of athletic fields, basketball courts, and play equipment and associated grading: Wetland Impacts: ~550 sf; Floodway Impacts: ~14,000 sf; Floodplain Impacts ~547,000 sf. 3) Construction of picnic plaza: Floodway Impacts ~70,500 sf. 4) Construction of paved parking/access areas/sidewalks and associated grading: Floodway Impacts: ~1,200 sf; Floodplain Impacts: ~148,400 sf. 5) Construction of bioretention basins: Floodway Impacts: ~670 sf; Floodplain Im-

acts: ~10,400 sf. 6) Removal of existing buildings and parking: Floodplain Impacts: ~47,500 sf. 7) Wetland mitigation: Temporary Wetland Impacts: ~11,160 sf; Floodway Impacts: ~27,330 sf. 8) Utilities: Wetland Impacts: ~350 sf (~260 sf of temporary impacts); Floodplain Impacts: ~11,630 sf. 9) Sidewalk/Roadways/Parking Lots: Floodway Impacts: ~1,220 sf; Floodplain Impacts: ~148,440 sf. 10) Other grading activities (cut/fill): Floodplain: 284,052 sf. 11) Potential future restroom facility: Floodway Impacts: 5,040 sf. Staging and stockpile areas will also be temporarily constructed on-site and along the floodplain of Shed Brook Creek. Total Impacts on-site are as follows: A) Wetlands (permanent): 9,117 sf (0.21 acre) B) Wetlands (temporary): 11,417 sf (0.26 acre) C) Watercourse (permanent): 1,199 sf (0.028 acre) D) Floodway (permanent): 143,208 sf (0.99 acre) E) Floodplain (permanent): 1,130,733 sf (25.96 acres) F) Floodplain (temporary): 91,720 sf (2.11 acres). The southern portion of the project area will also include the mitigation of a forested wetland just west of Half Moon Lagoon to compensate for wetland impacts required to implement the Picnic and Play project. This on-site mitigation will enhance and restore wetland diversity within an open space and adjacent existing wetlands complex. A total of 2.3 acres of wetlands will be created/enhanced/maintained as part of this project. The site is located near the intersection of Pattison and Park Avenues (Philadelphia, PA USGS Map) in the City and County of Philadelphia. Latitude: 39.904295°, Longitude: -75.185363°. Application received: October 5, 2023. Permit issued: February 2, 2024.

**WV4601223-005, EA4601223-004. Lower Merion Township**, 75 East Lancaster Avenue, Ardmore, PA 19003, Lower Merion Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To restore and rehabilitate approximately 1,900 feet of West Mill Creek within the West Mill Creek Park (TSF-MF) associated with the applicant's request for a 105.12(a)(16) waiver to conduct stream restoration and enhancement. The proposed rehabilitation will include the following: 1) Restoration will include reconnecting the floodplains where possible, and gravel bar removal. 2) J Hooks and rock vanes are utilized around stream bends to protect against further erosion. 3) Stabilize the streambanks, install aquatic habitat enhancement structures. 4) The proposed project will not increase flood elevations or adversely impact upstream, downstream, or adjoining properties and structures. 5) Biodegradable coconut coir logs proposed along the edge of the stream. To protect existing trees, armoring rip-rap toe protection at limited locations along the edge of the stream. 6) The project will not impact wetlands. The project is located at Mill Creek and Old Gulph Roads (Norristown, PA USGS Quadrangle) in Lower Merion Township, Montgomery County. Latitude: 40.022592°, Longitude: -75.277873°. Application received: November 6, 2023. Permit issued: January 30, 2024.

**E4601223-020. BT Philmont, LP**, 200 Dryden Road, Suite 2000, Dresher, PA 19025, Lower Moreland Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To relocate and maintain about 1,800 feet stream channel section of a UNT to the Huntingdon Valley Creek (TSF-MF) associated with the new multimodal commercial building and the parking lot. The project will include modification to the stormwater facility and the construction of two outfall structures. The site is located at about 500 feet southeast of Philmont Avenue and Tomlinson Road (Frankford, PA USGS Quadrangles) in Lower

Merion Township, Montgomery County. Latitude: 40.123493°, Longitude: -75.040007°. Application received: April 18, 2023. Permit issued: February 6, 2024.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Dana Drake, Program Manager.*

**E0205223-005. Bethel Park Municipal Authority,** 5100 West Liberty Avenue, Bethel Park, PA 15102, Bethel Park Borough, **Allegheny County.** U.S. Army Corps of Engineers Pittsburgh District.

The applicant proposes to: 1. Construct and maintain streambank stabilization, consisting of 380 lf of rip-rap and 250 lf of vegetated geogrid along Piney Fork Run (TSF). 2. Construct and maintain new grit and headworks facility in the floodway and floodplain along 830 linear feet of Piney Fork Run. 3. Construct and maintain a 30-inch sewer line interceptor (utility line crossing) across Piney Fork Run. For the purpose of upgrading the Grit and Headworks, at the Bethel Park Wastewater Treatment plant (WWTP), and to update and restore the proper functioning of the grit and debris removal, in the Headworks of WWTP. The project will permanently impact 630 lf of Piney Fork Run (or 0.19 acre), 0.93 acre of the floodway, and 1.38 acres of floodplain. The project will temporarily impact 40 lf of Piney Fork Run (or 0.05 acre). The project site is located at 3100 Piney Fork Rd, South Park Township, PA 15129-9001 (Glassport, PA USGS topographic quadrangle; N: 40°, 17', 6"; W: -79°, 59', 24"; Sub-basin 19; USACE Pittsburgh District). Application received: February 2, 2023. Issued: February 6, 2024.

**E0205222-026. PA Department of General Services on Behalf of the PA Army National Guard,** 1800 Herr Street, Arsenal Building, Harrisburg, PA 17125, Moon Township, **Allegheny County.** U.S. Army Corps of Engineers Pittsburgh District.

To: 1. Construct and maintain 32 lf of 8" ductile iron sanitary sewer line in the floodway of McClarens Run (WWF), 2. Place and maintain fill in 0.128 acre of the floodway of a UNT to McClarens Run (WWF), 3. Construct and maintain a security fence and associated gates across and along the same UNT to McClarens Run as previously noted, 4. Construct and maintain 31 lf of turf reinforced matting streambank stabilization along a second UNT to McClarens Run (WWF), 5. Construct and maintain a storm drainage system with an endwall and

riprap apron in 0.013 acre of the floodway of the same second UNT to McClarens Run as previously noted, 6. Construct and maintain 0.007 acre of vegetated outfall channel in the floodway of the same second UNT to McClarens Run as previously noted, 7. Construct and maintain a PVC 240' x 0.5" stream culvert underneath a parking lot, starting at the spring head water and carrying a third unnamed tributary (UNT) to McClarens Run (WWF), 8. Construct and maintain a parking lot in 0.699 acre of the floodway of the same third UNT to McClarens Run as previously noted, For the purpose of constructing a Combined Support Maintenance Shop for the PA Army National Guard. The project will cumulatively and permanently impact 263 lf of watercourse and 0.84 acre of floodway. The project will cumulatively and temporarily impact 71 lf of watercourse and 1.237 acres of floodway. The project site is located at 1101 McClaren Road, Moon Township, PA 15108-7759 (Oakdale, PA USGS topographic quadrangle; N: -40°, 28', 38"; W: -80°, 12', 35"; Sub-basin 20G; USACE Pittsburgh District). Application received: February 6, 2024.

*Contact: RA-EPSW-OGSUBMISSION@pa.gov, D. J. Stevenson, 412-442-4281.*

**E0407222-001. PennEnergy Resources, LLC,** 3000 Westinghouse Drive, Suite 300, Cranberry Township, PA 16066, Economy Borough, **Beaver County.** U.S. Army Corps of Engineers Pittsburgh District.

Latitude: 40.609350°, Longitude: -80.180420°. Application received: March 17, 2022. Issued: January 29, 2024. The applicant will construct, operate, and maintain (7) Megator Dolphin Strainer floating intakes and 0.9 mile of 12-inch diameter high density polyethylene (HDPE) and 12-inch plastic lay flat temporary aboveground waterline in Economy Borough, Beaver County. The intakes will be placed directly in Big Sewickley Creek, a perennial stream, classified as a Trout Stocked Fishery (TSF). The waterline will aerially cross Coony Hollow, a perennial stream, classified as a TSF, and the floodway of UNT 2 to Coony Hollow, an ephemeral stream, classified as a TSF, with use of a super truss system and a temporary timber mat bridge. The waterline will also be excavated within the floodway of Coony Hollow to allow for the crossing of Cooney Hollow Road. The project will result in 0.033 acre of permanent direct impacts and 0.167 acre of temporary direct impacts to Waters of the Commonwealth as follows:

<i>Impact Identifier</i>	<i>Aquatic Resource Name</i>	<i>Resource Type</i>	<i>Length of Temporary Impact (feet)</i>	<i>Area of Temporary Impact (acre)</i>	<i>Length of Permanent Impact (feet)</i>	<i>Area of Permanent Impact (acre)</i>	<i>Coordinates</i>
Proposed Temporary Intake	Big Sewickley Creek	TSF	54 (Stream) 18 (Floodway)	0.020 (Stream) 0.008 (Floodway)	-	-	40.609350 -80.180420
Utility Line Crossing 1/ Temporary Road Crossing 1	Coony Hollow	TSF	40 (Stream) 75 (Floodway)	0.018 (Stream) 0.059 (Floodway)	36 (Floodway)	0.033 (Floodway)	40.613087 -80.170799

<i>Impact Identifier</i>	<i>Aquatic Resource Name</i>	<i>Resource Type</i>	<i>Length of Temporary Impact (feet)</i>	<i>Area of Temporary Impact (acre)</i>	<i>Length of Permanent Impact (feet)</i>	<i>Area of Permanent Impact (acre)</i>	<i>Coordinates</i>
Utility Line Crossing 2/ Temporary Road Crossing 2	UNT 2 to Coony Hollow Floodway	TSF	90 (Floodway)	0.062 (Floodway)	-	-	40.613124 -80.170074
Totals	Stream		94	0.038			
	Floodway		183	0.129	36	0.033	

### ENVIRONMENTAL ASSESSMENTS

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

*Contact: Niamh Hays, Water Program Specialist, 717-772-5959.*

**EA1515223-001. Hankin Group**, 707 Eagleview Boulevard, Suite 400, Exton, PA 19341, West Whiteland Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District.

The Division of Wetlands, Encroachments, and Training has approved the restoration plan to remove approximately 19,800 cubic yards of legacy sediment and other historic fills from the floodplain along a tributary to Valley Creek locally known as Lionville Run (CWF-MF), and an unnamed tributary to Lionville Run, for the purpose of restoring natural aquatic resources including approximately 2 acres of integrated wetland, stream, and floodplain areas; to realign approximately 1,140 linear feet of stream for the purpose of restoring watercourses; to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct rock construction entrances, temporary stream crossings, and other erosion controls during restoration activities. Additional features of the overall restoration plan include the installation of three outfalls. The restoration project is located along an unnamed tributary of Valley Creek, crossing through the Keva Flats apartment community, near the intersection of PA Route 30 and PA Route 100 in Exton, PA Latitude: 40.027821°, Longitude: -75.637053°. Application received: April 4, 2023. Approved: January 30, 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-EPEASTERNNOGPRG@pa.gov.*

#### ESCGP # 3 **ESG290823017-00**

Applicant Name **Chesapeake Appalachia, LLC**

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

Township(s) Overton Township

County **Bradford County**

Receiving Stream(s) and Classification(s) Level Branch (EV), UNT to Level Branch (EV)

Application received: November 9, 2023

Issued: January 29, 2024

*Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: Kate Hogue Clerical Supervisor, 814-332-6868.*

#### ESCGP # 3 **ESG082423002-00**

Applicant Name **Pin Oak Energy Partners, LLC**

Contact Person Christine L. Shepard-Desal

Address 388 S Main Street, Suite 401

City, State, Zip Akron, OH 44311

Township(s) Jones Township

County **Elk County**

Receiving Stream(s) and Classification(s) Little Wolf Run

(HQ—CWF); West Branch Clarion River (CWF); Wolf Run (HQ—CWF)

Application received: December 8, 2023

Issued: February 1, 2024

Contact: Kate Hogue, Clerical Supervisor, 814-332-6868.

ESCGP # 3 **ESX180850001-01/Shannon ESX**  
 Applicant Name **Pin Oak Energy Partners, LLC**  
 Contact Person Leslie Gearhart  
 Address 388 South Main Street, Suite 401  
 City, State, Zip Akron, OH 44311  
 Township(s) Lake Township  
 County **Mercer County**  
 Receiving Stream(s) and Classification(s) UNT to Little  
 Shenango (TSF, WWF) Little Shenango (TSF, WWF)  
 Application received: October 11, 2023  
 Issued: January 31, 2024

ESCGP # 3 **ESG076519008-01/Aphrodite Well Pad**  
 Applicant Name **Olympus Energy**  
 Contact Person Brian Dillemath  
 Address 501 Technology Drive  
 City, State, Zip Canonsburg, PA 15317  
 Township(s) Penn Township  
 County **Westmoreland County** Receiving Stream(s) and  
 Classification(s) Tributary 37358 to Lyons Run TSF  
 Lyons Run TSF  
 Application received: August 14, 2023  
 Issued: February 5, 2024

*Southwest Region: Oil and Gas Management Program,  
 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-  
 442-4000.*

Contact: RA-EPSW-OGSUBMISSION@pa.gov.

ESCGP # 3 **ESG076323018-00**  
 Applicant Name **EQM Gathering OPCO LLC—  
 NIAMS013 Pipeline**  
 Contact Person Thomas Glisson, (412)-295-1697  
 TGlisson@equitransmidstream.com  
 Address 0.5 mile West of Johnson Road and South Main  
 Street Extension  
 City, State, Zip Washington, PA 15301  
 Township(s) Amwell Township, South Franklin Township  
 County **Washington County**  
 Receiving Stream(s) and Classification(s) 001. Lat  
 40.11352, Long -80.22599, UNTs to Little Tenmile  
 Creek, Ch 93 class TSF 002. Lat 40.11049, Long  
 -80.26574, UNTs to Fork of Bane Creek, Ch 93 class  
 TSF 003. Lat 40.11025, Long -80.24924, UNTs to Bane  
 Creek and Bane Creek, Ch 93 class TSF  
 Application received: November 11, 2023  
 Issued: January 31, 2024

ESCGP # 3 **ESG073023022-00**  
 Name **EQM Gathering OPCO LLC—NIJUS034  
 Longwall Mining Project**  
 Contact Person Gregg West, (412) 395-2971  
 GWest@equitransmidstream.com  
 Address 0.02 mile South of McCollough Rd/Iams Station  
 Rd  
 City, State, Zip Sycamore, PA 15364  
 Township(s) Morris Township  
 County **Greene County**  
 Receiving Stream(s) and Classification(s) 001. Lat  
 39.95672, Long -80.30497, Browns Creek, Ch 93 Class  
 HQ—WWF 002. Lat 39.95828, Long -80.29362, Trib.  
 40563 to Browns Creek, Ch 93 Class HQ—WWF 003.  
 Lat 39.95676, Long -80.28664, Trib. 40545 to Browns  
 Creek, Ch 93 Class HQ—WWF 004. Lat 39.96006, Long  
 -80.28359, Trib. 40564 to Browns Creek, Ch 93 Class  
 HQ—WWF  
 Application received: November 7, 2023  
 Issued: February 2, 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.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

**7 Eleven 40415**, Storage Tank Facility ID # **49-16762**, 4238 SR 147, Herndon, PA 17830, Lower Mahanoy Township, **Northumberland County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 119341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

Contact: Eric Supey, Environmental Program Manager.

**Convenient Food Mart**, Storage Tank Facility ID # **40-08918**, 340 Wilkes-Barre Township Boulevard, Wilkes-Barre, PA 18702, Wilkes-Barre Township, **Luzerne County**. Reliance Environmental, 235 North Duke Street, Lancaster, PA 17602, on behalf of CDG 320 Inc., 304 North Wilkes-Barre Township Boulevard, Wilkes-Barre, PA 18702,

submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting Statewide health and site-specific standards.

**Jordan Sunoco (Former Kresge Texaco)**, Storage Tank Facility ID # **39-24262**, 1209 MacArthur Road, Whitehall, PA 18052, Whitehall Township, **Lehigh County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Jordan Star, Inc., P.O. Box 159, Macungie, PA 18062, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting site-specific standards.

**7 Eleven 23322**, Storage Tank Facility ID # **39-24557**, 11 East Susquehanna Street, Allentown, PA 18103, City of Allentown, **Lehigh County**. AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7-Eleven, Inc., 3200 Hackberry Road, P.O. Box 711 (0148), Dallas, TX 75221-0711, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document the remedial actions for meeting site-specific standards.

**PA0028 Scranton (former Joe's Kwik Mart 200)**, Storage Tank Facility ID # **35-20606**, 1327 Providence Road, Scranton, PA 18508, City of Scranton, **Lackawanna County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of Joseph Gentile Jr., 1031B Reeves Street, Dunmore, PA 18512, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting site-specific standards.

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.*

**Woodland Gardens**, Storage Tank Facility ID # **23-34639**, 553 Church Lane, Yeadon, PA 19050, Yeadon Borough, **Delaware County**. ARM Brickhouse, 515 South Franklin Street, West Chester, PA 19382, on behalf of Mr. Nicholas Canavati, 209 Hazel Ridge Drive, Wilmington, DE 19810, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential 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 stan-

dard. 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.

*Central Office: Environmental Cleanup & Brownfields Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.*

*Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.*

**Lukoil 69243**, Storage Tank Facility ID # **46-41506**, 200 S. Eaton Rd., Glenside, PA 19038, Cheltenham Township, **Montgomery County**. EnviroTrac Ltd., 602 S. Bethlehem Pike, Suite A2 and 3, Ambler, PA 19002, on behalf of Lukoil North America, LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The combined plan and report residential demonstrated attainment of the Statewide health standards and was approved by DEP on February 2, 2024.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.*

**Turkey Hill 207**, Storage Tank Facility ID # **49-30642**, 122 East Valley Avenue, Elysburg, PA 17824, Ralpho Township, **Northumberland County**. Kleinfelder, Inc., 51 Dutilh Road, Suite 240, Cranberry Township, PA 16066, on behalf of TH Minit Markets LLC, 165 Flanders Road, Westborough, MA 01581, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline constituents. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on February 2, 2024.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Williams Bus Lines**, Storage Tank Facility ID # **40-14533**, 532 Blackman Street, Wilkes-Barre, PA

18702, Wilkes-Barre Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Williams Bus Lines, 532 Blackman Street, Wilkes-Barre, PA 18702, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel. The plan was acceptable to meet the Statewide health standards and was approved by DEP on January 30, 2024.

**Sunoco 0363 0233**, Storage Tank Facility ID # **40-24230**, 308 South Main Street, Pittston, PA 18640, City of Pittston, **Luzerne County**. Groundwater & Environmental Services, 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was not acceptable to meet the Statewide health and site-specific standards and was disapproved by DEP on January 30, 2024.

**Blakeslee Plaza**, Storage Tank Facility ID # **13-37366**, 32 Blakeslee Boulevard Drive East, Lehigh, PA 18235, Lehigh Township, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Blakeslee Plaza, Inc., 955 Mount Bethel Highway, Bangor, PA 18013, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was acceptable to meet the Statewide health standards and was approved by DEP on January 31, 2024.

**Citizen's Steam Fire Company Number 2**, Storage Tank Facility ID # **54-29162**, 202 West Centre Street, Mahanoy City, PA 17948, Mahanoy City Borough, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Citizen's Steam Fire Company Number 2, 212 West Centre Street, Mahanoy City, PA 17948, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report demonstrated attainment of the site-specific standards and was approved by DEP on February 1, 2024.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: Lee, 814-332-6127.*

**Fisher Sta.**, Storage Tank Facility ID # **20-13873**, 400 Main Street, Spartansburg, PA 16434, Spartansburg Borough, **Crawford County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Jeffery Jensen, 20706 South Brown Hill Road, Centerville, PA 16404, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Unleaded Gasoline. The plan nonresidential was acceptable to meet the Statewide health standards and was approved by DEP on February 2, 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.*

**Sunoco # 0363-9671**, Storage Tank Facility ID # **02-30687**, 113 North Noble Avenue, Crafton, PA 15206, Crafton Borough, **Allegheny County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sunoco, Inc., 2 Righter Parkway, Suite 120, Wilmington,

DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on January 18, 2024.

**Solomons Mini Mart II**, Storage Tank Facility ID # **65-81313**, 600 Hancock Avenue, Vandergrift, PA 15690, Vandergrift Borough, **Westmoreland County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Susan M. Solomon, P.O. Box 141, Vandergrift, PA 15690, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on January 10, 2024.

**GetGo # 3102**, Storage Tank Facility ID # **02-80087**, 1137 Washington Avenue, Carnegie, PA 15106, Scott Township, **Allegheny County**. Apex Companies, LLC, 975 Georges Station Road, Suite 100, Greensburg, PA 15601, on behalf of Guttman Energy, 200 Speers Street, Belle Vernon, PA 15012, submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded & leaded gasoline, diesel fuel, kerosene, and used motor oil. The combined plan and report residential and nonresidential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on January 18, 2024.

**Solomons Mini Mart I**, Storage Tank Facility ID # **65-81314**, 615 Hancock Avenue, Vandergrift, PA 15690, Vandergrift Borough, **Westmoreland County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Jill Solomon, 157 Sherman Avenue, Vandergrift, PA 15690, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the site-specific standards and was approved by DEP on January 18, 2024.

**E.H. Aldrich Water Treatment Plant**, Storage Tank Facility ID # **63-19545**, 60 Elrama Avenue, Elrama, PA 15038, Union Township, **Washington County**. Michael Baker International, Inc., 100 Airside Drive, Moon, PA 15108, on behalf of Pennsylvania American Water, 300 Galley Road, McMurray, PA 15317, submitted a Remedial Action Plan concerning remediation of soil contaminated with hydrofluorosilicic acid. The plan nonresidential was not acceptable to meet the Statewide health standards and was disapproved by DEP on January 18, 2024.

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## SPECIAL NOTICES

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### WATER PROGRAMS

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#### Erosion and Sediment Control Permit Amendment.

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

*Contact: RA-EPWW-SERO@pa.gov.*

The Department of Environmental Protection (Department) provides notice of a complete application for a permit amendment for the following listed Chapter 102 Permit, issued for the Pennsylvania Pipeline Project (PPP)/Mariner East II.



<i>Ch. 102 Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Counties</i>	<i>DEP Regional Office</i>
ESG0100015001	Sunoco Pipeline, LP (SPLP) 535 Fritztown Road Sinking Spring, PA 19608	Chester	Southeast Region

This request, determined to be Complete on January 23, 2024, is a Major Permit Amendment Request entitled Pennsylvania Pipeline Project—West Goshen PCSM, West Goshen Township, **Chester County**.

This Major Amendment is described as follows: The purpose of the proposed Major Amendment is for the installation of PCSM BMP's on property owned by SPLP in order to comply with the West Goshen Township Stormwater Ordinance ("ordinance").

According to the permittee, SPLP has restored the site in accordance with the approved site restoration drawings and currently meets Ch. 102 permanent stabilization criteria. However, the ordinance considers earth disturbances greater than 5000 sq. ft. a regulated activity requiring more stringent peak flow rate reduction criteria to be met beyond Ch. 102. As such, PCSM BMP's are necessary to achieve the rate reduction criteria required by the township. To meet the criteria, a 125 ft long and 3 ft high retention berm with emergency spillway and outlet control structure requires installation.

For more detailed information regarding the Southeast Regional Office Chapter 102 permit (ESG0100015001) related to this project, which is available in the Department's Regional Office, contact the Southeast Regional Office, (484) 250-5160 to request a file review.

Comments on the applications can be emailed to RA-EPWW-SERO@pa.gov or sent via postal mail to the Department of Environmental Protection, Southeast Regional Office, Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401. Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the public comment period should contact the specified Department office. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

#### **WASTE, AIR, RADIATION AND REMEDIATION**

#### **Notice of Proposed Revision to the State Implementation Plan (SIP) for Oxides of Nitrogen (NO<sub>x</sub>), Volatile Organic Compounds (VOC), Notice of Public Hearing, and Notice of Intent to Issue Revised Air Quality Operating Permit 35-00002.**

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

*Contact: Mark Wejkszner, Air Quality Program Manager, 570-826-2528.*

Approval of a Reasonably Available Control Technology (RACT III) plan for **PEI Power Corp. (PEI)**, located in Archbald Borough, **Lackawanna County**. In accordance with 25 Pa. Code §§ 129.111—129.115, the Department of Environmental Protection (Department) has made a preliminary determination to approve a RACT III plan and an amendment to the SIP for the electric utility generating facility owned and operated by PEI Power Corp.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT III approval for the facility, which are intended to satisfy the requirements for the 2015 National Ambient Air Quality Standard (NAAQS) for ozone.

The proposed conditions for the alternative RACT III determination, if finally approved, will be incorporated into a revised operating permit (35-00002) for the facility. The relevant RACT III requirements will be submitted to U.S. EPA as a revision to Pennsylvania's SIP and will remain in effect until replaced pursuant to 40 CFR Part 51 and approval by United States Environmental Protection Agency (EPA). Requirements that are not part of the RACT III determination will be excluded from the SIP submittal. The following is a summary of the proposed conditions for the alternative RACT III determination for this operation that will be submitted to the EPA as a SIP revision:

PEI has requested the following alternative case-by-case RACT III emissions limits for the following sources through this significant operating permit modification:

A continued NO<sub>x</sub> emissions limit of 0.1174 lb/MMBtu for the 450 MMBtu/hr natural gas-fired turbine.

Other sources at the facility which are not included in the alternative RACT III determination include air contamination sources subject to a presumptive RACT requirement or RACT emissions limitation in 25 Pa. Code § 129.112, air contamination sources that are exempt from 25 Pa. Code §§ 129.112—129.114 because they have the PTE of less than 1 tpy of NO<sub>x</sub> and/or less than 1 tpy of VOC, in accordance with 25 Pa. Code § 129.111(c), and air contamination sources that are exempt from 25 Pa. Code §§ 129.112—129.114 because they are already subject to certain Chapter 129 RACT requirements (i.e., 25 Pa. Code §§ 129.51, 129.52(a)—(k) and Table I categories 1—11, 129.52a—129.52e, 129.54—129.63a, 129.64—129.69, 129.71—129.75, 129.77, and 129.101—129.107), in accordance with 25 Pa. Code § 129.111(a).

The operating permit will contain additional record-keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Permit No. 35-00002 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting

a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Mark Wejkszner, Air Quality Program Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, phone number 570-826-2528 within 30 days after publication date.

[Pa.B. Doc. No. 24-193. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Technical Guidance

The Department of Environmental Protection (Department) announces the availability of the technical guidance documents (TGD) listed in this notice. TGDs are available on the Department's web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to TGDs*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

#### *Final TGD: Minor Revision*

**DEP ID:** 258-2000-764. **Title:** Residual Waste and Special Handling Waste Streams. **Description:** This TGD identifies and describes procedures for the disposal of residual waste and special handling wastes at permitted waste processing facilities and waste disposal facilities in the Commonwealth. It applies to and will assist persons and municipalities operating the facilities that need to file appropriate forms in order to receive Department approval to accept residual waste or special handling waste for processing or disposal.

**Contact:** Questions regarding this TGD should be directed to Curtis LeSuer, (814) 332-6173 or by e-mail to [clesuer@pa.gov](mailto:clesuer@pa.gov).

**Effective Date:** Upon publication of notice as final in the *Pennsylvania Bulletin*.

#### *Draft TGD: New Guidance*

**DEP ID:** 254-5900-002. **Title:** Guidelines for the Preparation of a Contingency Plan for the Transportation of

Residual Waste. **Description:** This TGD describes the process by which transporters of residual waste may comply with the Department's rules and regulations for developing a Transporter's Contingency Plan. Residual waste transporters are required to have a contingency plan to address and report incidences, such as spills and fires that might occur while transporting residual waste.

**Written Comments:** Interested persons may submit written comments on this draft TGD by March 18, 2024. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are urged to submit comments using the Department's online eComment for policies at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments should be submitted to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063, [ecomment@pa.gov](mailto:ecomment@pa.gov).

**Contact:** Questions regarding this TGD should be directed to Kevin Beer, (717) 787-6052 or by e-mail to [kbeer@pa.gov](mailto:kbeer@pa.gov).

**Effective Date:** Upon publication of notice as final in the *Pennsylvania Bulletin*.

JESSICA SHIRLEY,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-194. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Opening of New Grant Round for Recycling Program Development and Implementation Grants under Section 902 of Act 101, Municipal Waste Planning, Recycling and Waste Reduction Act of 1988

The Department of Environmental Protection (Department) announces the opening of a new section 902 grant round to support the development of municipal recycling programs under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101) (53 P.S. § 4000.902). Municipalities eligible for recycling grants include counties, cities, boroughs, incorporated towns, townships, home rule municipalities, councils of governments, consortiums or similar entities established by two or more municipalities under 53 Pa.C.S. Chapter 23, Subchapter A (relating to intergovernmental cooperation). The application deadline is May 10, 2024, at 11:59 p.m.

#### *Application Requirements*

Municipalities who received a 902 only grant award in 2023 are not eligible to apply for funding during this solicitation period, unless they are a newly mandated municipality based on the 2020 decennial census. Municipalities compliant with Act 101 are eligible and may apply. Applicants must be in compliance with the provisions of Act 101 and the implementing regulations, the Department's Guidelines for Proper Management of Recyclable Materials and any previous grant contract provisions to be eligible to receive grant funding. County applicants should be in compliance with planning and other county-related provisions of Act 101. Applicants who

are not in compliance with Act 101 and annual reporting requirements or the program performance recycling grant requirements of the act of November 9, 2006 (P.L. 1347, No. 140) will not be considered. Programs must operate in compliance with their municipality's land use plan where applicable.

Municipalities are eligible for 90% funding of approved recycling program costs. Municipalities considered financially distressed by the Department of Community and Economic Development under the Municipalities Financial Recovery Act (53 P.S. §§ 11701.101—11701.712) are eligible for 100% of approved costs. An application requesting more than \$200,000 in grant funding will not be accepted.

Applicants are required to complete the Sustainability Plan portion of the application that includes definitive actions and strategies for optimizing program self-sufficiency. The plan shall include, at a minimum, strategies for reducing costs and generating revenues, provisions for establishing incentives associated with waste reduction and recycling, mechanisms for public outreach and stakeholder input and tracking mechanisms to document progress toward sustainability milestones until optimum sustainability is realized. The Department's technical report on Building Financially Sustainable Recycling Programs can provide assistance in developing the methods and strategies. The technical report can be found on the Department's web site at [http://files.dep.state.pa.us/Waste/Recycling/RecyclingPortalFiles/Documents/fin\\_sust\\_rec.pdf](http://files.dep.state.pa.us/Waste/Recycling/RecyclingPortalFiles/Documents/fin_sust_rec.pdf). Applicants that fail to complete the Sustainability Plan portion of the application will not be considered for funding.

The following elements will receive priority for funding:

- Newly mandated municipalities based on the 2020 decennial census by the Bureau of the Census of the United States Department of Commerce.
- Development and implementation of incentive-based pricing and collection programs designed to increase the quantities and types of recyclable materials and reduce the quantity of waste collected.
- Development and implementation of a food waste collection or management program, or both.
- Development and implementation of multimunicipal collection, processing or a materials marketing program, or both, where capital costs are reduced or recycling marketability is enhanced, or both, due to inter-governmental cooperation.
- Municipal recycling programs that will develop and implement methods of collection and processing of recyclable materials through source-separation, dual-stream or commingled practices. The applicant must demonstrate that these recyclable materials have value and greater marketability.
- New and innovative recycling educational programs that support the applicants' recycling collection efforts.

In addition, communities whose existing recycling programs contain the following components will receive additional consideration:

- Publicly provided or municipally contracted waste and recycling services.
- The collection of six or more of the following materials: newsprint, office paper, corrugated paper, other mar-

ketable grades of paper, aluminum cans, steel or bimetallic cans, colored glass containers, clear glass containers and plastics.

- Municipal recycling programs that are currently collecting and processing recyclable materials through source-separation, dual-stream or commingled practices. The applicant must demonstrate that these recyclable materials have value and greater marketability.
- Incentive-based pricing and collection programs designed to increase the quantities and types of recyclable materials and reduce the quantity of waste collected.

Special consideration will be given to those applicants identified in Environmental Justice (EJ) Areas:

- The Department defines an EJ Area as a geographic area characterized by increased pollution burden and sensitive or vulnerable populations based on demographic and environmental data.
- The Department has provided the PennEnviroScreen tool which can be accessed at <https://www.dep.pa.gov/PublicParticipation/OfficeofEnvironmentalJustice/Pages/PA-Environmental-Justice-Areas.aspx> to help assist communities in making this assessment and, for the purposes of the Department's EJ policy, identifies EJ areas as areas with a score above 80, indicating within the top 80th percentile of communities based on pollution burden and sensitive or vulnerable populations.

#### *Eligibility Requirements*

Only those projects involving municipalities that have a mandatory trash collection program or projects seeking support for a residential recycling program that have a corresponding commercial recycling program will be considered for funding. Applicants seeking funds to replace curbside collection containers or collection vehicles, or both, will need to demonstrate that the new equipment will increase collection efficiencies and tonnage of materials.

#### *Eligibility Costs*

Eligible recycling program development costs include: recycling program design costs, recycling market investigations, development of recycling market commitments, development of recycling program ordinances; development of recycling public education programs, and the costs of developing contracts for procuring equipment or services necessary for the operation of the recycling program.

Eligible recycling program implementation costs include: purchasing or leasing vehicles used to collect recyclables, transporting recyclables to processing facilities or markets and vehicles used in the operation of a materials recovery facility; reusable containers for the collection or storage of recyclable materials; acquiring or renovating buildings, or both, for the processing or storage of recovered materials; equipment used to process or manufacture recyclable materials into usable products; improvements to land needed to operate a recycling facility, food waste composting facility or leaf/yard waste composting facility authorized under 25 Pa. Code § 271.103(h) (relating to permit-by-rule for municipal waste processing facilities other than for regulated medical or chemotherapeutic waste; qualifying facilities; general requirements) and the costs associated with educating the public on recycling program requirements.

Under this grant solicitation, the following will not be eligible for funding: promotional items glass crushing equipment (unless specific marketing arrangements have been identified), vehicles equipped with compaction units (except for the sole collection of yard waste or paper fiber), and backyard composting units and public recycling containers for parks and streetscapes.

Other eligible and noneligible costs are listed in the grant application packet. Food waste or leaf/yard waste, or both, collection/composting projects and programs will be considered to be recycling projects or programs accordingly.

A municipality must retain sole ownership of equipment or facilities funded by the grant. Funding for equipment or facilities purchased for the recycling program used for recycling and other purposes will be prorated according to its recycling use. (No equipment used for recycling less than 50% of the time will be eligible for funding.) Funding for certain leaf and yard waste collection equipment may be limited according to its seasonal use. Funding for wood chipping equipment will be approved only when the equipment is part of an approved yard waste composting facility operating under the Department's guidelines and where the material is collected curbside from residents. Funding of street sweepers for the purpose of leaf collection will not be considered.

Funding may be restricted in situations where equipment or services requested through a grant application may be available from the public or private sector within the county of the applicant. Public notices may be required before the grant application may be submitted depending upon the nature of the funding request. When the municipality submits the recycling grant application to the Department, it must include proof of compliance with the notification requirements, a description of any responses received to the notice and an explanation of why the municipality has concluded that the mechanical processing equipment is not available to the program from the private sector.

#### *Requirement for Preapplication Conference*

Potential applicants must contact the appropriate Department regional planning and recycling coordinator to schedule a preapplication conference to discuss application requirements and program particulars. A list of these individuals is included in this notice. Applications will be returned to municipalities that fail to schedule a preapplication conference. Grant application preapplication forms are available from the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (search term "902 Recycling Grants Financial Assistance").

#### *Application Deadline*

Grant applications must be submitted through the Department of Community and Economic Development's Electronic Single Application web site, eGrants, at [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us). Applications must be received by May 10, 2024, at 11:59 p.m., to be eligible for funding. Applications will not be accepted after the deadline. 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 moneys in the Recycling Fund.

#### *Language Access*

For applicants who are deaf, hard of hearing, deafblind or have a speech disorder, the Pennsylvania Hamilton Relay Service is available by calling (800) 654-5984 (TTD users) or (800) 654-5988 (voice users) and request that the call be relayed to Mark Vottero at (717) 772-5719.

**ATTENTION:** If individuals speak language other than English, language assistance services can be made available. Call (717) 772-5719.

**Spanish: ATENCIÓN:** Si habla otro idioma que no sea inglés los servicios de asistencia lingüística pueden estar disponibles para usted. Llame al (717) 772-5719.

#### *Contact Information*

Inquiries concerning this notice should be directed to Mark Vottero, Municipal Recycling Implementation Section Group Manager, Department of Environmental Protection, Rachel Carson State Office Building, Bureau of Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472, (717) 772-5719, [mvottero@pa.gov](mailto:mvottero@pa.gov).

#### *Regional Planning and Recycling Coordinators*

##### *Southeast Region*

*(Bucks, Chester, Delaware, Montgomery and Philadelphia Counties)*

Department of Environmental Protection, Waste Management Program  
2 East Main Street  
Norristown, PA 19401  
(484) 250-5900  
Mary Alice Reisse, [mreisse@pa.gov](mailto:mreisse@pa.gov)  
Ann Ryan, [aryan@pa.gov](mailto:aryan@pa.gov)

##### *Northeast Region*

*(Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties)*

Department of Environmental Protection, Waste Management Program  
2 Public Square  
Wilkes-Barre, PA 18711-0790  
(570) 826-2108  
Berit Case, [bcase@pa.gov](mailto:bcase@pa.gov)

##### *Southcentral Region*

*(Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties)*

Department of Environmental Protection, Waste Management Program  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200  
(717) 705-6638  
Carrie Fleming, [cafleming@pa.gov](mailto:cafleming@pa.gov)

##### *Northcentral Region*

*(Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties)*

Department of Environmental Protection, Waste Management Program  
208 West 3rd Street, Suite 101  
Williamsport, PA 17701  
(570) 916-8648  
Joseph Delgripo, [jdelgripo@pa.gov](mailto:jdelgripo@pa.gov)

*Southwest Region  
(Allegheny, Beaver, Cambria, Fayette, Greene, Somerset,  
Washington and Westmoreland Counties)*

Department of Environmental Protection, Waste Management Program  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745  
(412) 442-4000  
Michael Celaschi, mcelaschi@pa.gov  
Bradley Cunningham, bcunningham@pa.gov  
Bill Jester, wijester@pa.gov

*Northwest Region  
(Armstrong, Butler, Clarion, Crawford, Elk, Erie, Forest,  
Indiana, Jefferson, Lawrence, McKean, Mercer, Venango  
and Warren Counties)*

Department of Environmental Protection, Waste Management Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6981  
Regina Schweinsberg, rschweinsb@pa.gov

JESSICA SHIRLEY,  
Interim Acting Secretary

[Pa.B. Doc. No. 24-195. Filed for public inspection February 16, 2024, 9:00 a.m.]

**DEPARTMENT OF HEALTH**

**Hospitals; Requests for Exceptions**

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals—2018 Edition, Guidelines for Design and Construction of Outpatient Facilities—2018 Edition* or the *Guidelines for Design and Construction of Hospitals—2022 Edition, Guidelines for Design and Construction of Outpatient Facilities—2022 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr<sup>1,2</sup></i>
The Children’s Hospital of Philadelphia	2.1-7.2.2.1(2) corridor width	22-O
	2.1-7.2.2.3(2)(b)(i) doors and door hardware	22-O
Lehigh Valley Hospital	2.2-3.5.2.2(1)(c)(i) and (ii) space requirements	22
UPMC Presbyterian Shadyside	2.2-3.4.5.8(12) support areas for pre- and postoperative patient care areas	22

<sup>1</sup> 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

<sup>2</sup> 2022 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,  
Acting Secretary

[Pa.B. Doc. No. 24-196. Filed for public inspection February 16, 2024, 9:00 a.m.]

**DEPARTMENT OF HEALTH**

**Newborn Screening and Follow-Up Technical Advisory Board Meeting**

The Newborn Screening and Follow-Up Technical Advisory Board (Board), established under the Newborn Child Testing Act (35 P.S. §§ 621—625), will hold a public meeting on Thursday, March 28, 2024, from 10 a.m. until 1 p.m. The meeting will be conducted both in person and as a virtual teleconference.

The location for in-person attendance is the Health and Welfare Building, WIC Office Conference Room, 625

Forster Street, 7th Floor West, Harrisburg, PA. Individuals must RSVP no later than Friday, March 15, 2024, if they plan to attend in person.

The public meeting will be conducted by teleconference by means of Microsoft Teams at [https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F\\_%23%2F1%2Fmeetup-join%2F19%3Ameeting\\_YzNmMjRkODQtMWQ0Mi00MzhjLTk3OWYtNGIxNWYxNDdlMTZi%40thread.v2%2F0%3Fcontext%3D%257B%2522Tid%2522%3A%2522418e2841-0128-4dd5-9b6c-47fc5a9a1bde%2522%2C%25220id%2522%3A%252257f4c8d4-0b5e-4b47-b04d-cf584316ca06%2522%257D%26anon%3Dtrue&type=meetup-join&](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F1%2Fmeetup-join%2F19%3Ameeting_YzNmMjRkODQtMWQ0Mi00MzhjLTk3OWYtNGIxNWYxNDdlMTZi%40thread.v2%2F0%3Fcontext%3D%257B%2522Tid%2522%3A%2522418e2841-0128-4dd5-9b6c-47fc5a9a1bde%2522%2C%25220id%2522%3A%252257f4c8d4-0b5e-4b47-b04d-cf584316ca06%2522%257D%26anon%3Dtrue&type=meetup-join&)

deeplinkId=9d7185b4-2bf3-4014-97cc-fabb2273343d&directDI=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true.

Individuals may participate by calling (267) 332-8737 and entering conference access ID 17470689#.

The agenda will include: discussions about Board member terms; updates from the Bureau of Family Health (Bureau); and updates from the Lysosomal Storage Disorders/X-ALD, Cystic Fibrosis, Hemoglobinopathy and Critical Congenital Heart Defects subcommittees. The Bureau will provide data for each subcommittee update as needed.

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 Patricia Edge, Nursing Services Consultant, Division of Newborn Screening and Genetics, at (717) 783-8143. Speech and/or hearing-impaired persons should use V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 24-197. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Preventative Health and Health Services Block Grant Advisory Committee Meeting

The Preventative Health and Health Services Block Grant Advisory Committee (Committee), established under 42 U.S.C. § 300w-4, will hold a public meeting on Tuesday, February 27, 2024, from 3 p.m. to 4 p.m. The purpose of the meeting is to discuss the status of the funding for the block grant. The meeting will be held in Room 1000, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. A virtual option is available. The information for calling into the meeting is: dial (267) 332-8737 and use conference ID 429 198 950#. Contact Christopher Noble at (717) 574-3204, chnoble@pa.gov, to RSVP or with any questions regarding the meeting. It is requested that all RSVP responses are received no later than February 23, 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 Kelly Dupler, Director, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 547-3205, 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. 24-198. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Sexual Assault Victim Emergency Services Regulation Listing of Hospitals That May Not Provide Emergency Contraception and Hospitals That May Not Provide Any Sexual Assault Emergency Services

The Department of Health (Department) published final-form sexual assault victim emergency services regulations at 38 Pa.B. 573 (January 26, 2008). The sexual assault victim emergency services regulations became effective on January 26, 2008, and amended 28 Pa. Code Part IV, Subpart B (relating to general and special hospitals) to add specific requirements for hospitals relating to the provision of sexual assault emergency services. See 28 Pa. Code §§ 117.51—117.58 (relating to sexual assault victim emergency services).

Hospitals that decide they may not provide emergency contraception due to a stated religious or moral belief contrary to providing this medication are required to give notice to the Department of the decision. See 28 Pa. Code § 117.57 (relating to religious and moral exemptions). Hospitals that refer all emergency patients to other hospitals after institution of essential life-saving measures and decide not to provide any sexual assault emergency services are required to give notice to the Department of the decision. See 28 Pa. Code § 117.58 (relating to exemption for hospitals providing limited emergency services).

Sections 117.57(1)(ii) and 117.58(1)(ii) of 28 Pa. Code state that the Department will annually publish the lists of hospitals in the *Pennsylvania Bulletin* that have chosen not to provide emergency contraception under 28 Pa. Code § 117.57 or any sexual assault emergency services under 28 Pa. Code § 117.58. The following lists are published in accordance with those provisions and do not create any new obligations for hospitals or relieve hospitals of any existing obligations.

#### *Hospitals that may not Provide Emergency Contraception*

Under 28 Pa. Code § 117.57(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide emergency contraception due to a stated religious or moral belief:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Geisinger Jersey Shore Hospital	Jersey Shore, 17740
Mercy Fitzgerald Hospital—Mercy Catholic Medical Center Campus	Darby, 19023
Nazareth Hospital	Philadelphia, 19152
Penn State Health Holy Spirit Medical Center	Camp Hill, 17011
Penn State Health St. Joseph	Reading, 19603
Physicians Care Surgical Hospital	Royersford, 19468
Regional Hospital of Scranton	Scranton, 18501
Saint Luke's Hospital of Bethlehem, Pennsylvania—Sacred Heart Campus	Allentown, 18102

<i>Hospital Name</i>	<i>City, Zip Code</i>
St. Mary Medical Center	Langhorne, 19047
Suburban Community Hospital	East Norriton, 19401
UPMC Mercy	Pittsburgh, 15219
UPMC Muncy	Muncy, 17756
UPMC Williamsport	Williamsport, 17701

*Hospitals that may not Provide any Sexual Assault Emergency Services*

Under 28 Pa. Code § 117.58(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide any sexual assault emergency services due to the limited services provided by the hospital:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Allied Services Institute of Rehabilitation Medicine	Scranton, 18501
Holy Redeemer Hospital	Meadowbrook, 19046
John Heinz Institute of Rehabilitation Medicine	Wilkes-Barre Township, 18702
OSS Health	York, 17402
Physicians Care Surgical Hospital	Royersford, 19468
Rothman Orthopedic Specialty Hospital	Bensalem, 19020
WellSpan Surgery & Rehabilitation Hospital	York, 17403

Additional information regarding the sexual assault victim emergency services regulations and emergency contraception and an up-to-date list of hospitals not providing emergency contraception under 28 Pa. Code § 117.57 or not providing any sexual assault emergency services under 28 Pa. Code § 117.58 is available on the Department's web site at [www.health.state.pa.us](http://www.health.state.pa.us).

The notice in the *Pennsylvania Bulletin* or on the Department's web site of the lists of hospitals not providing emergency contraception under 28 Pa. Code § 117.57, or not providing any sexual assault emergency services under 28 Pa. Code § 117.58, may not be deemed an acknowledgement or confirmation by the Department that the hospitals are in compliance with the requirements of the regulations.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 783-8980, fax (717) 772-2163 or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 24-199. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Payment for Nursing Facility Services Provided by County Nursing Facilities; County Nursing Facility Supplementation Payment for Fiscal Year 2023-2024

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make an additional payment to certain county nursing facilities in Fiscal Year (FY) 2023-2024.

*Proposed Payment*

The Department intends to make a county nursing facility supplementation payment to each qualified county nursing facility. To qualify, a county nursing facility must be located in a home rule county that was formerly a county of the second class A, have more than 725 beds and a Medicaid acuity of 0.79 as of August 1, 2015. The number of beds will be the number of licensed beds as of August 1, 2015, and the Medicaid acuity will be determined using the Case Mix Index Report for the August 1, 2015, Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

The Department will calculate the qualifying county nursing facility's supplementation payment for FY 2023-2024 by multiplying the supplementation per diem by the number of paid Medical Assistance (MA) facility and therapeutic leave days for the prior fiscal year. The supplementation per diem will be calculated by dividing the total funds available by the total number of paid MA facility and therapeutic leave days for the prior fiscal year for qualifying facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS). If CMS approves the SPA, the total funds will consist of both Federal and State funding. The Department will use its best efforts to process this supplementation payment within 30 days of the date it receives notice from CMS.

*Fiscal Impact*

This change will result in an estimated cost of \$4.36 million (\$2.0 million in State funds) for FY 2023-2024.

*Public Comment*

Interested persons are invited to submit written comments regarding the county nursing facility supplementation payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Erica Justice, P.O. Box 8025, Harrisburg, PA 17105-8025 or [RA-PWOLTLNFPUBLICCOM@pa.gov](mailto:RA-PWOLTLNFPUBLICCOM@pa.gov). Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,  
*Secretary*

**Fiscal Note:** 14-NOT-1610. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is \$2,000,000; (3) 1st Succeeding Year 2024-25 through 5th Succeeding

Year 2028-29 are \$0; (4) 2022-23 Program—\$131,981,000; 2021-22 Program—\$121,346,000; 2020-21 Program—\$208,841,000; (7) MA—Long-Term Living; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-200. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Payment for Nursing Facility Services Provided by Nonpublic and County Nursing Facilities; Supplemental Ventilator Care and Tracheostomy Care Add-on Payment for Fiscal Year 2023-2024

This announcement provides advance notice that the Department of Human Services (Department) intends to make an additional payment in Fiscal Year (FY) 2023-2024 to nonpublic and county nursing facilities that qualified for supplemental ventilator care and tracheostomy care payments in FY 2014-2015.

#### *Proposed Payment*

The Department intends to make an additional supplemental ventilator care and tracheostomy care payment to qualified nonpublic and county nursing facilities. This additional payment will be made to nonpublic and county nursing facilities which remain open as of December 13, 2023, that qualified for supplemental ventilator care and tracheostomy care payments in FY 2014-2015 with a percentage of Medical Assistance (MA) residents who required medically necessary ventilator care or tracheostomy care greater than 90%.

The Department will calculate the FY 2023-2024 add-on payment to qualified nonpublic and county nursing facilities by dividing the total funds for the supplemental ventilator care and tracheostomy care payment by the number of qualified nonpublic and county nursing facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS). If CMS approves the SPA, the total funds will consist of both Federal and State funding. The Department will use its best efforts to process this payment within 30 days of the date it receives notice from CMS.

#### *Fiscal Impact*

This change will result in an estimated cost of \$1.09 million (\$0.500 million in State funds) for FY 2023-2024.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this supplemental ventilator care and tracheostomy care add-on payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Erica Justice, P.O. Box 8025, Harrisburg, PA 17105-8025 or RA-PWOLTLNFPUBLICCOM@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania

Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,  
*Secretary*

**Fiscal Note:** 14-NOT-1611. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is \$500,000; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$0; (4) 2022-23 Program—\$131,981,000; 2021-22 Program—\$121,346,000; 2020-21 Program—\$208,841,000; (7) MA—Long-Term Living; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-201. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Payment for Nursing Facility Services Provided by Nonpublic Nursing Facilities Located in a County of the First Class; Nonpublic Nursing Facility Supplementation Payment for Fiscal Year 2023-2024

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make an additional payment to certain nonpublic nursing facilities in a county of the first class in Fiscal Year (FY) 2023-2024 to ensure access to necessary nursing care in that county.

#### *Proposed Payment*

The Department intends to make a nonpublic nursing facility supplementation payment to each qualified nonpublic nursing facility. To qualify, a nonpublic nursing facility must be located in a county of the first class, have more than 395 beds and a Medicaid acuity of 1.06 as of August 1, 2022. The number of beds will be the number of licensed beds as of August 1, 2022, and the Medicaid acuity will be determined using the Case Mix Index Report for the August 1, 2022, Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

The Department will calculate the payment to qualifying facilities by multiplying the supplementation per diem by the number of paid Medical Assistance (MA) facility and therapeutic leave days for the prior fiscal year. The supplementation per diem will be calculated by dividing the total funds available by the total number of paid MA facility and therapeutic leave days for the prior fiscal year for qualifying facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS). If CMS approves the SPA, the total funds will consist of both Federal and State funding. The Department will use its best efforts to process this supplementation payment within 30 days of the date it receives notice from CMS.

#### *Fiscal Impact*

This change will result in an estimated cost of \$2.18 million (\$1.0 million in State funds) for FY 2023-2024.



*Public Comment*

Interested persons are invited to submit written comments regarding the nonpublic nursing facility supplementation payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Erica Justice, P.O. Box 8025, Harrisburg, PA 17105-8025 or RA-PWOLTLNFPUBLICCOM@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,  
*Secretary*

**Fiscal Note:** 14-NOT-1612. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is \$1,000,000; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$0; (4) 2022-23 Program—\$131,981,000; 2021-22 Program—\$121,346,000; 2020-21 Program—\$208,841,000; (7) MA—Long-Term Living; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-202. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Payment for Nursing Facility Services Provided by Nonpublic Nursing Facilities Located in a County of the Eighth Class; Nonpublic Nursing Facility Supplementation Payment for Fiscal Year 2023-2024

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make an additional payment to certain nonpublic nursing facilities in a county of the eighth class in Fiscal Year (FY) 2023-2024 to ensure access to necessary nursing home care in that county.

*Proposed Payment*

The Department intends to make a nonpublic nursing facility supplementation payment to each qualified nonpublic nursing facility. To qualify, a nonpublic nursing facility must be located in a county of the eighth class, have more than 119 beds and a Medicaid acuity of 1.11 as of August 1, 2022. The number of beds will be the number of licensed beds as of August 1, 2022, and the Medicaid acuity will be determined using the Case Mix Index Report for the August 1, 2022, Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

The Department will calculate the qualifying nonpublic nursing facility's supplementation payment for FY 2023-2024 by multiplying the supplementation per diem by the number of paid Medical Assistance (MA) facility and therapeutic leave days for the prior fiscal year. The supplementation per diem will be calculated by dividing the total funds available by the total number of paid MA facility and therapeutic leave days for the prior fiscal year for qualifying facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS). If CMS approves the SPA, the total funds will consist of both Federal and State funding. The Department will use its best efforts to process this supplementation payment within 30 days of the date it receives notice from CMS.

*Fiscal Impact*

This change will result in an estimated cost of \$10.9 million (\$5.0 million in State funds) for FY 2023-2024.

*Public Comment*

Interested persons are invited to submit written comments regarding the nonpublic nursing facility supplementation payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Erica Justice, P.O. Box 8025, Harrisburg, PA 17105-8025 or RA-PWOLTLNFPUBLICCOM@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,  
*Secretary*

**Fiscal Note:** 14-NOT-1613. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is \$5,000,000; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$0; (4) 2022-23 Program—\$131,981,000; 2021-22 Program—\$121,346,000; 2020-21 Program—\$208,841,000; (7) MA—Long-Term Living; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-203. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Deep Pockets Instant Lottery Game 1680

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Deep Pockets (“Deep Pockets”). The game number is PA-1680.

2. *Price:* The price of a Deep Pockets instant lottery game ticket is \$5.

3. *Play symbols:* Each Deep Pockets instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “POCKET CHANGE” area. Prizes won in the “POCKET CHANGE” area cannot be won alone. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22

(TWTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN) and 30 (THIRT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), Wallet (WALLET) symbol and a Money Clip (WINALL) symbol. The “POCKET CHANGE PLAY/PRIZE SYMBOLS” and their captions located in the “POCKET CHANGE” area are: TRY AGAIN (TRYAGAIN) symbol, TRY AGAIN (TRYAGAIN) symbol, TRY AGAIN (TRYAGAIN) symbol, TRY AGAIN (TRYAGAIN) symbol, \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN) and \$500 (FIV HUN).

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$200,000 (TWOHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$200,000. For a complete description of how these prizes can be won, see section 8 (relating to number and description of prizes and approximate odds). A player can win up to 13 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 10,800,000 tickets will be printed for the Deep Pockets instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200,000 (TWOHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200,000.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which a Money Clip (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in three of the “prize” areas, a prize symbol of \$500 (FIV HUN) appears in two of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in three of the “prize” areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in four of the “prize” areas, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$500 (FIV HUN) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a

prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Wallet (WALLET) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$500 (FIV HUN) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a Money Clip (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in four of the “prize” areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the “prize” areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in four of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Wallet (WALLET) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any five of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in each of the five “prize” areas under those matching “YOUR NUMBERS” play symbols, and upon which two Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under both of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$50<sup>00</sup> (FIFTY) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any five of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in each of the five “prize” areas under those matching “YOUR NUMBERS” play symbols, and upon which six Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under five of those Wallet (WALLET) symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under one of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$100 (ONE HUN) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which a Money Clip (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in two of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which a Money Clip (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in

three of the “prize” areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in six of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in three of the “prize” areas, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$50<sup>00</sup> (FIFTY) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Wallet (WALLET) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which two Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under one of those Wallet (WALLET) symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under one of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$50<sup>00</sup> (FIFTY) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which any eight of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in each of the eight “prize” areas under those matching “YOUR NUMBERS” play symbols, and upon which two Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under both of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$20<sup>00</sup> (TWENTY) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which five Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under all five of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$100 (ONE HUN) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which a Money Clip (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which a Money Clip (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in six of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in six of the “prize” areas, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$20<sup>00</sup> (TWENTY) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the

matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Wallet (WALLET) symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that Wallet (WALLET) symbol, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$50<sup>00</sup> (FIFTY) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any six of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in each of the six “prize” areas under those matching “YOUR NUMBERS” play symbols, and upon which three Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under two of those Wallet (WALLET) symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under one of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$20<sup>00</sup> (TWENTY) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any two of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in one of the “prize” areas under those matching “YOUR NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN) appears in one of the “prize” areas under those matching “YOUR NUMBERS” play symbols, and upon which eight Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under four of those Wallet (WALLET) symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under four of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$10<sup>00</sup> (TEN DOL) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets upon which a Money Clip (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(aa) Holders of tickets upon which a Money Clip (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in six of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in six of the “prize” areas, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$10<sup>00</sup> (TEN DOL) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$100.

(bb) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(cc) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50.00 (FIFTY) appears in the “prize” area under that Wallet (WALLET) symbol, shall be entitled to a prize of \$50.

(dd) Holders of tickets upon which two Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under one of those Wallet (WALLET) symbols and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under one of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$20.00 (TWENTY) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$50.

(ee) Holders of tickets upon which any four of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in all four of the “prize” areas under those matching “YOUR NUMBERS” play symbols, and upon which two Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under both of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$10.00 (TEN DOL) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$50.

(ff) Holders of tickets upon which any three of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.00 (TWENTY) appears in one of the “prize” areas under those matching “YOUR NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in two of the “prize” areas under those matching “YOUR NUMBERS” play symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$20.00 (TWENTY) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$50.

(gg) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(hh) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under that Wallet (WALLET) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ii) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a

prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under that Wallet (WALLET) symbol, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$10.00 (TEN DOL) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$20.

(jj) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which two Wallet (WALLET) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under both of those Wallet (WALLET) symbols, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$5.00 (FIV DOL) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$20.

(kk) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(ll) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under that Wallet (WALLET) symbol, on a single ticket, shall be entitled to a prize of \$10.

(mm) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a “POCKET CHANGE PLAY/PRIZE SYMBOL” of \$5.00 (FIV DOL) appears in the “POCKET CHANGE” area, on a single ticket, shall be entitled to a prize of \$10.

(nn) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(oo) Holders of tickets upon which a Wallet (WALLET) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under that Wallet (WALLET) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under the Matching Number. Win With:</i>	<i>POCKET CHANGE:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5 w/ WALLET		\$5	20	540,000
\$5		\$5	20	540,000
\$5 × 2		\$10	66.67	162,000
\$5	\$5	\$10	30	360,000
\$10 w/ WALLET		\$10	60	180,000
\$10		\$10	120	90,000

<i>When Any of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under the Matching Number. Win With:</i>	<i>POCKET CHANGE:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5 × 4		\$20	600	18,000
(((\$5 w/ WALLET) × 2) + \$5	\$5	\$20	120	90,000
\$10 w/ WALLET	\$10	\$20	60	180,000
\$20 w/ WALLET		\$20	600	18,000
\$20		\$20	600	18,000
\$10 × 5		\$50	600	18,000
(\$5 × 2) + \$20	\$20	\$50	600	18,000
(((\$10 w/ WALLET) × 2) + (\$5 × 4)	\$10	\$50	600	18,000
(\$20 w/ WALLET) + (\$10 w/ WALLET)	\$20	\$50	600	18,000
\$50 w/ WALLET		\$50	600	18,000
\$50		\$50	600	18,000
MONEY CLIP w/ ((\$10 × 6) + (\$5 × 6))	\$10	\$100	1,200	9,000
MONEY CLIP w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))		\$100	1,200	9,000
\$50 × 2		\$100	24,000	450
(((\$10 w/ WALLET) × 4) + ((\$5 w/ WALLET) × 4) + \$20 + \$10	\$10	\$100	2,400	4,500
(((\$20 w/ WALLET) × 2) + (\$10 w/ WALLET) + (\$5 × 6)	\$20	\$100	2,400	4,500
\$50 w/ WALLET	\$50	\$100	2,400	4,500
\$100 w/ WALLET		\$100	1,500	7,200
\$100		\$100	17,143	630
MONEY CLIP w/ ((\$20 × 6) + (\$10 × 6))	\$20	\$200	1,200	9,000
MONEY CLIP w/ ((\$50 × 2) + (\$10 × 10))		\$200	1,200	9,000
\$100 × 2		\$200	120,000	90
(\$20 w/ WALLET) × 5	\$100	\$200	2,000	5,400
(((\$50 w/ WALLET) × 2) + (\$10 × 8)	\$20	\$200	4,800	2,250
(\$100 w/ WALLET) + (\$50 w/ WALLET)	\$50	\$200	4,800	2,250
\$200 w/ WALLET		\$200	40,000	270
\$200		\$200	120,000	90
MONEY CLIP w/ ((\$100 × 3) + (\$20 × 6) + (\$10 × 3))	\$50	\$500	4,800	2,250
MONEY CLIP w/ ((\$200 × 2) + (\$10 × 10))		\$500	4,800	2,250
\$100 × 5		\$500	120,000	90
(\$100 w/ WALLET) + ((\$50 w/ WALLET) × 5) + (\$10 × 5)	\$100	\$500	40,000	270
(((\$200 w/ WALLET) × 2) + (\$10 × 5)	\$50	\$500	40,000	270
\$500 w/ WALLET		\$500	60,000	180
\$500		\$500	120,000	90
MONEY CLIP w/ ((\$200 × 4) + (\$50 × 2) + (\$20 × 4) + (\$10 × 2))		\$1,000	1,080,000	10
\$500	\$500	\$1,000	1,080,000	10

<i>When Any of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under the Matching Number. Win With:</i>	<i>POCKET CHANGE:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$1,000 w/ WALLET		\$1,000	1,080,000	10
\$1,000		\$1,000	1,080,000	10
MONEY CLIP w/ ((\$1,000 × 3) + (\$500 × 2) + (\$100 × 3) + (\$50 × 4))	\$500	\$5,000	1,080,000	10
\$5,000		\$5,000	1,080,000	10
\$200,000		\$200,000	1,080,000	10

Reveal a “Wallet” (WALLET) symbol, win prize shown under that symbol automatically.

Reveal a “Money Clip” (WINALL) symbol, win all 12 prizes shown!

POCKET CHANGE: Reveal a cash prize amount, add that prize to the TOTAL WON in the YOUR NUMBERS area and win that amount! POCKET CHANGE cannot be won alone.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Deep Pockets instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Deep Pockets, prize money from winning Deep Pockets instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Deep Pockets instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Deep Pockets or through normal communications methods.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 24-204. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Million Dollar Multiplier Madness Instant Lottery Game 1679

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Million Dollar Multiplier Madness (“Million Dollar Multiplier Madness”). The game number is PA-1679.

2. *Price:* The price of a Million Dollar Multiplier Madness instant lottery game ticket is \$20.

3. *Play symbols:* Each Million Dollar Multiplier Madness instant lottery game ticket will contain one play area on the front of the game ticket featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, further containing four “ROWS” designated as “ROW 1,” “ROW 2,” “ROW 3,” and “ROW 4,” and a “MAD MULTIPLIER” area. The “MAD MULTIPLIER” area on the front of the game ticket contains four “MAD MULTIPLIER” play symbols within four “ROW” spots designated as “ROW 1,” “ROW 2,” “ROW 3” and “ROW 4.” Each Million Dollar Multiplier Madness instant lottery game ticket will also contain one play area on the back of the game ticket featuring a “WINNING NUMBER” area and a “YOUR NUMBERS” area. The “YOUR NUMBERS” area on the back of the game ticket also contains one “MULTIPLIER” play symbol below each of the four “Prize” areas. The play areas on the front and back of the game ticket are played

separately, but winning combinations on the front and back of the game ticket can be combined to win larger prizes as described in section 7 (relating to determination of prize winners).

(a) The play symbols and their captions located in the "WINNING NUMBERS" area on the front of the ticket are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions located in the "YOUR NUMBERS" area on the front of the ticket are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Money Roll (MNYRL) symbol and a MADNESS (WINALL) symbol. The play symbols and their captions located in the "MAD MULTIPLIER" area on the front of the ticket are: 1X (NOMULT) symbol, 2X (2TIMES) symbol, 3X (3TIMES) symbol, 5X (5TIMES) symbol and a 20X (20TIMES) symbol.

(b) The play symbols and their captions located in the "WINNING NUMBER" area on the back of the ticket are: 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area on the back of the ticket are: 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The "MULTIPLIER" play symbols and their captions located in the "YOUR NUMBERS" area on the back of the game ticket are: 1X (NOMULT) symbol, 2X (2TIMES) symbol, 3X (3TIMES) symbol and a 5X (5TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area on the front of the game ticket are: \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$300 (THR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$10,000 (TEN THO), \$20,000 (TWY THO), \$100,000 (ONHUNTHO) and \$1MILL (ONE MIL). The prize symbols and their captions located in the "YOUR NUMBERS" area on the back of the game ticket are: \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$2,500 (TWYFIVHUN).

5. *Prizes:* The prizes that can be won on the front of this game are: \$20, \$40, \$50, \$100, \$300, \$500, \$1,000, \$2,500, \$10,000, \$20,000, \$100,000 and \$1,000,000. The prizes that can be won on the back of this game are: \$20, \$40, \$50, \$100, \$500, \$1,000 and \$2,500. For a complete description of how these prizes can be won, see section 8

(relating to number and description of prizes and approximate odds). A player can win up to 22 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 7,200,000 tickets will be printed for the Million Dollar Multiplier Madness instant lottery game.

7. *Determination of prize winners:*

(a) *Description of prize winners for the front of the game ticket are:*

(1) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1MILL (ONE MIL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$1,000,000. The prize shall be paid as a one-time, lump-sum cash payment.

(2) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$100,000.

(3) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 20X (20TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$50,000.

(4) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$20,000.

(5) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 20X (20TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$20,000.

(6) Holders of tickets upon which a MADNESS (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$1,000 (ONE THO) appears in 15 of the "prize" areas and a prize symbol of \$500 (FIV HUN) appears in five of the "prize" areas, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for each "ROW," on a single ticket, shall be entitled to a prize of \$17,500.

(7) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$10,000.

(8) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 20X (20TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$10,000.

(9) Holders of tickets upon which a MADNESS (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in 15 of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for each "ROW," on a single ticket, shall be entitled to a prize of \$8,000.

(10) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$2,500.

(11) Holders of tickets upon which a Money Roll (MNYRL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Money Roll (MNYRL) symbol, and upon which a 5X (5TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$2,500.

(12) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 5X (5TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$2,500.

(13) Holders of tickets upon which a Money Roll (MNYRL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Money Roll (MNYRL) symbol, and upon which a 20X (20TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$2,000.

(14) Holders of tickets upon which a MADNESS (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in all 20 of the "prize" areas, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for each "ROW," on a single ticket, shall be entitled to a prize of \$2,000.

(15) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$1,000.

(16) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 20X

(20TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$1,000.

(17) Holders of tickets upon which a MADNESS (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all 20 of the "prize" areas, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for each "ROW," on a single ticket, shall be entitled to a prize of \$1,000.

(18) Holders of tickets upon which a Money Roll (MNYRL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$300 (THR HUN) appears in the "prize" area under that Money Roll (MNYRL) symbol, and upon which a 3X (3TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$900.

(19) Holders of tickets upon which a MADNESS (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in 15 of the "prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in 5 of the "prize" areas, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for each "ROW," on a single ticket, shall be entitled to a prize of \$850.

(20) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 20X (20TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$800.

(21) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$500.

(22) Holders of tickets upon which a Money Roll (MNYRL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Money Roll (MNYRL) symbol, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$500.

(23) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 5X (5TIMES) symbol appears in the "MAD MULTIPLIER" spot for the matching "ROW," on a single ticket, shall be entitled to a prize of \$500.

(24) Holders of tickets upon which a MADNESS (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$40<sup>00</sup> (FORTY) appears in 5 of the "prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in 15 of the "prize" areas, and upon which a 1X (NOMULT) symbol appears in the "MAD MULTIPLIER" spot for each "ROW," on a single ticket, shall be entitled to a prize of \$500.

(25) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING







(NOMULT) symbol appears in the matching “MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$50.

(13) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 2X (2TIMES) symbol appears in the matching “MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$40.

(14) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 1X

(NOMULT) symbol appears in the matching “MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$40.

(15) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 1X (NOMULT) symbol appears in the matching “MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>TICKET FRONT: When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>TICKET BACK: When Any Of YOUR NUMBERS Match The WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
	\$20	\$20	23.08	312,000
\$20 w/ MONEY ROLL		\$20	23.08	312,000
\$20		\$20	30	240,000
\$20	\$20	\$40	60	120,000
\$20 w/ 2X		\$40	30	240,000
	\$40	\$40	60	120,000
\$40 w/ MONEY ROLL		\$40	300	24,000
\$40		\$40	300	24,000
	\$50	\$50	50	144,000
\$50 w/ MONEY ROLL		\$50	50	144,000
\$50		\$50	150	48,000
\$20 × 2	\$20 w/ 3X	\$100	300	24,000
(((\$20 w/ MONEY ROLL) w/ 2X) + \$20	\$20 w/ 2X	\$100	300	24,000
	\$100	\$100	300	24,000
\$20 w/ 5X		\$100	300	24,000
\$50 w/ 2X		\$100	300	24,000
\$100 w/ MONEY ROLL		\$100	300	24,000
\$100		\$100	300	24,000
\$20 × 15		\$300	12,000	600
\$100 × 2	\$20 w/ 5X	\$300	6,000	1,200
(\$20 × 3) w/ 3X	(\$20 w/ 5X) + \$20	\$300	2,400	3,000
(((\$40 × 2) w/ 3X) + \$20	\$20 w/ 2X	\$300	2,400	3,000
\$40 w/ 5X	\$50 w/ 2X	\$300	1,200	6,000
(((\$40 w/ MONEY ROLL) × 2) w/ 3X	\$20 w/ 3X	\$300	600	12,000
(((\$50 w/ MONEY ROLL) w/ 2X) + (\$20 w/ 5X)	(((\$20 w/ 2X) × 2) + \$20	\$300	750	9,600
\$100 w/ 3X		\$300	300	24,000
\$300 w/ MONEY ROLL		\$300	1,200	6,000
\$300		\$300	12,000	600
MADNESS w/ (\$20 × 20)	\$20 w/ 5X	\$500	1,714	4,200

<i>TICKET FRONT: When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>TICKET BACK: When Any Of YOUR NUMBERS Match The WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
MADNESS w/ ((\$40 × 5) + (\$20 × 15))		\$500	3,000	2,400
\$20 × 15	(\$50 w/ 2X) + (\$20 w/ 5X)	\$500	12,000	600
\$20 w/ 20X	(\$20 w/ 3X) + (\$20 w/ 2X)	\$500	4,000	1,800
(\$20 w/ 20X) + (\$20 × 2)	\$20 w/ 3X	\$500	6,000	1,200
(((\$20 × 5) w/ 3X) + (\$20 × 5))	\$20 w/ 5X	\$500	12,000	600
(((\$50 × 2) w/ 2X) + (\$20 w/ 5X) + (\$40 × 4))	\$40	\$500	12,000	600
(((\$50 w/ MONEY ROLL) × 2) w/ 5X		\$500	12,000	600
(\$100 w/ 3X) + ((\$20 × 2) w/ 5X)		\$500	12,000	600
\$100 w/ 5X		\$500	12,000	600
\$500 w/ MONEY ROLL		\$500	12,000	600
\$500		\$500	60,000	120
MADNESS w/ ((\$50 × 15) + (\$20 × 5))	\$50 w/ 3X	\$1,000	12,000	600
MADNESS w/ (\$50 × 20)		\$1,000	12,000	600
\$100 × 10		\$1,000	24,000	300
\$500 + \$300 + \$100	\$50 w/ 2X	\$1,000	24,000	300
(\$20 × 4) w/ 5X	(\$50 w/ 3X) × 4	\$1,000	24,000	300
\$40 w/ 20X	(\$40 w/ 3X) + (\$20 w/ 2X) + (\$20 × 2)	\$1,000	24,000	300
\$100 w/ 5X	\$100 w/ 5X	\$1,000	24,000	300
(\$300 w/ MONEY ROLL) w/ 3X	\$50 w/ 2X	\$1,000	24,000	300
\$50 w/ 20X		\$1,000	8,000	900
\$1,000		\$1,000	24,000	300
MADNESS w/ (\$100 × 20)	\$100 w/ 5X	\$2,500	24,000	300
\$500 w/ 5X		\$2,500	120,000	60
\$2,500		\$2,500	120,000	60
MADNESS w/ ((\$500 × 15) + (\$100 × 5))	\$1,000 w/ 2X	\$10,000	360,000	20
(((\$500 w/ MONEY ROLL) w/ 5X) + (((\$50 × 5) w/ 20X) + ((\$50 × 5) w/ 2X))	(\$100 w/ 5X) × 4	\$10,000	360,000	20
\$500 w/ 20X		\$10,000	360,000	20
\$10,000		\$10,000	360,000	20
MADNESS w/ ((\$1,000 × 15) + (\$500 × 5))	\$500 w/ 5X	\$20,000	720,000	10
(((\$100 w/ MONEY ROLL) × 5) w/ 20X	(\$2,500 w/ 2X) × 2	\$20,000	720,000	10
\$1,000 w/ 20X		\$20,000	720,000	10
\$20,000		\$20,000	720,000	10
\$2,500 w/ 20X	(\$2,500 w/ 5X) × 4	\$100,000	1,440,000	5
\$100,000		\$100,000	1,440,000	5
\$1,000,000		\$1,000,000	1,440,000	5

**TICKET FRONT:**

Reveal a "Money Roll" (MNYRL) symbol, win prize shown under that symbol automatically.

Multiply any prize won in any ROW by the multiplier revealed in the MAD MULTIPLIER spot for that ROW!

Reveal a "MADNESS" (WINALL) symbol, win all 20 prizes shown!

**TICKET BACK:**

Multiply any PRIZE won by the MULTIPLIER shown under that PRIZE!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Million Dollar Multiplier Madness instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Million Dollar Multiplier Madness, prize money from winning Million Dollar Multiplier Madness instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Million Dollar Multiplier Madness instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Million Dollar Multiplier Madness or through normal communications methods.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-205. Filed for public inspection February 16, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Money Talks Instant Lottery Game 1681

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of

instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Money Talks (“Money Talks”). The game number is PA-1681.

2. *Price:* The price of a Money Talks instant lottery game ticket is \$2.

3. *Play symbols:* Each Money Talks instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV) and a Double Winall (2XWINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$40.<sup>00</sup> (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$200, \$400, \$1,000 and \$20,000. A player can win up to ten times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the Money Talks instant lottery game.

#### 7. *Determination of prize winners:*

(a) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$20,000 (TWY THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas, a prize symbol of \$40.<sup>00</sup> (FORTY) appears in seven of the “prize” areas and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in six of the “prize” areas, a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in three of the “prize” areas and a prize symbol of

\$200 (TWO HUN) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(f) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$40<sup>00</sup> (FORTY) appears in two of the “prize” areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in four of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(h) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in three of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in three of the “prize” areas, a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in two of the “prize” areas and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas, a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “prize” areas, a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in three of the “prize” areas

and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “prize” areas, a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in five of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(q) Holders of tickets upon which a Double Winall (2XWINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Either WINNING NUMBER, Win Prize Shown Under The Matching Number: Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
\$2	\$2	9.68	868,000
\$2 × 2	\$4	60	140,000
\$4	\$4	60	140,000
\$5	\$5	25	336,000
\$2 × 5	\$10	375	22,400
\$5 × 2	\$10	300	28,000
(\$2 × 3) + \$4	\$10	150	56,000
(\$4 × 2) + \$2	\$10	150	56,000
\$10	\$10	375	22,400
\$2 × 10	\$20	750	11,200
\$5 × 4	\$20	300	28,000
\$10 × 2	\$20	300	28,000
(\$4 × 4) + (\$2 × 2)	\$20	300	28,000
\$20	\$20	1,500	5,600
DOUBLE WINALL w/ (\$2 × 10)	\$40	300	28,000
\$4 × 10	\$40	3,000	2,800
\$5 × 8	\$40	12,000	700
\$10 × 4	\$40	3,000	2,800
\$20 × 2	\$40	3,000	2,800
\$40	\$40	24,000	350
DOUBLE WINALL w/ (\$5 × 10)	\$100	4,000	2,100
DOUBLE WINALL w/ ((\$5 × 4) + (\$4 × 5) + \$10)	\$100	4,000	2,100
DOUBLE WINALL w/ ((\$10 × 2) + (\$5 × 4) + (\$2 × 3) + \$4)	\$100	4,000	2,100
DOUBLE WINALL w/ ((\$10 × 3) + (\$5 × 2) + (\$2 × 5))	\$100	4,000	2,100
\$10 × 10	\$100	60,000	140
\$20 × 5	\$100	60,000	140
\$100	\$100	120,000	70
DOUBLE WINALL w/ (\$10 × 10)	\$200	40,000	210
DOUBLE WINALL w/ ((\$20 × 3) + (\$10 × 2) + (\$4 × 5))	\$200	40,000	210
\$40 × 5	\$200	120,000	70
\$200	\$200	120,000	70
DOUBLE WINALL w/ (\$20 × 10)	\$400	840,000	10
DOUBLE WINALL w/ ((\$40 × 2) + (\$20 × 4) + (\$10 × 4))	\$400	840,000	10
\$40 × 10	\$400	840,000	10
\$400	\$400	840,000	10
DOUBLE WINALL w/ ((\$40 × 6) + (\$20 × 3) + \$200)	\$1,000	840,000	10
DOUBLE WINALL w/ ((\$100 × 2) + (\$40 × 7) + \$20)	\$1,000	840,000	10
\$1,000	\$1,000	840,000	10
\$20,000	\$20,000	840,000	10

Reveal a "Double Winall" (2XWINALL) symbol, win DOUBLE all 10 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Money Talks instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter

a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Money Talks, prize money from winning Money Talks instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Money Talks instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Money Talks or through normal communications methods.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 24-206. Filed for public inspection February 16, 2024, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency / Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
14-544	Department of Human Services Covered Outpatient Drugs 53 Pa.B. 7544 (December 2, 2023)	01/02/24	02/01/24

**Department of Human Services Regulation # 14-544  
(IRRC # 3388)  
Covered Outpatient Drugs  
February 1, 2024**

We submit for your consideration the following comments on the proposed rulemaking published in the December 2, 2023 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Department of Human Services (Department) to respond to all comments received from us or any other source.

**1. Legislative comments.**

Representative Dan Frankel, Democratic Chair of the House Health Committee, and the Black Maternal Health Caucus (Caucus) in the House of Representatives submitted comments regarding the supply of contraceptives as provided for in Section 1121.53(c). Representative Frankel

and the Caucus encourage the Department to go further than the 90-day supply in the proposed regulations and provide for a 12-month supply of contraception in a single prescription fill. In addition, Representative Frankel commented on new language added to Section 1121.54 that would make agents used to promote fertility noncompensable. He states exemptions to this standard may be warranted in certain situations. We ask the Department to consider and address these comments in the Preamble to the final-form regulation.

**2. Section 1121.53. Limitations on payment.—Reasonableness; Implementation procedures; Clarity.**

Subsection (c) provides that “payment for systemic contraceptives may exceed the 90-day supply limit as specified by the Department.” The method for specifying the exception to the supply standard is not included in this provision nor was it explained in the Preamble. We ask the Department to explain how this supply limit will be implemented. We also ask the Department to consider



revising this subsection to improve the clarity of the contraceptives payment provision so that it is easily understood by the regulated community.

**3. Section 1121.54. Noncompensable services and items.—Implementation procedures; Clarity.**

This section lists services and items for which payment will not be made to a pharmacy. The Department is proposing to amend Paragraph (10). The paragraph currently states the following, “Drugs prescribed in conjunction with sex reassignment procedures or other noncompensable procedures.” The amendment would delete “sex reassignment procedures or other” from the paragraph. The Preamble of the proposed rulemaking

explains the language is being deleted because the Department “currently covers drugs prescribed for gender dysphoria without regard to sex reassignment procedures.” In the Preamble to the final-form rulemaking, we ask the Department to explain if there is difference between drugs that may be prescribed specifically for “sex reassignment procedures” and drugs prescribed for “gender dysphoria.”

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 24-207. Filed for public inspection February 16, 2024, 9:00 a.m.]

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**Notice of Filing of Final Rulemaking**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
59-01	Office of Attorney General Automotive Industry Trade Practices	02/06/24	03/21/24

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 24-208. Filed for public inspection February 16, 2024, 9:00 a.m.]

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**Notice of Filing of Final Rulemaking**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
63-08	State Ethics Commission Technical Revisions for Statutory Consistency, Clarity and Modernization	01/24/24	03/21/24

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 24-209. Filed for public inspection February 16, 2024, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Application for Approval to Acquire Control of Paramount Care of Pennsylvania, Inc.**

Medical Mutual of Ohio, an Ohio domiciled property and casualty insurance company, has filed an application to acquire control of Paramount Care of Pennsylvania, Inc., a Pennsylvania domiciled health maintenance organization. The filing was received on February 1, 2024, and was made under the requirements of Article XIV of The

Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1414).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact

basis of the statement. Written statements should be e-mailed to Lori Rumpf, [lrumpf@pa.gov](mailto:lrumpf@pa.gov). Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-210. Filed for public inspection February 16, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Health Maintenance Organization Certificate of Authority Application Filed by American Health Plan of Pennsylvania, Inc.

On January 2, 2024, American Health Plan of Pennsylvania, Inc. filed an application with the Insurance Department (Department) for a certificate of authority to establish, operate and maintain a health maintenance organization (HMO) under the Health Maintenance Organization Act (40 P.S. §§ 1551—1567), Department of Health HMO regulations (28 Pa. Code §§ 9.631—9.654) and the Department's HMO regulations (31 Pa. Code §§ 301.1—301.204).

The proposed service areas of the applicant are Crawford, Erie, Venango and Warren Counties. The applicant has represented that it will only offer Medicare Advantage products in its proposed service areas.

Interested parties are invited to submit written comments to the Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements may be e-mailed to Robert Feguer, Bureau of Managed Care, [rfeguer@pa.gov](mailto:rfeguer@pa.gov) or Karen Feather, Company Licensing Division, [kfeather@pa.gov](mailto:kfeather@pa.gov). Questions may be directed to Robert Feguer, (717) 319-7519 or Karen Feather, (717) 214-4113.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-211. Filed for public inspection February 16, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Notice to Workers' Compensation Insurance Carriers; Special Schedule "W" Data Call

The Insurance Department (Department) is conducting its annual workers' compensation Special Schedule "W" data call. Authority for this data call can be found in section 655 of The Insurance Company Law of 1921 (40 P.S. § 815).

Insurance companies that write workers' compensation insurance in this Commonwealth are required to complete the data call on or before April 15, 2024.

Consistent with prior Special Schedule "W" data calls, the cover letter, general instructions and instructions for

constraints affecting unpaid claims estimates are available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (select "Companies," then "Industry Activity," then scroll to "Product and Rate Activity" and select "Data Calls").

*New this year:* Sections 9740 and 9741 of Part A and Parts B through E have been removed. Only Part A, Sections 1, 2, 3, 4 and 5 remain.

An e-mail announcing the data call will also be sent to insurance carriers writing workers' compensation insurance policies in this Commonwealth.

The Pennsylvania Compensation Rating Bureau's (Bureau) Financial Data Manager (FDM) should be used to report all Special Schedule "W" information (including Coal Mine experience) instead of submitting directly to the Department. Refer to the Bureau's web site, [www.pcrb.com](http://www.pcrb.com), for further information on reporting workers' compensation experience for Special Schedule "W" using the FDM.

Questions regarding this data call should be directed to Bojan Zorkic, Bureau of Property and Casualty Insurance, Actuarial Review Division, (717) 787-6968, [bzorkic@pa.gov](mailto:bzorkic@pa.gov).

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-212. Filed for public inspection February 16, 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-23-033, Dated January 22, 2024. Authorizes certification incentive payments for certain classifications in the Department of Banking and Securities.

Resolution No. CB-24-001, Dated January 18, 2024. Authorizes the collective bargaining agreement between the Commonwealth of Pennsylvania and SEIU-Healthcare Pennsylvania. The agreement is effective July 1, 2023, through June 30, 2027.

Resolution No. CB-24-002, Dated January 18, 2024. Authorizes modifications to the clothing allowance for members of the H1 bargaining unit represented by the Pennsylvania State Corrections Officers Association, effective immediately.

Resolution No. CB-24-003, Dated January 30, 2024. Authorizes a side letter between the Commonwealth and AFSCME that establishes salary and working conditions for temporary clerical pool and temporary adjunct custo-

dial employees. The agreement is effective January 1, 2024, through December 31, 2027.

Resolution No. CB-24-004, Dated January 30, 2024. Authorizes the collective bargaining agreement between the Commonwealth of Pennsylvania and the PSEA/NEA at Hiram G. Andrews Center. The agreement is effective July 1, 2023, through June 30, 2027.

Resolution No. CB-24-005, Dated January 30, 2024. Authorizes the memorandum of understanding between the Commonwealth of Pennsylvania and OPEIU. The agreement is effective July 1, 2023, through June 30, 2027.

*Governor's Office*

Administrative Circular No. 24-01—Distribution of the 2024-25 Commonwealth Budget, Dated January 2, 2024.

Administrative Circular No. 24-02—2024-25 Budget Hearing Materials, Dated January 9, 2024.

Administrative Circular No. 24-04—Accounting for COVID-19 Related Activity in SAP, Dated January 24, 2024.

Administrative Circular No. 24-05—Computation of Interest Penalties, Act 1982-266, Amended January 24, 2024.

AMY J. MENDELSON,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 24-213. Filed for public inspection February 16, 2024, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than March 4, 2024. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Peter Carnival at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-24-01-03. LVAZ Taxi, LLC** (3449 Brighton Street, Philadelphia, PA 19149): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

**Doc. No. A-24-02-01. Salim Taxi, LLC** (102 Llanfair Road, Apartment 12, Ardmore, PA 19003): An application

for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

RICH LAZER,  
*Executive Director*

[Pa.B. Doc. No. 24-214. Filed for public inspection February 16, 2024, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101.

April 24, 2024	Account of Courtney Spinelli (Disability)	10 a.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to attend the proceeding should contact the Appeal Docket Clerk at (717) 720-4888 to discuss how the System may best accommodate their needs.

Parties 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 22 Pa. Code § 201.1 (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.

TERRILL J. SANCHEZ,  
*Executive Director*

[Pa.B. Doc. No. 24-215. Filed for public inspection February 16, 2024, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Commission Meeting

The Susquehanna River Basin Commission (Commission) will conduct its regular business meeting on March 14, 2024, at 9 a.m. in person and digitally from the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section as follows. The Commission published a document in the *Federal Register* at 89 FR 1624 (January 10, 2024), concerning its public hearing on February 1, 2024, in Harrisburg, PA.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, fax (717) 238-2436.

*Supplementary Information*

The business meeting will include actions or presentations on the following items: (1) approval of contracts, grants and agreements; (2) request to ratify General Permit GP-03, Cooperative Fish Nursery; (3) a motion to release a proposed rulemaking for public comment; and (4) actions on 25 regulatory program projects.

This agenda is complete at the time of issuance, but other items may be added, and some stricken without further notice. The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, notice of these actions will be published in the *Federal Register* after the meeting. Actions specific to projects will also be provided in writing directly to project sponsors.

The meeting will be conducted both in-person at the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA and digitally. The public is invited

to attend the Commission's business meeting. Individuals can access the business meeting remotely by means of Zoom at <https://us02web.zoom.us/j/89292000071?pwd=S1E2Qi9QNHUyTkhhY3ZoRUJJJeXpqUT09> then enter meeting ID 892 9200 0071 and passcode SRBC4423! or by telephone at (305) 224-1968 or (309) 205-3325. The meeting ID is 892 9200 0071.

Written comments pertaining to items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically at <https://www.srbc.gov/meeting-comment/default.aspx?type=3&cat=7>. Comments are due to the Commission on or before March 11, 2024. Comments will not be accepted at the business meeting noticed herein.

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* February 2, 2024

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 24-216. Filed for public inspection February 16, 2024, 9:00 a.m.]

# NOTICES

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Certificate of Public Convenience

**A-2024-3046068. Appalachian Utilities, Inc.** Application of Appalachian Utilities, Inc. for a certificate of public convenience evidencing the Pennsylvania Public Utility Commission's (Commission) approval of the transfer of 40% of outstanding and issued stock in Appalachian Utilities, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, March 4, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery.

*Applicant:* Appalachian Utilities, Inc.

*Through and By Counsel:* Thomas J. Sniscak, Esquire, Todd S. Stewart, Esquire, Hawke McKeon & Sniscak, LLP, 100 North Tenth Street, Harrisburg, PA 17101, [tjsniscak@hmslegal.com](mailto:tjsniscak@hmslegal.com), [tsstewart@hmslegal.com](mailto:tsstewart@hmslegal.com), (717) 236-1300

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-217. Filed for public inspection February 16, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Default Service Plan; Telephonic Prehearing Conference

**P-2024-3046008. PECO Energy Company.** Petition of PECO Energy Company for approval of the default service plan for the period from June 1, 2025, through May 31, 2029 (DSP VI Petition).

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before March 4, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the petitioner and a copy provided to the Administrative Law Judges. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the petitioner's business address.

*Applicant:* PECO Energy Company

*Through and by Counsel:* Brandon J. Pierce, Esquire, Assistant General Counsel, PECO Energy Company, 2301 Market Street, S23-1, Philadelphia, PA 19103

### Telephonic Prehearing Conference

A telephonic prehearing conference on the previously captioned case will be held as follows:

<i>Date:</i>	Friday, March 8, 2024
<i>Time:</i>	10 a.m.
<i>Presiding:</i>	Administrative Law Judges Eranda Vero and Arlene Ashton 801 Market Street Suite 4063 Philadelphia, PA 19107 (215) 560-2105 fax (215) 560-3133

To participate in the telephonic prehearing conference, individuals must:

- Dial the following toll-free conference number.
- Enter the following PIN number when instructed to do so.
- Speak the individual's name when prompted and press #.

The telephone system will connect individuals to the telephonic prehearing conference.

Toll-free conference number: (866) 560-8322

PIN number: 36676820

Individuals representing themselves are not required to be represented by an attorney. Corporations, partnerships, associations, trusts or governmental agencies or subdivisions must be represented by an attorney, who should file a notice of appearance before the scheduled hearing date.

Individuals with a disability who wish to attend the prehearing conference—the Pennsylvania Public Utility Commission (Commission) may be able to make arrangements for any special needs. Call the Scheduling Office at the Commission at least 5 business days prior to the prehearing conference to submit a request.

Individuals who require an interpreter to participate in the prehearing conference—the Commission will make every reasonable effort to have an interpreter present. Call the Scheduling Office at the Commission at least 10 business days prior to the prehearing conference to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania Hamilton Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

The Commission offers a free eFiling Subscription Service which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission's web site regarding a specific case. Instructions for subscribing to this service are on the Commission's web site at [http://www.puc.pa.gov/Documentation/eFiling\\_Subscriptions.pdf](http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-218. Filed for public inspection February 16, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Peoples Natural Gas Company LLC

Public Meeting held  
February 1, 2024

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

*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. Peoples Natural Gas  
Company LLC; M-2023-3024990*

#### Opinion and Order

*By the Commission:*

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the proposed Joint Petition for Approval of Settlement (Settlement, Settlement Agreement, or Petition) (attached as Attachment A) filed on July 31, 2023, by the Commission's Bureau of Investigation and Enforcement (I&E) and Peoples Natural Gas Company LLC (Peoples or the Company) (collectively, the Parties), with respect to an informal investigation conducted by I&E. The Parties each filed Statements in Support of the Settlement and submit the proposed Settlement is in the public interest and consistent with the standards delineated in the Commission's Policy Statement at 52 Pa. Code § 69.1201, Factors and Standards for Evaluating Litigated and Settled Proceeding Involving Violations of the Public Utility Code and Commission Regulations. Petition at 22.

In an Opinion and Order entered on December 6, 2023 (December 2023 Order), the Commission directed the Parties to augment the Settlement by filing supplemental information. On December 21, 2023, the Parties filed a Supplemental Record to Joint Petition for Approval of Settlement (Supplemental Record) with the requested supplemental information clarifying the record in this proceeding.

Prior to issuing a final decision on the merits of the proposed Settlement, and consistent with the requirement imposed in 52 Pa. Code § 3.113(b)(3), we shall publish the Settlement in the *Pennsylvania Bulletin* and provide an opportunity for interested parties to file comments regarding the proposed Settlement.

#### *History of the Proceeding*

This matter arises from an over-pressurization event that occurred on April 29, 2020, on Peoples' distribution system serving Robinson, Pennsylvania. Petition at 4-5. The incident resulted in the over-pressurization of approximately two hundred and four (204) service lines, caused three (3) furnaces to flare and catch fire, and resulted in the replacement of eleven (11) furnaces, seventy (70) water heaters, one (1) range, one hundred and ninety-four (194) furnace valves, and one hundred and thirty-five (135) water tank valves. Petition at 5-6.

I&E conducted a field investigation and interviewed three (3) Peoples' employees. As part of its investigation, I&E also served forty-two (42) individual data requests. Petition at 7.

Thereafter, the Parties entered negotiations and agreed to resolve the matter in accordance with the Commission's policy to promote settlements at 52 Pa. Code § 5.231(a). Petition at 11. As previously indicated, the Parties filed the instant Settlement on July 31, 2023.

Pursuant to the December 2023 Order, the Parties were directed to supplement the record in this proceeding. Specifically, the Commission requested:

First, the Settlement should be supplemented by the Parties to clearly and publicly indicate the costs of replacing the private property damaged by this incident. This information is only accessible to the Parties and should be included in the Settlement, and we see no reason why these costs should be confidential. Second, the Parties should explain how the cost to remediate the damage to private property will be paid for. For example, whether insurance will cover the replacement of these private facilities, whether Peoples' shareholders will bear those costs, or whether cost recovery will be sought in rates. Finally, the Parties should comment on their intentions regarding recovery of the civil penalty in rates.

December 2023 Order at 12.

On December 21, 2023, the Parties, in response to the Commission's December 2023 Order, filed the Supplemental Record, which is attached hereto as Attachment B.

#### *Background*

Peoples' Robinson distribution system serves two hundred and twenty-one (221) properties in Robinson, Indiana County, Pennsylvania. Petition at 6. The system is supplied gas through a single regulator station (LS 260 or station) with an inlet maximum operating pressure (MAOP) of sixty (60) pounds per square inch gauge (psig) and outlet MAOP of one psig. Id. The station's typical operating pressures are between fifty-two (52) and fifty-six (56) psig on the inlet side, and eight (8) ounces on the outlet side. Id. LS 260 is designed as a single regulator with double-stacked relief, a single-relief isolation valve, a single bypass valve, an upstream valve, and a downstream valve. Id.

On April 29, 2020, three (3) technicians employed by Peoples were conducting an annual regulator inspection of LS 260. To test the regulator, the technicians took the regulator out of service by closing a valve upstream and a valve downstream of the regulator. Petition at 4. Pressure to the downstream system was adjusted manually by opening the bypass valve at the regulator station. During the manual operation of the bypass valve, the technicians noted the downstream gauge was not registering pressure. After placing a second gauge on the downstream side of the bypass valve, the second gauge displayed an outlet operating pressure of twenty (20) ounces, more than the MAOP of the system. Petition at 4-5. The technicians opened a closed downstream valve, which allowed gas to escape through the double-stacked relief and shut down the system using an emergency valve. Petition at 5. Peoples estimates that between thirty (30) to sixty (60) seconds of overpressure occurred. However, because there was no recording gauge on the downstream piping, the precise duration of the over-pressurization event is unknown. Petition at 8.

Peoples submitted an incident report, Report No. 1276429, to the National Response Center on April 30, 2020.

I&E's Safety Division's findings indicate the three Peoples' technicians had received relevant operator quali-

fication training, though only one of the three technicians had previously conducted an inspection on a regulator station where the downstream valve could, if shut, isolate the double-stack relief and regulators from the rest of the system. Petition at 7. I&E's Safety Division also noted the technicians failed to follow Company procedures as set forth in Peoples' Job Procedure 703, Bypassing a Regulating Station, by failing to install a pressure gauge in the correct position to monitor system pressure, only installing the downstream pressure gauge after the over-pressurization event occurred. Petition at 9. I&E's Safety Division also found training materials provided by Peoples were not sufficiently detailed to ensure employees were qualified to conduct bypass operations when inspecting regulator stations. Id. Finally, I&E's Safety Division found the design of LS 260 likely contributed to the overpressure incident with certain isolation valves, when shut off, isolating the relief valve and double-stacked relief. Id.

I&E's Safety Division directed Peoples to conduct daily leak surveys for one week (or until leaks were no longer discovered) and expedite the replacement of bare steel piping and metallic service lines affected by the overpressure. Petition at 6-7. Peoples complied with I&E's Safety Division's directive and conducted daily leak surveys for eight (8) weeks until all leaking service lines were replaced. Petition at 7. Peoples also replaced approximately four thousand five hundred and fifty-two (4,552) feet of steel pipe and one hundred and thirty-three (133) service lines. Petition at 7. As mentioned supra, the over-pressurization event also resulted in the replacement of eleven (11) furnaces, seventy (70) water heaters, one (1) range, one hundred and ninety-four (194) furnace valves, and one hundred and thirty-five (135) water tank valves. Petition at 5-6.

If this matter had been fully litigated, I&E would have proffered evidence and legal arguments to demonstrate that Peoples, inter alia, committed multiple violations related to 66 Pa.C.S. § 1501, 49 CFR § 192, and the adoption of Federal pipeline safety laws at 52 Pa. Code § 59.33(b), including, but not limited to, the following: insufficient safety standards to protect against accidental overpressure; failure to establish sufficient training materials; operating steel or plastic pipelines in excess of maximum operating pressure (MAOP); failure to ensure employees have the necessary knowledge and skills to safely perform such tasks; and failure to maintain adequate, safe and reasonable service. Petition at 9-10.

#### *Terms and Conditions of the Settlement*

The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations that are the subject of the I&E informal investigation and avoids the time and expense of litigation. Petition at 19. Both Parties jointly acknowledge that approval of the Settlement Agreement is in the public interest and is fully consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201. Id.

The Settlement consists of the Joint Petition for Approval of Settlement containing the terms and conditions of the Settlement and thirteen Attachments, including Proposed Ordering Paragraphs (Appendix A to the Petition) and the respective Statements in Support of the Settlement of I&E (Appendix B to the Petition) and Peoples (Appendix C to the Petition), filed on July 31, 2023.

Pages 12—19 of the Settlement set forth the full terms and conditions. The essential terms of the Joint Settlement

are set forth in Paragraph No. 38 of the Petition, which is recited in full, below, as it appears in the Petition:

38. I&E and Peoples, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Joint Petition without modification shall create the following rights and obligations:

a. Peoples shall pay a civil penalty in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000) pursuant to 58 P.S. § 801.502 and 52 Pa. Code § 69.1201. Said payment shall be made within thirty (30) days of the entry date of the Commission's Final Order approving the Joint Petition for Approval of Settlement in this matter and shall be made by certified check or money order payable to the "Commonwealth of Pennsylvania." The docket number of this proceeding shall be indicated with the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 Commonwealth Keystone Building  
 400 North Street  
 Harrisburg, PA 17120

b. Peoples agrees that the civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

c. Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall review all regulator stations in its distribution system. Peoples has "reviewed all of the low-pressure regulator stations and agrees to similarly review all medium and high-pressure regulator stations to identify all medium-pressure and high-pressure SRS.

d. The Company agrees to provide lists for medium-pressure and high-pressure SRS identified out of the total number of medium and high-pressure regulator stations within sixty (60) days following entry of a Final Order approving the Settlement Agreement.

e. Peoples agrees to develop a process to rank the specific risk of each SRS.

f. Peoples agrees to use the risk model for identifying regulator station improvement project prioritization.

g. Peoples agrees to develop a plan and timeline for "reconfiguration."

h. Peoples agrees to use the risk model hereto for identifying regulator station improvement projects. The Parties agree that, given higher ranked risks, other remedial projects could rank higher than a planned low-pressure SRS reconfiguration. Nonetheless, the remedial project set forth herein will be undertaken in addition to other identified remedial projects.

1) Peoples shall develop a remediation schedule or preventative and mitigative measures to prevent the pipeline systems from overpressure when the station relief valves are isolated; and

2) Peoples shall reconfigure the stations to protect the system from overpressure when maintenance is performed.

i. Within thirty (30) days of the entry date of the Commission's Final Order approving the Settlement

Agreement, Peoples shall develop and implement a process that involves a detailed pre-job briefing and checklist for performing regulator station inspections and bypass valve operations. The pre-job briefing shall require technicians to confirm the configuration of the regulator station and identify specific hazards that may be unique to the station that is being inspected.

j. Peoples agrees that going forward, the Pre-Job Briefing and the checklist will express include any bypass valve operations.

k. Peoples agrees that once this process is completely developed, it shall be incorporated into the Company's standard operating procedures and job procedures.

l. Within thirty days (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall create a training program for new trained GM&R technicians.

m. Peoples agrees to provide a summary of the training program to include, at minimum, parameters being considered in the specific training and any other detail that can be offered.

n. Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall create drawings of each station that shows where downstream gauges must be placed during bypass operations.

o. Within one (1) year of the entry date of the Commission's Final Order approving the Settlement Agreement, Peoples will complete the task of having a drawing for regulator stations.

p. Peoples agrees to update its Design Manual.

q. Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall create an OQ task for the operation of a bypass valve as a means of regulating downstream pressure in a gas distribution system.

r. Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall change its procedures and/or equipment to maintain the ability to record the actual pressure of an overpressure event in low pressure systems without the gauge or chart maximum pressure being reached.

s. Peoples agrees that it has a plan to install pressure monitoring devices on each of its low-pressure systems. This plan is set forth in its most recent LTIIIP as follows:

Peoples' Long Term Infrastructure Improvement Plan ("LTIIIP") approved by the Pennsylvania Public Utility Commission at Dock. et No. P-2020-3021942 on January 14, 2021, sets forth Peoples' plan in place with respect to regulator stations:

"In an effort to reduce the likelihood of future over-pressurization events, similar to the event that occurred in Merrimack, MA, in September 2018, the Companies reviewed their 640 regulated low-pressure systems, which are comprised of 4,500 miles of low-pressure pipeline and over 1,800 regulator stations and serve over 450,000 customers. As a result of that review, the Peoples Companies are proposing to

implement three project types intended to mitigate over-pressurization risks as part of this Combined Distribution LTIIIP. The Companies will upgrade existing regulator stations by (i) adding remote pressure detection equipment to existing regulator systems, (ii) adding another form of over-pressure protection as applicable, such as adding relief valves or making station piping modifications, and (iii) relocating underground control lines to above-ground locations whenever possible and feasible. The Company proposes to implement this program over an 8-year period, and the total estimated plant additions and costs are approximately \$40,790,000. See Appendix A, pp. 11-12. This program will increase the safety and reliability of service of the Peoples Companies systems by investing in upgrades specifically targeted to mitigate the risk of over-pressurization events similar to the events that occurred in Merrimack, MA." Peoples' LTIIIP pages 6-7.

Peoples plans to install 960 devices.

t. Within forty (40) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall file a report of compliance to confirm that the Company has completed or is on track to complete its remedial obligations set forth, *infra*.

u. Upon Commission approval by Final Order of the Settlement, in its entirety without modification, I&E acknowledges and confirms that Peoples is released from all past claims that were made or could have been made by the Commission for monetary and/or other relief based on allegations that the Company failed to comply with the allegations that are the subject of the instant I&E informal investigation.

v. I&E and Peoples jointly acknowledge that approval of this Settlement Agreement, is in the public interest and fully consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations that are the subject of the I&E informal investigation, and avoids the time and expense of litigation, which entails hearing, travel for the Company's witnesses, and the preparation and filing of briefs, exceptions, reply exceptions, as well as possible appeals. Attached as Appendix B and Appendix C are Statements in Support submitted by I&E and Peoples, respectively, setting for the bases upon which they believe the Settlement Agreement is in the public interest.

Settlement Agreement at ¶ 38.

As mentioned, *supra*, on December 21, 2023, the Parties submitted the Supplemental Record in this matter. The Supplemental Record addressed the clarifying information directed by the Commission in the December 2023 Order as follows:

1. *December 6 Order*: "[Provide a] clear and public indication of the costs of replacing the private property damaged by this incident."

*Response*: "The costs of replacing the private property damage by the incident in Robinson on April 29, 2020 totaled \$305,206.10. The breakdown for those costs are set forth as follows:



Category	Cost Elem.	Cost Element Name	Total
<b>Materials &amp; Supplies Expense</b>	<b>5304100</b>	Material Exp-Stock	\$4,666.22
<b>Materials &amp; Supplies Expense</b>	<b>5304200</b>	Material Exp-Non Stock	\$1,250.61
<b>Materials &amp; Supplies Expense</b>	<b>5304370</b>	Tool & Work Equip	\$717.54
<b>Materials &amp; Supplies Expense</b>	<b>5304390</b>	Misc Supplies	\$802.58
<b>Outside Services</b>	<b>5303030</b>	Contractor Services	\$275,161.02
<b>Outside Services</b>	<b>5303035</b>	Contractor Svcs - Rest	\$16,378.13
<b>Outside Services</b>	<b>5303890</b>	Misc. Outside Svcs	\$6,230.00
<b>Total</b>			<b>\$305,206.10</b>

2. *December 6 Order*: “[Provide] an explanation regarding how the cost to remediate the damage to private property will be paid for (e.g. whether insurance ill cover the replacement of these private facilities, whether Peoples Natural Gas Company LLC’s shareholders will bear these costs, or whether cost recovery will be sought in rates).

*Response*: “Peoples has not attempted to recover and will not attempt to recover the cost of replacing private property arising from the April 29, 2020 incident in the amount of \$305,206.10 from the ratepayers in a base rate proceeding. As stated in the Joint Petition for Approval of Settlement, these costs were not covered by insurance.”

3. *December 6 Order*: “[Provide] comments on the Parties’ intentions regarding recovery of the civil penalty in rates.”

*Response*: “The Parties explicitly agree here and had previously agreed that the civil penalty of \$250,000 will not be recovered in Peoples’ rates.

Supplemental Record at 5-6 (emphasis in original).

*Discussion*

Pursuant to our Regulations at 52 Pa. Code § 5.231, it is the Commission’s policy to promote settlements. The Commission must, however, review proposed settlements to determine whether the terms are in the public interest. *Pa. PUC v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

In reviewing settlements that resolve informal investigations, the Commission will provide other potentially affected parties with the opportunity to file comments regarding a proposed settlement prior to issuing a decision. The Commission’s Regulations at 52 Pa. Code § 3.113(b) provide as follows:

**§ 3.113. Resolution of informal investigations.**

\* \* \*

(b) Under 65 Pa.C.S. Chapter 7 (relating to Sunshine Act), the Commission’s official actions resolving informal investigations will be as follows:

\* \* \*

(3) When the utility, or other person subject to the Commission’s jurisdiction, has committed to undertake action to address or remedy a violation or potential violation of the act or to resolve another perceived deficiency at the utility, in the form of a settlement with the Commission staff or other resolu-

tion of the matter, the Commission’s consideration of the settlement or approval of the utility’s action will occur at public meeting. Except for staff reports and other documents covered by a specific legal privilege, documents relied upon by the Commission in reaching its determination shall be made part of the public record. *Before the Commission makes a final decision to adopt the settlement or to approve the utility’s action, the Commission will provide other potentially affected persons with the opportunity to submit exceptions thereon or to take other action provided for under law.*

52 Pa. Code § 3.113(b) (emphasis added). See also, *Pa. PUC, Bureau of Investigation and Enforcement v. PPL Electric Utilities Corporation*, Docket No. M-2012-2264635 (Order entered September 13, 2012); *Pa. PUC, Bureau of Investigation and Enforcement v. Liberty Power Holdings, LLC*, Docket No. M-2019-2568471 (Order entered August 8, 2019).

In addition to providing other potentially affected parties with the opportunity to file comments regarding the proposed Settlement in the instant matter, such parties will also have the opportunity to comment on, and the Commission will have the benefit of reviewing, the Supplemental Record which contains important clarifying information which will assist the Commission in its determination as to whether the terms of the proposed Settlement are in the public interest.

*Conclusion*

Before issuing a decision on the merits of the proposed Settlement, and consistent with the requirement of 52 Pa. Code § 3.113(b)(3), and for the reason(s) stated above, we believe it is appropriate to provide interested parties an opportunity to file comments on the proposed Settlement and Supplemental Record. Therefore, we will: (1) publish this Opinion and Order and a copy of the proposed Settlement (including Appendices), Statements in Support, and Supplemental Record, attached hereto, in the *Pennsylvania Bulletin*; and (2) provide an opportunity for interested parties to file comments regarding the proposed Settlement within twenty-five days of the date of publication in the *Pennsylvania Bulletin*; *Therefore,*

*It Is Ordered That:*

1. The Secretary’s Bureau shall duly certify this Opinion and Order along with the attached Joint Petition for Approval of Settlement (including Appendices), the Statements in Support thereof, and the Supplemental Record

to Joint Petition for Approval of Settlement, at Docket No. M-2023-3024990, and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

2. Within twenty-five (25) days of the date that this Opinion and Order and the attached Joint Petition for Approval of Settlement (including Appendices), the Statements in Support thereof, and the Supplemental Record to Joint Petition for Approval of Settlement are published in the *Pennsylvania Bulletin*, interested parties may file comments concerning the proposed Settlement.

3. A copy of this Opinion and Order, together with the attached Joint Petition for Approval of Settlement (includ-

ing Appendices), the Statements in Support thereof, and the Supplemental Record to Joint Petition for Approval of Settlement, at Docket No. M-2023-3024990, shall be served on the Office of Consumer Advocate and the Office of Small Business Advocate.

4. Subsequent to the Commission’s review of any comments filed in this proceeding, at Docket No. M-2023-3024990, a final Opinion and Order shall be issued by the Commission.

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: February 1, 2024

ORDER ENTERED: February 1, 2024

**Attachment A**  
**BEFORE THE**  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :  
Bureau of Investigation and :  
Enforcement’s Investigation of Peoples : Docket No. M-2023-3024990  
Natural Gas Company LLC’s April 29, :  
2020 Overpressure Incident in Robinson, :  
Indiana County, Pennsylvania :

**JOINT PETITION FOR APPROVAL OF SETTLEMENT**  
**(NON-PROPRIETARY)**

*(Editor’s Note: Asterisks indicate redacted text.)*

**TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:**

Pursuant to 52 Pa. Code §§ 5.41 and 5.232, the Pennsylvania Public Utility Commission’s (“Commission” or “PUC”) Bureau of Investigation and Enforcement (“I&E”) and Peoples Natural Gas Company LLC (“Peoples” or “Company”) (hereinafter referred to collectively as the “Parties” or “Joint Petitioners”) hereby submit this Joint Petition for Approval of Settlement (“Joint Petition” or “Settlement Agreement”) to resolve all issues related to an overpressure incident in Robinson, Indiana County, Pennsylvania (“Incident”). I&E and Peoples respectfully request that the Commission approve the Joint Petition, without modification, for the compelling public interest reasons set forth, *infra*. Also attached are Proposed Ordering Paragraphs (Appendix A) and Statements in Support of the Settlement expressing the individual views of I&E (Appendix B) and Peoples (Appendix C), respectively.

**I. Introduction**

1. The Parties to this Settlement Agreement, are the Pennsylvania Public Utility Commission’s Bureau of Investigation and Enforcement, by its prosecuting attorneys, 400 North Street, Harrisburg, PA 17120, and Peoples Natural Gas Company LLC, a natural gas distribution company with a primary mailing address of 375 North Shore Drive, Pittsburgh, PA 15212.

2. The Pennsylvania Public Utility Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within this Commonwealth, as well as other entities subject to its jurisdiction, pursuant to the Public Utility Code (“Code”), 66 Pa.C.S. §§ 101, et seq.

3. I&E is the bureau within the Commission established to prosecute complaints against public utilities. See

Implementation of Act 129 of 2008; Organization of Bureaus and Offices, Docket No. M-2008-2071852 (Order entered August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E); See also 66 Pa.C.S. § 308.2(a)(11).

4. Peoples Natural Gas Company LLC is a “public utility” as that term is defined at 66 Pa.C.S. § 102,<sup>1</sup> as it is engaged in providing public utility service as a natural gas distribution company (“NGDC”) to the public for compensation.

5. Section 501(a) of the Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Code.

6. Section 3301(c) of the Code, 66 Pa.C.S. § 3301(c), authorizes the Commission to impose civil penalties on any person or corporation, defined as a public utility, who violates any provisions of the Code or any regulation or order issued thereunder governing the safety of pipeline or conduit facilities in the transportation of natural gas, flammable gas, or gas which is toxic or corrosive. Section 3301(c) further provides that a civil penalty of up to Two Hundred Thousand Dollars (\$200,000.00) per violation for each day that the violation persists may be imposed, except that for any related series of violations, the maximum civil penalty shall not exceed Two Million Dollars (\$2,000,000.00) or the penalty amount provided under Federal pipeline safety laws, whichever is greater.

7. Civil penalties for violations of Federal pipeline safety laws and regulations are adjusted annually to account for changes in inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements

<sup>1</sup> At 66 Pa.C.S. § 102, “Public utility” is defined under that term at subsection (1)(i) as:

(1) Any person or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for:  
(i) Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity, or steam for the production of light, heat, or power to or for the public for compensation.

Act of 2015, Pub.L. 114-74, § 701, 129 Stat. 599, 28 U.S.C. § 2461 note (Nov. 2, 2015) (amending the Federal Civil Penalties Inflation Adjustment Act of 1990). The most recent adjustment made by the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (“PHMSA”) relevant to this incident occurred on July 31, 2019, and revises the maximum civil penalty to Two Hundred and Eighteen Thousand, Six Hundred and Forty-Seven Dollars (\$218,647.00) for each violation for each day the violation continues, with a maximum penalty not to exceed Two Million, One Hundred Eighty-Six Thousand, Four-Hundred and Sixty-Five Dollars (\$2,186,465.00) for a related series of violations. 84 Fed. Reg. 37071 (July 31, 2019).

8. Pursuant to Section 59.33(b) of the Commission’s regulations, 52 Pa. Code § 59.33(b), I&E’s Safety Division (“I&E-Safety”) has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101–60503 and as implemented at 49 CFR Parts 191–193, 195 and 199, and to apply the federal civil penalty. The federal pipeline safety laws and regulations prescribe the minimum safety standards for all natural gas and hazardous liquid public utilities in the Commonwealth.

9. Peoples, in providing natural gas distribution service to the public for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders, including Federal pipeline safety laws and regulations.

II. Background

10. At approximately 9:00 a.m. on April 29, 2020, a crew of three (3) Peoples technicians were performing an annual regulator inspection of station LS 260 in Robinson, PA. The technicians began the inspection with a pre-job briefing and then set pressure gauges near the relief valves. Both relief valves activated at ten (10) ounces, as set. The technicians checked the filter for debris. Then, the technicians proceeded to lock up the regulator and inspect its functionality.

11. To test the regulator, the technicians took it out of service by closing a valve upstream of the regulator and a valve downstream of the regulator. The technicians adjusted pressure to the downstream system manually by operating the bypass valve at the regulator station.

12. While manually operating the bypass valve, the technicians noticed the downstream gauge, which was located by the relief valves, was not registering pressure. The technicians further noticed that the closed downstream valve that isolated the regulator also isolated the double-stacked relief.

13. The technicians then placed a second gauge on the downstream side of the bypass valve and the gauge immediately displayed the pressure gauge’s maximum reading of twenty (20) ounces. At this point, the technicians realized that the maximum allowable operating pressure (“MAOP”) of the system was exceeded. The technicians immediately opened the shut downstream valve, allowing gas to escape through the double-stacked relief and shut down the system using an emergency valve.

14. On April 29, 2020, at approximately 11:45 a.m., a Peoples employee notified a Pipeline Safety Inspector

Supervisor in I&E-Safety of an overpressure of the natural gas distribution system serving the community of Robinson.

15. Peoples sent the three (3) technicians for drug and alcohol testing, the results of which were negative.

16. At 3:25 p.m. on that same day, Peoples began restoring service to the affected customers and completed restoration of service by April 30, 2020.

17. Peoples submitted an incident report, Report No. 1276429, to the National Response Center (“NRC”) at 4:58 p.m. on April 30, 2020.<sup>2</sup>

18. As a result of this Incident, approximately 204 service lines were over-pressured. The overpressure caused three (3) furnaces to flare and catch on fire. The fires were extinguished prior to the arrival of the fire department. The Company also hired appliance specialists to test whether any appliances were affected by the overpressure and determine whether they were safe. The appliance testing resulted in the replacement of eleven (11) furnaces, seventy (70) water heaters, and one (1) range, as well as the replacement of 194 furnace valves and 135 water tank valves. There were no reported injuries or fatalities. No structures were destroyed, and no evacuations were reported to I&E. The overpressure also compromised the integrity of the distribution system, which serves approximately 221 properties in Robinson.

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[END PROPRIETARY]

A. The Affected Distribution System

19. The system is supplied gas through a single district regulator station with an inlet MAOP of sixty (60) psig and an outlet MAOP of one (1) psig. Typical operating pressure of the inlet side of the station is around fifty-two (52) to fifty-six (56) psig. Typical operating pressure of the outlet side of the system is around eight (8) oz. The distribution system pipeline material is comprised of a mixture of polyethylene, coated steel, and bare steel. The system serves 221 properties. The station design is a single regulator with double-stacked relief, a single-relief isolation valve, a single bypass valve, an upstream valve and a downstream valve.

20. I&E-Safety initially directed Peoples to, among other things, conduct daily leak surveys on the affected system for one (1) week or to continue daily leak surveys until leaks were no longer discovered as well as accelerate the replacement of all bare steel piping and metallic service lines not under cathodic protection affected by the overpressure. The Company was advised to monitor any post-incident appliance failures and to provide the public in Robinson with an update of the event and the Company’s efforts to remediate. Peoples complied and continued conducting daily leak surveys for eight (8) weeks until all identified service lines that were leaking were replaced. Through communications with I&E-Safety and after the replacement work was completed, Peoples then performed three (3) additional main line leakage surveys all of which confirmed no further leaks.

21. On its distribution system, the Company replaced approximately 4,552 feet of steel pipe and 133 service lines. [BEGIN PROPRIETARY] \*\*\*\*\* [END PROPRIETARY]

<sup>2</sup> Peoples attempted to submit the incident report earlier, however, the NRC did not accept the report until the day after the incident.

22. Lastly, Peoples issued a Company-wide safety alert to advise personnel to monitor downstream pressure when manually operating a bypass valve.

*B. The I&E Safety Division Investigation*

23. I&E-Safety's investigation consisted of a field investigation, the issuance of forty-two (42) individual data requests and review of the responses thereto and interviewing the three (3) technicians who performed the inspection of the regulator.

24. From the interviews, I&E Pipeline Safety Inspectors learned that the most senior technician on the regulator inspection had three (3) years of experience. The other two technicians had four (4) months and nine (9) months of experience individually.

25. The technicians received the relevant operator qualification ("OQ") training. However, of the three (3) technicians who performed the regulator inspection, only one (1) previously performed an inspection on a regulator station where the downstream valve could, if shut, isolate the double-stacked relief and regulators from the rest of the system.

26. During the interviews, the technicians conveyed that they knew the steps to perform regulator station inspections. While Peoples concedes that its technicians on site did not initially follow the Company's job procedure to address bypass operations while inspecting and testing a regulator station, the crew did take steps to correct the situation by adhering to the procedure once acknowledging the error.

27. Peoples estimated on the incident report that the pressure rose to at least 1.63 psig as denoted on the chart. The actual pressure introduced in the system was unknown, however, as the pressure measuring devices read the maximum pressure available on the devices; the recording gauge (maximum pressure reading is twenty-six (26) ounces) and the technician-installed pressure gauge were pegged or maxed out. The system does not include any supervisory control and data acquisition ("SCADA") or electronic pressure monitoring able to record the actual highest pressure or duration of overpressure.

28. Peoples estimated that thirty (30) to sixty (60) seconds of overpressure occurred prior to the relief valve being reopened. The relief valve subsequently blew for an additional ten (10) to fifteen (15) seconds. Because there was no recording gauge on the downstream piping, the precise duration of the overpressure is unknown.

*C. The I&E Safety Division Investigation Findings*

29. I&E-Safety concluded that the actual pressure in the system when the overpressure occurred cannot be determined, as the paper chart and pressure gauge that was installed in the system both reached the maximum reading.

30. I&E-Safety further concluded that the three technicians did not follow Company procedures set forth in Job Procedure 703, Bypassing a Regulating Station. Specifically, the technicians failed to install the pressure gauge in the correct position to monitor system pressure. The technicians installed a pressure gauge in the downstream tap location only after the overpressure occurred.

31. I&E-Safety found that the training materials provided to it by Peoples during its investigation did not cover bypass operations. From I&E-Safety's perspective, the course offerings and related training materials provided in response to its data request were not sufficiently detailed to ensure that Peoples' employees were fully

qualified on necessary procedures for bypass operations while inspecting and testing regulator stations. Subsequent to its investigation, I&E-Safety learned that Peoples does maintain course outlines and training materials for GM&R employees regarding bypass operations during inspection and testing of a regulator station.

32. Lastly, I&E-Safety determined that the design of the station in question likely contributed to the overpressure incident. Specifically, when maintenance needs to be performed on the station's regulator, certain isolation valves, when shut off, also isolate the relief valve and double-stacked relief.

*III. Alleged Violations*

33. Had this matter been fully litigated, I&E was prepared to proffer evidence and present legal argument that Peoples violated the following laws and regulations in connection with this Incident:

a. Station LS 260 was not designed to prevent accidental overpressure in that when the valves used to isolate the regulator were turned to the "off" position, the relief valves were also isolated, which prevented their ability to protect the system from overpressure.

This is a violation of 49 CFR § 192.195(b)(2) (relating to protection against accidental overpressure) and 52 Pa. Code § 59.33(b) (adopting the Federal pipeline safety regulations as the minimum safety standards for natural gas public utilities). (one count)

b. Peoples failed to follow procedures as described in Job Procedure 703, Bypassing a Regulating Station, in that the technicians failed to install the pressure gauge in the correct position and failed to install two independent pressure gauges or monometers in the downstream line prior to the overpressure.

This is a violation of 49 CFR § 192.605(a) (relating to procedural manual for operations, maintenance, and emergencies) and 52 Pa. Code § 59.33(b) (adopting the Federal pipeline safety regulations as the minimum safety standards for natural gas public utilities). (one count)

c. Peoples operated a segment of steel or plastic pipeline at a pressure that exceeds the MAOP in that the pressure of the Robinson distribution system exceeded 1 psig to a higher pressure of at least 1.6 psig, which caused flare-up and flames on interior appliances.

This is a violation of 49 CFR § 192.619(a) (relating to maximum allowable operating pressure—steel or plastic pipelines) and 52 Pa. Code § 59.33(b) (adopting the Federal pipeline safety regulations as the minimum safety standards for natural gas public utilities). (one count)

d. Peoples failed to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities in that Peoples' training related to bypassing a regulator station does not mention operation or use of bypass valves.

This is a violation of 49 CFR § 192.805(h) (relating to qualification program) and 52 Pa. Code § 59.33(b) (adopting the Federal pipeline safety regulations as the minimum safety standards for natural gas public utilities). (one count)

e. Peoples failed to maintain adequate, safe and reasonable service and facilities in that the overpressure damaged customer appliances and compromised the integrity of the Robinson distribution system.

This is a violation of 66 Pa.C.S. § 1501 (related to character of service and facilities). (one count)

IV. Terms of Settlement

34. Pursuant to the Commission’s policy of encouraging settlements that are reasonable and in the public interest as set forth at 52 Pa. Code § 5.231(a), the Parties held a series of discussions that culminated in this settlement. I&E and Peoples desire to: (i) terminate I&E’s informal investigation; and (ii) settle this matter completely without litigation. The Parties recognize that this is a disputed claim and given the inherent unpredictability of the outcome of a contested proceeding, the Parties further recognize the significant and more immediate benefits of amicably resolving the disputed issues through settlement as opposed to time-consuming and expensive litigation.

35. This matter is worthy of resolution without litigation as the remedial measures agreed to by the Company in this Settlement Agreement include valuable safety enhancements that go above and beyond what the Company could be required to implement via strict adherence to the provisions of the relevant state and federal regulations.

36. Had this matter been litigated, Peoples was prepared to proffer evidence to dispute the alleged violations that resulted in I&E’s investigation of this Incident. Further, the incident, while concerning, was of a short duration, was quickly rectified, did not cause any explosion and did not cause any fatalities or injuries to any persons. Customers were returned to service by the next day.

37. The terms and conditions of the Settlement Agreement, for which the Parties seek Commission approval, are set forth below.

38. I&E and Peoples, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Joint Petition without modification shall create the following rights and obligations:

a. Peoples shall pay a civil penalty in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000) pursuant to 58 P.S. § 801.502 and 52 Pa. Code § 69.1201. Said payment shall be made within thirty (30) days of the entry date of the Commission’s Final Order approving the Joint Petition for Approval of Settlement in this matter and shall be made by certified check or money order payable to the “Commonwealth of Pennsylvania.” The docket number of this proceeding shall be indicated with the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120.

b. Peoples agrees that the civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

c. Within thirty (30) days of the entry date of the Commission’s Final Order approving any Settlement

Agreement in this matter, Peoples shall review all regulator stations in its distribution system

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[END PROPRIETARY]

Peoples has “reviewed all of the low-pressure regulator stations” and agrees to similarly review all medium and high-pressure regulator stations to identify all medium-pressure and high-pressure SRS.

[BEGIN PROPRIETARY] \*\*\*\*\*

d. The Company agrees to provide lists for medium-pressure and high-pressure SRS identified out of the total number of medium and high-pressure regulator stations within sixty (60) days following entry of a Final Order approving the Settlement Agreement.

[BEGIN PROPRIETARY] \*\*\*\*\*

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e. Peoples agrees to develop a process to rank the specific risk of each SRS. [BEGIN PROPRIETARY] \*\*\*\*\*

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f. Peoples agrees to use the risk model [BEGIN PROPRIETARY]\*\*[END PROPRIETARY] for identifying regulator station improvement project prioritization.

g. Peoples agrees to develop a plan and timeline for "reconfiguration."

1) [BEGIN PROPRIETARY] \*\*\*\*\*

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\*\*\*\*\*[END PROPRIETARY]

h. Peoples agrees to use the risk model [BEGIN PROPRIETARY]\*\*[END PROPRIETARY ] hereto for identifying regulator station improvement projects. The Parties agree that, given higher ranked risks, other remedial projects could rank higher than a planned low-pressure SRS reconfiguration. Nonetheless, the remedial project set forth herein will be undertaken in addition to other identified remedial projects.

1) Peoples shall develop a remediation schedule or preventative and mitigative measures to prevent the pipeline systems from overpressure when the station relief valves are isolated; and

2) Peoples shall reconfigure the stations to protect the system from overpressure when maintenance is performed.

i. Within thirty (30) days of the entry date of the Commission’s Final Order approving the Settlement Agreement, Peoples shall develop and implement a process that involves a detailed pre-job briefing and checklist for performing regulator station inspections and bypass valve operations. The pre-job briefing shall require technicians to confirm the configuration of the regulator station and identify specific hazards that may be unique to the station that is being inspected.

[BEGIN PROPRIETARY] \*\*\*\*\*  
\*\*\*\*\*[END PROPRIETARY]

j. Peoples agrees that going forward, the Pre-Job Briefing and the checklist will expressly include any bypass valve operations. [BEGIN PROPRIETARY] \*\*\*\*\*

\*\*\*\*\*[END PROPRIETARY]

k. Peoples agrees that once this process is completely developed, it shall be incorporated into the Company’s standard operating procedures and job procedures.

l. Within thirty (30) days of the entry date of the Commission’s Final Order approving any Settlement Agreement in this matter, Peoples shall create a training program for newly trained GM&R technicians.

m. Peoples agrees to provide a summary of the training program to include, at minimum, parameters being considered in the specific training and any other detail that can be offered. [BEGIN PROPRIETARY]\*\*\*\*\*  
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\*\*\*\*\*[END PROPRIETARY]

n. Within thirty (30) days of the entry date of the Commission’s Final Order approving any Settlement Agreement in this matter, Peoples shall create drawings of each station that shows where downstream gauges must be placed during bypass operations. [BEGIN PROPRIETARY]\*\*\*\*\*  
\*\*\*\*\*[END PROPRIETARY]

o. Within one (1) year of the entry date of the Commission’s Final Order approving the Settlement Agreement, Peoples will complete the task of having a drawing for [BEGIN PROPRIETARY]\*\*\*\*[END PROPRIETARY] regulator stations. [BEGIN PROPRIETARY]\*\*\*\*\*  
\*\*\*\*\*[END PROPRIETARY]

p. Peoples agrees to update its Design Manual. [BEGIN PROPRIETARY]

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[END PROPRIETARY]

q. Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall create an OQ task for the operation of a bypass valve as a means of regulating downstream pressure in a gas distribution system.

r. Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall change its procedures and/or equipment to maintain the ability to record the actual pressure of an overpressure event in low pressure systems without the gauge or chart maximum pressure being reached.

s. Peoples agrees that it has a plan in place to install pressure monitoring devices on each of its low-pressure systems. This plan is set forth in its most recent LTIIP as follows:

Peoples' Long Term Infrastructure Improvement Plan ("LTIIP") approved by the Pennsylvania Public Utility Commission at Docket No. P-2020-3021942 on January 14, 2021, sets forth Peoples' plan in place with respect to regulator stations:

"In an effort to reduce the likelihood of future over-pressurization events, similar to the event that occurred in Merrimack, MA, in September 2018, the Companies reviewed their 640 regulated low-pressure systems, which are comprised of 4,500 miles of low-pressure pipeline and over 1,800 regulator stations and serve over 450,000 customers. As a result of that review, the Peoples Companies are proposing to implement three project types intended to mitigate over-pressurization risks as a part of this Combined Distribution LTIIP. The Companies will upgrade existing regulator stations by (i) adding remote pressure detection equipment to existing regulator stations, (ii) adding another form of over-pressure protection as applicable, such as adding relief valves or making station piping modifications, and (iii) relocating underground control lines to above-ground locations whenever possible and feasible. The Company proposes to implement this program over an 8-year period, and the total estimated plant additions and costs are approximately \$40,790,000. See Appendix A, pp. 11 - 12. This program will increase the safety and reliability of service of the Peoples Companies systems by investing in upgrades specifically targeted to mitigate the risk of over-pressurization events similar to the events that occurred in Merrimack, MA." Peoples' LTIIP pages 6-7.

Peoples plans to install 960 devices. [BEGIN PROPRIETARY]

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\*\*\*\*\*[END PROPRIETARY]

t. Within forty (40) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall file a report of compliance to confirm that the Company has completed or is on track to complete its remedial obligations set forth, infra.

u. Upon Commission approval by Final Order of the Settlement, in its entirety without modification, I&E acknowledges and confirms that Peoples is released from all past claims that were made or could have been made by the Commission for monetary and/or other relief based on allegations that the Company failed to comply with the allegations that are the subject of the instant I&E informal investigation.

v. I&E and Peoples jointly acknowledge that approval of this Settlement Agreement, is in the public interest and fully consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations that are the subject of the I&E informal investigation, and avoids the time and expense of litigation, which entails hearings, travel for the Company's witnesses, and the preparation and filing of briefs, exceptions, reply exceptions, as well as possible appeals. Attached as Appendix B and Appendix C are Statements in Support submitted by I&E and Peoples, respectively, setting forth the bases upon which they believe the Settlement Agreement is in the public interest.

V. Conditions of Settlement

39. This document represents the Settlement Agreement in its entirety. No changes to obligations set forth herein may be made unless they are in writing and are expressly accepted by the Parties. This Settlement Agreement shall be construed and interpreted under Pennsylvania law.

40. The Parties acknowledge and agree that, in lieu of filing a Motion for Protective Order with the Commission in this matter, the Exhibits attached hereto and certain references in this Joint Petition to the Exhibits shall be marked "Confidential" so as not to be disclosed in the public record but available for the sole use of the Commission and its staff in reviewing and ruling on this Joint Petition.

41. This Joint Petition may be signed in counterparts and all signatures attached hereto will be considered as originals.

42. In order to effectuate this Joint Petition, the undersigned parties request that the Commission issue a Final Order approving the Joint Petition without modification.

43. The settlement is conditioned upon the Commission's approval of the terms and conditions contained in this Joint Petition without modification. If the Commission rejects or modifies this Joint Petition, any party may elect to withdraw from the Settlement Agreement and

may proceed with litigation or take such other action as deemed appropriate and, in such event, this Settlement Agreement shall be void and of no effect. Such election to withdraw must be made in writing, filed with the Secretary of the Commission and served upon the other party within twenty (20) days after entry of an Order modifying the Joint Petition.

44. The consequence of any party withdrawing from this Joint Petition as set forth above is that all issues associated with the requested relief presented in the proceeding may be fully litigated by the filing of a Formal Complaint or such other action may be taken as deemed appropriate unless otherwise stipulated between the parties and all obligations of the parties to each other set forth herein are terminated and of no force and effect.

45. The Parties agree that the underlying allegations were not the subject of any hearing and that there has been no order, findings of fact or conclusions of law rendered in this proceeding. It is further understood that, by entering into this Settlement Agreement, Peoples has made no concession or admission of fact or law and may dispute all issues of fact and law for all purposes in any other proceeding. Nor may this settlement be used by any other person or entity as a concession or admission of fact or law.

46. The Parties acknowledge that this Settlement Agreement reflects a compromise of competing positions and does not necessarily reflect any party's position with respect to any issues raised in this proceeding.

47. This Settlement Agreement is being presented only in the context of this proceeding in an effort to resolve the proceeding in a manner that is fair and reasonable. This Settlement Agreement is presented without prejudice to any position that any of the Parties may have advanced and without prejudice to the position any of the Parties may advance in the future on the merits of the issues in any other proceedings, except to the extent necessary to effectuate or enforce the terms and conditions of this Settlement Agreement. This Settlement Agreement does not preclude the Parties from taking other positions in any other proceeding but is conclusive in this proceeding and may not be reasserted in any other proceeding or forum except for the limited purpose of enforcing the Settlement Agreement by a Party.

48. I&E agrees to close all investigations and potential enforcement actions related to the Incident, and not initiate any new investigation and/or enforcement actions against Peoples based on the Incident. The Settlement Agreement and approval by the Commission shall be a full and complete bar to any future administrative or civil enforcement proceedings by I&E in connection with the Incident. Further, I&E will not cause any third party to pursue any further investigations or enforcement actions against Peoples.

49. Peoples does not admit to any violations of state or federal law with respect to the Incident.

50. In the event the Commission rejects the Settlement or approves the Settlement with modifications or conditions, Peoples may raise affirmative defenses in any formal proceeding brought by I&E in connection with the

Incident, including but not limited to, defenses based on state or federal statutes of limitation.

51. I&E and Peoples shall make good faith efforts to obtain approval of the Joint Petition by the Commission including, but not limited to, submitting Statements in Support of the Joint Petition. Both Parties' Statements in Support of the Joint Petition shall support the position that the agreed-to civil penalty to be paid by Peoples is adequate and consistent with the Commission's Policy Statement on settlement of investigations and the Rosi Standards for civil penalties and thus in the public interest.

52. I&E and Peoples jointly acknowledge that approval of this Settlement Agreement is in the public interest and is fully consistent with the Commission's Policy Statement for evaluating litigated and settled proceedings involving violations of the Code and Commission regulations, 52 Pa. Code § 69.1201. The Commission will serve the public interest by adopting this Joint Petition for Approval of Settlement.

53. The Joint Petition avoids the time and expense of litigation in this matter before the Commission, which likely would entail the filing of a Formal Complaint, the preparation for and attendance at hearings, and the preparation and filing of testimony, briefs, reply briefs, exceptions, and reply exceptions. The Parties further recognize that their positions and claims are disputed and, given the inherent unpredictability of the outcome of a contested proceeding, the Parties recognize the benefits of amicably resolving the disputed issues through settlement.

54. Since the Parties agree to the terms of the Joint Petition, adopting it will eliminate the possibility of any appeal from the Commission Secretarial Letter or Order, thus avoiding the additional time and expense that they might incur in such an appeal.

55. This settlement consists of the entire agreement between I&E and Peoples regarding the matters addressed herein. Moreover, this Settlement Agreement represents a complete settlement of I&E's informal investigation of the alleged violations of state and federal regulations regarding the Incident, as discussed, *supra*.

56. The Parties expressly acknowledge that this Settlement Agreement represents a compromise of positions and does not in any way constitute a finding or an admission of guilt. This Settlement shall be construed and interpreted under Pennsylvania Law.

57. The terms and conditions of this Settlement Agreement constitute a carefully crafted package representing reasonably negotiated compromises on the issues addressed herein. Thus, the Settlement Agreement is consistent with the Commission's rules and practices encouraging negotiated settlements set forth in 52 Pa. Code §§ 5.231 and 69.1201.

*Wherefore*, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement and Peoples Natural Gas Company LLC respectfully request that the Commission approve the terms of the Joint Petition for Approval of Settlement without modification and in their entirety as being in the public interest.



Date: July 31, 2023

Respectfully submitted and filed by:

Michael L. Swindler  
Deputy Chief Prosecutor  
PA Attorney ID No. 43319  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120  
mswindler@pa.gov

Date: July 31, 2023

Michael C. Turzai  
Vice President and General Counsel  
Peoples Natural Gas Company LLC  
375 North Shore Drive  
Pittsburgh, PA 15212  
michael.turzai@peoples-gas.com

**Exhibits  
A through M  
(PROPRIETARY)**

**Appendix A  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :  
Bureau of Investigation and :  
Enforcement’s Investigation of Peoples : Docket No. M-2023-3024990  
Natural Gas Company LLC’s April 29, :  
2020 Overpressure Incident in Robinson, :  
Indiana County, Pennsylvania :

**PROPOSED ORDERING PARAGRAPHS**

1. That the Joint Settlement Petition filed on July 31, 2023 between the Commission’s Bureau of Investigation and Enforcement and Peoples Natural Gas Company LLC is approved in its entirety without modification.
2. That, in accordance with Section 3301(c) of the Public Utility Code, 66 Pa.C.S. § 3301(c), within thirty (30) days of the date this Order becomes final, Peoples Natural Gas Company LLC shall pay a civil penalty of Two Hundred Fifty Thousand Dollars (\$250,000.00). Said payment shall be made by certified check or money order payable to “Commonwealth of Pennsylvania” and shall be sent to:  
  
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120
3. Peoples Natural Gas Company LLC also agrees to promptly take the numerous corrective actions as expressly set forth in the Settlement Agreement.
4. The Bureau of Investigation and Enforcement—Safety Division shall monitor this matter for compliance.
5. A copy of this Opinion and Order shall be served upon the Financial and Assessment Chief, Bureau of Administration.
6. That the above-captioned matter shall be marked closed upon receipt of the civil penalty.

**Appendix B  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSISON**

Pennsylvania Public Utility Commission, :  
Bureau of Investigation and :  
Enforcement’s Investigation of Peoples : Docket No. M-2023-3024990  
Natural Gas Company LLC’s April 29, :  
2020 Overpressure Incident in Robinson, :  
Indiana County, Pennsylvania :

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**THE BUREAU OF INVESTIGATION AND ENFORCEMENT'S  
STATEMENT IN SUPPORT OF THE  
JOINT PETITION FOR APPROVAL OF SETTLEMENT**

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TO THE HONORABLE PENNSYLVANIA PUBLIC  
UTILITY COMMISSION:

Pursuant to 52 Pa. Code §§ 5.231, 5.232 and 69.1201, the Pennsylvania Public Utility Commission's ("Commission" or "PUC") Bureau of Investigation and Enforcement ("I&E"), a signatory party to the Joint Petition for Approval of Settlement ("Settlement" or "Settlement Agreement") filed in the above-docketed matter ("Informal Investigation"), submits this Statement in Support of the Settlement Agreement between I&E and Peoples Natural Gas Company LLC ("Peoples" or "Company").<sup>3</sup> I&E avers that the terms and conditions of the Settlement Agreement are just and reasonable and in the public interest for the reasons set forth in the Settlement Agreement and as highlighted herein.

*I. Background*

The I&E Safety Division serves as a registered agent for the Pipeline and Hazardous Materials Safety Administration ("PHMSA"), a federal agency housed in the U.S. Department of Transportation and, as such, is contracted to enforce Federal pipeline safety standards on jurisdictional intrastate pipelines. The I&E Safety Division employs engineer-inspectors who possess engineering degrees and are trained and qualified by PHMSA to perform pipeline safety inspections and verify compliance with the Federal pipeline safety standards, which the Commission has adopted for natural gas public utilities operating in the Commonwealth. 52 Pa. Code § 59.33(b). Accordingly, the I&E Safety Division maintains exclusive jurisdiction over pipeline safety on the intrastate pipeline facilities of natural gas public utilities in Pennsylvania. Here, I&E's informal investigation concerns an overpressure event that occurred on April 29, 2020 in Robinson, Indiana County, Pennsylvania ("Incident"). Fortunately, there were no injuries as a result of this Incident.

At approximately 9:00 a.m. on April 29, 2020, a crew of three (3) Peoples technicians were performing an annual regulator inspection of station LS 260 in Robinson, PA. The technicians began the inspection with a pre-job briefing and then set pressure gauges near the relief valves. Both relief valves activated at ten (10) ounces, as set. The technicians checked the filter for debris. Then, the technicians proceeded to lock up the regulator and inspect its functionality.

To test the regulator, the technicians took it out of service by closing a valve upstream of the regulator and a valve downstream of the regulator. The technicians adjusted pressure to the downstream system manually by operating the bypass valve at the regulator station.

While manually operating the bypass valve, the technicians noticed the downstream gauge, which was located by the relief valves, was not registering pressure. The technicians further noticed that the closed downstream valve that isolated the regulator also isolated the double-stacked relief.

The technicians then placed a second gauge on the downstream side of the bypass valve and the gauge immediately displayed the pressure gauge's maximum reading of twenty (20) ounces. At this point, the technicians realized that the maximum allowable operating

pressure ("MAOP") of the system was exceeded. The technicians immediately opened the shut downstream valve, allowing gas to escape through the double-stacked relief and shut down the system using an emergency valve.

On April 29, 2020, at approximately 11:45 a.m., a Peoples employee notified a Pipeline Safety Inspector Supervisor in I&E-Safety of an overpressure of the natural gas distribution system serving the community of Robinson.

At 3:25 p.m. on that same day, Peoples began restoring service to the affected customers and completed restoration of service by April 30, 2020. Peoples submitted an incident report, Report No. 1276429, to the National Response Center ("NRC") at 4:58 p.m. on April 30, 2020.<sup>4</sup>

As a result of this Incident, approximately 204 service lines were over-pressured. The overpressure caused three (3) furnaces to flare and catch on fire. The fires were extinguished prior to the arrival of the fire department. The Company also hired appliance specialists to test whether any appliances were affected by the overpressure and determine whether they were safe. The appliance testing resulted in the replacement of eleven (11) furnaces, seventy (70) water heaters, and one (1) range, as well as the replacement of 194 furnace valves and 135 water tank valves. The overpressure also compromised the integrity of the distribution system, which serves approximately 221 properties in Robinson. The Company realized a large expenditure in 2020 on outside contractors and vendors for services and products as a result of the Incident, none of which was covered by insurance. There were no reported injuries or fatalities. No structures were destroyed, and no evacuations were reported to I&E.

I&E-Safety alleged multiple violations of 49 CFR Part 192 and 66 Pa.C.S. § 1501 as a result of its investigation.

On July 31, 2023, the Parties filed a Joint Petition for Approval of Settlement resolving all issues between I&E and Peoples in this matter. This Statement in Support is submitted in conjunction with the Settlement.

*II. The Public Interest*

Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest, the Parties held a series of settlement discussions. These discussions initially involved I&E-Safety and the Company's technical personnel and once referred to I&E-Enforcement, counsel for both Parties joined the dialogue. Formal negotiations ensued culminating in this Settlement Agreement, which, once approved, will resolve all issues related to I&E's informal investigation involving allegations related to the Incident in question.

I&E-Safety personnel invested hundreds of hours conducting interviews with Company technicians; reviewing operator qualifications and combing through data responses to review the Company's Incident response, the associated internal procedures related to regulator inspections, and the application of those procedures in the performance of regulator station inspections.

<sup>3</sup> I&E and Peoples are collectively referred to herein as the "Parties."

<sup>4</sup> Peoples attempted to submit the incident report earlier, however, the NRC did not accept the report until the day after the incident.

I&E-Safety found that the training materials provided to it by Peoples during its investigation did not cover bypass operations but subsequently learned that the Company does maintain course outlines and training materials for GM&R employees regarding bypass operations during inspection and testing of a regulator station that simply had not been offered during the initial investigation. Also, I&E-Safety determined that the design of the regulator station in question likely contributed to the overpressure incident. Specifically, when maintenance needs to be performed on the station's regulator, certain isolation valves, when shut off, also isolate the relief valve and double-stacked relief. This sparked further investigation of all of the Companies regulator stations, the number of stations, the various designs of the stations, whether the Company maintained accurate drawings of the stations, and whether those schematics accurately reflected the operation and use of relief valves when bypassing a regulator station for maintenance purposes.

The enhanced safety-related measures to be taken by Peoples and as detailed in the terms of settlement exemplify the unparalleled effort put into this Settlement by the Parties. These measures include Peoples' obligation to review all relief valve regulator stations in its distribution system to determine if other stations exist where the relief valves will be isolated from the system if the regulators are tested; to identify its regulator stations as low-pressure, medium-pressure and high pressure, develop and utilize a risk model to rank risk assets and incorporate that information into the Company's distribution integrity management plan; develop and implement a plan based on that risk assessment to reconfigure regulator stations to ensure that the relief valve is always in service while the regulators are manually bypassed, and to improve its pre-job briefing procedures, checklist and training programs to make certain they expressly encompass bypass valve operations. In evaluating whether this Settlement is in the public interest, it is important to note that many of the remedial measures agreed to by the Company in this Settlement Agreement include valuable safety enhancements that go above and beyond what the Company could be required to implement should the matter be litigated and a decision rendered based solely on provisions of the relevant state and federal regulations. I&E views the Settlement as more than just a compromise of positions. Rather, this Settlement Agreement provides a long-term solution with safety enhancements that go well beyond finding a violation and imposing a fine. The Parties to this Settlement identified the problem, analyzed the issues, created a solution and plotted its implementation.

### III. *Terms of Settlement*

I&E and Columbia, intending to be legally bound and for consideration given and received, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Settlement without modification shall create the following rights and obligations:

Peoples shall pay a civil penalty in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000) pursuant to 58 P.S. § 801.502 and 52 Pa. Code § 69.1201. Said payment shall be made within thirty (30) days of the entry date of the Commission's Final Order approving the Joint Petition for Approval of Settlement in this matter and shall be made by certified check or money order payable to the "Commonwealth of Pennsylvania." The

docket number of this proceeding shall be indicated with the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 Commonwealth Keystone Building  
 400 North Street  
 Harrisburg, PA 17120

Peoples agrees that the civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall review all regulator stations in its distribution system to determine if other stations exist where the relief valves will be isolated from the system.

Peoples has "reviewed all of the low-pressure regulator stations" and agrees to similarly review all medium and high-pressure regulator stations to identify all medium-pressure and high-pressure subject regulator stations ("SRS").

The Company agrees to provide lists for medium-pressure and high-pressure SRS identified out of the total number of medium and high-pressure regulator stations within sixty (60) days following entry of a Final Order approving the Settlement Agreement.

Peoples agrees to develop a process to rank the specific risk of each SRS.

Peoples agrees to use the risk model for identifying regulator station improvement project prioritization.

Peoples agrees to develop a plan and timeline for "reconfiguration."

Peoples agrees to use the risk model for identifying regulator station improvement projects. The Parties agree that, given higher ranked risks, other remedial projects could rank higher than a planned low-pressure SRS reconfiguration. Nonetheless, the remedial project set forth herein will be undertaken in addition to other identified remedial projects.

1) Peoples shall develop a remediation schedule or preventative and mitigative measures to prevent the pipeline systems from overpressure when the station relief valves are isolated; and

2) Peoples shall reconfigure the stations to protect the system from overpressure when maintenance is performed.

Within thirty (30) days of the entry date of the Commission's Final Order approving the Settlement Agreement, Peoples shall develop and implement a process that involves a detailed pre-job briefing and checklist for performing regulator station inspections and bypass valve operations. The pre-job briefing shall require technicians to confirm the configuration of the regulator station and identify specific hazards that may be unique to the station that is being inspected.

Peoples agrees that going forward, the Pre-Job Briefing and the checklist will expressly include any bypass valve operations.

Peoples agrees that once this process is completely developed, it shall be incorporated into the Company's standard operating procedures and job procedures.

Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement

Agreement in this matter, Peoples shall create a training program for newly trained GM&R technicians.

Peoples agrees to provide a summary of the training program to include, at minimum, parameters being considered in the specific training and any other detail that can be offered.

Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall create drawings of each station that shows where downstream gauges must be placed during bypass operations.

Within one (1) year of the entry date of the Commission's Final Order approving the Settlement Agreement, Peoples will complete the task of having a drawing for regulator stations.

Peoples agrees to update its Design Manual.

Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall create an OQ task for the operation of a bypass valve as a means of regulating downstream pressure in a gas distribution system.

Within thirty (30) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall change its procedures and/or equipment to maintain the ability to record the actual pressure of an overpressure event in low pressure systems without the gauge or chart maximum pressure being reached.

Peoples agrees that it has a plan in place to install pressure monitoring devices on each of its low-pressure systems. This plan is set forth in its most recent LTIIIP as follows:

Peoples' Long Term Infrastructure Improvement Plan ("LTIIIP") approved by the Pennsylvania Public Utility Commission at Docket No. P-2020-3021942 on January 14, 2021, sets forth Peoples' plan in place with respect to regulator stations:

"In an effort to reduce the likelihood of future over-pressurization events, similar to the event that occurred in Merrimack, MA, in September 2018, the Companies reviewed their 640 regulated low-pressure systems, which are comprised of 4,500 miles of low-pressure pipeline and over 1,800 regulator stations and serve over 450,000 customers. As a result of that review, the Peoples Companies are proposing to implement three project types intended to mitigate over-pressurization risks as a part of this Combined Distribution LTIIIP. The Companies will upgrade existing regulator stations by (i) adding remote pressure detection equipment to existing regulator stations, (ii) adding another form of over-pressure protection as applicable, such as adding relief valves or making station piping modifications, and (iii) relocating underground control lines to above-ground locations whenever possible and feasible. The Company proposes to implement this program over an 8-year period, and the total estimated plant additions and costs are approximately \$40,790,000. See Appendix A, pp. 11-12. This program will increase the safety and reliability of service of the Peoples Companies systems by investing in upgrades specifically targeted to mitigate the risk of over-pressurization events similar to the events that occurred in Merrimack, MA." Peoples' LTIIIP pages 6-7.

Peoples plans to install 960 devices.

Within forty (40) days of the entry date of the Commission's Final Order approving any Settlement Agreement in this matter, Peoples shall file a report of compliance to confirm that the Company has completed or is on track to complete its remedial obligations set forth, *infra*.

Upon Commission approval by Final Order of the Settlement, in its entirety without modification, I&E acknowledges and confirms that Peoples is released from all past claims that were made or could have been made by the Commission for monetary and/or other relief based on allegations that the Company failed to comply with the allegations that are the subject of the instant I&E informal investigation.

The benefits and obligations of the Settlement Agreement noted therein and in conjunction with this Statement in Support obviate the conclusion that this settlement is in the public interest. The Parties have meticulously negotiated details regarding improvements in company procedures, plans for the identification of all similarly-situated regulator stations for inspection and reconfiguration, improvements to the pre-job briefing process, employee training, operator qualification and updates to company manuals. In entering this Settlement, it is I&E's position that the Company has taken extraordinary measures to proactively respond to I&E's safety concerns and is poised to implement the necessary procedures for the betterment of the general public, its customers and employees.

I&E reiterates here that approval of the Settlement Agreement is in the public interest and is fully consistent with the Commission's Policy Statement for evaluating litigated and settled proceedings involving violations of the Code and Commission regulations. 52 Pa. Code § 69.1201. The Commission will serve the public interest by approving this Joint Petition for Approval of Settlement without modification. It is the Commission's long-standing policy to promote settlements. See 52 Pa. Code § 5.231. Settlements lessen the time and expense that the parties must expend litigating a case and, at the same time, conserve precious administrative resources. Settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. "The focus of inquiry for determining whether a proposed settlement should be recommended for approval is not a 'burden of proof' standard, as is utilized for contested matters." *Pa. Pub. Util. Comm'n, et al. v. City of Lancaster—Bureau of Water*, Docket Nos. R-2010-2179103, et al. (Order entered July 14, 2011). Instead, the benchmark for determining the acceptability of a settlement is whether the proposed terms and conditions are in the public interest. *Pa. Pub. Util. Comm'n v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

I&E submits that approval of the Settlement Agreement in the above-captioned matter is consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations ("Policy Statement"), 52 Pa. Code § 69.1201; see also *Joseph A. Rosi v. Bell-Atlantic-Pennsylvania, Inc.*, Docket No. C-00992409 (Order entered March 16, 2000). The Commission's Policy Statement sets forth ten (10) factors ("Rosi factors") that the Commission may consider in evaluating whether a civil penalty for violating a Commission order, regulation, or statute is appropriate, as well as whether a proposed

settlement for a violation is reasonable and in the public interest. 52 Pa. Code § 69.1201.

It is important to note that the Commission will not apply the *Rosi* factors as strictly in settled cases as in litigated cases. 52 Pa. Code § 69.1201(b). While many of the same factors may still be considered, *in settled cases, the parties “will be afforded flexibility in reaching amicable resolutions to complaints and other matters as long as the settlement is in the public interest.”* Id. (emphasis added). By the filing of this Joint Petition for Approval of Settlement, I&E and Peoples have declared that they have in good faith negotiated an amicable resolution that benefits the public, the Parties and this Commission. I&E asks that the Commission acknowledge and accept this flexibility when considering the terms and conditions painstakingly negotiated and entered into in this Settlement.

The first *Rosi* factor considers whether the conduct at issue was of a serious nature, such as fraud or misrepresentation, or if the conduct was less egregious, such as an administrative or technical error. Conduct of a more serious nature may warrant a higher civil penalty while conduct that is less egregious warrants a lower amount. 52 Pa. Code § 69.1201(c)(1). I&E alleges that the procedure followed by technicians conducting an annual regulator station inspection of Station LS 260 in Robinson, Indiana County, Pennsylvania resulted in the overpressure of the natural gas distribution system serving the community. As a result of the overpressure, approximately 204 service lines were overpressured and three (3) furnaces flared and briefly caught fire. The Company hired appliance specialists to test whether any appliances were affected by the overpressure, resulting in the replacement of eleven (11) furnaces, seventy (70) water heaters, and one (1) range, as well as the replacement of 194 furnace valves and 135 water tank valves. There were no reported injuries or fatalities. No structures were destroyed, and no evacuations were reported to I&E. The Company realized a large expenditure in 2020 on outside contractors and vendors for services and products as a result of the Incident, none of which was covered by insurance.

Because safe and adequate service to the public is a major concern when gas safety incidents occur, I&E considers the conduct at issue to be of a serious nature, and this was taken into consideration in arriving at the agreed-to civil penalty and remedial measures set forth in the Settlement.

The second factor considers whether the resulting consequences of Peoples’ alleged conduct were of a serious nature. When consequences of a serious nature are involved, such as personal injury or property damage, the consequences may warrant a higher penalty. 52 Pa. Code § 69.1201(c)(2). Here, the Incident involved the overpressure of a distribution system and resulted in the replacement of appliances as stated, above. Although there were no injuries, I&E considers the consequences of the conduct at issue to be of a serious nature, which are reflected in the terms and conditions of settlement.

The third factor to be considered under the Policy Statement is whether the alleged conduct was intentional or negligent. 52 Pa. Code § 69.1201(c)(3). “This factor may only be considered in evaluating litigated cases.” Id. Whether Peoples’ alleged conduct was intentional or negligent does not apply since this matter is being resolved by settlement of the Parties.

The fourth factor to be considered is whether Peoples has made efforts to change its practices and procedures to

prevent similar conduct in the future. 52 Pa. Code § 69.1201(c)(4). As noted in the Joint Petition, since the Incident, Peoples has taken extraordinary strides in implementing new processes and improvements to existing procedures in order to enhance safety measures related to the inspection of regulator stations and treatment of relief valves. These formidable improvements are set forth in the Attachments (proprietary) to the Joint Petition.

The fifth factor to be considered relates to the number of customers affected by the Company’s actions and the duration of the violations. 52 Pa. Code § 69.1201(c)(5). Again, the facts indicate that this was an isolated overpressure incident. Approximately 204 service lines experienced the overpressure in a distribution system that serves approximately 221 properties. Peoples began restoring service to affected customers the day of the incident and completed restoration of service the next day. The Company replaced approximately 4,552 feet of steel pipe and 133 service lines. The infrastructure replacement was completed on June 24, 2020. As an isolated event to a finite customer group where the Company acted quickly to restore service and institute immediate infrastructure repairs, these actions do not warrant weighing in favor of a higher penalty.

The sixth factor to be considered relates to the compliance history of Peoples. 52 Pa. Code § 69.1201(c)(6). An isolated incident from an otherwise compliant company may result in a lower penalty whereas frequent, recurrent violations by a jurisdictional entity may warrant a higher penalty. Here, review of Peoples’ compliance history with the Commission reveals that Peoples has been the subject of approximately a half dozen proceedings over the past ten years<sup>5</sup> where the Commission imposed civil penalties upon the Company. All but the most recent proceeding over that period have involved relatively minor violations and civil penalties that do not compare to the instant case. Most recently, in *Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Peoples Natural Gas Company LLC*, Docket No. M-2022-3028365 (Order entered August 4, 2022), a Settlement was approved and a \$195,000 civil penalty paid where a temporary meter station failed and created a large volume natural gas leak, the repair of which necessitated an outage of service to approximately 985 customers in Moon Township, Allegheny County, Pennsylvania. Peoples’ compliance history, especially as it relates to allegations of gas safety violations of the most recent Settlement, was considered in arriving at the agreed-upon civil penalty and remedial measures in this matter.

The seventh factor to be considered relates to whether the Company cooperated with the Commission’s investigation. 52 Pa. Code § 69.1201(c)(7). Peoples has cooperated with I&E’s investigation in order to address the violations alleged as a result of the Incident. Together, the Parties have agreed on safety enhancements without the need for lengthy litigation. The Parties further determined that it was in their respective best interest, as well as in the public interest, to settle this matter and to reach an amicable agreement as to an appropriate civil penalty amount that adequately balances all the relevant interests under the circumstances of this case and given the capital expenditures anticipated as a result of the non-monetary remedial measures to be implemented by the Company. A fair and equitable civil penalty has been

<sup>5</sup> The Commission limited the review of the compliance history of a long-time certificated natural gas public utility to the past ten-years when the matter concerned alleged gas safety violations. *Pa. Pub. Util. Comm’n, Bureau of Investigation and Enforcement v. UGI Utilities, Inc.—Gas Division*, Docket No. C-2018-3005151 (Order entered October 29, 2020) at 27.

reached in this Settlement Agreement without the need to pursue formal enforcement action.

The eighth factor to be considered is the appropriate civil penalty necessary to address the Incident and to deter future violations. 52 Pa. Code § 69.1201(c)(8). I&E submits that the negotiated civil penalty amount of \$250,000, which is not tax deductible, is a fair, substantial and sufficient result to find that this Settlement Agreement is in the public interest.

The ninth factor to be considered relates to past Commission decisions in similar situations. 52 Pa. Code § 69.1201(c)(9). I&E submits that the instant Settlement Agreement should be viewed on its own merits and is fair and reasonable. However, in looking at the relevant factors that are comparable to other pipeline matters involving violations of the Federal pipeline safety regulations, the instant Settlement is consistent with past Commission actions in that a civil penalty will be paid and corrective actions will be performed to address the alleged violations.

The tenth factor considers “other relevant factors.” 52 Pa. Code § 69.1201(c)(10). In support of the \$250,000 civil penalty, I&E again notes the depth and detail to which the Parties have agreed to implement safety enhancements that address this Incident and disseminate the impact of those corrective measures throughout the Company’s service territory in comprehensive fashion so as to blanket its infrastructure with improvements that are consistent and impactful. Given the fair civil penalty to be paid by Peoples and the corrective measures agreed to by the Company, there is simply no benefit to delaying

the implementation of such safety enhancements and proceeding to litigation or seeking a more significant monetary penalty.

In conclusion, I&E fully supports the terms and conditions of the Settlement Agreement. The terms of the Settlement Agreement reflect a carefully balanced compromise of the interests of the Parties in this proceeding. Peoples has agreed to pay a fair civil penalty as part of this Settlement Agreement and, more importantly, will implement enhancements to its procedures that will benefit all customers in its service territory and the public in general. Accordingly, approval of this Settlement Agreement without modification is in the public interest.

Wherefore, I&E supports the Settlement Agreement as being in the public interest and respectfully requests that the Commission approve the terms of the Joint Petition in their entirety without modification.

Respectfully submitted,

Michael L. Swindler  
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PA Attorney ID No. 43319

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**Appendix C  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :  
Bureau of Investigation and Enforcement, :  
Complainant :  
v. : Docket No. M-2023-3024990  
Peoples Natural Gas Company LLC :  
Respondent :

**STATEMENT IN SUPPORT OF JOINT PETITION FOR  
APPROVAL OF SETTLEMENT**

Honorable Commissioners:

Peoples Natural Gas Company LLC (“Peoples”) hereby files this statement in Support of the Joint Petition for Approval of Settlement (“Settlement” or “Joint Settlement”) entered into by Peoples and the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) (hereinafter, collectively “Joint Petitioners”) in the above-captioned proceeding. The Settlement, if approved, will fully resolve all issues related to I&E’s formal complaint involving an overpressure incident in Robinson, Indiana County, Pennsylvania on April 29, 2020 (“April 29, 2020 Incident” or “Incident”). Peoples respectfully requests that the Commission approve the Settlement, including the terms and conditions thereof, without modification.

The Settlement reflects a carefully balanced compromise of the interests of the Joint Petitioners to this proceeding. Peoples undertook an extensive investigation of the events related to the April 29, 2020 Incident and fully cooperated with and assisted I&E’s investigation of

the events surrounding the Incident. Peoples has been proactive with I&E related to identifying and modifying facilities, practices, and procedures that can be further improved to enhance the safety and reliability of services. The Settlement, if approved, will provide substantial public benefits. For these reasons and the reasons set forth below, the Settlement is fair, just and reasonable and, therefore, the Settlement should be approved without modification.

*I. Introduction*

*A. Parties*

I&E is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308(b). The Commission has delegated its authority to initiate proceedings that are prosecutorial in nature to I&E and other bureaus with enforcement responsibilities. Implementation of Act 129 of 2008; Organization of Bureaus and Offices, Docket No. M-2008-2071852 (Aug. 11, 2011).

Peoples is a “public utility” and a “natural gas distribution company as those terms are defined in Sections 102 and 2202 of the Code, 66 Pa.C.S. §§ 102, 2202. Peoples provides natural gas transmission, distribution, and supplier of last resort services to its customers throughout its certificated service territory subject to the regulatory jurisdiction of the Commission.

### B. Background

The background of this matter is adequately set forth in Section II of the Joint Settlement and is incorporated herein by reference.

## II. Commission Policy Favors Settlement

Commission policy promotes settlements. See 52 Pa. Code § 5.231. Settlements lessen the time and expense that the parties must expend litigating a case and, at the same time, conserve precious administrative resources. Settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. In order to accept a settlement, the Commission must determine that the proposed terms and conditions are in the public interest. *Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.*, Docket No. C-2010-2071433, 2012 Pa. PUC LEXIS 1377 at \*6 (August 31, 2012).

The Commission has promulgated a Policy Statement that sets forth ten factors that the Commission may consider in evaluating whether a civil penalty for violating a Commission order, regulation, or statute is appropriate, as well as whether a proposed settlement for a violation is reasonable and in the public interest. 52 Pa. Code § 69.1201. These factors are (i) Whether the conduct at issue was of a serious nature; (ii) Whether the resulting consequences of the conduct at issue were of a serious nature; (iii) Whether the conduct at issue was deemed intentional or negligent; (iv) Whether the regulated entity made efforts to modify internal policies and procedures to address the conduct at issue and prevent similar conduct in the future; (v) The number of customers affected and the duration of the violation; (vi) The compliance history of the regulated entity that committed the violation; (vii) Whether the regulated entity cooperated with the Commission’s investigation; (viii) The amount of the civil penalty or fine necessary to deter future violations; (ix) Past Commission decisions in similar situations; and (x) Other relevant factors. 52 Pa. Code § 69.1201(c). The Commission will not apply the standards as strictly in settled cases as in litigated cases. 52 Pa. Code § 69.1201(b). While many of the same factors may still be considered, in settled cases the parties “will be afforded flexibility in reaching amicable resolutions to complaints and other matters so long as the settlement is in the public interest.” 52 Pa. Code § 69.1201(b).

The substantial public benefits of the Settlement, as well as the ten factors that the Commission considers in reviewing a settlement of an alleged violation, are addressed in the section that follows. For the reasons explained below, the Settlement is in the public interest and should be approved.

## III. The Settlement is in the Public Interest

### A. Summary

The Settlement, once approved, will resolve all issues related to the I&E complaint related to the April 29, 2020 Incident. The Complaint alleges that, in connection with the Incident, Peoples committed several violations of the Public Utility Code and federal pipeline safety standards. Based on these allegations, the Complaint requested that

the Commission order Peoples to pay a civil penalty, review all of its regulator stations, in particular, to ascertain which regulator stations (“Subject Regulator Stations”) allow for the reliefs to be isolated while testing the regulators, accumulate and/or develop drawings for each regulator station highlighting where downstream gauges must be placed, develop initial measures to prevent an incident similar to the April 29, 2020 Incident, develop a plan to reconfigure any Subject Regulator Stations and set forth a schedule to do so and to make sure that any design for a new regulator station does not allow for relief valves to be isolated while testing. I&E further sought an Order for Peoples to improve, develop and implement a detailed pre-job briefing and checklist for its GM&R employees testing regulator stations and an apprenticeship program for said GM&R hires. Peoples has agreed, in substantive part, to undertake the measures requested by I&E with specific plans and timetables and at considerable expense.

Throughout the investigative and settlement processes in this proceeding, Peoples has been cooperative and proactive with I&E to enhance the safety and reliability of its services. After the incident, Peoples conducted daily leak surveys for eight (8) weeks until all identified service lines that were leaking were replaced. Peoples performed an additional three (3) line leak surveys each of which confirmed no further leaks.

Peoples communicated to customers through an alert page on its website, a post on its Facebook page and a letter to all residents. Peoples replaced approximately 4,552 feet of steel pipe and 133 service lines out of 221 properties in the Robinson system at significant cost which was fully completed by June 24, 2020. Peoples replaced eleven (11) furnaces, seventy (70) water heaters and one (1) range as well as numerous furnace valves and water tank valves. Peoples expended a considerable sum on outside contractors and vendors for the services of the contractors and the replacement of appliances in Robinson.

Peoples team recognizes the seriousness of the error committed here and the risk posed. However, Peoples’ GM&R team reacted quickly to the error by opening a valve to the reliefs. The incident was of a short duration, quickly rectified, did not cause an explosion and did not cause any fatalities or injuries to any persons. No structures were destroyed and no evacuations were reported. Customers were returned to service the next day. The three technicians underwent drug and alcohol testing and each test was negative.

Please know, however, that Peoples, in fact, did have a job procedure, Job Procedure 703, in place that directed the team to, among other items, “install two independent pressure gauges. . . in the downstream line in a place where they can be monitored at or near the bypass valve.” Further, the “bypass valve shall be constantly attended and the pressure monitored by a dedicated person during the period it is open.” Also, Peoples did have a training course and materials addressing not just regulator station testing but bypass operations. Nonetheless, Peoples has and will continue to enhance its training course and materials and implement an even more thorough pre-job briefing and checklist.

In addition to agreeing to undertake the measures requested by I&E at considerable time and expense, Peoples has made a substantial economic concession to I&E in the form of civil penalty.

Finally, the terms and conditions of the Settlement favorably align with the ten factors that may be consid-

ered under the Commission's Policy Statement. Accordingly, the Settlement should be approved.

### B. *Description of the Settlement*

Importantly, as discussed in the Joint Settlement, the Parties agree that it is their intent that the Joint Settlement not be admitted as evidence in any potential civil proceeding involving this matter. It is further understood that, by entering into the Joint Settlement, Peoples has made no concession or admission of fact or law and may dispute all issues of fact and law for all purposes in all proceedings including, but not limited to, any civil proceedings, that may arise as a result of the circumstances described in the Joint Settlement.

The terms of the Settlement fully resolve all of the issues raised in and relief requested by I&E's Complaint, including the payment of a civil penalty. As explained below, Peoples avers that approval of the Settlement is in the public interest. Further, acceptance of the Settlement will avoid the necessity of further administrative and potential appellate proceedings at what would have been a substantial cost to the parties. If approved, the Settlement will provide substantial and important benefits to the customers and communities served by Peoples, including permanent improvements to some of Peoples' regulator stations and enhanced training for its GM&R employees on each type of regulator station and bypass operations respective to each.

### C. *Factors under Commission's Policy Statement*

Under the Policy Statement, the Commission may consider ten specific factors when evaluating settlements of alleged violations of the Public Utility Code and the Commission's Regulators. 52 Pa. Code § 69.1201(c).

The first factor addresses whether the conduct at issue was of a serious nature. Peoples recognizes the seriousness of the April 29, 2020 Incident and the risk that the incident portended. Peoples' team opened a bypass valve to let the gas feed the system while bypassing the regulator in order to conduct an examination of the regulator. The downstream valve was shut off blocking any access to the double stacked relief. A gauge was placed on the relief piping. However, no gauge was placed to measure gas pressure into the system. When the reading on the gauge set on the relief valve continued to fall, the team recognized its error. The team immediately opened the shut downstream, allowing gas to escape through the double stacked relief and shut down the system using an emergency valve. The technicians estimated the duration to be less than sixty (60) seconds although the exact time has not been determined. The incident here was not evidence of a pattern and practice but an admittedly concerning event. However, the incident was of a short duration, was quickly rectified, did not cause any fatalities or injuries, did not cause anyone to evacuate her or his home, and no structures were destroyed.

The second factor considers the seriousness of the consequences of the incident at issue. As stated, this was a serious incident. However, there were no fatalities or injuries, no explosions, no damage to structures. No one had to evacuate. The incident was of a short duration.

The third factor to be considered in this case, namely, whether Peoples' alleged conduct was intentional or negligent. The extent this factor is to be considered, there has been no finding that Peoples' conduct was in any way intentional. Further, Peoples' team, recognizing their error, acted promptly and prudently to prevent any catastrophic event. The technicians underwent drug and

alcohol testing, each of which came back negative. This was an aberrant incident after Peoples' GM&R employees have over the years conducted thousand and thousands of tests on regulator stations.

The fourth factor to be considered is whether Peoples made efforts to modify internal policies and procedures to address the alleged conduct at issue and to prevent similar conduct in the future. Peoples has already changed its design manual. Peoples conducted a review of all of its regulator stations, low, medium and high-pressure regulator stations. Given the review, Peoples knows for each category of regulator station which stations have reliefs which can be isolated, thus identifying the full complement of Subject Regulator Stations. Peoples has agreed to incorporate those Subject Regulator Stations into its distribution integrity management plan. Peoples has developed and implemented a risk model. Peoples will adhere to a two-step plan to improve its regulator stations, the first step to be implemented for each and every regulator station and the second step, over time, for its low-pressure Subject Regulator Stations. Peoples will work with I&E to establish plan for medium and high pressure Subject Regulator Stations.

Peoples has already updated its training course and materials for bypass operations but is undertaking further improvements to the course and materials. Peoples will create an OQ task for the operation of a bypass valve for all regulator stations including the Subject Regulator Stations. Peoples has taken steps to improve its pre-job briefing and checklist for the testing of regulator stations.

The fifth factor to be considered deals with the number of customers affected and the duration of the violation. There were no fatalities or injuries. There were no evacuations. No structure was affected. Peoples communicated with its customers by engaging at least six (6) contractors to go door to door at homes, on its website and on its Facebook posted. Later, a letter was sent to each customer as follow-up, alerting them that a plumbing contractor was still available. Overall, Peoples replaced eleven (11) furnaces, seventy (70) water heaters and one (1) range along with furnace valves and water tank valves. Peoples also replaced 133 service lines.

The sixth factor considered is the compliance history of Peoples. Peoples has a positive proactive relationship with I&E to provide for safety and reliability. The Settlement terms, particularly with respect to Peoples' detailed plan to address its Subject Regulator Stations and bypass operations, evidences Peoples' good faith efforts to enhance the safety and reliability of its gas system, consistent with the purposes of the Code and the Commission's regulations.

The seventh factor considered is whether the regulated entity cooperated with the Commission's investigation. After the incident, Peoples conducted daily leak surveys for eight (8) weeks until all identified service lines that were leaking were replaced. Peoples performed an additional three (3) line leak surveys each of which confirmed no further leaks. On its distribution system in Robinson, PA, Peoples replaced 4,552 feet of steel pipe and 133 service lines at a cost of \$1,262, 406 which was completed on June 24, 2020.

The eighth factor is whether the amount of the civil penalty or fine will deter future violations. Peoples submits that a civil penalty in the amount of \$250,000 constitutes a significant penalty and deterrent. Peoples avers that the civil penalty set forth in the Settlement appropriately recognizes the seriousness of this matter.



The compromise penalty recognizes the efforts undertaken by Peoples immediately at the time of the incident including the communication with its customers in Robinson, its engagement of contractors to check on homes and appliances, its replacement of service lines and steel pipe, its work already undertaken by Peoples to identify and reconfigure its Subject Regulator Stations and commitment going forward and its improvement of and commitment to improved training for its GM&R employees with respect to regulator station testing and related bypass operations.

The ninth factor examines past Commission decisions in similar situations. When all relevant factors are taken into account, in particular the depth of Peoples' commitment to valuable safety improvements, namely: inventorying its upgrading its drawings for each regulator station, reviewing and replacing Subject Regulator Stations and improving its training course and materials for GM&R technicians and improving and upgrading its pre-job briefing including a detailed checklist that specifically addresses all facets of the regulator station and safe bypass procedures, the Settlement is fair and more than consistent with past Commission actions.

Relative to the tenth factor, Peoples avers that a compromise best meets public policy as both Peoples and I&E want to prevent a leakage from any temporary meter set or regulator station going forward and recognizes that Peoples will improve its design and construction process going forward. Peoples has demonstrated a commitment consistent with the Commission's public safety goals and objectives and insured concern for its customers and the general public. Based on the foregoing, the Settlement

should be considered fair, equitable and reasonable under the Commission's Policy Statement.

IV. Conclusion

Through cooperative efforts and the open exchange of information, the Joint Petitioners have arrived at a settlement that resolves all issues in the proceeding in a fair, equitable, and reasonable manner. The Settlement resolves all issues related to the I&E Complaint related to the April 29, 2020 Incident. Finally, the terms and conditions of the Settlement should be viewed as satisfying the ten factors set forth in the Commission's Policy Statement, 52 Pa. Code § 69.1201(c). A fair, equitable and reasonable compromise has been achieved in this case. Peoples fully supports the Settlement and respectfully requests that the Honorable Commission approve the Settlement in its entirety, without modification.

Respectfully,

Michael C. Turzai  
Vice President and General Counsel  
Peoples Natural Gas Company LLC

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :  
Bureau of Investigation and :  
Enforcement's Investigation of Peoples : Docket No. M-2023-3024990  
Natural Gas Company LLC's April 29, :  
2020 Overpressure Incident in Robinson, :  
Indiana County, Pennsylvania :

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a true copy of the foregoing Joint Petition for Approval of Settlement (Non-Proprietary and Proprietary Versions) dated July 31, 2023, upon the parties listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Electronic Mail

Michael C. Turzai  
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**Attachment B  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

December 21, 2023

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. M-2023-3024990
	:	
Peoples Natural Gas Company LLC	:	

**SUPPLEMENTAL RECORD TO  
JOINT PETITION FOR APPROVAL OF SETTLEMENT**

TO THE HONORABLE PENNSYLVANIA PUBLIC  
UTILITY COMMISSION:

Pursuant to the Opinion and Order of the Pennsylvania Public Utility Commission entered December 6, 2023 in the above-captioned matter, the Bureau of Investigation and Enforcement (“I&E”) and Peoples Natural Gas Company LLC (“Peoples” or “Company”) (hereinafter referred to collectively as the “Parties” or “Joint Petitioners”) hereby submit this Supplemental Record to Joint Petition for Approval of Settlement (“Supplement”) to respond the Commission’s belief that additional information is needed for the Commission to make an informed decision as to whether the Joint Petition for Approval of Settlement (“Settlement Agreement”) filed with the Commission is in the public interest.

*I. Introduction*

1. The Parties to this Settlement Agreement, are the Pennsylvania Public Utility Commission’s Bureau of Investigation and Enforcement, by its prosecuting attorneys, 400 North Street, Harrisburg, PA 17120, and Peoples Natural Gas Company LLC, a natural gas distribution company with a primary mailing address of 375 North Shore Drive, Pittsburgh, PA 15212.

2. The Pennsylvania Public Utility Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within this Commonwealth, as well as other entities subject to its jurisdiction, pursuant to the Public Utility Code (“Code”), 66 Pa.C.S. §§ 101, et seq.

3. I&E is the bureau within the Commission established to prosecute complaints against public utilities. See Implementation of Act 129 of 2008; Organization of Bureaus and Offices, Docket No. M-2008-2071852 (Order entered August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E); See also 66 Pa.C.S. § 308.2(a)(11).

4. Peoples Natural Gas Company LLC is a “public utility” as that term is defined at 66 Pa.C.S. § 102,<sup>6</sup> as it is engaged in providing public utility service as a natural gas distribution company (“NGDC”) to the public for compensation.

5. Section 501(a) of the Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Code.

<sup>6</sup> At 66 Pa.C.S. § 102, “Public utility” is defined under that term at subsection (1)(i) as:

(2) Any person or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for:

(i) Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity, or steam for the production of light, heat, or power to or for the public for compensation.

6. Pursuant to Section 59.33(b) of the Commission’s regulations, 52 Pa. Code § 59.33(b), I&E’s Safety Division (“I&E-Safety”) has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101—60503 and as implemented at 49 CFR Parts 191—193, 195 and 199, and to apply the federal civil penalty. The federal pipeline safety laws and regulations proscribe the minimum safety standards for all natural gas and hazardous liquid public utilities in the Commonwealth.

7. Peoples, in providing natural gas distribution service to the public for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders, including Federal pipeline safety laws and regulations.

8. The Parties filed with the Commission a Joint Petition for Approval of Settlement in both Proprietary and Non-Proprietary versions with their respective Statements in Support and multiple Appendices on July 31, 2023.

9. On December 6, 2023, the Commission entered an Opinion and Order at the above docket (“December 6 Order”).

10. While noting that it is the Commission’s policy to promote settlements in order to determine whether the terms of the Settlement are in the public interest, the Commission determined here that additional specific information was needed.

11. The December 6 Order stated in pertinent part:

Upon review of the Settlement and Statements in Support of the same, the Commission believes that the Settlement must be augmented with supplemental information so that the Commission can make an informed decision regarding whether the Settlement is in the public interest.

First, the Settlement should be supplemented by the Parties to clearly and publicly indicate the costs of replacing the private property damaged by this incident. This information is only accessible to the Parties and should be included in the Settlement, and we see no reason why these costs should be confidential. Second, the Parties should explain how the cost to remediate the damage to private property will be paid for. For example, whether insurance will cover the replacement of these private facilities, whether Peoples’ shareholders will bear those costs, or whether cost recovery will be sought in rates. Finally, the Parties should comment on their intentions regarding recovery of the civil penalty in rates.

Category	Cost Elem.	Cost Element Name	Total
<b>Materials &amp; Supplies Expense</b>	<b>5304100</b>	Material Exp-Stock	\$4,666.22
<b>Materials &amp; Supplies Expense</b>	<b>5304200</b>	Material Exp-Non Stock	\$1,250.61
<b>Materials &amp; Supplies Expense</b>	<b>5304370</b>	Tool & Work Equip	\$717.54
<b>Materials &amp; Supplies Expense</b>	<b>5304390</b>	Misc Supplies	\$802.58
<b>Outside Services</b>	<b>5303030</b>	Contractor Services	\$275,161.02
<b>Outside Services</b>	<b>5303035</b>	Contractor Svcs - Rest	\$16,378.13
<b>Outside Services</b>	<b>5303890</b>	Misc. Outside Svcs	\$6,230.00
<b>Total</b>			<b>\$305,206.10</b>

December 6 Order at 12.<sup>7</sup>

12. The December 6 Order concluded, in pertinent part that “within twenty (20) days, the Parties shall supplement the record in the Settlement by clearly and publicly indicating the costs of replacing the private property damaged by this incident, explaining how the cost to remediate the damage to the private property will be paid for (e.g., whether insurance will cover the replacement of these private facilities, whether Peoples’ shareholders will bear those costs, or whether cost recovery will be sought in rates), and informing the Commission of their intentions regarding recovery of the civil penalty in rates. Upon receipt of the supplemental information, the Commission will publish the clarified settlement for comment, and consider and review the Settlement and supplemental information.”

13. In compliance with the December 6 Order, the Parties provide the supplemental information as follows:

1. *December 6 Order*: “[Provide a] clear and public indication of the costs of replacing the private property damaged by this incident.”

*Response*: “The costs of replacing the private property damaged by the incident in Robinson on April 29, 2020 totaled \$305,206.10. The breakdown for those costs are set forth as follows:

2. *December 6 Order*: “[Provide] an explanation regarding how the cost to remediate the damage to private property will be paid for (e.g. whether insurance will

cover the replacement of these private facilities, whether Peoples Natural Gas Company LLC’s shareholders will bear these costs, or whether cost recovery will be sought in rates).

*Response*: “Peoples has not attempted to recover and will not attempt to recover the cost of replacing private property arising from the April 29, 2020 incident in the amount of \$305,206.10 from the ratepayers in a base rate proceeding. As stated in the Joint Petition for Approval of Settlement, these costs were not covered by insurance.”

3. *December 6 Order*: “[Provide] comments on the Parties’ intentions regarding recovery of the civil penalty in rates.”

*Response*: “The Parties explicitly agree here and had previously agreed that the civil penalty of \$250,000 will not be recovered in Peoples’ rates.”

14. The supplemental information provided herein in response to the December 6 Order is not designated as Proprietary.

*Wherefore*, the Pennsylvania Public Utility Commission’s Bureau of Investigation and Enforcement and Peoples Natural Gas Company LLC respectfully request that the Commission accept the within Supplemental Record as responsive to the December 6 Order and approve the Joint Petition for Approval of Settlement as supplemented without modification and in its entirety as being in the public interest.

Date: December 21, 2023

Date: 12/20/2023

Respectfully submitted and filed by:

Michael L. Swindler  
Deputy Chief Prosecutor  
PA Attorney ID No. 43319  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120  
mswindler@pa.gov

Michael C. Turzai  
Vice President and General Counsel  
Peoples Natural Gas Company LLC  
375 North Shore Drive  
Pittsburgh, PA 15212  
michael.turzai@peoples-gas.com

<sup>7</sup> Although the December 6 Order pages are not numbered, this text does appear on the twelfth page.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement	:	
	:	
	:	
v.	:	Docket No. M-2023-3024990
	:	
Peoples Natural Gas Company LLC	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a true copy of the foregoing Supplemental Record to Joint Petition for Approval of Settlement, dated December 21, 2023, upon the parties listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Electronic Mail

Michael C. Turzai  
Vice President and General Counsel  
Peoples Natural Gas Company LLC  
375 North Shore Drive  
Pittsburgh, PA 15212  
michael.turzai@peoples-gas.com

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Michael L. Swindler  
Deputy Chief Prosecutor  
PA Attorney ID No. 43319  
  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
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mswindler@pa.gov

**STATEMENT OF CHAIRPERSON STEPHEN M. DeFRANK**

Before joining my staff as legal counsel, Stephanie Wimer was employed in the Commission’s Bureau of Investigation and Enforcement and worked on this investigation. Please note that she has not advised me in this matter.

[Pa.B. Doc. No. 24-219. Filed for public inspection February 16, 2024, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**

**Petition of Williams Companies, Inc. for Declaratory Order; Doc. No. P-2023-3041485**

On June 26, 2023, Williams Companies, Inc. (Williams) filed a petition for declaratory order seeking confirmation from the Pennsylvania Public Utility Commission (Commission) that its planned two 11 megawatt solar photovoltaic energy projects not directly connected to a distribution system of an electric distribution company or to a transmission system operated by a regional transmission organization qualified to generate Solar Alternative Energy Credits under the Alternative Energy Portfolio Standards Act (73 P.S. §§ 1648.1—1648.9).

In accordance with 52 Pa. Code §§ 5.61—5.66 (relating to answers), answers and petitions to intervene must be filed and served at this docket on or before 20 days after this notice is published in the *Pennsylvania Bulletin*, and replies must be filed and served at this docket on or before 40 days after this notice is published in the *Pennsylvania Bulletin*.

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 counsel for Williams. Electronic filing and service is available by obtaining 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>. The documents filed in support of Williams’ petition are available for inspection and copying at the Commission’s Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at Williams’ business address. Additionally, the documents may be viewed on and downloaded from the Commission’s web site at <https://www.puc.pa.gov/docket/P-2023-3041485>.

*Petitioner:* Williams Companies, Inc., 2800 Post Oak Boulevard, Houston, TX 77056

*Through and By Counsel for Petitioner:* Michael A. Gruin, Esq., Stevens & Lee, 17 North Second Street, 16th Floor, Harrisburg, PA 17101, (717) 255-7365, michael.gruin@stevenslee.com

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-220. Filed for public inspection February 16, 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 March 4, 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 March 4, 2024. Parties participating in matters pending before the Commission are requested to eFile their submissions by opening an eFiling account and accepting EService. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the docket number as follows or by searching the applicant's web site.

#### **Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2023-3044612. Evolve Transportation Services, LLC** (1556 Bristol Pike, Bensalem, Bucks County, PA 19020) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in Lancaster County and the City and County of Philadelphia.

**A-2023-3045013. E & P Luxury Transportation, Inc.** (1030 Lisa Lane, Easton, Northampton County, PA 18045) to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in Pennsylvania, excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2024-3045260. Point A to B Transportation, LLC** (234 Coal Run Road, Clarksburg, Indiana County, PA 15725) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Armstrong, Indiana and Westmoreland Counties to points in Pennsylvania, and return.

**A-2024-3045364. VIP Taxi Services, LLC** (407 West South Street, Mahanoy City, Schuylkill County, PA 17948) for the right to begin to transport, as a common carrier, by motor vehicle, persons in call or demand service, between points in Luzerne County and Schuylkill County.

**A-2024-3045381. Steven Showalter, t/a Showalter Ride Service** (190 Farm Lane, McAlisterville, Juniata County, PA 17049) for the right to begin 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 Juniata County to points within a 150-mile air radius of the boundaries of Juniata County, and return.

**A-2024-3045888. Time Away Transportation Services, LLC** (19 Sunny Lane, Beach Lake, Wayne County, PA 18405) in group and party service, in vehicles seating between 11 and 15 passengers, including the driver, between points in the Counties of Lackawanna, Pike and Wayne.

**A-2024-3045889. Time Away Transportation Services, LLC** (19 Sunny Lane, Beach Lake, Wayne County, PA 18405) in airport transfer service, between points in the Counties of Lackawanna, Pike and Wayne.

**A-2024-3045913. Valley Taxi, Inc.** (2162 Cotton Hollow Road, Athens, Bradford County, PA 18810) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Bradford County, to points in Pennsylvania, and return.

#### **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 persons by transfer of rights as described under the application.**

**A-2024-3045581. PTG Bus, LLC** (1825 Liverpool Street, Pittsburgh, PA 15233) to transport, as a common carrier, by motor vehicle, persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Armstrong, Beaver, Butler, Fayette, Indiana, Lawrence, Washington and Westmoreland, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority; which is to be a transfer of all rights authorized under the certificate issued at A-2011-2230099, to Pittsburgh Transportation Group Charter Services, Inc., subject to the same limitations and conditions. *Attorney:* Ray F. Middleman, 11 Stanwix Street, Suite 1400, Pittsburgh, PA 15222.

#### **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-2024-3045749. Pineapple Delivery Services, LLC, t/a Pineapple Movers** (1901 South 9th Street, Philadelphia, PA 19148) household goods in use, between points in Pennsylvania.

#### **Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.**

**A-2024-3045872. Vetpride Services, Inc.** (2710 Wycliff Road, Suite 105, Raleigh, NC 27607) for the Pittsburgh Veterans Affairs Medical Center (VAMC), to VAMC leased employee parking locations, between points in Allegheny County.

#### **Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2024-3045824. Robert B. Cellitti Moving and Storage, Inc.** (249-269 Walnut Street, Sunbury, Northumberland County, PA 17801) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, household goods in use, as more thoroughly described in the original ordering paragraphs at A-00105650, F.1, F.1 Am-A, F.1 Am-B, F.1 Am-C.

**A-2024-305896. Pike County Taxi, Inc.** (110 Cromwell Road, Milford, Pike County, PA 18337) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-2008-2062390, persons in call or demand, in the Counties of Pike and Wayne.

**A-2024-3045898. Limoman416, LLC** (416 Coreopsis Drive, Lancaster, Lancaster County, PA 17602) for the discontinuance and cancellation of its right to transport persons in limousine service, from points in Lancaster County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority, as originally captioned at Docket A-2019-3011747.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 24-221. Filed for public inspection February 16, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications Services

**A-2023-3043668. Campus Communications Group, Inc.** Application of Campus Communications Group, Inc. for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of: Brightspeed of Pennsylvania, LLC; Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company; Verizon Pennsylvania, LLC; Verizon North, LLC; and Windstream Pennsylvania, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before March 4, 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 for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Campus Communications Group, Inc.

*Through and By Counsel:* Jason Danowsky, Foster Danowsky, 904 West Avenue, Suite 107, Austin, TX 78701  
ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 24-222. Filed for public inspection February 16, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Valuation of Acquired Municipal Water and Wastewater Systems—Act 12 of 2016 Implementation

Public Meeting held  
February 1, 2024

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

*Valuation of Acquired Municipal Water & Wastewater Systems—Act 12 of 2016 Implementation;*  
M-2016-2543193

### Tentative Supplemental Implementation Order

*By the Commission:*

Consistent with the Motion of Chairman Stephen M. DeFrank adopted on February 1, 2024, the Pennsylvania Public Utility Commission (Commission) enters this Tentative Supplemental Implementation Order regarding four revisions to the Commission's existing procedures for applications filed under Section 1329 of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1329. We seek comments within 30 days of publication in the *Pennsylvania Bulletin* and reply comments within 45 days of publication in the *Pennsylvania Bulletin*. We direct the Law Bureau, with the assistance of the Bureau of Technical Utility Services, to review the comments, and all the information provided therein, and to present a Final Supplemental Implementation Order to the Commission for consideration.

### *Discussion*

On April 14, 2016, Governor Tom Wolf signed Act 12 of 2016 (Act 12) amending Chapter 13 of the Pennsylvania Public Utility Code by incorporating a new section: 66 Pa.C.S. § 1329. Section 1329 established a procedure for an acquiring public utility or entity (acquiring utility) and a municipal corporation or authority (selling utility) to use fair market valuation, instead of depreciated original cost, when the acquiring utility purchases a water and wastewater system located in the Commonwealth. Following passage of Act 12, the Commission issued a series of Implementation Orders to assist our administration of Section 1329.<sup>1</sup> To date, the Commission has received 27 applications under Section 1329.

Recently, Act 12 has elicited significant interest from the public and policy makers alike. Numerous pieces of legislation have been introduced in the General Assembly proposing to amend Section 1329.<sup>2</sup> Further, hearings have been recently held by the House Consumer Protection, Technology and Utilities Committee along with the Senate Democratic Policy Committee to discuss this topic.<sup>3</sup> The Commission submitted official testimony and participated in both.

Given the Commission's experience gained since issuance of our last Supplemental Implementation Order in 2019, we find it appropriate to amend our procedures and

<sup>1</sup> Final Implementation Orders entered on October 27, 2016, and February 28, 2019, at the instant docket.

<sup>2</sup> Bills include but may not be limited to HB 626, HB 627, HB 628, HB 629, HB 1205, HB 1308, HB 1862, HB 1863, HB 1864, HB 1865, SB 432, and SB 866.

<sup>3</sup> House Consumer Protection, Technology and Utilities Hearing held on December 12, 2023. Senate Democratic Policy Committee Hearing held on January 22, 2024.

guidelines to better inform the interested public of Section 1329 applications, to standardize the weights utilized by the utility valuation experts, and to provide the Commission with measures to interpret the reasonableness of acquisition prices. Specifically, we enter this Tentative Supplemental Implementation Order that includes four revisions to the Commission's existing Section 1329 procedures. We believe the time is right for the Commission to consider revisions that are within the Commission's purview. Therefore, we introduce the following proposals.

#### *Public Hearings*

When an acquiring utility and selling utility agree to use the procedure established by Section 1329, they should be required to schedule and conduct at least two in-person public hearings prior to executing the asset purchase agreement. These public hearings should address the proposed acquisition, describe the potential rate impacts, provide the opportunity for public comment and be held at venues within the municipal boundaries of the selling utility, or at the nearest reasonable venues with Commission notification.<sup>4</sup> Such public hearings may include a public meeting held by the municipal government in which the transaction is on the agenda as well as other meetings or open houses hosted by either the acquiring utility or selling utility. The acquiring utility or selling utility should be required to notify the selling utility's customers of the public hearing. Examples of effective notice include local newspapers, community newsletters, faith community bulletins, public service announcements, social media posts shared with community groups and municipalities, local radio and television stations, posting in areas of high foot traffic, communications to local community groups, and posting shared with local community centers. Direct outreach to concerned residents may also be considered as notice, whether through a phone call, text, letter, or email. The Commission's Section 1329 Application Filing Checklist should be revised to include public hearings and should include an attestation that the public hearings were held.

We believe this modification will assist in better informing the public of the transaction between the acquiring utility and the selling utility. Hosting such hearings will give the public the opportunity to question both transacting parties, and better prepare the public to participate in any eventual application at the Commission. Bolstering such public input opportunity before the filing of the proceeding is further supported given the six-month statutory time frame the Commission currently has to adjudicate perfected Section 1329 applications.

#### *Rate Impact Notice*

The acquiring utility and the selling utility should be required to verify, or declare under affidavit, the following three items within the initial application.

- Both parties acknowledge the selling utility is aware of the potential rate impacts the transaction may have on the selling utility's customers. This would include detailing the overall dollar and percentage impact implicated from stand-alone rates from the transaction price.<sup>5</sup>
- The selling utility has publicly communicated such implications on rates through notices issued to its existing customers.

- Both parties understand the Commission may shift rate allocations in a manner different from any commitments made in the underlying application.

As part of the Commission's Section 1329 Application Filing Checklist, this verification or affidavit would be a prerequisite to having a perfected application.

We acknowledge the current Commission requirements for notice, which do include requirements to inform all potentially affected customers, including the customers of the selling utility.<sup>6</sup> Nonetheless, we believe it is prudent to fortify the public notice requirements with this additional information. This information should prove particularly informative for the selling utility and its customers, as it will make it more certain both have a clear and informed understanding of the stand-alone rate implications from the transaction.

#### *Default Weights for Appraisals*

Act 12 directs appraisers, or utility valuation experts (UVEs), to establish a fair market value of the selling utility by utilizing the cost, market, and income approaches for valuation. The results of these three are then weighed in portions determined at the discretion of the UVE. While the vast majority of UVE appraisals are weighed evenly, review of previous applications does show a minority that weigh appraisals unevenly.

We submit that the UVEs should weigh each valuation result evenly: one-third for cost, one-third for market, and one-third for income. Establishing such default weights will eliminate the ability of any UVE to artificially inflate or deflate the results of any appraisals that come in high or low, respectively. Furthermore, this should help to level the competitive bidding landscape of acquiring utilities by standardizing the process. We believe the Commission is empowered to establish such default weights by the Uniform Standards of Professional Appraisal Practice.<sup>7</sup>

Finally, we believe applicants should be availed an opportunity to seek Commission authority to deviate from these default weights with good cause shown. Such good cause for deviation would need to be included in the acquiring utility's Section 1329 application.

#### *Reasonableness Review Ratio*

We believe it is sound for the Commission to annually publish a "Reasonableness Review Ratio," or RRR. This ratio would not be binding, but rather, a guidepost that the Commission can use when it analyzes and eventually makes a final determination on the overall prudence of various Section 1329 applications.

The crux of the RRR is to determine the ratio of the fair market value to depreciated original cost (DOC) of a barometer group of similarly situated investor-owned water utility companies (IOUs). The barometer group of IOUs would be the same group of water utility companies the Commission utilizes in its Report on the Quarterly Earnings of Jurisdictional Utilities (Quarterly Earnings Report).<sup>8</sup>

To determine the fair market value, the Commission would utilize the enterprise value (EV) of the IOUs as a relevant proxy. The enterprise value is a comprehensive

<sup>4</sup> See February 28, 2019 Implementation Order.

<sup>5</sup> 2024 Uniform Standards of Professional Appraisal Practice (USPAP) Standards 1-4, Effective January 1, 2024.

<sup>6</sup> Latest Quarterly Earnings Report issued January 18, 2024 at Docket No. M-2023-3044811.

<sup>7</sup> In-person hearings may also permit hybrid access via telephone or video streaming.  
<sup>8</sup> A stand-alone rate is one that does not include any Act 11 of 2012 water/wastewater cross subsidization.

valuation of the IOUs and is readily available to the public for each of these IOUs given their publicly traded status.<sup>9</sup>

To determine the DOC of these IOUs, the Commission would utilize the ‘net property, plant, and equipment’ metric (Net PP&E) included on each of the companies’ balance sheets. Net PP&E is an appropriate proxy for DOC since it represents the total value of the physical assets of the company less depreciation.

The RRR would then be the ratio of these two numbers, with EV being in the numerator and Net PP&E being in the denominator: Reasonableness Review Ratio = Enterprise Value/Net Property, Plant, & Equipment.

The RRR would be published by the Commission annually. The published RRR would be comprised of the average of the RRR barometer group information set scraped four times a year. The EV and Net PP&E information would be comprised of values for each indicator at the end of all four quarters.<sup>10</sup>

The data set would begin in quarter one of 2017, given that this would be the first full calendar year dating back to the passage of Act 12 in April of 2016. The average would be rolling, so every year the RRR is published you would add four new quarters and remove the four oldest quarters. This would essentially eliminate the oldest year from the subset while adding the newest year. Therefore, the rolling average subset would entail a full seven years. This would instill a certain rigidity to the RRR, while allowing it to move gradually in relation to market circumstances.

The results for the EV, Net PP&E, and RRR are all exhibited in Appendix A to this Tentative Supplemental Implementation Order. If utilizing this information at present, we would see an RRR of 1.68.<sup>11</sup>

In summary, the RRR would help to foster a more informed judgement by the Commission on the merit of the overall Section 1329 application. This is the case since the relationship between EV and DOC in the IOU industry, i.e. the RRR, can help guide the Commission in its determination on the reasonableness of the transaction price within a Section 1329 application. Given that the Section 1329 application will include the DOC of the selling utility’s assets and the proposed transaction price, the Commission can use this information to see how the ratio of these figures compares with the annually published RRR.

We recognize the novel nature of this proposal and welcome interested parties to submit alternative approaches that could assist the Commission in its efforts to review and determine the reasonableness of Section 1329 application transaction prices.

<sup>9</sup> Enterprise Value is calculated via the following: Market Capitalization + Debt – Cash.

<sup>10</sup> The net PP&E quarterly information will lag one quarter due to the timing of Securities and Exchange Commission reporting.

<sup>11</sup> Note, the current data set proposed herein does not include Q4 2023 data for Net PP&E since it has not been published yet. Consequently, the fourth quarter 2023 information for EV, and by result the fourth quarter 2023 RRR has also been omitted. As this Tentative Supplemental Implementation Order proposes, publishing of the RRR in April of any year would instill access to the Net PP&E and EV figures for the previous calendar year.

### *Timing to Effectuate Proposed Changes*

The public hearing, rate impact notice, and default appraisal weight revisions to the Commission’s Section 1329 Application Filing Checklist contemplated herein would go into effect 30 days after issuance of any final order. Any applications filed pursuant to Section 1329 after that date would need to be submitted on the revised application materials in order to be considered.

An initial RRR would be published 30 days after the issuance of any final order in this proceeding. Thereafter, the RRR would be published annually by the Commission in the month of April, or as soon as practical after the first quarter of the year recognizing the lag in Net PP&E reporting. The Commission would acknowledge that some transactions may be in the midst of negotiations, and as such, provide due consideration to the timing of the initial RRR release and any initial Section 1329 applications under this proposal. This would particularly be emphasized in the instance where an asset purchase agreement may be completed in close proximity to the issuance of the initial RRR.

### *Conclusion*

We believe these four updates to the Commission’s presently established Section 1329 implementation and administrative regimes will improve the general public’s awareness of applications, establish more consistent and expected weighing of valuation methods, and assist the Commission in its ultimate review and analysis of Section 1329 dockets. *Therefore,*

### *It Is Ordered That:*

1. A copy of this Tentative Supplemental Implementation Order, including Appendix A, shall be published in the *Pennsylvania Bulletin*.

2. A copy of this Tentative Supplemental Implementation Order, including Appendix A, shall be served on all jurisdictional water and wastewater companies, the National Association of Water Companies—Pennsylvania Chapter, the Pennsylvania State Association of Township Supervisors, the Pennsylvania State Association of Boroughs, the Pennsylvania Municipal Authorities Association, the Pennsylvania Rural Water Association, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate.

3. Comments shall be due within thirty (30) days following publication in the *Pennsylvania Bulletin*, and reply comments shall be due within forty-five (45) days following publication in the *Pennsylvania Bulletin*.

4. The Law Bureau, with assistance from the Bureau of Technical Utility Services, shall review the comments, and all the information provided therein, and shall present a Final Supplemental Implementation Order to the Commission for consideration.

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: February 1, 2024

ORDER ENTERED: February 7, 2024



Appendix A

*Investor Owned Utility Ticker Key*

- American States Water Company (ticker: AWR)
- American Water Works Co., Inc. (ticker: AWK)
- California Water Service Group (ticker: CWT)
- Essential Utilities, Inc. (ticker: WTRG)
- Middlesex Water Company (ticker: MSEX)
- SJW Group (ticker: SJW)

*Reasonableness Review Ratio*

	AWK	AWR	CWT	WTRG	MSEX	SJW	RRR Result	1.68
9/30/2023	1.44	1.97	1.19	1.34	1.59	1.29		
6/30/2023	1.60	2.15	1.29	1.49	1.86	1.44		
3/31/2023	1.72	2.20	1.39	1.62	1.84	1.54		
12/31/2022	1.70	2.29	1.44	1.71	1.88	1.57		
9/30/2022	1.55	2.02	1.32	1.57	1.88	1.32		
6/30/2022	1.70	2.11	1.38	1.70	2.12	1.38		
3/31/2022	1.91	2.30	1.46	1.82	2.52	1.49		
12/31/2021	2.14	2.64	1.74	1.88	2.79	1.52		
9/30/2021	2.02	2.29	1.52	1.75	2.47	1.45		
6/30/2021	1.91	2.17	1.46	1.74	2.05	1.43		
3/31/2021	1.88	2.10	1.48	1.74	2.03	1.47		
12/31/2020	1.92	2.23	1.44	1.78	1.93	1.51		
9/30/2020	1.88	2.17	1.25	1.63	1.77	1.42		
6/30/2020	1.74	2.29	1.32	1.71	1.92	1.46		
3/31/2020	1.67	2.39	1.39	1.25	1.79	1.39		
12/31/2019	1.71	2.52	1.44	1.80	1.98	1.00		
9/30/2019	1.73	2.67	1.48	1.72	1.93	1.52		
6/30/2019	1.65	2.30	1.44	1.89	1.81	1.37		
3/31/2019	1.54	2.23	1.52	1.50	1.78	1.41		
12/31/2018	1.42	2.16	1.41	1.43	1.73	1.58		
9/30/2018	1.42	2.05	1.31	1.53	1.64	1.35		
6/30/2018	1.39	1.97	1.24	1.52	1.49	1.45		
3/31/2018	1.35	1.87	1.20	1.50	1.37	1.24		
12/31/2017	1.46	2.02	1.43	1.67	1.47	1.43		
9/30/2017	1.39	1.80	1.29	1.50	1.47	1.32		
6/30/2017	1.37	1.83	1.27	1.52	1.50	1.23		
3/31/2017	1.38	1.76	1.25	1.50	1.44	1.25		

*Enterprise Value (all numbers in thousands)*

	AWK	AWR	CWT	WTRG	MSEX	SJW
9/30/2023	35,567,818	3,737,055	3,858,182	15,967,536	1,568,284	3,531,076
6/30/2023	38,857,932	4,001,638	4,112,505	17,280,588	1,802,507	3,838,399
3/31/2023	40,880,319	4,015,253	4,323,438	18,365,246	1,743,409	4,036,106
12/31/2022	39,554,205	4,116,802	4,363,803	19,072,223	1,739,980	4,105,693
9/30/2022	35,295,634	3,551,174	3,956,881	17,095,720	1,702,001	3,370,121
6/30/2022	37,772,198	3,646,680	4,061,940	18,089,622	1,870,809	3,476,742
3/31/2022	41,031,580	3,913,844	4,207,071	18,951,815	2,173,385	3,688,030

## NOTICES

*Enterprise Value (all numbers in thousands)*

	AWK	AWR	CWT	WTRG	MSEX	SJW
12/31/2021	45,391,070	4,427,530	4,904,568	19,325,527	2,429,517	3,763,648
9/30/2021	41,693,794	3,765,227	4,243,815	17,489,661	2,109,615	3,481,548
6/30/2021	38,739,751	3,512,200	3,998,954	16,969,687	1,725,191	3,376,068
3/31/2021	37,679,654	3,341,180	3,977,473	16,713,115	1,666,246	3,410,111
12/31/2020	38,037,880	3,469,600	3,788,272	17,059,520	1,546,448	3,465,833
9/30/2020	36,355,326	3,300,990	3,233,389	15,201,708	1,362,694	3,199,372
6/30/2020	33,155,343	3,426,059	3,359,310	15,609,313	1,440,915	3,213,609
3/31/2020	31,124,906	3,513,473	3,393,809	11,189,966	1,311,974	3,056,454
12/31/2019	31,355,861	3,671,215	3,418,911	11,429,960	1,407,053	2,170,493
9/30/2019	31,554,011	3,787,073	3,471,860	10,690,084	1,318,737	2,087,304
6/30/2019	29,522,554	3,205,990	3,317,490	11,584,697	1,194,721	1,851,208
3/31/2019	27,294,084	3,033,265	3,441,939	9,054,422	1,128,519	1,866,040
12/31/2018	24,711,687	2,853,600	3,118,579	8,480,913	1,070,864	2,073,862
9/30/2018	24,167,899	2,638,674	2,873,189	8,811,976	981,843	1,742,129
6/30/2018	23,344,810	2,484,072	2,634,468	8,442,477	864,849	1,826,988
3/31/2018	22,284,321	2,329,224	2,500,460	8,201,649	771,736	1,533,329
12/31/2017	23,688,565	2,484,712	2,899,961	9,024,830	818,955	1,746,286
9/30/2017	21,813,823	2,167,935	2,548,885	7,922,048	799,924	1,582,374
6/30/2017	21,116,810	2,154,028	2,443,042	7,855,896	800,554	1,434,932
3/31/2017	20,919,023	2,032,972	2,351,139	7,600,345	753,650	1,429,760

*\*Sourced from Yahoo! Finance Plus.**Net PP&E (all numbers in thousands)*

	AWK	AWR	CWT	WTRG	MSEX	SJW
9/30/2023	24,774,000	1,896,750	3,248,324	11,884,401	988,836	2,729,004
6/30/2023	24,271,000	1,862,425	3,177,730	11,630,000	970,606	2,667,212
3/31/2023	23,715,000	1,827,859	3,103,437	11,335,245	945,655	2,618,204
12/31/2022	23,305,000	1,800,208	3,031,091	11,172,680	924,351	2,613,950
9/30/2022	22,726,000	1,761,437	2,987,612	10,918,773	903,849	2,556,921
6/30/2022	22,193,000	1,728,631	2,934,676	10,637,078	883,089	2,517,561
3/31/2022	21,489,000	1,698,885	2,887,415	10,440,989	862,372	2,480,953
12/31/2021	21,176,000	1,677,289	2,816,907	10,300,796	869,868	2,476,849
9/30/2021	20,680,000	1,642,905	2,796,369	10,012,155	854,588	2,406,475
6/30/2021	20,308,000	1,618,680	2,746,606	9,764,517	840,286	2,361,038
3/31/2021	20,003,000	1,588,952	2,684,936	9,627,848	820,214	2,319,901
12/31/2020	19,805,000	1,558,507	2,622,991	9,573,211	801,807	2,299,745
9/30/2020	19,364,000	1,521,952	2,596,314	9,322,482	771,431	2,246,220
6/30/2020	19,043,000	1,498,604	2,537,816	9,114,457	751,734	2,206,033
3/31/2020	18,689,000	1,472,697	2,446,971	8,954,900	732,308	2,192,170
12/31/2019	18,335,000	1,459,166	2,381,516	6,358,657	711,674	2,173,062
9/30/2019	18,260,000	1,418,962	2,343,254	6,209,835	683,883	1,376,807
6/30/2019	17,910,000	1,394,033	2,302,205	6,128,012	660,567	1,353,804
3/31/2019	17,739,000	1,358,410	2,259,559	6,033,428	635,123	1,327,038
12/31/2018	17,409,000	1,321,666	2,207,980	5,930,326	618,487	1,313,022
9/30/2018	17,063,000	1,289,301	2,185,742	5,740,801	599,104	1,287,513

*Net PP&E (all numbers in thousands)*

	AWK	AWR	CWT	WTRG	MSEX	SJW
6/30/2018	16,777,000	1,262,862	2,130,264	5,541,973	580,480	1,262,417
3/31/2018	16,477,000	1,242,574	2,083,038	5,460,219	564,324	1,239,369
12/31/2017	16,246,000	1,229,062	2,025,753	5,399,860	557,240	1,224,851
9/30/2017	15,681,000	1,204,962	1,981,924	5,276,474	545,461	1,201,421
6/30/2017	15,391,000	1,176,616	1,928,612	5,159,151	533,281	1,169,015
3/31/2017	15,128,000	1,158,320	1,888,005	5,057,826	524,532	1,140,249

*\*Sourced from Yahoo! Finance Plus*

**STATEMENT OF COMMISSIONER  
KATHRYN L. ZERFUSS**

I take this opportunity to emphasize that the Commission is taking the concerns raised by all parties related to water acquisitions under Section 1329 of the Public Utility Code very seriously. We are evaluating all of our options to address these concerns, but I note that the confines of the statute limit our authority to make changes. That said, I think that the revisions proposed today to our existing process are a positive step forward and I want to express my support—especially for any enhanced, meaningful public engagement.

Even with these proposed revisions, I want to highlight my position that this Commission must carefully evaluate each of these cases and determine whether the acquiring public utility has established its burden of proof under applicable balancing test. This has been outlined in recent caselaw. Significantly, in *Cicero v. Pa. PUC*, 2023 WL 5302323 (Pa. Cmwlth. 2023) (*Cicero*), the Commonwealth Court upheld prior precedent that the substantial affirmative public benefits of a proposed acquisition must outweigh the acknowledged harms resulting from the acquisition. It is incumbent on this Commission to apply the current caselaw.

Date: February 1, 2024

KATHRYN L. ZERFUSS,  
*Commissioner*

[Pa.B. Doc. No. 24-223. Filed for public inspection February 16, 2024, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**

**Water Service**

**A-2024-3046084 and A-2024-3046092. Pennsylvania-American Water Company and Appalachian Utilities, Inc. Joint application of Pennsylvania-American Water Company and Appalachian Utilities, Inc., under**

66 Pa.C.S. § 1102 (relating to enumeration of acts requiring certificate), for approval of: (1) the transfer to American Water Works Company, Inc., by merger, of all property of Appalachian Utilities, Inc. used and useful in the public service; (2) the transfer to Pennsylvania-American Water Company, by merger, of all property of Appalachian Utilities, Inc. used or useful in the public service; (3) the right of Pennsylvania-American Water Company to begin to offer, render, furnish and supply water service to the public in the Borough of Avis and Townships of Pine Creek and Dunnstable, Clinton County; and (4) the abandonment by Appalachian Utilities, Inc. of all water service.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, March 4, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery.

*Applicants:* Pennsylvania-American Water Company; Appalachian Utilities, Inc.

*Through and By Counsel:* Erin K. Fure, Esquire, Pennsylvania-American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055, (717) 550-1556, [erin.fure@amwater.com](mailto:erin.fure@amwater.com); Thomas J. Sniscak, Esquire, Todd S. Stewart, Esquire, Hawke McKeon & Sniscak, LLP, 100 North 10th Street, Harrisburg, PA 17101, (717) 919-4022, [tjsniscak@hmslegal.com](mailto:tjsniscak@hmslegal.com), [tsstewart@hmslegal.com](mailto:tsstewart@hmslegal.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-224. Filed for public inspection February 16, 2024, 9:00 a.m.]















