

PENNSYLVANIA BULLETIN

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Agencies in this issue

The General Assembly
The Courts
Department of Agriculture
Department of Banking and Securities
Department of Conservation and Natural Resources
Department of Education
Department of Environmental Protection
Department of Health
Department of Revenue
Department of Transportation
Environmental Hearing Board
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Public Utility Commission
Public School Employees' Retirement Board
State Board of Pharmacy
State Board of Vehicle Manufacturers, Dealers and Salespersons

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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 592, March 2024

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)		67 Pa. Code (Transportation)	
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12 Pa. Code (Commerce, Trade and Local Government)		204 Pa. Code (Judicial System General Provisions)	
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75	1054		
97	1056		
107	1057		
111	1056, 1058		

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Meetings Scheduled

The Commission on Sentencing announces the following meetings to be held in Harrisburg, PA and by means of Zoom:

Wednesday, March 13, 2024	6 p.m.	Dinner Meeting	Harrisburg Hilton and Towers Hotel One North Second Street Harrisburg, PA
Thursday, March 14, 2024	9 a.m.	Policy Meeting	523 Irvis Building Capitol Complex Harrisburg, PA Zoom Webinar: https://bit.ly/PCSMarch142024
	11 a.m.	Quarterly Business Meeting	523 Irvis Building Capitol Complex Harrisburg, PA Zoom Webinar: https://bit.ly/PCSMarch142024

MATTHEW KLEIMAN, PhD,
Executive Director

[Pa.B. Doc. No. 24-251. Filed for public inspection March 1, 2024, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 81 AND 87]

Proposed Amendments to the Rules of Professional Conduct and Disciplinary Board Rules and Procedures Relating to Lawyer Succession Planning

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania (the “Board”) is considering recommending to the Supreme Court of Pennsylvania amendments to the Rules of Professional Conduct and Disciplinary Board Rules and Procedures to require that every active lawyer in private practice in Pennsylvania maintain a written succession plan.

EXPLANATORY REPORT

New Rule of Professional Conduct 1.20

Pennsylvania’s current Rules of Professional Conduct do not mandate that private practice lawyers maintain a succession plan,¹ yet the Board recognizes that such planning is essential. The future is unpredictable and lawyers must strive to lessen the impact of unexpected interruption to their relationships with clients by proactively protecting the clients’ interests in the event of the attorney’s death, disability, or other unanticipated absence. A succession plan helps ensure a smooth transition of client files and ease chaos in times of crisis.

Proposed Rule of Professional Conduct (“RPC”) 1.20 governs lawyer succession planning. Subdivision (a) provides that every active lawyer in private practice in Pennsylvania have a written succession plan. This subdivision sets forth the minimum requirements of the plan, which should include: (1) the identity of the lawyer or law firm designated to carry out the plan; (2) the location of information necessary to access the designating lawyer’s pertinent records; and (3) information on the designating lawyer’s trust and operating accounts and corresponding records. Subdivision (b) requires that the designating lawyer notify the assisting lawyer and obtain that lawyer’s written consent to act as the assisting lawyer. The designating lawyer must also inform clients of the existence of the succession plan. Subdivision (c) addresses the liability of the assisting lawyer, and provides that the rule is not intended to create liability, but rather any such liability is determined by the terms of the agreement between the designating lawyer and the assisting lawyer.

The commentary following the rule text provides guidance to practitioners on implementing a succession plan tailored to the lawyer’s particular circumstances and offers examples to demonstrate that there can be flexibility in crafting the plan. As well, the commentary gives guidance to lawyers who practice in firm settings that include other Pennsylvania-admitted lawyers in good standing, that they may designate the firm as the

¹ Rule of Professional Conduct 1.3, Comment (5) provides that, “[t]o prevent neglect of client matters in the event of a sole practitioner’s death or disability, the duty of diligence may require that each sole practitioner prepare a plan, in conformity with applicable rules, that designates another competent lawyer to review client files, notify each client of the lawyer’s death or disability, and determine whether there is a need for immediate protective action.”

successor, and reminds lawyers of the obligation to notify clients of the succession plan, preferably by including the information in the engagement or retainer agreement.

Disciplinary Board Rule § 87.7(b)

A revision to the Disciplinary Board Rules would permit Office of Disciplinary Counsel to ask respondent-attorneys about their compliance with new Rule 1.20 as part of the process of sending a DB-7 Letter (Request for Statement of Respondent’s Position) during ODC’s investigation of a matter, as well as request that the respondent-attorney produce the succession plan. This proposed rule change gives Disciplinary Counsel the opportunity to discuss the requirements of succession planning with a respondent-attorney and allow for an educational opportunity.

Interested persons are invited to submit written comments, suggestions or objections by mail, email or facsimile to the Executive Office, The Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106-2625, facsimile number (717-231-3381), email address Dboard.comments@pacourts.us on or before May 1, 2024.

*By The Disciplinary Board of the
Supreme Court of Pennsylvania*

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

CLIENT-LAWYER RELATIONSHIP

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

Rule 1.20. Lawyer Succession Planning.

(a) *Succession plan.* Every active lawyer in private practice in Pennsylvania (the “designating lawyer”) must have a written succession plan, either alone or as part of a law firm plan, specifying the steps to be taken in the event of the designating lawyer’s extended incapacity from practicing law, or the designating lawyer’s disability or death. At a minimum, the plan must include the following: (1) the identity of the lawyer or law firm designated to carry out the terms of the succession plan (the “assisting lawyer”); (2) the location of information necessary to access the designating lawyer’s current list of active clients, client files, and other client information including computer and other relevant passwords; and (3) information on the designating lawyer’s trust and operating accounts and corresponding records.

(b) *Notice of plan.* The designating lawyer must notify the assisting lawyer of, and the assisting lawyer must

consent to, the designation as an assisting lawyer in a writing signed by the designating lawyer and the assisting lawyer, or by electronic communication acknowledged by both the designating lawyer and the assisting lawyer. Designating lawyers must also notify their clients of the existence of the succession plan.

(c) *Liability of Assisting Lawyer.* If the assisting lawyer forms an attorney-client relationship with the designating lawyer's clients, the assisting lawyer will be subject to the existing rules and duties attendant to the attorney-client relationship. Otherwise, this rule is not intended to create liability between the assisting lawyer and the clients of the designating lawyer. Any liability between the designating and assisting lawyers shall be determined by the terms of the agreement between them.

Comment:

(1) When a lawyer is unexpectedly unable to practice for an extended period of time, the lawyer's clients, staff, and practice are at risk of significant harm. By taking proactive steps to plan for an unexpected interruption in practice, including implementation of a succession plan, a designating lawyer can avert or mitigate such harm. The goal of succession planning is to protect the interests of the designating lawyer's current clients by creating and implementing a succession plan to take effect when the designating lawyer is unable to practice law due to extended incapacity, or the lawyer's disability or death. The incapacity of the designating lawyer may be temporary or permanent.

(2) The level of sophistication of a succession plan should be determined by each designating lawyer's or law firm's circumstance. For example, as part of the succession plan the designating lawyer can arrange for the assisting lawyer to take steps to promptly distribute the client matters, including any trust funds due to the clients, directly to the clients or to other lawyers chosen by the clients. Alternatively, the designating lawyer may draft the plan such that, with the clients' consent, the assisting lawyer will assume responsibility for the interests of the designating lawyer's clients, subject to the right of the clients to retain a different lawyer or law firm other than the assisting lawyer. Some designating lawyers may choose to designate more than one lawyer or a pool of lawyers as the assisting lawyer. These examples are not meant to be exhaustive or exclusive, but rather to suggest that there is great flexibility allowed by the rule in the crafting of the succession plan.

(3) If the designating lawyer is a member of a law firm that includes other Pennsylvania-admitted lawyers in good standing, the designating lawyer may designate the firm as the assisting lawyer.

(4) The designating lawyer must notify his or her clients of the existence of the lawyer's succession plan. Preferably this should be done by including the information in the engagement or retainer agreement.

Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

CHAPTER 87. INVESTIGATIONS AND INFORMAL PROCEEDINGS

Subchapter A. PRELIMINARY PROVISIONS COMPLAINTS

§ 87.7. Notification to respondent-attorney of complaint and duty to respond; duty to produce Pa.R.P.C. 1.15's required records and effect of failure to produce.

* * * * *

(b) *Transmission of notice.* Except as provided in subsection (a) of this section, the district office shall prepare and forward to the respondent-attorney Form DB-7 (Request for Statement of Respondent's Position), advising the respondent-attorney of:

(1) the nature of the grievance and if the investigation has not been initiated by the Office of Disciplinary Counsel pursuant to § 87.1(b) (relating to initiation of investigations), the name and address of the complainant; and

(2) the requirement that the respondent-attorney respond to the allegations against the respondent-attorney by filing with the district office a statement of position. Unless a shorter time is fixed by the Chief Disciplinary Counsel in such notice, the respondent-attorney shall have 30 days from the date of such notice within which to file a statement of position in the district office.

The notice requirements of this subdivision (b) shall be applicable to any Form DB-7A (Supplemental Request for Statement of Respondent's Position), in which case the notice shall advise the respondent-attorney of the requirement that the respondent-attorney respond to the supplemental allegations by filing with the district office a statement of position with respect thereto.

The Form DB-7 may inquire as to a respondent-attorney's compliance with Rule of Professional Conduct 1.20 (relating to lawyer succession planning) and may request that the respondent-attorney produce the writing required by subdivision (a) of Rule 1.20.

* * * * *

[Pa.B. Doc. No. 24-252. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEAVER COUNTY

Local Rule of Civil Procedure LR223; Administrative Doc. No. 10117-2024

Administrative Order

In conjunction with the adoption of Beaver County Local Rule of Judicial Administration LJA5104 and with the approval of the Pennsylvania Civil Procedural Rules Committee, it is hereby *Ordered* that Beaver County Local Rule of Civil Procedure LR223 Custody and Storage of Trial Exhibits is *Rescinded*, effective thirty days following publication in the *Pennsylvania Bulletin*.

The District Court Administrator is directed to:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us;
2. File two (2) paper copies and one (1) electronic copy in Microsoft Word format only to bulletin@palrb.us with Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
3. Publish a copy of this Administrative Order on the Beaver County Court of Common Pleas website, <https://www.beavercountypa.gov/departments/courts>, after publication in the *Pennsylvania Bulletin*;
4. Incorporate the rule change into the Local Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin*;

5. Keep a copy of this Administrative Order continuously available for public inspection and copying in the Beaver County Law Library.

By the Court

RICHARD MANCINI,
President Judge

[Pa.B. Doc. No. 24-253. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEAVER COUNTY

Local Rule of Judicial Administration LJA5104; Administrative Doc. No. 10117-2024

Administrative Order

As required by Pennsylvania Rule of Judicial Administration 5104, it is hereby *Ordered* that the following Beaver County Local Rule of Judicial Administration LJA5104 is adopted, effective thirty days following publication in the *Pennsylvania Bulletin*:

LJA5104. Policies and Procedures for the Custody of Exhibits in Court Proceedings.

(a) If present, the stenographer shall safeguard and maintain exhibits introduced in a court proceeding. If a stenographer is not present, the presiding Judge shall designate a member of his or her staff to safeguard and maintain exhibits introduced.

(b) The custodian designated in part (a), above shall file all exhibits with the appropriate records office no later than five (5) days following the end of the proceeding.

(c) Oversized documentary exhibits may be reduced to 8.5" × 11" paper, so long as the quality is not compromised. Alternatively, they may be submitted digitally via a CD or USB flash drive in a common format such as PDF with a file name identifying the exhibit. Voluminous documentary exhibits shall be submitted digitally via a CD or USB flash drive in a common format such as PDF with a file name identifying the exhibit.

(d) The proponent of any bulky or oversized non-documentary exhibit shall safeguard and maintain such exhibit during and after the court proceeding.

(e) Audio or visual recordings shall be submitted via a CD or USB flash drive; any proprietary or uncommon software necessary to play the recording must be included. The proponent of an audio or video recording shall designate in writing the timestamps of the portions presented to the factfinder if the recording is not presented in its entirety.

(f) Issues regarding exhibits not addressed in this Local Rule shall be governed by Pa.R.J.A. 5101—5104.

The District Court Administrator is directed to:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us;

2. File two (2) paper copies and one (1) electronic copy in Microsoft Word format only to bulletin@palrb.us with Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. Publish a copy of this Administrative Order on the Beaver County Court of Common Pleas website, <https://www.beavercountypa.gov/departments/courts>, after publication in the *Pennsylvania Bulletin*;

4. Incorporate the rule change into the Local Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin*;

5. Keep a copy of this Administrative Order continuously available for public inspection and copying in the Beaver County Law Library.

By the Court

RICHARD MANCINI,
President Judge

[Pa.B. Doc. No. 24-254. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEDFORD COUNTY

Adoption of Local Rule of Judicial Administration 5102—Custody of Exhibits in Court Proceedings; Administrative Doc. No. 3 of 2024

Order of Court

And Now, Friday, February 16, 2024, inasmuch as the Supreme Court of Pennsylvania has adopted Pa.R.J.A. 5101—5105, with a directive that local rules of judicial administration comply with Pa.R.J.A. 5101—5105 no later than Monday, April 1, 2024, the Order of Court is as follows:

1. Local Rule of Judicial Administration 5102 (Custody of Exhibits in Court Proceedings) is hereby adopted as follows to this Order of Court.

2. This Order of Court and Local Rule of Judicial Administration 5102 shall be promulgated in accordance with Pa.R.J.A. 103(c), effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

TRAVIS W. LIVENGOOD,
President Judge

Rule of Judicial Administration 5102. Custody of Exhibits in Court Proceedings.

(A) The Clerk of Courts or Prothonotary or their designated representatives who are present at the court proceeding shall be the custodian for all exhibits during and after court proceedings. The custodian shall secure, maintain, retain and index all exhibits in accordance with Pa.R.J.A. 5102, et seq. In the event no representative of the Clerk of Courts or Prothonotary is present at the court proceeding, the presiding judge shall take possession of the exhibits and immediately forward the exhibits to the Clerk of Courts or Prothonotary at the conclusion of the court proceeding.

(B) The presiding judge may, upon consultation with the parties and/or their counsel, order that the proponent of any non-documentary exhibit, or any documentary exhibit larger than 8-1/2 × 11 inches, be designated as its custodian during and/or after the court proceeding. A proponent designated as the custodian of such exhibits shall have all the duties and responsibilities required of a custodian under Pa.R.J.A. 5102, et seq. Unless otherwise ordered, the proponent designated as custodian of such

exhibits shall secure, maintain, retain and index such exhibits for a minimum of the following time periods:

(1) *Non-criminal matters.* A period 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.

(2) *Criminal matters:*

(1) *Homicides.* A period of 75 years.

(2) *Summary cases.* A period of 5 years.

(3) *All other criminal cases.* A period of 20 years.

[Pa.B. Doc. No. 24-255. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BRADFORD COUNTY

Local Rules; Rule 1301 Amendment; No. 2024IR0013

Order

And Now, this 12th day of February, 2024, Bradford County Court of Common Pleas Local Rule 1301 is amended to establish the amount in controversy to be submitted to compulsory arbitration be consistent with 42 Pa.C.S.A. § 7361.

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

1) File one (1) copy of the amended local rule 1301 with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2) Forward two (2) paper copies and one (1) electronic copy in a Microsoft Word format to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Publish the local rules on the court's website after publication in the *Pennsylvania Bulletin*.

4) Forward one (1) paper copy and/or (1) electronic copy in a Microsoft Word format for the publication *Bradford County Law Journal*.

5) File one copy of the local rules in the appropriate filing offices for public inspection and copying.

6) The effective date of the local rule shall be April 1, 2024 or 30 days after publication in the *Pennsylvania Bulletin* whichever occurs first.

By the Court

MAUREEN T. BEIRNE,
President Judge

Local Rule 1301. Cases for Submission to Compulsory Arbitration.

A. Compulsory arbitration as authorized by Section 7361 of the Judicial Code, 42 Pa.C.S.A. Section 101, et seq, shall apply to all civil cases, except actions in equity, where the amount in controversy, exclusive of interest and costs, shall be fifty thousand dollars (\$50,000.00) or less, including appeals from a civil judgment of a district justice. Such actions shall be submitted to and heard by a board of arbitration consisting of three attorneys.

B. The amount in controversy generally will be determined by the pleadings or by an agreement of the attorneys, however, the Court, on its own motion or on the motion of any party, may determine, based upon affidavits, depositions, stipulations of counsel or after hearing or review of the record, that the amount actually

in controversy does not exceed fifty thousand dollars (\$50,000.00) and may enter an order certifying the case to a board of arbitration. In the event that a case within the arbitration limits is consolidated with a case involving more than the arbitration limits after the former has been referred to a board of arbitrators, the order of consolidation shall remove the same from the jurisdiction of the board of arbitrators.

C. A civil action shall be referred to arbitration by Order of Court or when any party or its counsel (1) files a praecipe with the Prothonotary, certifying that the pleadings are closed and the matter is ready for arbitration and (2) pays the appropriate listing fee. A copy of the arbitration praecipe shall immediately be delivered to the Court Administrator and all other counsel.

D. Cases subject to compulsory arbitration will not be scheduled for a pre-trial conference, however, all cases will come under the caseload control of the Court Administrator.

[Pa.B. Doc. No. 24-256. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BRADFORD COUNTY

Local Rules; Rules 5102.1 and 5103.1; No. 2024IR0013

Order

And Now, this 21st day of February, 2024, Bradford County Court of Common Pleas adopts the following Local Rules of Judicial Administration governing the Custody of Exhibits for the 42nd Judicial District to be effective thirty (30) days after publication.

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

1) File one (1) copy of the local rule with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2) Forward two (2) paper copies and one (1) electronic copy in a Microsoft Word format to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Publish the local rules on the court's website after publication in the *Pennsylvania Bulletin*.

4) Forward one (1) paper copy and/or (1) electronic copy in a Microsoft Word format for the publication *Bradford County Law Journal*.

5) File one copy of the local rules in the appropriate filing offices for public inspection and copying.

6) The effective date of the local rule shall be April 1, 2024 or 30 days after publication in the *Pennsylvania Bulletin* whichever occurs first.

By the Court

MAUREEN T. BEIRNE,
President Judge

42nd Jud.Dis.R.Jud.Admin. 5102.1. Custody of Exhibits. General Provisions.

(a) *During Court Proceedings before Judge or Hearing Officer*

1) The Court Reporter shall be the custodian of all documentary exhibits and photographs or electronic cop-

ies of non-documentary exhibits accepted or rejected during the court proceedings.

2) The Court Reporter shall maintain a written index of exhibits during the court proceedings.

3) The proponent shall include a Confidential Information Form or Confidential Document Form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the proponent to the Court Reporter at the time the evidence is introduced.

4) The proponent of any non-documentary exhibit intended to be offered during a court proceeding shall maintain custody of it during the court proceeding.

(b) *After Court Proceedings before Judge or Hearing Officer*

1) The Court Reporter shall be the custodian of all documentary exhibits and photographs or electronic copies of non-documentary exhibits after court proceedings have concluded.

2) The Court Reporter shall:

i) Retain or take custody of all documentary exhibits and photograph or electronic copies of non-documentary exhibits accepted or rejected during the court proceedings.

ii) Ensure the written index of the exhibits is consistent with the exhibits in the custodian's possession and take all steps necessary to cure any inconsistencies.

iii) File the written index of the exhibits and all documentary exhibits, photographs, and photographs or electronic copies of non-documentary exhibits with the appropriate records office within five (5) business days of the conclusion of the court proceedings.

3) The proponent shall secure and maintain all non-documentary exhibits unless otherwise directed by the Court.

42nd Jud.Dist.R.Jud.Admin. 5103.1. Custody of Exhibits. Special Provisions.

(a) *Photographs of Non-Documentary Exhibits.*

1. In advance of a proceeding, the proponent shall prepare a physical, photographic copy of all potential, non-documentary exhibits pursuant to Pa.R.J.A. 5103(b).

2. The proponent shall also prepare a separate document to provide to the Court Reporter along with the photograph that describes the photograph(s), including:

- i. the case name,
- ii. docket number,
- iii. proponent name, and
- iv. date photograph was taken.

(b) *Media Depositions.* Media depositions presented at trial shall be retained by the proponent. The proponent shall submit either a copy of the media deposition on a portable media device or a transcript of the media deposition as an exhibit provided it complies with subdivision (c) of this Rule.

(c) *Reproduction of Oversized or Voluminous Documentary Exhibits.*

1. Where the intended, original documentary exhibit(s) exceeds 150 pages (single sided), the proponent shall cause the exhibit to be transformed into a portable

document file ("pdf") and placed onto a flash drive, thumb drive, usb drive, or other portable media-containing device.

2. The proponent shall place the portable media device in an envelope not exceeding 8 1/2 by 11 inches containing either a label on the envelope or a separate document within the envelope describing the device's contents, including:

- i. the case name,
- ii. docket number,
- iii. proponent name,
- iv. creation date of original documents (if known), and date documents were reduced to pdf.

(d) *Status Conference for Bulky, Oversized, or Otherwise Physically Impractical Exhibits.*

1. In advance of any proceeding where a proponent anticipates their exhibit(s) will be categorized as bulky, oversized, or otherwise physically impractical pursuant to Pa.R.J.A. 5103(c)(3), the proponent shall, when the issue has not previously been raised and addressed, file a motion for a status conference, which may be conducted via telephone or advanced communication technology at the discretion of the presiding judge.

2. The presiding judge, counsel, and parties if unrepresented, shall discuss maintenance and security of the exhibit(s) both during and after the proceeding consistent with Pa.R.J.A. 5104(a)(4), and the presiding judge shall confirm same by an Order of Court.

(e) *Weapons, Contraband, and Hazardous Materials Pursuant to Pa.R.J.A. 5103(d).*

1. Each presiding judge in any Court Proceeding may issue special instructions to address the method by which exhibits under this rule are maintained during a court proceeding, including the party that shall secure the exhibits while the Court Proceeding is in session, as well as during all breaks and recesses, which method shall be confirmed by an Order of Court.

i. In the absence of a Court Order, in any Court Proceeding where exhibits are offered into evidence, the proponent shall secure the exhibits while the Court Proceeding is in session, as well as during all breaks and recesses.

ii. During a Court Proceeding, the proponent shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit.

iii. Exhibits under this rule are prohibited from viewing in the jury room. The Court may direct alternative viewing arrangements for such exhibits upon the request of the jury.

2. At the conclusion of a Court Proceeding, all exhibits which have been offered into evidence, whether or not admitted of record, shall be kept in the custody of the proponent, the proponent's designee, or such other person as designated by the presiding judge.

3. Exhibits categorized under this Rule may only be disposed of or destroyed by an Order of Court.

4. If there are Exhibits which require temporary storage, the Sheriff's Office shall provide the proponent with

an escort to the Records Office, as defined by Pa.R.J.A. 5101(a)(7), or other secure area designated by the presiding judge.

[Pa.B. Doc. No. 24-257. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ERIE COUNTY

Local Rules of Judicial Administration 5102 and 5103; Doc. No. 4 of 2024

Order

And Now, this 20th day of February, 2024, it is hereby Ordered and Decreed that, effective 30 days after publication in the *Pennsylvania Bulletin*, the Erie County, Pennsylvania Court of Common Pleas adopts Local Rules of Judicial Administration 5102 and 5103 pertaining to custody of exhibits.

The Erie County District Court Administrator shall process this Order in accordance with Pennsylvania Rule of Judicial Administration 103(c) (rules of judicial administration).

By the Court

JOSEPH M. WALSH, III,
President Judge

Custody of Exhibits in Court Proceedings.

Local Rule 5102. Custody of Exhibits. General Provisions.

(a) *During and After Court Proceedings.* The proponent of an exhibit is designated as its “custodian” during and after court proceeding, including during breaks and recesses, and for all applicable records retention periods.

(b) Each custodian shall file their documentary exhibits, photographs, and photographs of non-documentary exhibits, with the appropriate records office within 5 business days of conclusion of a court proceeding.

(1) The “Index of Exhibits” accompanying the filed exhibits pursuant to Pa.R.J.A. 5102(b)(2) and this Rule shall be in the form appended to these Rules, or a substantially similar form.

(2) A copy of the “Index of Exhibits” (without attached exhibits unless ordered otherwise) shall be served on the trial court and parties within 5 business days of conclusion of a court proceeding.

Note: “Proponent”, “Exhibit”, “Custodian”, “Court Proceeding”, and “Records Office” are defined at Pa.R.J.A. 5101. Further, as stated in the Comment to Pa.R.J.A. 5101, “Exhibit” includes “items admitted or rejected by the court after being offered into evidence by a proponent.”

Local Rule 5103. Custody of Exhibits. Special Provisions.

(a) *Oversized Documentary Exhibits and Photographs.* The proponent of any oversized documentary exhibit or photograph exhibit shall ensure that a copy of the exhibit reduced to no larger than 8-1/2 × 11 inches is entered into the official case record in conformity with Erie R.J.A. 5102(b). All copies shall be clear and capable of further reproduction or transfer to digital media.

(b) *Non-documentary Exhibits.* The custodian shall retain custody of non-documentary exhibits (including, but not limited to, weapons, cash, other items of value, drugs, and other dangerous contraband or materials) and bulky, oversized, or otherwise physically impractical exhibits at all times during and after a court proceeding, including during breaks and recesses, and for all applicable records retention periods.

(1) Non-documentary Exhibits shall be photographed by the proponent, converted to a letter sized document (8-1/2 × 11 inches), and appropriately marked and produced during the court proceeding for inclusion in the official case record. Said document shall be clear and capable of further reproduction or transfer to digital media.

(2) Unless otherwise ordered by the court, at the conclusion of the court proceeding, non-documentary exhibits shall remain in the custody of the custodian-proponent for safekeeping as required by any applicable records retention periods, or until further order of court.

(3) Unless required otherwise by law, regulation, administrative agency retention schedule, or order of court, the custodian-proponent shall maintain non-documentary exhibits for a minimum of following time periods:

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

(ii) *Criminal matters:*

(1) *Homicides:* Retain Exhibits 75 years.

(2) *Summary cases:* Retain Exhibits 5 years.

(3) *Other cases:* Retain Exhibits 20 years.

(c) Any digital exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the official case record on a universal serial bus (USB) flash drive (or other format if expressly approved by the court). If one proponent has multiple digital exhibits, they may be submitted as separate files on one USB flash drive.

(d) Any exhibit containing confidential information meeting the categories enumerated in Pa. Access Policy § 8.0 shall include an Administrative Office of Pennsylvania Courts approved confidential document cover sheet so that the document can be properly sealed by the records office.

Title 255—LOCAL COURT RULES

INDIANA COUNTY

Local Rule of Judicial Administration Custody of Exhibits; MD-32-2024

Order of Court

And Now, this 31st day of January, 2024, in compliance with Rule 103(d) of the Pennsylvania Rules of Judicial Administration, it is *Hereby Ordered* that the Court adopts the following Rule of Judicial Administration Custody of Exhibits regarding Indiana County's custody of exhibits, effective April 1, 2024.

The Court Administrator shall:

- 1) File one certified copy of this Order with the Administrative Office of Pennsylvania Courts to adminrules@pacourt.us;
- 2) Submit two paper copies of this Order to the Legislative Reference Bureau and one electronic copy in Microsoft Word format only to Bulletin@palrb.us for publication in the *Pennsylvania Bulletin*;
- 3) Provide one copy of this Order to the members of the Indiana County Bar Association;
- 4) Incorporate the Rule into the set of Local Rules within thirty (30) days of publication of the Local Rule in the *Pennsylvania Bulletin* and publish the rules on the Court's website at www.IndianaCountyPA.gov;
- 5) File this Order in the Prothonotary's Office of Indiana County.

Rule 5102. General Provisions.

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

(a) If only one custodian is involved with a proceeding, he/she shall file with the appropriate records office all submitted exhibits and index of exhibits within 5 business days of the conclusion of the proceeding.

(b) If multiple custodians are involved with a proceeding, the first custodian shall provide the subsequent custodian (and so on, if more than two custodians) with the submitted exhibits and index of exhibits. The custodian at the conclusion of the proceeding shall file with the appropriate records office all submitted exhibits and index of exhibits within 5 business days of the conclusion of the proceeding.

Rule 5103. Custody of Exhibits. Special Provisions.

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

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

(2) Unless otherwise provided by the presiding judge, at the conclusion of the court proceeding, non-documentary evidence shall be returned to the proponent for

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

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

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

ii. *Criminal matters*.

1. *Homicides*. Retain exhibits 75 years.

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

3. *Other cases*. Retain exhibits 20 years.

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

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

By the Court

THOMAS M. BIANCO,
President Judge

[Pa.B. Doc. No. 24-259. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LACKAWANNA COUNTY

Adoption of Court of Common Pleas Rules of Judicial Administration 5101—5105 Governing the Custody of Exhibits for Court Proceedings; No. 2024-MISC-85

Order

And Now, this 14th day of February 2024, in accordance with Pa.R.Civ.P. 239 and Pa.R.J.A. 103(c), it is hereby *Ordered* and *Decreed* as follows:

(a) The Lackawanna County Court Administrator shall distribute two paper copies of the following proposed Lacka.Co. Rules of J.A. Nos. 5101—5105 to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. The Court Administrator shall also distribute to the Legislative Reference Bureau a copy of these proposed local rules on a USB Flash Drive, or another agreed upon alternate format that complies with the requirements of 1 Pa. Code § 13.11(b). The effective date of the proposed local rules shall not be less than 30 days after the date of publication of the local rules in the *Pennsylvania Bulletin*.

(b) Contemporaneously with publishing the proposed local rules in the *Pennsylvania Bulletin*, the Lackawanna County Court Administrator shall:

i. file one copy of the proposed local rules with the Administrative Office of the Supreme Court;

ii. publish a copy of the proposed local rules on the website of this court or Lackawanna County; and

iii. thereafter compile the local rules within the complete set of the local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.

(c) A compilation of local rules shall be kept continuously available for public inspection and copying in the Clerk of Judicial Records office and on the website of this court or Lackawanna County. Upon request and payment of reasonable costs of reproduction and mailing, the court administrator's office shall furnish a person with a copy of the proposed local rules.

(d) No pleading or other legal paper shall be refused for filing by the Clerk of Judicial Records based on a requirement of a local rule unrelated to the payment of filing fees. No case shall be dismissed nor request for relief granted or denied because of failure to initially comply with these local rules. In any case of noncompliance with these local rules, the court or its designee shall alert the party to the specific provision at issue and provide a reasonable time for the party to comply with the local rule.

(e) The adoption of Lack.Co. Court of Common Pleas Rules of Judicial Administration 5101—5105 shall become effective thirty (30) days after the date of their publication in the *Pennsylvania Bulletin* in compliance with Pa.R.J.A. 103(c)(5)(iii); and

(f) The Court of Common Pleas of Lackawanna County shall incorporate the following proposed Local Rules in the complete set of the Lackawanna County Rules of Judicial Administration no later than thirty (30) days following their publication in the *Pennsylvania Bulletin*.

By the Court

PATRICIA CORBETT,
President Judge

Rule 5101. Definitions.

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

(1) *"Court Proceeding."* Any trial, hearing, argument or similar event before a judge, panel, or hearing officer where evidence, if entered, is on the record. It does not include a proceeding before a magisterial district court, a judicial arbitration matter pursuant to Pa.R.Civ.P. 1301 et seq., a hearing before a register of wills pursuant to Pa.R.O.C.P. 10.3, proceedings before hearing officers in divorce, custody, support, delinquency, and dependency matters unless the hearing officer and counsel of record agree the proceeding shall constitute a court proceeding which shall adhere to Lack.Co.R.J.A. 5101—5105, any hearing or proceeding that can be appealed de novo to the court of common pleas or upon which exceptions or objections can be filed to the court of common pleas or any matter that is not a record proceeding;

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

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

(4) *"Judicial District."* Lackawanna County;

(5) *"Local Rule."* A local rule of judicial administration, however titled, adopted by the Lackawanna County Court of Common Pleas pursuant to Pa.R.J.A. 103(c);

(6) *"Proponent."* A party seeking the admission of an exhibit into the record in a court proceeding; and

(7) *"Records Office."* The Lackawanna County Clerk of Judicial Records, the Register of Wills or the Clerk of Orphans Court.

(b) For any words and phrases not defined by these rules, a meaning may be discerned through examination of its dictionary definition and its legal meaning may be gleaned from its use in an applicable body of law.

Comment: The definition of "court proceeding" includes, but is not limited to, civil and criminal trials, ancillary arguments, and hearings, as well as divorce, custody, support, delinquency, and dependency hearings before hearing officers and made of record.

The definition of "exhibit" includes items admitted into evidence by the court, or rejected by the court, after being offered into evidence by a proponent.

Rule 5102. Custody of Exhibits. General Provisions.

(a) *During Court Proceedings.* A member of the court's staff, or the proponent of the exhibit or the court reporter, shall be designated by the court as the custodian during a court proceeding. The custodian of the exhibit shall secure and maintain all exhibits during a court proceeding, including breaks and recesses, unless otherwise provided in these rules.

(b) *After Court Proceedings.* The Court shall designate a member of court staff, the court reporter or the proponent of the exhibit to be designated as the custodian after the court proceeding has concluded.

(1) *Custodian.* The custodian shall:

(i) take custody of, including safeguarding and maintaining all documentary exhibits, including but not limited to photographs, and photographs of non-documentary exhibits either admitted or rejected during the court proceeding;

(ii) file all documentary exhibits, photographs, and photographs of non-documentary exhibits with the Records Office within five business days of the conclusion of the court proceeding unless otherwise directed by the court; and

(iii) secure and maintain all other non-documentary exhibits as:

(A) directed by the court; or

(B) agreed to by the parties.

(2) *Index of Exhibits.* The custodian who is responsible for filing the exhibits with the Records Office shall include a numbered list of exhibits, and for each exhibit identify the proponent of the exhibit, whether the exhibit was admitted or rejected from evidence, and a textual description or identification of the exhibit in substantial compliance with Form 1 in the attached appendix.

(3) *Confirmation.* If the exhibits are transferred from a court staff-custodian or court reporter-custodian to a proponent-custodian, the court staff-custodian shall confirm that the proponent-custodian has complied with subdivision (b)(1)(ii).

(4) *Relief.* If the custodian does not file the exhibits as required by subdivision (b)(1)(ii), the proponent, if not

designated as the custodian or in possession of the exhibits, may seek appropriate relief with the court.

Comment: Court may direct the proponent of exhibits to secure and maintain exhibits that are bulky, oversized or otherwise physically impractical for the custodian to maintain during court proceedings. See Lack.Co.R.J.A. 5103(c)(3).

Non-documentary exhibits typically will be returned to the proponent at the conclusion of the court proceeding. See Local Rule 5103 for special provisions relating to oversized documents, photographs, non-documentary exhibits, and digital media. If the court has concerns about the proponent's ability to retain an exhibit through the exhaustion of all appeals and post-trial actions, the court may direct other provisions for securing the exhibit. The court should take into consideration the possibility that a proponent may be incapable or unable to maintain and secure an exhibit, as well as the possibility that a proponent may tamper with or otherwise permit the degradation of an exhibit. The court should also consider any cases that may require special instructions for retention of non-documentary exhibits, such as in capital cases.

The exhibit list required by subdivision (b)(2) will enable the parties to easily determine the contents of a case record.

Rule 5103. Custody of Exhibits. Special Provisions.

(a) *Documentary Exhibits.*

(1) If a proponent offers into evidence an exhibit such as a letter, report, drawing, map, photograph, or other document that is larger in size than 8-1/2 × 11 inches, the proponent shall ensure that a copy of the document reduced to 8-1/2 × 11 inches (or smaller) is entered into the record.

(2) A proponent who provides a reduced copy of an oversized exhibit shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(b) *Photographs.*

(1) If a proponent offers into evidence a photograph, the proponent shall ensure that the original or a copy of the photograph in lieu of the original (no larger in size than 8-1/2 × 11 inches) is entered into the record.

(2) A proponent who provides a copy of a photograph shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

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

(1) If a proponent offers into evidence a non-documentary exhibit, the proponent shall ensure that a photograph (no larger in size than 8-1/2 × 11 inches) of the exhibit is entered into the record in lieu of the non-documentary exhibit.

(2) A proponent who provides a photograph of a non-documentary exhibit shall ensure that the photograph is clear and capable of further reproduction or transfer to digital media.

(3) If the exhibit is bulky, oversized or otherwise physically impractical for a court staff-custodian or court reporter to maintain; the court may direct that the proponent offering the exhibit maintain custody of the exhibit and secure the exhibit during the court proceeding.

(d) *Non-documentary Exhibits: Weapons, Contraband, Hazardous Materials.*

(1) In any proceeding in which weapons, cash, other items of value, drugs, or other dangerous materials are offered into evidence, the proponent shall secure the exhibits while the court proceeding is in session, as well as during all breaks and recesses.

(2) During the proceeding, the proponent shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit.

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

(e) *Use of Digital Media.* A proponent shall ensure that any exhibit in a digital format, that is entered into the record, is in a format acceptable to the court.

(f) *Duplicates.* The court may direct that the original item, and not a duplicate, be entered into the record.

Comment: When documents and photographs are reduced in size and copied to comply with subdivisions (a)-(b) of this rule, the proponent must ensure that the quality of the document or photograph is not compromised. All documentary exhibits must be capable of clear reproduction. Subdivision (b) recognizes that a proponent may have a sentimental attachment to a photograph and may not want to relinquish it for inclusion in the record.

In subdivision (c), non-documentary exhibits comprise a broad spectrum of objects, including, but not limited to, jewelry, clothing, automobiles, furniture, as well as the items listed in subdivision (d).

In subdivision (d), the phrase "weapons, cash, other items of value, drugs, or other dangerous materials" includes, but is not limited to, guns, knives, explosives, controlled substances, narcotics, intoxicants, currency, money, negotiable instruments, toxic materials, and bio-hazards. For purposes of this rule, "secured" means inaccessible by unauthorized persons. See UJS Pennsylvania Court Safety Manual for best practices on firearms handling. Judges shall consider additional safety measures if substances, likely to cause bodily harm, are present in the courtroom, for example, fentanyl and its derivatives, or other substances known to be especially lethal or toxic.

Neither documentary exhibits of unusual bulk or weight nor non-documentary exhibits should be transmitted unless authorized by a party or by the prothonotary of the appellate court. See Pa.R.A.P. 1931(c). In the case of exhibits under subdivision (d) of this rule, such exhibits should only be transmitted by law enforcement personnel who are authorized to transport such items to the appellate court.

Regarding the use of media in the courtroom, technology is constantly evolving and judicial districts have access to varying levels of technology. As set forth in subdivision (e), a proponent offering an audio, visual, or computer file into evidence is solely responsible for ensuring the court has the means to access it during a court proceeding. Current technology may include the use of portable formats, such as flash drives and compact discs.

With regard to other limitations on the use of duplicates, see Pa.R.E. 1003.

Rule 5104. Prohibition.

(a) *Prohibition.* The automated systems of the Unified Judicial System (e.g., Common Pleas Case Management

<i>Exhibit Number</i>	<i>Description of Exhibit</i>	<i>Proponent</i>	<i>Admitted</i>	<i>Rejected</i>	<i>*Bulk Exhibit</i>

*Indicates photograph of non-documentary exhibits retained by proponent. (E.g., weapons, cash, bulky or oversized items identified in Rule 5103).

[Pa.B. Doc. No. 24-260. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LAWRENCE COUNTY

Adoption of Local Rules L5101—L5105 Governing the Custody of Exhibits; No. 90036 of 2024 A.D.

Administrative Order

And Now, this 12th day of February, 2024, in accordance with the directives of Pennsylvania Rules of Judicial Administration, 5101—5105, and in order to effectuate the purposes thereof, Local Rules L5101—L5105 are hereby adopted as follows:

CUSTODY OF EXHIBITS IN COURT PROCEEDINGS.

Rule L5101. Definitions.

(a) Any word or phrase used in these local rules that are defined in Pa.R.J.A. 5101(a) shall have the meaning and definition as set forth in Pa.R.J.A. 5101(a)(1)—(7), unless the context clearly indicates otherwise, or the particular word or phrase is expressly defined in the local rule in which the particular rule is included.

(b) For any words and phrases not defined in Pa.R.J.A. 5101, a meaning may be discerned through examination of its dictionary definition and its legal meaning may be gleaned from its use in an applicable body of law.

Rule L5102. Custody of Exhibits. General Provisions.

(a) *During Court Proceedings.* The Court Reporter shall be designated as custodian of all documentary exhibits and photographs and non-documentary exhibits accepted or rejected during court proceedings; provided, however, if the Court Reporter is not present during the court proceeding, such as if the proceeding is being electronically and/or digitally recorded, the court assistant serving that courtroom shall be designated as such custodian, and shall, immediately upon the conclusion of the proceeding, deliver such exhibits to the custody of the Court Reporter.

(b) *After Court Proceedings.* The Court Reporter shall be designated as the custodian of all documentary exhibits and photographs and all non-documentary exhibits accepted or rejected during the court proceedings after the court proceedings have concluded.

(1) *Custodian.* The custodian shall:

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

(ii) within five (5) business days file of record with the Prothonotary and Clerk of Courts in the case file a

numbered list of exhibits, and for each exhibit identify the proponent, whether the exhibit was admitted or rejected from evidence and a textual description or identification of the exhibit, and immediately secure all such exhibits in a secured and locked vault provided to the Court Reporter for such purposes, with access thereto to be provided only under the control and supervision of the Court Reporter and the President Judge.

Rule L5103. Custody of Exhibits. Special Provisions.

(a) *Documentary Exhibits.*

(1) If a proponent offers into evidence an exhibit such as a letter, report, drawing, map, photograph, or other document that is larger in size than 8-1/2 × 11 inches, the proponent may provide a copy reduced to 8-1/2 × 11 inches for entry into the record.

(2) A proponent who provides a reduced copy of an oversized exhibit shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(b) *Photographs.*

(1) If a proponent offers into evidence a photograph, the proponent shall ensure that the original or a copy of the photograph in lieu of the original (no larger in size than 8-1/2 × 11 inches) is entered into the record.

(2) A proponent who provides a copy of a photograph shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

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

(1) If a proponent offers into evidence a non-documentary exhibit, the proponent shall ensure that a photograph (no larger in size than 8-1/2 × 11 inches) of the exhibit is entered into the record.

(2) A proponent who provides a photograph of a non-documentary exhibit shall ensure that the photograph is clear and capable of further reproduction or transfer to digital media.

(3) An exhibit that is bulky, oversized or otherwise physically impractical for the Court Reporter to maintain, the exhibit shall be secured as directed by the court in a secured vault established for such purpose.

(d) *Non-documentary Exhibits: Weapons, Contraband, Hazardous Materials.*

(1) In any proceeding in which weapons, cash, other items of value, drugs, or other dangerous materials are offered into evidence, the Court Reporter shall secure the

exhibits while the court proceeding is in session as well as during all breaks and recesses.

(2) During the proceeding, the Court Reporter shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit.

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

(e) *Use of Digital Media.* A proponent shall ensure that an exhibit in a digital format entered into the record is in a format acceptable to the court.

(f) *Duplicates.* The court may direct that the original item, and not a duplicate, be entered into the record.

Rule L5105. Confidentiality. Exhibits Under Seal.

(a) If an exhibit offered into evidence contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (“Policy”), the court may direct that the exhibit be sealed and a certification prepared in compliance with the Policy be affixed thereto.

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

The effective date of this Order shall be April 1, 2024.

The District Court Administrator of Lawrence County shall:

1. File one (1) electronic copy of this Administrative Order and Rule with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. File two (2) paper copies of this Administrative Order and Rule with the Legislative Reference Bureau and one (1) electronic copy in Microsoft Word format only via email to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*.

3. Arrange to have this Administrative Order and Rule published in the Lawrence County Bar Association web-

site at lawrencecountybar.org, and forward one (1) copy to the *Lawrence Law Journal* for publication.

4. Arrange to have this Administrative Order and Rule, as well as all Local Rules, published on the 53rd Judicial District website at lawrencecountypa.gov.

5. Keep this Administrative Order and Rule, as well as all local rules of this Court, continuously available for public inspection and copying in the appropriate Lawrence County filing office. The respective filing office shall furnish to any person a copy of any local rule upon request and payment of reasonable costs of reproduction and mailing.

By the Court

DOMINICK MOTTO,
President Judge

[Pa.B. Doc. No. 24-261. Filed for public inspection March 1, 2024, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Christopher M. Manganello, A/K/A Christopher Michael Manganello, (# 82728), having been disbarred in the Supreme Court of New Jersey, the Supreme Court of Pennsylvania issued an Order February 7, 2024, disbaring Christopher M. Manganello, A/K/A Christopher Michael Manganello, from the Bar of this Commonwealth, effective March 8, 2024.

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

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 24-262. Filed for public inspection March 1, 2024, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 75]

Fishing; Endangered Species

The Fish and Boat Commission (Commission) amends Chapter 75 (relating to endangered species). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The final-form amendment would update and further clarify language in §§ 75.1—75.3 (relating to endangered species; threatened species; and candidate species). Commission staff recommends deleting the least brook lamprey and brook stickleback.

A. Effective Date

This final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this final-form rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

The amendments to §§ 75.1—75.3 are published under the statutory authority of section 2305(b) of the code (relating to threatened and endangered species).

D. Purpose and Background

The specific purpose and background of the final-form amendment is described in more detail under the summary of changes.

E. Summary of Changes

The digger crayfish *Creaserinus fodiens* is a primary burrowing crayfish that spends the majority of its time underground in burrows. Burrowing crayfish, including *Creaserinus fodiens*, usually occur within or adjacent to forested ephemeral (vernal) pools, bottomland forested floodplains, roadside ditches, small streams, seeps, reservoir shores, wet meadows and prairies, forested swamps and ponds, agricultural ditches and other wet areas where they dig burrows through moist soils to reach the underlying ground water.

Burrowing crayfish are important components of the ecosystems where they reside. They are ecosystem engineers that mix and disturb large volumes of soil, which is important in maintaining plant diversity. Burrowing crayfish provide critical habitat for the eastern massasauga rattlesnake *Sistrurus catenatus* and Kirtland's snake *Clonophis kirtlandii*, both endangered in this Commonwealth. These two species brumate (that is, hibernate) in crayfish burrows. Studies in locations elsewhere indicate that crayfish burrows also provide critical habitat for rare and endangered odonates (that is, dragonflies and damselflies), especially during summer when surface conditions are dry.

The digger crayfish is a highly variable species with a distribution covering substantial portions of the eastern United States, including Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, North Carolina, Ohio,

Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia, as well as Ontario, Canada. In 2014, the digger crayfish was first discovered in northwest Pennsylvania (Crawford County). Additional intensive sampling conducted in 2020 at numerous locations in northwestern Pennsylvania also detected the species in southern Erie County.

The status of this species was reviewed using the Commission's documentation and objective listing/delisting process. The range of the species (extent of occurrence) in this Commonwealth is small (7.7 square miles) and well under the less than 40 square mile criterion (B1) for endangered status in this Commonwealth. Within this range, which includes unsuitable, unoccupied habitats, the digger crayfish only occurs in a 3.5 square mile area (area of occupancy), which is under the less than 4 square mile criterion (B2) for endangered status in this Commonwealth. The digger crayfish is only known to occur in nine locations in this Commonwealth. Two of the locations are disconnected from the other seven, and all locations are disconnected from populations in other states, limiting dispersal and gene flow, which will likely negatively impact the species over the long term.

In addition, the digger crayfish was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S1, meaning it is critically imperiled in this Commonwealth with a high risk of extirpation due to its restricted range and/or populations or occurrences. The Invertebrate Technical Committee of the Pennsylvania Biological Survey (PABS) concurred with this documentation and rank assignment. Enough information is available to make the determination that it is endangered within this Commonwealth at present. Therefore, based on extent of occurrence and area of occupancy, Commission staff propose that the digger crayfish be added to this Commonwealth's list of endangered species.

The black bullhead *Ameiurus melas* is a small catfish, reaching 6.5 to 9 inches in length as an adult. It can be distinguished from similar bullhead species by the presence of black pigmented membranes on its fins. It inhabits backwaters, oxbows, impoundments, lakes, ponds and sluggish streams. Large populations are known to occur in turbid and silty waterways.

The black bullhead was listed as a Commonwealth endangered species in 1999. It is native from southern Canada and Montana, south to northern Mexico and east to the Saint Lawrence River, the Appalachian Mountains and Alabama. It has been introduced elsewhere. In this Commonwealth, there are historic records from the Kiskiminetas River and the Lake Erie basin as well as from Lawrence, Mercer and Westmoreland Counties. There have been no verified reports or collections of this species since 1985. From approximately the year 2000 to the present, the rivers of the Ohio River drainage in western Pennsylvania have been intensively surveyed with electrofishing and trawling gears at hundreds of sites. Efforts have also specifically targeted the black bullhead at historic collection localities in Erie, Lawrence, Mercer and Westmoreland Counties. Despite these efforts, no black bullheads have been detected.

Since the black bullhead has not been detected in this Commonwealth in 38 years, the Commission's objective listing/delisting process could not be applied. It was,

however, evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of SX, meaning it is considered extirpated in this Commonwealth. The Fishes Technical Committee of the PABS concurred with this documentation and rank assignment. As such, Commission staff recommend that it be deleted from the list of endangered species.

The threespine stickleback *Gasterosteus aculeatus* is a small fish with three distinct dorsal spines. The fourspine stickleback *Apeltes quadracus* also occurs within the same general historic range but can be distinguished by the additional dorsal spine and the distance between the spines. Adults are usually 1.5 to 3 inches in length.

The threespine stickleback inhabits shallow, vegetated areas of tidal pools, creeks, marshes, estuaries and inshore waters, usually in or near marine or brackish waters. It occurs widely in the Arctic and Atlantic drainages south to the Chesapeake Bay. In the Pacific drainages, it occurs from Alaska to Baja, California, and it has been widely introduced elsewhere. In this Commonwealth, it is confined to the tidal Delaware River and a few tributaries.

The threespine stickleback was listed as a Commonwealth endangered species in 1999. There are very few records for this species in Pennsylvania, and it has not been collected or verified in this Commonwealth since 1997. Despite repeated surveys during the past 15 to 20 years of waterways where this species has previously been documented, and surveys of other tidal tributaries to the Delaware River, no threespine sticklebacks have been detected. In addition, there have been no reports of this species from the Pennsylvania Scientific Collectors Permit reporting system during this period.

Due to a lack of recent records, the Commission's objective listing/delisting process could not be applied. Commission staff concluded that the threespine stickleback no longer regularly occurs in this Commonwealth. Based on Commission surveys and the historical record, Commission staff concluded that this species is an estuarine form in this Commonwealth that utilizes our inland waters on an irregular, occasional basis. As such, practically no efforts can be advanced to enhance its status in this Commonwealth. As such, Commission staff recommends that it be deleted from the list of endangered species.

The longsolid *Fusconaia subrotunda* is a freshwater mussel species currently known to occur in Alabama, Kentucky, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia and West Virginia. It is considered extirpated from Georgia, Indiana and Illinois. Historically, longsolid have been reported from the following Commonwealth streams and rivers: French Creek, Muddy Creek, Pymatuning Creek, Slippery Rock Creek, Allegheny River, Beaver River, Cheat River, Mahoning River, Monongahela River, Ohio River and Shenango River. The longsolid still occurs in the following Commonwealth streams and rivers: French Creek, Muddy Creek, Allegheny River and Shenango River. Generally, the longsolid co-occurs with other Federal-listed and State-listed mussel species.

On March 9, 2023, the United States Department of the Interior, Fish and Wildlife Service, designated longsolid as Federally threatened throughout its entire ranges.

Section 102 of the code (relating to definitions) defines "endangered species" as "[a]ll species and subspecies of fish which: (1) have been declared by the Secretary of the United States Department of the Interior to be threat-

ened with extinction and appear on the Endangered Species List or the Native Endangered Species List published in the *Federal Register*; or (2) have been declared by the Executive Director to be threatened with extinction and appear on the Pennsylvania Endangered Species List published in the *Pennsylvania Bulletin*." Because longsolid has been designated as Federally threatened throughout its range, which includes this Commonwealth, Commission staff proposed that it be added to the Commonwealth's list of threatened species.

The least brook lamprey *Lampetra aepyptera* is a small, nonparasitic lamprey. Adults are usually 3.5 to 6 inches in length. A similar species, the American brook lamprey *Lethenteron appendix*, also occurs in western Pennsylvania, but these two species have never been collected from the same stream.

The least brook lamprey inhabits generally clean, clear streams and brooks of moderate gradient. It is often found in stocked trout waters. Larvae, known as ammocoetes, generally prefer sluggish areas with deposits of mud, muck, silt, sand, detritus and coarse woody debris. This species occurs on Atlantic Slope from southeastern Pennsylvania to North Carolina, and the Mississippi River basin from western Pennsylvania to Missouri and Arkansas and south to Mississippi. It is also found in Gulf Coast drainages from Georgia to Mississippi. In western Pennsylvania, this lamprey has been reported from Allegheny, Armstrong, Beaver, Butler, Fayette, Indiana and Westmoreland Counties. It also occurs in a small area of the Susquehanna River drainage in southern Chester County.

The least brook lamprey was listed as a candidate species in 1999. Lamprey-specific field work conducted during 1996 and 2002 to 2009 confirmed that nearly all historic (pre-1995) waterways remained occupied, and additional populations were reported. The status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds criterion A.2 (population reduction) in that there has been no reduction in historic distribution. Since the least brook lamprey occupies more than 150 linear miles of waterway and occurs at more than 20 locations with no known decline, it exceeds Criteria B.3 (area of occupation) and B.5 (distribution and trends). In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4, meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range or many populations or occurrences. The Fishes Technical Committee of the PABS concurred with this documentation and rank assignment. Enough information exists to determine that this species is currently secure in this Commonwealth and to justify its removal from the Commonwealth's list of threatened fishes. Therefore, the Commission proposes that the least brook lamprey be deleted from the Commonwealth's list of candidate species.

The brook stickleback *Culaea inconstans* is a small fish with 4 to 6 dorsal spines. Adults are generally 1.5 to 2.5 inches long. No other stickleback is known to occur within its native range in this Commonwealth. It inhabits cool, calm waters of lakes, ponds, sluggish streams, wetlands and bogs. It prefers areas of heavy vegetation or woody debris over muck, detritus and sand. It occurs in the Arctic and Atlantic drainages in Canada, and in the Great Lakes and Mississippi drainages from Montana to New York and Pennsylvania. It occurs in the Lake Erie

and Ohio River drainages in northwestern Pennsylvania, roughly from Lawrence and Butler Counties to Potter County, as well as a few locations elsewhere in the Ohio River basin. It has been introduced into the Susquehanna River drainage.

The brook stickleback was listed as a Commonwealth candidate species in 1999. From 1990 to the present, it was determined to be rather widely distributed in northwestern Pennsylvania. It is currently known to occur in Cambria, Clarion, Crawford, Elk, Erie, McKean, Mercer, Potter, Venango and Warren Counties.

The status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds criteria B.3 (extent of occupancy) and B.5 (distribution and trends) and is known to occur in excess of 20 locations. In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4, meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range or many populations or occurrences. The Fishes Technical Committee of the PABS concurred with this documentation and rank assignment. Enough information exists to determine that it is currently secure in this Commonwealth. Therefore, Commission staff proposes that the brook stickleback be deleted from the Commonwealth's list of candidate species. The Commission proposes that §§ 75.1—75.3 be amended to read as set forth at 53 Pa.B. 7601 (December 9, 2023).

F. Paperwork

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

A notice of proposed rulemaking was published at 53 Pa.B. 7601. The Commission received no comments for this proposal.

Findings

The Commission finds that:

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

(2) A public comment period was provided and no public comments were received for the proposal.

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

The Commission, acting under the authorizing statutes, orders that:

(A) The regulations of the Commission, 58 Pa. Code Chapter 75, are amended by amending §§ 75.1—75.3 to read as set forth at 53 Pa.B. 7601, with ellipses referring to the existing text of the regulations.

(B) The Executive Director will submit this order and 53 Pa.B. 7601 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 53 Pa.B. 7601 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-352 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 24-263. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 97 AND 111]

Boating; Operator Provided Equipment; Special Regulations Counties

The Fish and Boat Commission (Commission) amends Chapters 97 and 111 (relating to operator provided equipment; and special regulations counties). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). These amendments update the Commission's regulations relating to personal floatation devices.

A. Effective Date

This final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this final-form rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

The amendment to § 97.1 (relating to personal floatation devices) is published under the statutory authority of section 5123 of the code (relating to general boating regulations). The amendments to §§ 111.3, 111.20, 111.24, 111.26, 111.27, 111.32, 111.42, 111.43, 111.56, 111.62 and 111.65 are published under the statutory authority for section 5124 of the code (relating to particular areas of water).

D. Purpose and Background

The specific purpose and background of the amendments are described in more detail under the summary of changes.

E. Summary of Changes

Over the past decade, paddleboarding has been gaining popularity. Paddleboards are now widely available, affordable and relatively easy to transport. Paddleboards resemble oversized surfboards, and models are designed for use on various waterways and conditions. They are primarily operated by a person standing on the board using a paddle in a manner similar to a canoe. Paddleboards are frequently used on lakes and rivers throughout this Commonwealth.

On October 3, 2008, the United States Coast Guard (USCG) issued a determination that, when beyond the narrow limits of a swimming, surfing or bathing area, the device known as a “paddleboard” is a vessel under 46 U.S.C. § 2101 (relating to general definitions). This classification means that no person may use a paddleboard unless in compliance with the Navigation Rules and applicable carriage requirements for this type of vessel. The Commission adopted the USCG’s definition of paddleboard and associated life jacket carriage requirements in § 109.2 (relating to paddleboards and sailboards), effective January 1, 2015. This section states that a wearable life jacket must be carried on board for each person, “unless otherwise required to be worn in accordance with § 97.1 (relating to personal flotation devices).” Commission staff recommends amendments to § 97.1 to provide clarification regarding life jacket wear requirements, since paddleboards are generally included with canoes and kayaks for recreational boating purposes. Commission staff also recommends amendments to incorporate paddleboards into Chapter 111 regulations for United States Army Corps of Engineers Pittsburgh District lakes where life jacket wear is required on boats less than 16 feet in length or any canoe, kayak or paddleboard.

The Commission amends §§ 97.1, 111.3, 111.20, 111.24, 111.26, 111.27, 111.32, 111.42, 111.43, 111.56, 111.62 and 111.65 to read as set forth at 53 Pa.B. 5505 (September 2, 2023).

F. Paperwork

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

A notice of proposed rulemaking was published at 53 Pa.B. 5505. The Commission received no comments on this proposal.

Findings

The Commission finds that:

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

(2) A public comment period was provided and no comments were received.

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

The Commission, acting under the authorizing statutes, orders that:

(A) The regulations of the Commission, 58 Pa. Code Chapters 97 and 111, are amended by amending §§ 97.1, 111.3, 111.20, 111.24, 111.26, 111.27, 111.32, 111.42, 111.43, 111.56, 111.62 and 111.65 to read as set forth at 53 Pa.B. 5505, with ellipses referring to the existing text of the regulations.

(B) The Executive Director will submit this order and 53 Pa.B. 5505 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 53 Pa.B. 5505 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-349 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 24-264. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 107]

Boating; Boating Restrictions

The Fish and Boat Commission (Commission) amends Chapter 107 (relating to boating restrictions). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). This amendment updates the Commission’s regulations pertaining to allowable electric motor speeds and clarifies horsepower restrictions.

A. Effective Date

This final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this final-form rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission’s web site at www.fishandboat.com.

C. Statutory Authority

The amendments to §§ 107.1 and 107.2 (relating to horsepower restrictions; and electric motors) are published under the statutory authority of section 5124(a) of the code (relating to particular areas of water).

D. Purpose and Background

The specific purpose and background of the amendments are described in more detail under the summary of changes.

E. Summary of Changes

Current regulations limit boat propulsion to electric motors only on Commission-owned or Commission-controlled lakes, some State park lakes and water bodies specified in Chapter 111 (relating to special regulations counties). These regulations were originally intended to reduce noise, excessive wakes, shoreline erosion and property damage, and the risk of petroleum-based water pollution on certain water bodies. Boats powered by small electric motors (such as trolling motors) and unpowered boats are popular on Commonwealth bodies of water with electric motor-only restrictions.

Some exceptions exist for State park lakes and certain other waters specified in Chapter 111 where internal

combustion motors are permitted but with horsepower (HP) limitations. Boats propelled by small gas outboard motors and unpowered boats are popular on these waterways.

Recent technological advancements with battery-powered electric boat motors have produced a variety of higher-powered options up to 180 HP and 60 miles per hour. While these new units are currently expensive and have limited battery capacity, it is anticipated they will become more affordable and widely available in the future. Boating stakeholders, partner organizations, other State agencies and Commission staff have expressed concern that high-powered electric motors could be legally operated on waters that are currently regulated as electric motor-only waters, which is inconsistent with the original intent of this restriction. Additionally, Commission law enforcement staff have expressed concern about the complexity of enforcing HP limitations for electric motors to meet the original intent of current regulations.

Manufacturer and retailer specifications for electric motors frequently refer to kilowatt (kW) rather than HP, whereas Commission regulations refer only to HP. In enforcing HP limitations, Waterways Conservation Officers (WCO) typically rely on HP ratings that are marked on the boat's cowling (motor cover). If the HP rating is not marked on the cowling or the marking is not legible, WCOs may instead rely on documentation provided by the boat operator (such as an owner's manual), the results of an Internet search of motor make and model or, if the kW rating is known, use a conversion calculation to determine HP. The widely accepted conversion calculation is $\text{kW} \times 1.341 = \text{HP}$. For example, a 15 kW electric motor converts to approximately 20 HP, which is a common HP limitation across this Commonwealth.

To address these issues, Commission staff recommended amending Chapter 107 to limit the speed at which electric motors may be operated and clarify that horsepower restrictions apply to both electric and internal combustion motors.

On June 21, 2022, the Boating Advisory Board considered this proposal and recommended that the Commission approve the publication of a notice of proposed rulemaking containing the amendments.

On July 26, 2022, the Commission approved the publication of a notice of proposed rulemaking containing these amendments. The notice was published at 52 Pa.B. 5651 (September 3, 2022). The Commission did not receive any public comments regarding the proposal; however, during the comment period, it was discovered that other complementary changes in Chapter 107 were necessary to effect the changes in the proposal.

These additional recommended changes were incorporated into a final-form rulemaking agenda item for Commission action. These changes were not published in the *Pennsylvania Bulletin* but were made public as part of the agenda for the October 24, 2022, Commission meeting. On October 24, 2022, the Commission voted to adopt the amendments as set forth in the notice of proposed rulemaking, which did not include the necessary additional changes presented at the meeting. The final-form rulemaking was published at 52 Pa.B. 7381 (December 3, 2022) and went into effect on January 1, 2023.

The additional changes to §§ 107.1 and 107.2 were included in a proposed rulemaking published at 53 Pa.B. 7604 (December 9, 2023). In this final-form rulemaking, the Commission amends §§ 107.1 and 107.2 to read as set forth at 53 Pa.B. 7604.

F. Paperwork

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

A notice of proposed rulemaking was published at 53 Pa.B. 7604. The Commission received one comment in favor of this proposal.

Findings

The Commission finds that:

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

(2) A public comment period was provided and one public comment was received in favor of the proposal.

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

The Commission, acting under the authorizing statutes, orders that:

(A) The regulations of the Commission, 58 Pa. Code Chapter 107, are amended by amending §§ 107.1 and 107.2 to read as set forth at 53 Pa.B. 7604.

(B) The Executive Director will submit this order and 53 Pa.B. 7604 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 53 Pa.B. 7604 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-347 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 24-265. Filed for public inspection March 1, 2024, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 111]

Boating; Special Regulations Counties

The Fish and Boat Commission (Commission) amends Chapter 111 (relating to special regulations counties). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). This amendment updates the Commission's

regulations pertaining to Susquehanna River, Lake Frederick, located in Dauphin County.

A. Effective Date

This final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this final-form rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

This amendment to § 111.22 (relating to Dauphin County) is published under the statutory authority of section 5124 of the code (relating to particular areas of water).

D. Purpose and Background

The specific purpose and background of the amendment is described in more detail under the summary of changes.

E. Summary of Changes

A slow, no wake zone currently exists on a channel of the Susquehanna River downstream of Goldsboro, between Bashore Island and the west shore of the river in Dauphin County. This area was established to protect private cabins that existed on the west side of the island at the time. The island is owned by York Haven Power and the cabins were demolished in 2018-2019, so there is no need for the special slow, no wake restriction on this channel. The channel is generally shallow and weedy, which limits boating activity and speed of operation. Boats must still comply with § 103.3(a) (relating to restriction for special areas), which states that “[b]oats are limited to slow, no wake speed when within 100 feet of the shore line; docks; launching ramps; swimmers or downed skiers or other boat-towed watersports participants; persons wading in the water; anchored, moored, or drifting boats; floats, except for ski jumps and ski landing floats; or other areas so marked. This subsection does not apply in a zoned ski area or authorized ski return areas when those areas are found within the areas described in this subsection.”

The Commission amends § 111.22 to read as set forth at 53 Pa.B. 5507 (September 2, 2023).

F. Paperwork

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

A notice of proposed rulemaking was published at 53 Pa.B. 5507. The Commission received no comments on this proposal.

Findings

The Commission finds that:

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

(2) A public comment period was provided and no comments were received.

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

The Commission, acting under the authorizing statutes, orders that:

(A) The regulation of the Commission, 58 Pa. Code Chapter 111, is amended by amending § 111.22 to read as set forth at 53 Pa.B. 5507.

(B) The Executive Director will submit this order and 53 Pa.B. 5507 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 53 Pa.B. 5507 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-348 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 24-266. Filed for public inspection March 1, 2024, 9:00 a.m.]

PROPOSED RULEMAKING

STATE BOARD OF PHARMACY

[49 PA. CODE CH. 27]

Pharmacy Technician Registration

The State Board of Pharmacy (Board) proposes to amend §§ 27.1, 27.11, 27.12, 27.18, 27.31, 27.91 and 27.403 and to add §§ 27.12a and 27.701—27.705.

Effective Date

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

Statutory Authority

Section 6(k)(9) of the Pharmacy Act (63 P.S. § 390-6(k)(9)) provides the Board with the authority “[t]o promulgate rules and regulations to effectuate the purposes of this act and to regulate . . . the practice of pharmacy for the protection and promotion of the public health, safety and welfare.” Additionally, with the enactment of the act of November 30, 2020 (P.L. 1306, No. 140) (Act 140 of 2020), the Board was directed to promulgate regulations to implement the registration of pharmacy technicians and pharmacy technician trainees.

Background and Purpose

Prior to the enactment of Act 140 of 2020, Pennsylvania was one of only four states that did not regulate pharmacy technicians. On November 30, 2020, the Pharmacy Act was amended by adding section 3.3 (63 P.S. § 390-3.3) to provide for the registration of pharmacy technicians and pharmacy technician trainees.

This proposed rulemaking is needed to effectuate Act 140 of 2020 by setting forth the criteria for pharmacy technician training programs as well as the standards of practice and registration fees for both pharmacy technicians and pharmacy technician trainees.

Description of the Proposed Amendments

In light of Act 140 of 2020, the Board is proposing to amend § 27.1 (relating to definitions) to have the existing definition for “pharmacy technician” align with the definition provided in Act 140 of 2020, and to add the newly provided definitions for “pharmacy technician trainee” and “direct and immediate personal supervision.”

Because one of the catalysts for enacting pharmacy technician registration is the possibility for misuse of medications, the Board is proposing to amend § 27.11 (relating to pharmacy permit and pharmacist manager) to establish a requirement that the pharmacist manager notify the Board in writing of the termination of employment of a pharmacist, pharmacy intern, pharmacy technician or pharmacy technician trainee for any drug-related reason, including adulteration, abuse, theft or diversion, within 15 days of the termination. Alternatively, if the pharmacist manager is the individual being terminated, the pharmacy permit holder would then be responsible for reporting the termination. As misuse could occur among any of the licensees or registrants of the Board, this provision needs to be equally applied to all licensees and registrants.

The Board is proposing to amend § 27.12 (relating to practice of pharmacy and delegation of duties) to include pharmacy technician trainees as a class of individuals to whom pharmacists may delegate duties. Additionally, the

Board is proposing to reserve subsection (d)(2)(v) as the information is duplicative and more cumbersome stated than that found at subsection (d)(2)(vii). The Board is also proposing to amend subsection (d)(4) to clarify that when a change of pharmacist manager occurs, the new manager must review the pharmacy technician and pharmacy technician trainee protocols and sign them, indicating that the new manager understands the contents of the protocols. Additionally, the Board proposes to add subsection (d)(5) and (6) to include the name tag requirements set forth in Act 140 of 2020.

The Board proposes to add § 27.12a (relating to pharmacy technician and pharmacy technician trainee grounds for discipline or denial of registration) which essentially parallels applicable provisions found in section 5(a) of the Pharmacy Act (63 P.S. § 390-5(a)) pertaining to various grounds that may lead to discipline for a pharmacist. In Act 140 of 2020, section 3.3(a)(5) (63 P.S. § 390-3.3(a)(5)) states that section 5(a) of the Pharmacy Act will apply to pharmacy technician and pharmacy technician trainee registrations, and the Board felt it would be helpful to place some of that information in the regulations to add clarity for the benefit of pharmacy technicians and pharmacy technician trainees. It should also be noted that Act 140 of 2020 refers to pharmacy technician trainee “permits” and pharmacy technician trainee “registrations.” For consistency and clarity, the Board has chosen to refer to pharmacy technician trainee “registrations,” not “permits,” throughout this proposed rulemaking.

The Board proposes to amend § 27.18(n) and (s) (relating to standards of practice) to be consistent in the verbiage of the now-defined phrase “direct and immediate personal supervision” rather than “direct, immediate and personal supervision” and variations thereof.

The Board proposes to amend § 27.31 (relating to biennial renewal) by amending subsection (a) to correct a typographical error and to include completion of an online biennial renewal form. Also, the Board proposes to add subsection (b.1) to provide for the renewal of pharmacy technician registration every 2 years in odd-numbered years. Additionally, the Board proposes to amend subsection (c) to include pharmacy technicians in the category of licensees or registrants that may not continue to practice if they fail to timely renew their registration and to update the name of the Department of Public Welfare to the current title of Department of Human Services.

The Board proposes to amend § 27.91 (relating to schedule of fees) to include the initial pharmacy technician registration fee of \$30, the conversion fee of \$15 for a pharmacy technician trainee transitioning to a pharmacy technician within 2 years of being a trainee, and the pharmacy technician trainee fee of \$15 (noting that section 3.3(b)(4) of the Pharmacy Act restricts the Board to a fee that is not more than one-half of that for registered pharmacy technicians). The Board arrived at the \$30 initial pharmacy technician registration fee by reviewing its current fee schedule. As of today, a student who is applying to obtain a pharmacy intern certificate must pay \$35, and a pharmacist filing an initial licensure application pays \$45. In reviewing these fees, the Board determined that the most equitable solution was to charge a fee of \$30 for initial pharmacy technician registration. This section also provides for the pharmacy technician biennial registration fee of \$70. Similarly,

when the Board looked at renewal fees, a pharmacist pays \$190 biennially and a pharmacy pays \$125. Additionally, the Board considered the renewal fees of other states, and the average pharmacy technician renewal fee came out to just over \$70. The Board finds the biennial registration fee of \$70 to be equitable in comparison to other states and also among the other fees of this Board. The Board will monitor these fees as it navigates these new waters and begins registration of this new class of registrants, along with consideration of information from the Department of State's Bureau of Finance and Operations (BFO).

The Board is proposing to amend § 27.403(d) (relating to conditions for administration) for purposes of consistency with regard to the phrase "direct and immediate supervision."

The Board is also proposing four new sections relating to the registration of pharmacy technicians and pharmacy technician trainees. First, the Board is proposing to add § 27.701 (relating to qualifications for pharmacy technician registration) to set forth the basic requirements to qualify for a registration including (1) being at least 17 years of age, (2) possessing a high school diploma or equivalent, (3) completing a Board-approved pharmacy technician training program, and (4) submitting to a criminal history record check.

Proposed § 27.702 (relating to pharmacy technician training programs) addresses pharmacy technician training programs, beginning with subsection (a) which delineates what competencies must be covered to meet the standards of a Board-approved pharmacy technician training program, such as the dispensing process, pharmaceutical calculations, confidentiality and hazardous drug handling and disposal. Subsection (b) provides a list of Board-approved program providers ranging from pharmacy employers to the United States Armed Forces. Subsection (c) delineates the requirements for a pharmacy employer to maintain a copy of their training program within their pharmacy at all times and to certify that they have properly trained the pharmacy technician applicant in all areas required under subsection (a) at the time their trainee is filing an application with the Board to become a registered pharmacy technician.

Next, the Board is proposing to add § 27.703 (relating to qualifications for pharmacy technician trainee registration) to set forth the minimum requirements to obtain the pharmacy technician trainee registration, mainly that one needs to be at least 16 years of age and must submit to a criminal history record check.

Proposed § 27.704 (relating to expiration of pharmacy technician trainee registration) explains that an individual may only receive one pharmacy technician trainee registration and it shall expire within 2 years of issuance.

Finally, proposed § 27.705 (relating to grandfather requirements for an existing practitioner to be registered as a pharmacy technician) addresses the criteria for individuals who worked as a pharmacy technician for at least 1 year between January 29, 2019, and January 29, 2021, (the 2-year period prior to the effective date under Act 140 of 2020) to be registered, even if they do not possess a high school diploma and have not completed a Board-approved pharmacy technician program.

Fiscal Impact and Paperwork Requirements

The proposed amendments will add application and biennial renewal fees for pharmacy technician registrations and application fees for pharmacy technician trainee registration. The Department of Labor and Industry

estimates that there may be 20,000 pharmacy technicians in this Commonwealth. The proposed fees may be paid by their employers if their employers choose to pay their fees. This proposed rulemaking should have no other fiscal impact on the private sector, the general public or political subdivisions of this Commonwealth.

This proposed rulemaking will require the Board to create applications and a biennial form to reflect the new licensure class; however, the amendments will not create additional paperwork for the regulated community or for the private sector.

Sunset Date

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned. Additionally, the BFO provides the Board with an annual report detailing the Board's financial condition. In this way, the Board continuously monitors the adequacy of its fee schedule.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on February 21, 2024, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the chairperson of the Consumer Protection and Professional Licensure Committee of the Senate (SCP/PLC) and the chairperson of the Professional Licensure Committee of the House of Representatives (HPLC). 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 shall specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) that have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Commissioner, the General Assembly and the Governor.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Regulatory Counsel, State Board of Pharmacy, P.O. Box 69523, Harrisburg, PA 17106-9523 or by e-mail to RA-STRegulatoryCounsel@pa.gov, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference "Regulation No. 16A-5433 (Pharmacy Technician Registration)" when submitting comments.

THERESA M. TALBOTT, RPh,
Chairperson

Fiscal Note: 16A-5433. No fiscal impact; recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 27. STATE BOARD OF PHARMACY GENERAL PROVISIONS

§ 27.1. Definitions.

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

ACPE—The Accreditation Council for Pharmacy Education.

* * * * *

Department—The Department of State of the Commonwealth.

Direct and immediate personal supervision—The level of supervision of a pharmacy intern, pharmacy technician or pharmacy technician trainee by a licensed pharmacist. The term includes all of the following:

- (i) Review by the pharmacist of the prescription or drug order prior to it being dispensed.
- (ii) Verification by the pharmacist of the final product.
- (iii) Immediate availability of the pharmacist on the premises to direct the work of the supervised individual and respond to questions or problems.

Drug order—

- (i) An oral or written order issued by a medical practitioner which is either written on or entered by computer into the medical record of a patient in an institution for the dispensing of a drug or device for administration to the patient.
- (ii) The term does not include an order for a drug for a patient in an institution which the patient will self-administer which will be considered a prescription.

* * * * *

Pharmacy intern—A person registered by the Board as a pharmacy intern under section 3(e) of the act (63 P.S. § 390-3(e)) and § 27.26 (relating to pharmacy internship).

Pharmacy technician—

(i) [An unlicensed person working in a pharmacy to assist a pharmacist in the practice of pharmacy in accordance with § 27.12 (relating to practice of pharmacy and delegation of duties).] An individual who is registered with the Board as a pharmacy technician under section 3.3(a) of the act (63 P.S. § 390-3.3(a)) and § 27.701 (relating to qualifications for pharmacy technician registration) and who may assist in the practice of pharmacy under the direct and immediate personal supervision of a licensed pharmacist.

(ii) The term does not include [a pharmacy intern, or clerical or housekeeping personnel.] an individual performing clerical support with no direct interaction with prescription medication or ability to enter a prescription drug order.

Pharmacy technician trainee—An individual who has been issued a temporary registration by the Board under section 3.3(b) of the act and § 27.703 (relating to qualifications for pharmacy technician trainee registration) that authorizes the individual to perform the duties of a pharmacy technician under the direct and immediate personal supervision of a licensed pharmacist.

Practice of pharmacy—

* * * * *

STANDARDS

§ 27.11. Pharmacy permit and pharmacist manager.

(a) A permit to conduct a pharmacy issued under section 4 of the act (63 P.S. § 390-4) shall show the name

and address of the pharmacy, the name of the current owner and the name of the current pharmacist manager.

* * * * *

(i) Each pharmacy in this Commonwealth will require a separate permit regardless of ownership unless the pharmacy is a satellite pharmacy as defined in § 27.1 (relating to definitions).

(j) The pharmacist manager shall notify the Board in writing of the termination of employment of a pharmacist, pharmacy intern, pharmacy technician or pharmacy technician trainee for any drug-related reason, including, but not limited to, adulteration, abuse, theft or diversion. In the event a pharmacist manager is terminated for any drug-related reason, the pharmacist permit holder shall be responsible for notifying the Board of the termination. Notice shall be provided within 15 days after the termination.

§ 27.12. Practice of pharmacy and delegation of duties.

(a) *General.* It is unlawful for a person not licensed as a pharmacist by the Board to engage or allow another person to engage in the practice of pharmacy as defined in § 27.1 (relating to definitions) and section 2 of the act (63 P.S. § 390-2) except in accordance with this section.

(b) *Delegation.* A pharmacist may delegate aspects of the practice of pharmacy to a pharmacy intern [or], pharmacy technician **or pharmacy technician trainee**, as defined in § 27.1, subject to the following conditions:

(1) The pharmacist shall review every prescription or drug order prior to its being dispensed to determine the name of the drug, strength, dosage, quantity, permissible refills and other information required under § 27.18(b) (relating to standards of practice) to verify the accuracy of the preparation.

(2) The pharmacist shall provide direct[,] **and** immediate [**and**] personal supervision to pharmacy interns [**and**], pharmacy technicians **and pharmacy technician trainees** working with the pharmacist. [**Direct, immediate and personal supervision means that the supervising pharmacist has reviewed the prescription or drug order prior to its being dispensed, has verified the final product and is immediately available on the premises to direct the work of interns and technicians and respond to questions or problems.**]

(3) The pharmacist shall ensure that the label of the container in which a nonproprietary drug is dispensed or sold pursuant to a prescription complies with the labeling requirements of § 27.18(d).

(c) *Pharmacy interns.*

(1) A pharmacy intern may work only under the direct[,] **and** immediate[,] personal supervision of a pharmacist in accordance with subsection (b)(2).

(2) A pharmacy intern may neither enter nor be in a pharmacy if a pharmacist is not on duty.

(3) A pharmacy intern working under the direct[,] **and** immediate[,] personal supervision of a pharmacist may perform procedures which require professional skill and training. Examples of these procedures include: verifying ingredients, weighing ingredients, compounding ingredients and other similar processing of ingredients.

(4) A pharmacy intern working under the direct[,] **and** immediate [**and**] personal supervision of a pharmacist may administer injectable medications, biologicals and immunizations if the pharmacist and the pharmacy intern each hold an active authorization to administer injectable medications, biologicals and immunizations issued by the Board[,] in accordance with §§ 27.401—27.408.

(d) Pharmacy technicians **and** pharmacy technician trainees.

(1) A pharmacy technician **or pharmacy technician trainee** may work only under the direct[,] **and** immediate[,] personal supervision of a pharmacist in accordance with subsection (b)(2).

(2) The following are examples of the types of activities which a pharmacy technician **or pharmacy technician trainee** may perform:

- (i) Carry containers of drugs in and around the pharmacy.
- (ii) Count pills, tablets and capsules and put them in a container.
- (iii) Type or print, or both, labels.
- (iv) Maintain records which are related to the practice of pharmacy.
- (v) **[Assist the pharmacist in preparing and reconstituting parenteral products and other medications. After the parenteral product or other medication has been prepared, the supervising pharmacist shall initial the label of the product or medication to document his final inspection and to accept total responsibility for its preparation.] [Reserved].**
- (vi) Enter prescription, drug order or patient information in a patient profile.
- (vii) Assist the pharmacist in the compounding of **sterile and nonsterile** drug products, as permitted by the written protocol created and maintained in accordance with paragraph (4).

(3) A pharmacy technician **or pharmacy technician trainee** may not **do any of the following**:

- (i) Accept or transcribe an oral order or telephone prescription.
- (ii) Enter or be in a pharmacy if a pharmacist is not on duty.
- (iii) Perform any act within the practice of pharmacy that involves discretion or independent professional judgment.
- (iv) Perform a duty until the **pharmacy technician or pharmacy technician trainee** has been trained and the duty has been specified in a written protocol.

(4) The pharmacist manager shall create and maintain a written protocol for each pharmacy technician **and pharmacy technician trainee** employed in the pharmacy. The protocol shall specify each duty which the pharmacy technician **or pharmacy technician trainee** may perform. The pharmacist manager and the pharmacy technician **or pharmacy technician trainee** shall date and sign the protocol and each amendment to the protocol. **When a change of pharmacist manager occurs, the new manager shall review the protocol and sign it, indicating that the new manager understands its contents.** The pharmacist manager shall make the protocol available to agents of the Board upon demand.

(5) A pharmacy technician shall wear a name tag that clearly identifies the pharmacy technician's first name with the title "Registered Pharmacy Technician."

(6) A pharmacy technician trainee shall wear a name tag that clearly identifies the pharmacy technician trainee's first name with the title "Pharmacy Technician Trainee."

(Editor's Note: Section 27.12a is proposed to be added and is printed in regular type to enhance readability.)

§ 27.12a. Pharmacy technician and pharmacy technician trainee grounds for discipline or denial of registration.

(a) The Board may refuse, revoke or suspend the registration of a pharmacy technician or pharmacy technician trainee upon proof satisfactory to it that the pharmacy technician or pharmacy technician trainee has done any of the following:

- (1) Procured a personal registration through fraud, misrepresentation or deceit.
- (2) Has been found guilty, pleaded guilty, entered a plea of nolo contendere, or has received probation without verdict, disposition in lieu of trial or an Accelerated Rehabilitative Disposition in the disposition of felony charges to any offense in connection with the practice of pharmacy or any offense involving moral turpitude before any court of record of any jurisdiction.
- (3) Is unfit to practice as a pharmacy technician or pharmacy technician trainee because of intemperance in the use of alcoholic beverages, controlled substances or any other substance which impairs the intellect and judgment to such an extent as to impair the performance of professional duties.
- (4) Is unfit or unable to practice as a pharmacy technician or pharmacy technician trainee by reason of a physical or mental disease or disability. In enforcing this paragraph, the Board shall, upon probable cause, have authority to compel a pharmacy technician or pharmacy technician trainee to submit to a mental or physical examination by physicians or psychologists approved by the Board. Failure of a pharmacy technician or pharmacy technician trainee to submit to an examination when directed by the Board, unless the failure is due to circumstances beyond his control, shall constitute an admission of the allegations against the pharmacy technician or pharmacy technician trainee, consequent upon which a default and final order may be entered without the taking of testimony or presentation of evidence. A pharmacy technician or pharmacy technician trainee affected under this paragraph shall at reasonable intervals be afforded an opportunity to demonstrate that he can resume a competent practice as a pharmacy technician or pharmacy technician trainee with reasonable skill and safety to patients.
- (5) Has had a registration or other authorization to practice as a pharmacy technician or pharmacy technician trainee suspended, revoked or refused, or received other disciplinary action by the proper licensing authority of another state, territory or country.
- (6) Has violated or knowingly permitted the violation of any provision of the act or this chapter.

(7) Has compounded, dispensed, sold or caused the compounding, dispensing or sale of a drug or device which contains more or less than the proportionate quantity of ingredient or ingredients specified by the person who

prescribed the drug or device or which is of a brand or trade name other than that specified by the person prescribing the brand or trade name product or that contains an ingredient or ingredients of a brand or trade name other than that specified by the person prescribing the drug or device, unless the consent of the prescriber is first obtained to each specific prescription This paragraph shall not be construed to prevent the addition of inert ingredients as may be required in the art of compounding, preparing, mixing or otherwise producing drugs or devices.

(8) Is guilty of grossly unprofessional conduct. The following acts on the part of a pharmacy technician or pharmacy technician trainee constitute grossly unprofessional conduct of a pharmacy technician or pharmacy technician trainee:

(i) Willfully deceiving or attempting to deceive the Board or its agents with respect to any material matter under investigation by the Board.

(ii) The misbranding or adulteration of any drug or device and the sale, distribution or dispensing of any misbranded or adulterated drug or device as defined in The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

(iii) Engaging in the sale or purchase of drugs or devices whose package bears the inscription “sample” or “not for resale.”

(iv) Failing to have their biennial license or wallet card available for inspection by an authorized agent of the Board when one is practicing.

(v) The acceptance back and redistribution of any unused drug, or a part thereof, after it has left the premises of a pharmacy, whether issued by mistake or otherwise, unless it is in the original sealed container with the name, lot number and expiration date on the original intact manufacturer’s label. The pharmacy shall maintain records of these returns, and a full refund shall be given to the original purchaser, including a third-party payor.

(9) Has acted in a manner that presents an immediate and clear danger to the public health or safety.

(10) Is guilty of incompetence, gross negligence or other malpractice or the departure from, or failure to conform to, the standards of acceptable and prevailing pharmacy practice or the practice of a pharmacy technician or pharmacy technician trainee, in which case actual injury need not be established.

§ 27.18. Standards of practice.

(a) A pharmacist shall dispense a new prescription in a new and clean container or in the manufacturer’s original container. In refilling a prescription, the pharmacist may reuse the original container of that prescription if the container is clean and reuseable. The refill requires a new label containing the information specified in subsection (d). Pharmacies and pharmacists shall comply with the Poison Prevention Packaging Act of 1970 (15 U.S.C.[A.] §§ 1471—1476) which includes the use of child resistant containers.

* * * * *

(n) A prescription by means of an oral order, telephone or otherwise, shall be received and transcribed by either a registered pharmacist or a pharmacy intern under the direct[,] **and** immediate [**and**] personal supervision of a pharmacist.

* * * * *

(s) Sales of hypodermic needles and syringes shall be made by a pharmacist or under the direct[,] **and** immediate [**and**] personal supervision of a pharmacist in accordance with the following:

(1) Hypodermic needles and syringes may be sold without a prescription.

(2) Hypodermic needles and syringes shall be kept in the prescription area of the pharmacy, as defined in § 27.1 (relating to definitions), and be accessible only by pharmacists and pharmacy personnel authorized to be in the prescription area of the pharmacy while the pharmacy is open.

(t) A pharmacist may only refill a prescription at a reasonable time prior to the time when the contents of the prescription shall be consumed according to prescriber’s directions.

* * * * *

RENEWAL OF PHARMACIST LICENSE, PHARMACY TECHNICIAN REGISTRATION AND PHARMACY PERMIT

§ 27.31. Biennial renewal.

(a) A holder of a pharmacy permit shall renew the permit every 2 years, in [**odd-number**] **odd-numbered** years. Renewal requires completion of a form mailed to the holder by the Board in advance of the renewal period[,] **or completion of an online electronic form** and payment of the specified fee.

(b) A licensed pharmacist shall renew the license every 2 years, in even-numbered years. Renewal requires completion of a form mailed to the pharmacist by the Board in advance of the renewal period or completion of an online electronic form[,] and payment of the specified fee. A pharmacist shall also submit proof of compliance with the continuing education requirements of § 27.32 (relating to continuing education).

(b.1) A registered pharmacy technician shall renew the registration every 2 years, in odd-numbered years. Renewal requires completion of a form mailed to the pharmacy technician by the Board in advance of the renewal period or completion of an online electronic form and payment of the specified fee.

(c) A pharmacist, **pharmacy technician** or holder of a pharmacy permit who fails to timely renew shall cease practice or operation until the license, **registration** or permit is renewed. The holder may be subject to disciplinary action[,] and will be assessed an additional fee of \$5 for each month or part of month after which renewal occurs beyond the date specified by the Board. Notice of lapsed pharmacy permits shall be forwarded to other Commonwealth agencies, including the Department of Health, the Department of [**Public Welfare**] **Human Services** and the Department of Aging.

(d) A pharmacist allowing the license to lapse may [**so**] notify the Board on the renewal form. Reasons shall be briefly stated, and the pharmacist’s pocket license and display license shall be surrendered to the Board with the renewal form. A pharmacist who has had a lapsed license for 1 year or more, and who then seeks to reactivate the license, will be required to show current proficiency to practice pharmacy. The full-time practice of pharmacy in another state, during the period of lapsed licensure in this Commonwealth, will be evidence of current proficiency. A holder of a lapsed license who

engaged in activities outside the profession of pharmacy during the lapsed period shall complete hours of continuing education equivalent to the hours which he would have been required to take had he held an active license.

FEES

§ 27.91. Schedule of fees.

An applicant for a license, certificate, permit or service shall pay the following fees at the time of application:

Application for pharmacy intern certificate	\$35
Application for pharmacist license	\$45
Certification of examination scores or internship hours	\$25
Verification of licensure	\$15
Assistant pharmacist biennial renewal	\$120
Registered pharmacist biennial renewal	\$190
Registered pharmacist late renewal penalty	\$25
New pharmacy permit application	\$125
Reinspection of new pharmacy after failure at first inspection	\$115
Pharmacy permit change without inspection	\$45
Pharmacy permit change when inspection required	\$125
Change in pharmacy ownership or Board of Directors	\$30
Verification of permit	\$15
Biennial renewal of pharmacy permit	\$125
Pharmacy permit late renewal penalty	\$25
Application for approval to administer injectables	\$30
Biennial renewal of approval to administer injectables	\$30
<u>Application for pharmacy technician registration</u>	\$30
<u>Application for pharmacy technician registration—conversion from pharmacy technician trainee</u>	\$15
<u>Application for pharmacy technician trainee registration</u>	\$15
<u>Biennial renewal of pharmacy technician registration</u>	\$70

ADMINISTRATION OF INJECTABLE MEDICATIONS, BIOLOGICALS AND IMMUNIZATIONS

§ 27.403. Conditions for administration.

(a) A pharmacist or pharmacy intern who is granted authority may administer injectable medications, biologicals and immunizations to persons who are more than 18 years of age. A person is more than 18 years of age on the day following the person's 18th birthday.

* * * * *

(d) A pharmacy intern who has been authorized by the Board to administer injectable medications, biologicals and immunizations to persons who are more than 18 years of age and influenza immunizations by injectable or needle-free delivery methods to persons 9 years of age or older under § 27.401 (relating to qualifications for authority) may do so only under the direct[,] **and** immediate [**and**] personal supervision of a pharmacist who

holds an active authority to administer injectable medications, biologicals and immunizations.

(e) A pharmacist or pharmacy intern shall administer injectable immunizations in accordance with treatment guidelines established by a physician and the Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices Guidelines or another competent authority approved by the Board.

(Editor's Note: Sections 27.701—27.705 are proposed to be added with a new undesignated subheading and are printed in regular type to enhance readability.)

PHARMACY TECHNICIANS AND PHARMACY TECHNICIAN TRAINEES

§ 27.701. Qualifications for pharmacy technician registration.

An applicant for a pharmacy technician registration shall meet all of the following requirements:

- (1) Be at least 17 years of age.
- (2) Possess a high school diploma or equivalent.
- (3) Complete a Board-approved pharmacy technician training program.
- (4) Submit to a criminal history record check.

§ 27.702. Pharmacy technician training programs.

(a) A Board-approved pharmacy technician training program shall at a minimum cover and establish competency testing in all of the following areas of pharmacy practice:

- (1) Roles and responsibilities of the pharmacy technician.
- (2) Knowledge of prescription medications.
- (3) Knowledge of strengths or dose, dosage forms, physical appearance, routes of administration and duration of drug therapy.
- (4) The dispensing process.
- (5) Pharmaceutical calculations.
- (6) Interacting with patients.
- (7) Third party procedures, payments and billing practices.
- (8) Compounding.
- (9) Confidentiality.
- (10) Requirements for preparing, labeling, dispensing, storing, prepackaging, distributing and administration of medications.
- (11) Hazardous drug handling and disposal.
- (12) Patient safety and error prevention strategies.
- (13) Diversion prevention.
- (14) Federal and State laws and regulations governing the practice of pharmacy.

(b) The following shall be considered a Board-approved program provider:

- (1) A pharmacy employer.
- (2) A program that holds a current accreditation from the American Society of Health-System Pharmacists and Accreditation Council for Pharmacy Education or their successor.
- (3) A Nationally recognized pharmacy technician training program including, but not limited to, a program recognized by the Pharmacy Technician Certification

Board and National Healthcareer Association for admission to their respective certification exams.

(4) An educational institution whose pharmacy technician programs are Nationally or regionally accredited by the United States Department of Education.

(5) The United States Armed Forces.

(6) A school licensed by the State Board of Private Licensed Schools.

(c) A pharmacy employer that offers a pharmacy technician training program shall keep a readily accessible copy of the pharmacy technician training program, including details as to how the individual's competency is to be assessed, in the pharmacy at all times. At the time of filing an application with the Board for registration as a pharmacy technician, the pharmacist manager shall certify, on a form provided by the Board, that the applicant has successfully completed the pharmacy technician training program. Documentation of the training shall be maintained at the pharmacy by the pharmacist manager.

§ 27.703. Qualifications for pharmacy technician trainee registration.

An applicant for a pharmacy technician trainee registration shall meet all of the following requirements:

- (1) Be at least 16 years of age.
- (2) Submit to a criminal history record check.

§ 27.704. Expiration of pharmacy technician trainee registration.

An applicant may receive only one pharmacy technician trainee registration which shall expire 2 years after the date of issuance or upon obtaining registration as a

pharmacy technician under § 27.701 (relating to qualifications for pharmacy technician registration).

§ 27.705. Grandfather requirements for an existing practitioner to be registered as a pharmacy technician.

An applicant may qualify for a registration as a pharmacy technician through grandfathering if all of the following are met:

(1) The applicant practiced for at least 1 year between January 29, 2019, and January 29, 2021, and provides proof, acceptable to the Board, of this employment, including:

(i) A verification from the applicant's employer attesting that the person was employed as a pharmacy technician for at least 1 year between January 29, 2019, and January 29, 2021.

(ii) Copies of the applicant's Federal W-2 or 1099 forms for tax years 2019 and 2020.

(2) The applicant submits the applicant for registration as a pharmacy technician within 1 year of the effective date of this section, pays the applicable fee, submits to a criminal history record check and meets all applicable requirements other than the requirements under § 27.701(2) and (3) (relating to qualifications for pharmacy technician registration). When 1 year from the effective date of this section has passed, no further applications will be accepted under this section.

(3) This section will expire _____. (*Editor's Note:* The blank refers to the date that is 1 year from the effective date of this section.)

[Pa.B. Doc. No. 24-267. Filed for public inspection March 1, 2024, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Commonwealth Specialty Crop Block Grant Program; 2023-2024 Program Guidelines

The Department of Agriculture (Department) announces the program requirements and application period for grants under the Commonwealth Specialty Crop Block Grant Program (Program). The Program is authorized under 3 Pa.C.S. Chapter 105 (Act of 2019) (relating to Commonwealth Specialty Crop Block program).

1. *Program objective.*

The purpose of the Program is to enhance, but not replace, the Federal Specialty Crop Block Grant Program by establishing a Commonwealth Specialty Crop Block Grant Program for specialty crops that are not currently eligible for grant payments under the Federal Specialty Crop Block Grant Program, or that are otherwise designated high-priority specialty crops by the Secretary. Funding for the Program will assist the growth, certification of seed and marketing of these eligible specialty crops.

2. *Eligible applicants and projects.*

(a) *Eligibility of applicants.* State and local organizations, producer associations, academia, community-based organizations and other eligible specialty crops stakeholders are eligible to apply for grants under the Program.

(b) *Eligible projects.*

(1) Grants may not be awarded to projects that directly benefit a particular commercial product or provide a profit to a single organization, institution or individual.

(2) Grants must be for projects that are focused on an eligible specialty crop. For the Fiscal Year (FY) 2023 round of grant applications, the Secretary designates the following as the high-priority specialty crops that are eligible for Program grants:

- (i) hemp;
- (ii) hardwoods;
- (iii) honey;
- (iv) hops;
- (v) barley, rye and wheat for distilling, brewing and malting only; and
- (vi) flax for fiber only.

(3) If a project relates to a processed eligible specialty crop, the processed product must consist of greater than 50% of the eligible specialty crop by weight, exclusive of added water.

(4) Projects must enhance the competitiveness of eligible specialty crops and benefit the eligible specialty crop industry as a whole and may include, but are not limited to, projects such as:

- (i) Increasing child and adult nutrition knowledge and consumption of specialty crops.
- (ii) Participation of industry representatives at meetings of international standard setting bodies in which the Federal government participates.
- (iii) Improving efficiency and reducing costs of distribution systems.

(iv) Assisting all entities in the specialty crop distribution chains in developing good agricultural practices, including the use of cover crops for specialty crop production; good handling practices; good manufacturing practices; and in cost-share arrangements for funding audits of such systems for small farmers, packers and processors.

(v) Investing in specialty crop research, including the use of cover crops for specialty crop production, organic research to focus on conservation and environmental outcomes and enhancing food safety.

(vi) Developing new and improved seed varieties and specialty crops.

(vii) Pest and disease control.

(viii) Sustainability.

3. *Definitions.*

The following words and terms have the following meanings:

Cover Crops—Grasses, legumes or forbs planted for seasonal vegetative cover to support one or more of the following purposes: a) reduce erosion from wind and water; b) maintain or increase soil health and organic matter content; c) reduce water quality degradation by utilizing excessive soil nutrients; d) suppress excessive weed pressures and break pest cycles; e) improve soil moisture use efficiency; and f) minimize soil compaction.

Crop—Plants that are cultivated for sale, production, processing or subsistence. The term does not include wild plants.

Department—The Department of Agriculture of the Commonwealth.

Eligible specialty crop—A specialty crop designated as a high-priority specialty crop by the Secretary, with priority given to crops, plants and products that are not currently eligible for funding under the Federal Specialty Crop Block Grant Program. For the FY 2022 round of grant applications, these designated eligible specialty crops are hemp, hardwoods, honey, hops and the following grains if used for distilling, brewing and malting only: barley, rye and wheat.

Federal Specialty Crop Block Grant Program—The Specialty Crops Competitiveness Act of 2004 (Pub.L. 108-465, 118 Stat. 3882).

General evaluation criteria—The evaluation criteria established by the Department and utilized for the Federal Specialty Crop Block Grant Program.

Horticultural crop—A crop that is used by people for food, medicinal purposes and aesthetic gratification.

Population density—The total population of this Commonwealth as determined by the most recent Federal decennial census, divided by the total area of this Commonwealth in square miles.

Program—The Commonwealth Specialty Crop Block Grant Program established under 3 Pa.C.S. Chapter 105 (Act of 2019).

Rural municipality—A municipality of this Commonwealth with a population density less than the Statewide average population density or a total population less than

2,500, unless more than 50% of the population lives in an urbanized area, as defined by the United States Census Bureau.

Secretary—The Secretary of the Department.

Silvicultural product—A product of a forest or woodland, including, but not limited to, timber.

Specialty crop—A horticultural crop or silvicultural product, a plant cultivated and utilized for fiber or biofuel purposes or an apiary product.

Urban municipality—A municipality of this Commonwealth not defined as a rural municipality.

4. *Limitations on grants.*

(a) *Project duration.* A project must have a completion date of no later than June 30, 2027.

(b) *Reimbursement grants.* Grant funds will be awarded as reimbursement grants.

5. *Available funds; allocation of moneys.*

(a) *Funds-available basis.* The sum of \$460,000 is available for grants under the Program. Grants will be awarded on a funds-available basis.

(b) *Allocation of funding.* Moneys made available by the Department for Program grants will be allocated as follows:

(1) An amount equal to 6.2% of the money will be allocated to recipients and projects located in rural municipalities where at least 20% of the population has been below the Federal poverty line since 1990, based on census data. A list of these rural municipalities can be accessed at the Department's web site at <http://www.agriculture.pa.gov/pafarmbill> under the Program.

(2) An amount equal to 3.8% of the money will be allocated to recipients and projects located in urban municipalities where at least 20% of the population has been below the Federal poverty line since 1990 based on census data. A list of these urban municipalities can be reviewed on the Department's web site, at the Internet address provided in paragraph (1).

(3) The balance of the money remaining after making these allocations, and after deducting for the Department's permissible administrative costs, will be allocated to recipients and projects in a manner which seeks to distribute the money evenly among types of eligible specialty crops and, where practicable, in a manner that distributes the money across this Commonwealth.

6. *Applications.*

(a) *Full proposal required.* The Department will accept proposals for eligible projects as part of a two-phase competitive process. Eligible applicants must submit a full proposal for a project which describes how the grant would be used to enhance the competitiveness of the subject eligible specialty crop through market development, technology, innovation, food safety, nutrition knowledge, sustainable practices or management, or both. A template for the full proposal may be found on the Department's web site at <http://www.agriculture.pa.gov/pafarmbill>, under the Program.

(b) *Electronic applications only.* Interested applicants must submit a complete electronic full proposal using the Department of Community and Economic Development's Electronic Single Application web site, at www.esa.dced.state.pa.us.

(c) *Application window.* Completed full proposals may be electronically submitted beginning March 4, 2024. Full proposals must be received by no later than 5 p.m. on April 19, 2024.

7. *Review of application.*

The Secretary will review and evaluate the full proposal and supporting documentation and will consider the following factors, which are consistent with the general evaluation criteria of the Federal Specialty Crop Block Grant Program, in deciding whether to approve or reject the full proposal:

(1) The full proposal involves a project for an eligible specialty crop as previously defined.

(2) The proposal states the specific issue, problem or need the project will address, the timeliness and relevance to the specialty crop industry, if it will provide a direct benefit to the specialty crop industry, and if the approach is rational and sound.

(3) The proposals will result in at least one of the eight outcomes as predetermined by the United States Department of Agriculture Specialty Crop Block Grant Program. Outcomes are measurable changes in behavior or conditions that reflect a positive impact to the specialty crop industry. Only one outcome and indicator is required. Scoring will be based on the outcome selected and the project's likelihood of success and relevance to the specialty crop industry.

(4) The predetermined indicator (as described on the application form) listed under the outcome identified and the quantifiable results written for the indicator selected.

(5) How the data will be collected and how well the project will accomplish the outcome and indicator selected.

(6) The extent to which the budget is reasonable and consistent with the project's purpose, outcome and indicator; whether matching funds or in-kind contributions are anticipated; and whether it is feasible that the proposed work can be accomplished given the proposed budget. Matching funds are not a requirement of the Program; however, matching funds are encouraged and may serve as evidence to demonstrate industry commitment to, or support for, the project.

(7) The extent to which the full proposal meets the requirements for an "eligible project" presented in section 2(b).

(8) Whether the subject specialty crop is not currently eligible for grant payments under the Federal Specialty Crop Block Grant Program.

8. *Notice of disposition of application.*

The Department will e-mail written notice of the acceptance or rejection of a full proposal. This notice will be by e-mail to the e-mail address provided by the applicant in the application. Applicants who have submitted successful full proposals will be invited to submit an application containing a final proposal for the Program. This application will be provided by the Department with instructions for submittal. Only those applicants notified by the Department will be eligible to submit a final proposal. The Department will evaluate all final proposals by applying the allocation percentages presented in section 5 and the evaluation factors presented in section 7.

9. *Grant agreement.*

After the Secretary approves a grant application, and as a precondition to the Department's release of grant

moneys to a successful applicant, the Department and the applicant will execute a written or electronic grant agreement which describes the terms and conditions subject to which the grant is made. The grant agreement shall contain and conform to the requirements of this notice and shall also contain special terms and conditions as required by the Secretary. 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 address set forth in section 11. Applicants who are unable to agree to the terms and conditions should not submit an application.

10. *Verification of project completion.*

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

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

(1) copies of invoices for goods or services directly related to the project, along with the written certification of the president or treasurer of the applicant that the goods or services that are the subject of the invoices have been delivered or provided to the applicant; and

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

11. *Questions and additional information.*

Questions on this Program, including on the online application process, may be directed to Lauren Stackhouse, Bureau of Administrative Services, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5207, lastackhou@pa.gov.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-268. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Referendum on Continuation of the Pennsylvania Peach and Nectarine Research Program

Referendum Order

I. The Pennsylvania Peach and Nectarine Research Program was established under the provisions of the Agricultural Commodities Marketing Act. The Act requires that the Secretary of Agriculture call a referendum of affected producers every five years to determine whether or not a majority of those voting still desire the program. The program was last subjected to a review referendum conducted in 2019. It is now time for another

review referendum to determine whether a majority of the peach and nectarine producers desire the program to continue.

II. *Referendum Period:* The referendum period shall be from March 11, 2024, until 4 p.m. on April 11, 2024. Completed ballots shall be mailed or hand-delivered to the Pennsylvania Department of Agriculture, Bureau of Market Development, Room 310, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110-9408. Hand-delivered ballots must be received by 4 p.m. on April 11, 2024. Ballots that are mailed must be postmarked no later than April 11, 2024 and received no later than April 23, 2024.

III. *Notice of Referendum:* This referendum order, program order, and an official ballot shall be mailed no later than February 21, 2024, to all affected producers whose names appear on the list of Pennsylvania peach & nectarine producers maintained in the Office of the Secretary of Agriculture. Additional copies of the same materials are available at the Office of the Secretary of Agriculture.

IV. *Eligible Voters:* The rules governing the eligibility of a producer for voting are as follows: The record date for determination of whether a producer is eligible to vote is January 1, 2024. All peach and nectarine producers who produced, grew, or caused to be grown 500 or more peach and/or nectarine trees, of all ages, in the Commonwealth in calendar year 2023, and intend to produce, grow, or cause to be grown 500 or more peach and/or nectarine trees, of all ages, in the Commonwealth in calendar year 2024.

V. *Counting of Ballots:* The ballots will be canvassed and counted by a Teller Committee appointed by the Secretary of Agriculture. The counting of the ballots will begin at 10 a.m., Thursday, April 25, 2024, at the Pennsylvania Department of Agriculture, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110. The Secretary will announce the results of the referendum within 30 days following the completion of the referendum period. The results will be published in the *Pennsylvania Bulletin* and the *Harrisburg Patriot-News* and disseminated to the news media.

VI. *Reporting Irregularities:* Any irregularities or disputes concerning the referendum procedures must be reported in written form to the Secretary of Agriculture not later than seven (7) calendar days from the end of the referendum period.

VII. *Publication:* This referendum order shall be published in the *Pennsylvania Bulletin* and the *Harrisburg Patriot-News*.

VIII. *Effective Date:* The foregoing order shall be effective immediately.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-269. Filed for public inspection March 1, 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 20, 2024.

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

APPLICATIONS FOR COMMENT
BANKING INSTITUTIONS
Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Status</i>
02-20-2024	AmeriServ Financial Bank Johnstown Cambria County	Accepted
	Application for approval to merge AmeriServ Trust and Financial Services Company, Johnstown, PA, with and into AmeriServ Financial Bank, Johnstown, PA.	

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>
02-16-2024	NexTier, Inc. Kittanning Armstrong County	Effective
	Application for approval to acquire 100% of Mars Bank, Mars, PA.	

Branch Applications

Trust Offices

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
02-21-2024	Commercial Bank & Trust of PA Latrobe Westmoreland County	19 North Main Street Greensburg Westmoreland County	Approved/ Opened

CREDIT UNIONS

No activity.

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

WENDY S. SPICHER,
Secretary

[Pa.B. Doc. No. 24-270. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Revisions to Schedule of Prices for State Parks and State Forests

A. Summary and Background

Under section 314 of the Conservation and Natural Resources Act (71 P.S. § 1340.314), the Department of Conservation and Natural Resources (Department), Bureau of Forestry, will revise its price schedule for State Forest activities, uses and privileges effective upon publication of this notice in the *Pennsylvania Bulletin*. Section D describes the Bureau of Forestry camping discounts

that will be available in the State Park and State Forest Reservation and Revenue Management System (Reservation System).

The Department also has updated its reservation cancellation/change policy for State parks and State forests. The updated policy, which is in Section E, correlates to the best management practices of other State park and private sector reservation web sites. It removes the unneeded whitewater cancellation policy as the Bureau of State Parks has moved away from whitewater reservations. It also allows for a more customer-friendly approach for transfers to different dates or site types at the State park or State forest where a customer has a reservation. The Department's current policy can be found at <https://www.dcnr.pa.gov/StateParks/StateParkPrices/Pages/default.aspx>.

B. Contact Persons

Questions on the cancellation/change policy may be directed to Ryan Dysinger, Assistant Director, Bureau of State Parks, Rachel Carson State Office Building, P.O. Box 8551, Harrisburg, PA 17105-8551, (717) 787-6640, rydysinger@pa.gov. Persons with a disability may use the Pennsylvania Hamilton Relay Service by calling (800) 654-5984 (TDD users).

Questions on the discount may be directed to Matthew Crosbie, Non-Motorized Recreation Specialist, Bureau of Forestry, Rachel Carson State Office Building, P.O. Box 8551, Harrisburg, PA 17105-8551, mcrosbie@pa.gov. Persons with a disability may use the Pennsylvania Hamilton Relay Service by calling (800) 654-5984 (TDD users).

C. Effective Date

The effective date of these changes is immediately upon publication of this notice in the *Pennsylvania Bulletin*.

D. Pricing Change for the Bureau of Forestry Campsites

The Bureau of Forestry will permit the following discounts for both Commonwealth and non-Commonwealth residents and it will match the Bureau of State Parks' existing discounts:

Americans with Disabilities Act Discount: \$4.50 reduction per night.

Senior Discount: \$4.50 reduction per night.

For purposes of this discount, a senior is defined as a person 62 years of age or older who is listed as the occupant and occupies the site.

The existing pricing schedule published at 52 Pa.B. 6726 (October 29, 2022) remains in effect for use fees.

E. Reservation Cancellation/Change Policy

This cancellation and change policy is applicable to all reservable and first-come, first-served facilities. This policy is applicable for all reservations created on and after the publication date of this notice in the *Pennsylvania Bulletin*. This policy is included in the customer's confirmation letter or e-mail that is provided by the Department.

Transaction fee: The Department charges a \$6.50 non-refundable transaction fee on all reservations and registrations. The Department will not refund this fee if the reservation is cancelled or transferred. The Department cannot grant any exceptions because this fee is a pass-through cost incurred by the Department for the Reservation System.

Changes to a reservation:

The Department assesses a nonrefundable \$10 fee per reservation for all changes made to a reservation, except for adding nights to the reservation. The Department will not refund this fee in the event of a change or cancellation in any situation. The Department cannot grant any exceptions because this fee is a pass-through cost incurred by the Department for the Reservation System.

Customers with reservations made at the maximum window, 11 months to the day, or with a departure date after the maximum booking window, are not permitted to move or cancel their reservation for 22 days. After 22 days, customers can change or move their reservation for a \$10 transfer fee.

For customers with an online account, changes to a different site type or date at the State park or State forest where a customer has an existing reservation may be made by the reservation web site. Campsite reservations can be changed online up to 1 day prior. If individuals wish to switch to a cabin, cottage or yurt, this change cannot be made online less than 2 full days prior to arrival. If individuals wish to switch to another State park or State forest, or they do not have an online account, changes prior to the day of arrival must be made by calling the State Parks and Forests Reservation Center at (888) PA-PARKS ((888) 727-2757), Monday—Saturday, 7 a.m.—5 p.m. For river camping or backpack camping changes, individuals must contact the specific State park where they have a reservation.

Changes on the day of arrival must go through the State park or State forest where individuals have a reservation. There are no refunds for early departure of any part of a holiday weekend reservation once the site has been occupied. The Department will not accept changes by means of social media.

If a State park reservation receives the weekly discounted rate, any change that results in shortening the stay will cause the customer to lose the benefit of the weekly rate. A new daily rate will be calculated for the remaining dates, which will affect any amount refunded.

Cancellation of a reservation:

Cancellations can be made by means of the call center or web site up to the day before arrival. Cancellation on the day of arrival must be made through the State park or State forest where there is a reservation. The State Parks Reservation Center's hours are Monday—Saturday, 7 a.m.—5 p.m. and can be reached at (888) PA-PARKS ((888) 727-2757). To cancel any backpacking reservations, individuals must contact the specific State park where they have a reservation.

Cancellations made up to close of business 7 days prior to the scheduled arrival date will incur a \$10 cancellation fee per reservation. If individuals cancel 6 days or less prior to the arrival date, they will forfeit the first night's fee. Reservations will be held for the entire reservation, including for no shows. Fees are retained and will not be refunded if individuals fail to arrive and do not inform the State park of a cancellation in advance or during their stay. Refunds will be calculated based on the date of notification using the previous process or by check out if notification occurs after the arrival date but before departure date.

Cabin, lodge, yurt or deluxe cottage reservations in the summer peak season will forfeit their entire fee if cancelled.

The Department will not accept changes by means of social media.

Refunds:

Refunds in excess of the previously listed policy will not be given for reasons including, but not limited to, natural disasters, drought, bugs, weather, campfire bans, air quality, death, pandemics (for example, COVID-19), water conditions, pool closures due to staffing, violations of the terms and conditions of the permit or the Department's rules and regulations, which were agreed to when the reservation was made.

If paid by Visa, MasterCard, Discover or American Express, the card will be credited. If paid by check or money order, a check from the Commonwealth will be issued. If paid by gift card, the Bureau of State Parks will send a new gift card for the refund amount. Only the person whose name is on the reservation may change or cancel. Refunds by check require a minimum of 6 to 8 weeks for delivery.

The Department will not consider requests for refunds outside of this policy if submitted 8 days or more after the departure date. For example, if an individual were to depart on January 7 and submitted a refund request on January 15, it is ineligible for consideration.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 24-271. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Centralized Repository of Student Records

The Department of Education (Department), Bureau of Postsecondary and Adult Education, Division of Law Enforcement Education and Trade Schools announces that the Department has entered into an agreement with Verif'y, Inc. to be the centralized repository that will accept student records in accordance with the Private Licensed Schools Act (24 P.S. § 6504(b.1)). Verif'y, Inc. began accepting closed school student records in November 2021, and open school student records on September 1, 2023.

DR. KHALID N. MUMIN,
Secretary

[Pa.B. Doc. No. 24-272. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

Section *Category*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0620801	Joint DEP/PFBC Pesticides Permit	Amendment	Wyomissing Borough 22 Reading Boulevard Wyomissing, PA 19610-2038	Wyomissing Borough Berks County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2124801	Joint DEP/PFBC Pesticides Permit	New	Creekview Lake Properties LLC 1114 Hillside Drive Carlisle, PA 17013-3500	Upper Mifflin Township Cumberland County	SCRO
2324801	Joint DEP/PFBC Pesticides Permit	New	Tall Trees at Thornbury HOA 501 W Office Center Drive Suite 220 Fort Washington, PA 19034	Thornbury Township Delaware County	SERO
3523803	Joint DEP/PFBC Pesticides Permit	New	Fine Arnold 3708 Avenue T Brooklyn, NY 11234-4932	Madison Township Lackawanna County	NERO
3913806	Joint DEP/PFBC Pesticides Permit	Amendment	Four Seasons at Farmington 6995 Farmington Drive Macungie, PA 18062-8986	Lower Macungie Township Lehigh County	NERO
4523803	Joint DEP/PFBC Pesticides Permit	New	International Gymnastics Camp School Inc. 100 Gymnastics Way Stroudsburg, PA 18360-7954	Jackson Township Monroe County	NERO
4523804	Joint DEP/PFBC Pesticides Permit	New	Lake Swiftwater Club Inc. P.O. Box 445 Henryville, PA 18332-0445	Paradise Township Monroe County	NERO
6424801	Joint DEP/PFBC Pesticides Permit	New	Mineur's Farm LLC 9 Deer Path Road Califon, NJ 07830	Damascus Township Wayne County	NERO
6518800	Joint DEP/PFBC Pesticides Permit	Renewal	Westmoreland Farms HOA 3820 Old William Penn Highway Murrysville, PA 15668-1850	Murrysville Borough Westmoreland County	SWRO
3624402	Land Application and Reuse of Sewage Individual WQM Permit	New	Panattoni Development Co. Inc. 6059 Allentown Boulevard Suite 127 Harrisburg, PA 17112	East Hempfield Township Lancaster County	SCRO
0288428	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Sands Inc. 2000 Georgetown Drive Suite 100 Sewickley, PA 15143-8992	Franklin Park Borough Allegheny County	SWRO
1172405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Forest Hills Municipal Authority 900 Locust Street P.O. Box 337 Saint Michael, PA 15951-2007	Adams Township Cambria County	SWRO
3604401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Marietta Donegal Joint Authority 111 East Market Street Marietta, PA 17547-1831	Marietta Borough Lancaster County	SCRO
3917402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Lehigh County Authority 1053 Spruce Road P.O. Box 3348 Allentown, PA 18106-9408	North Whitehall Township Lehigh County	NERO
NOEXNW085	No Exposure Certification	Renewal	Bayer Healthcare LLC 150 Victory Road Saxonburg, PA 16056-9772	Clinton Township Butler County	NWRO
NOEXSC328	No Exposure Certification	Renewal	Kalas Manufacturing Inc. 167 Greenfield Road Lancaster, PA 17601-5814	East Lampeter Township Lancaster County	SCRO
NOEXSC415	No Exposure Certification	New	Carel USA Inc. 385 S Oak Street Manheim, PA 17545-1600	Manheim Borough Lancaster County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
NOEXSC416	No Exposure Certification	New	Sunny Lane Foods 2750 Hanford Drive Lebanon, PA 17046-2677	North Lebanon Township Lebanon County	SCRO
NOEXSC417	No Exposure Certification	New	Walmart Fulfillment Svcs LLC 1915 Ebberts Spring Court Greencastle, PA 17225-3302	Antrim Township Franklin County	SCRO
NOEXSC418	No Exposure Certification	New	Cycle Reverse Logistics LLC 121 Commerce Avenue 121-123 Commerce Avenue Greencastle, PA 17225-9451	Antrim Township Franklin County	SCRO
PAG030036	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Rusmar Inc. Division of Atmos Tech 216 Garfield Avenue West Chester, PA 19380-4512	West Chester Borough Chester County	SERO
PAG030308	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Highway Materials Inc. 409 Stenton Avenue Flourtown, PA 19031-1327	East Caln Township Chester County	SERO
PAG032401	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	JW Zaprazny Inc. 2401 Summer Valley Road New Ringgold, PA 17960-9668	East Brunswick Township Schuylkill County	NERO
PAG036143	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Lee Concrete Products 648 Seanor Road Windber, PA 15963-7204	Paint Township Somerset County	SWRO
PAG041289	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Dale & Susan Anderson 4503 US Highway 322 Jamestown, PA 16134	South Shenango Township Crawford County	NWRO
PAG043983	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Evans Blake P.O. Box 12 Roxbury, PA 17251-0012	Lurgan Township Franklin County	SCRO
PAG046477	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Magam Investment Assoc LP P.O. Box 221 Murrysville, PA 15668-0221	Penn Township Westmoreland County	SWRO
PAG124804	PAG-12 NPDES General Permit for CAFOs	Renewal	Woodling Jeremy 1376 Stull Road McClure, PA 17841-8227	Spring Township Snyder County	SCRO
PAG124819	PAG-12 NPDES General Permit for CAFOs	Renewal	Hackman Willard G 1012 Dean Hill Road Wellsboro, PA 16901-7407	Delmar Township Tioga County	SCRO
PAG124821	PAG-12 NPDES General Permit for CAFOs	Renewal	Just A Mere Family Farm LLC 3746 Mahantongo Creek Road Dalmatia, PA 17017-7235	Lower Mahanoy Township Northumberland County	SCRO
PAG124823	PAG-12 NPDES General Permit for CAFOs	Renewal	Heimbach Keith 129 Don Packard Road Granville Summit, PA 16926-9231	Granville Township Bradford County	SCRO
PAG124839	PAG-12 NPDES General Permit for CAFOs	Renewal	Martin Robert S 4227 Ridge Road Beaver Springs, PA 17812-9419	West Beaver Township Snyder County	SCRO
PAG124842	PAG-12 NPDES General Permit for CAFOs	Renewal	John Pepper Enterprise LLC 2624 SR 514 Granville Summit, PA 16926	Granville Township Bradford County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG124844	PAG-12 NPDES General Permit for CAFOs	Renewal	John Pflieger 460 Gold Road Muncy, PA 17756-5748	Lewis Township Northumberland County	SCRO
PAG124861	PAG-12 NPDES General Permit for CAFOs	Renewal	R & F Family Farms 122 Reitz Road Shamokin, PA 17872-7554	Shamokin Township Northumberland County	SCRO
PAG124863	PAG-12 NPDES General Permit for CAFOs	Renewal	Jom Hogs LLC 1417 Peters Road Troy, PA 16947-8664	West Burlington Township Bradford County	SCRO
PAG124865	PAG-12 NPDES General Permit for CAFOs	Renewal	Weaver Andrew 231 Brosius Hill Road Mt Pleasant Mills, PA 17853-8433	Perry Township Snyder County	SCRO
4824401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Porter Jeffrey A 1400 Easton Road Riegelsville, PA 18077-7227	Williams Township Northampton County	NERO
WQG01202402	WQG-01 WQM General Permit	New	Dale & Susan Anderson 4503 US Highway 322 Jamestown, PA 16134	South Shenango Township Crawford County	NWRO
WQG01652403	WQG-01 WQM General Permit	New	Magam Investment Assoc LP P.O. Box 221 Murrysville, PA 15668-0221	Penn 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

PA0209287, Sewage, SIC Code 7033, **Four Points RV Resorts of PA**, P.O. Box 5123, Lake Charles, LA 70606-5123. Facility Name: Jellystone Park PA Wilds. This existing facility is located in Richmond Township, **Tioga 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), Manns Creek (CWF), is located in State Water Plan watershed 4-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.01275 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
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	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	20.0	XXX	40
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	20.0	XXX	40
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	10.0	XXX	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
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	15.0	XXX	30
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	5.0	XXX	10
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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

- Solids Management

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

The EPA Waiver is in effect.

Northeast Regional Office

PAI132226, MS4, **Emmaus Borough, Lehigh County**, 28 S 4th Street, Emmaus, PA 18049-3802.

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 Emmaus Borough, **Lehigh County**. The receiving streams, Leibert Creek (HQ-CWF, MF), Little Lehigh Creek (HQ-CWF, MF), Unnamed Tributary to Leibert Creek (HQ-CWF, MF), and Unnamed Tributary to Little Lehigh Creek (HQ-CWF, MF), are located in State Water Plan watershed 2-C and are classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

Northwest Regional Office

PA0220779, Sewage, SIC Code 4952, 6515, **ASH West Springfield Properties, LLC**, 7427 Chestnut Street, Fairview, PA 16415-1132. Facility Name: ASH West Springfield MHP. This existing facility is located in Springfield 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, an Unnamed Tributary to the Raccoon Creek (CWF, MF), is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.01185 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 6.0	XXX	Daily Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	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 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	Report
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	4.5	XXX	9
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	XXX

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

PA0264482, Sewage, SIC Code 4952, 8800, **Scott Lindstrom**, 9663 Tarr Road, North East, PA 16428-5851. Facility Name: Scott Lindstrom SRSTP. This existing facility is located in Greenfield Township, **Erie County**.

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

The receiving stream is an Unnamed Tributary to West Branch French Creek, located in State Water Plan watershed 16-A and classified for Warm 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 0.0004 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
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

PA0265721, Sewage, SIC Code 4952, 5399, **Safran Family Houston LLC**, 3639 Sweetwater Canyon Drive, Malibu, CA 90265-4905. Facility Name: Dollar General 18479, Union City. This existing facility is located in Bloomfield Township, **Crawford 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 Bloomfield Run, located in State Water Plan watershed 16-E and 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.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min	XXX	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

Geo Mean

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

PA0295558, Sewage, SIC Code 8800, **Donald Buzzard**, 4506 Grand Harbour Drive, Erie, PA 16505-5708. Facility Name: Donald Buzzard SRSTP. This proposed facility is located in Southwest Township, **Warren County**.

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

The receiving stream(s), Pine Creek (HQ-CWF), is located in State Water Plan watershed 16-E and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min	XXX	XXX	20
	XXX	XXX	XXX	10.0	XXX	20

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
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

PA0295621, Sewage, SIC Code 8800, **Adam Beede**, 795 Markman Park Road, Baden, PA 15005-2845. Facility Name: Adam Beede SRSTP. This proposed facility is located in Benezette Township, **Elk 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), Medix Run (HQ-CWF, MF), is located in State Water Plan watershed 8-A and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min 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.

Southcentral Regional Office

PA0294276, Concentrated Animal Feeding Operation (CAFO), **Lakeland Dairy (Lakeland Dairy Farm CAFO)**, 272 Angel Road, New Wilmington, PA 16142-1738.

Lakeland Dairy has submitted an application for an Individual NPDES permit for a new CAFO known as Lakeland Dairy Farm CAFO, located in Wilmington Township, **Mercer County**.

The CAFO is situated near Unnamed Tributary to West Branch Little Neshannock Creek (TSF) in Watershed 20-A, which is classified for Trout Stocking. The CAFO will be designed to maintain an animal population of approximately 1,588.98 animal equivalent units (AEUs) consisting of 775 Holstein Cows (Lactating and Dry), 350 Holstein Heifers, and 350 Holstein Calves. Liquid dairy manure is stored on the operation in a concrete circular manure storage. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

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

Southcentral Regional Office

PA0082465, Sewage, SIC Code 8661, **Susquehanna Conference UMC**, SUSUMC Camping Office, 303 Mulberry Drive, Mechanicsburg, PA 17050-3179. Facility Name: Camp Penn. This existing facility is located in Quincy 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), Trucker Run, is located in State Water Plan watershed 13-C. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0132 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 .0132 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 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Nitrate-Nitrite as N	XXX	Report	XXX	Geo Mean XXX	Report	XXX
Jun 1 - Aug 31		Daily Max			Daily Max	
Total Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Jun 1 - Aug 31		Daily Max			Daily Max	
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Jun 1 - Aug 31		Daily Max			Daily Max	
Total Phosphorus	XXX	Report	XXX	XXX	Report	XXX
Jun 1 - Aug 31		Daily Max			Daily Max	

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

PA0087050, Sewage, SIC Code 4952, 8641, **Valley Creek Estates Home Owners Association**, 4900 Perry Highway Bldg 1, Suite 300, Pittsburgh, PA 15229. Facility Name: Valley Creek Estates 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), 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 .0125 MGD.—Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Total Mo	XXX	XXX	9.0	XXX	18
Nov 1 - Apr 30	Report	XXX	XXX	3.0	XXX	6
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	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Total Mo	XXX	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0125 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
E. Coli (No./100 ml)	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 717-705-4732.

The EPA Waiver is in effect.

Southcentral Regional Office

PA0266752, Sewage, SIC Code 4952, **Ross Bushnell**, 471 Shady Dell Road, York, PA 17403-4484. Facility Name: Bushnell Res. This existing facility is located in Spring Garden Township, **York 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 Codorus Creek (WWF, MF), is located in State Water Plan watershed 7-H and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0007 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	Annl Avg	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	200

In addition, the permit contains the following major special conditions: N/A

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

PA0012637, Industrial, SIC Code 2911, **Monroe Energy LLC**, Trainer Refinery, 4101 Post Road, Trainer, PA 19061-5052. Facility Name: Trainer Refinery. This existing facility is located in Trainer Borough, **Delaware County**.

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

The receiving stream, Delaware River (WWF, MF), Stoney Creek (WWF), Marcus Hook Creek (WWF, MF), and Marcus Hook Creek (WWF) are located in State Water Plan watershed 3-G and are 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 38.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Dissolved Solids Effluent Net	Report	Report	XXX	1,000.0	2,000.0	2,500
		Daily Max				

The proposed effluent limits for Outfall 001 are based on a design flow of 38.3 MGD.—Limits.

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

The proposed effluent limits for Outfall 002 are based on a design flow of .0432 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.05
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30

The proposed effluent limits for Outfall 005 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 006 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 006 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 007 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 007 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 008 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 008 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 012 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 013 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 015 are based on an average stormwater flow.—Limits.

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

The proposed effluent limits for Outfall 101 are based on a design flow of 34 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Aluminum, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Copper, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Iron, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Lead, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 34 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.16 Avg Mo	XXX	0.5
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Heat Rejection Rate (MBTUs/day)	XXX	34,878	XXX	XXX	XXX	XXX
Total Suspended Solids Intake	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Total Suspended Solids Effluent Net	8,506	17,013	XXX	30.0 Avg Mo	60.0	75

<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 Quarterly</i>	<i>Daily Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Total Dissolved Solids Effluent Net	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Total Dissolved Solids Intake	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Oil and Grease	4,253	XXX	XXX	15 Avg Mo	XXX	30
Total Organic Carbon Intake	XXX	XXX	XXX	XXX	XXX	Report
Total Organic Carbon Effluent Net	XXX	XXX	XXX	XXX	XXX	5.0
Total Organic Carbon	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 101 are based on a design flow of 2.6 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>Daily Maximum</i>		<i>Average Quarterly</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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5 Avg Mo	XXX	1.17
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Total Suspended Solids Intake	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Total Suspended Solids Effluent Net	650	1,300	XXX	30.0 Avg Mo	60.0	75
Total Dissolved Solids Effluent Net	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Total Dissolved Solids Intake	XXX	XXX	XXX	Report Avg Mo	Report	XXX
Oil and Grease	325	XXX	XXX	15 Avg Mo	XXX	30
Total Organic Carbon Effluent Net	XXX	XXX	XXX	XXX	XXX	5.0
Total Organic Carbon	XXX	XXX	XXX	XXX	XXX	Report
Total Organic Carbon Intake	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 101 are based on a design flow of 2.6 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>Daily Maximum</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Aluminum, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Copper, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Iron, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Lead, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total Intake	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total Effluent Net	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 201 are based on a design flow of 4.3 MGD.—Limits.

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

The proposed effluent limits for Outfall 201 are based on a design flow of 4.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 201 are based on a design flow of 4.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.16	XXX	0.50
Biochemical Oxygen Demand (BOD ₅)	1,000	2,000	XXX	28.0	56.0	70
BOD, carbonaceous, 20 day, 20° C	1,500	XXX	XXX	XXX	XXX	XXX
Chemical Oxygen Demand (COD)	17,608	33,130	XXX	491.0	924.0	1,228
Total Suspended Solids	1,076	2,152	XXX	30.0	60.0	75
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	538	1,076	XXX	15.0	30.0	30
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	717	1,434	XXX	20.0	40.0	50
Total Phosphorus	72	143	XXX	2.0	4.0	5
Aluminum, Total	Report	166	XXX	Report	4.64	4.64
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent	1.1	2.4	XXX	0.03	0.07	0.08
Chromium, Total	13	37	XXX	0.36	1.03	1.03
Cyanide, Free	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	1.08	2.15	XXX	0.03	0.06	0.08
Sulfide, Total	13	30	XXX	0.36	0.84	0.9
Phenolics, Total	11	34	XXX	0.31	0.95	0.95

Stormwater Outfalls 003, 011 and 014 are not required to be monitored.

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Requirement
- D. BAT/ELG

- E. Chlorine Optimization
- F. TMDL/WLA Analysis
- G. 316(a) Modification
- H. WQM Permits
- I. Thermal Requirement
- J. Stormwater Credits
- K. CORMIX Modeling
- L. WETT Requirement
- M. Chemical Additives
- N. Heat Rejection Rates
- O. Stormwater Condition
- P. PCB/PMP Requirement
- Q. Cooling Water Intake
- R. Hydrostatic Discharge

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

The EPA Waiver is not in effect.

Southeast Regional Office

PA0057690, Industrial, SIC Code 3731, **Philly Shipyards Inc.**, 2100 Kitty Hawk Avenue, Philadelphia, PA 19112-1808. Facility Name: Aker Philadelphia Shipyard. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

The receiving stream(s), Delaware River (WWF, MF) and Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-F and 3-J 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 012 are based on a design flow of 2.88 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (GPM)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
1,2-Dichloroethane	XXX	XXX	XXX	Report	Report	XXX
Tetrachloroethylene	XXX	XXX	XXX	Report	Report	XXX
Trichloroethylene	XXX	XXX	XXX	Report	Report	XXX
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 019 and 021 are based on stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	Report
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfalls 022, 023, 026, 027 and 029 are based on stormwater.

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

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

I. OTHER REQUIREMENTS

- A. Notification of Wet-Berthing
- B. Necessary Property Rights
- C. Sludge Removal
- D. BAT/BCT Standards
- E. Public Nuisance
- F. Ownership Change
- G. TMDL/WLA Analysis
- H. No Chemical Additions
- I. BMPs Related To Ship Building
- J. Schuylkill River Assessment
- K. Sealed Piping for Flooded Dry Dock 5
- L. Net TSS Reporting

II. STORMWATER REQUIREMENTS

III. PCB MINIMIZATION PLAN

IV. BMPS TO ADDRESS AQUEOUS FILM FORMING FOAM (AFFF)

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

PA0058556, Industrial, SIC Code 4941, **Downingtown Municipal Water Authority**, 100 Water Plant Way, Downingtown, PA 19335-1951. Facility Name: Downingtown Municipal WTP. This existing facility is located in Downingtown Borough, **Chester County**.

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

The receiving stream(s), Beaver Creek (CWF, MF), is located in State Water Plan watershed 3-H and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.466 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.25
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000	2,500
Total Phosphorus	XXX	XXX	XXX	2.0	4.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	10
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

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

- Proper Sludge Disposal
- Property Rights

- BAT/BCT Reopener
- Sedimentation Basin Cleaning
- Chemical Additives Requirements

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

PAI130063, MS4, **New Britain Borough, Bucks County**, 45 Keeley Avenue, New Britain, PA 18901-5212.

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 New Britain Borough, **Bucks County**. The receiving stream(s), Pine Run (TSF, MF), Unnamed Tributary to Cooks Run (WWF, MF), Unnamed Tributary to Neshaminy Creek (TSF, MF), Cooks Run (WWF, MF), and Neshaminy Creek (TSF, MF), is located in State Water Plan watershed 2-F and is classified for Trout Stocking, Migratory Fishes, and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

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

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

Southeast Regional Office

PAI130072, MS4, **Lower Providence Township, Montgomery County**, 100 Parklane Drive, Eagleville, PA 19403-1100.

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 Lower Providence Township, **Montgomery County**. The receiving stream(s), Unnamed Tributary of Skippack Creek (TSF, MF), is located in State Water Plan watershed 3-E and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

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

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

Southeast Regional Office

PA0245607, Storm Water, SIC Code 5171, **Shibley Energy Co.**, 415 Norway Street, York, PA 17403-2531. Facility Name: Spring City PA Bulk Petroleum Storage Facility. This proposed facility is located in East Vincent Township, **Chester 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 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 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	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	30.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	5.0	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- 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 484-250-5910.

The EPA Waiver is in effect.

Southwest Regional Office

PAI136123, MS4, Salem Township, Westmoreland County, 244 Congruity Road, Greensburg, PA 15601-8473.

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 Salem Township, **Westmoreland County**. The receiving stream(s), Unnamed Tributary to Beaver Run (HQ-CWF) and Bushy Run (TSF), is located in State Water Plan watershed (s) 18-B and 19-A is classified for High Quality Waters—Cold Water Fishes, and Trout Stocking aquatic life, water supply and recreation. The applicant is classified as a small MS4.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

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

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

Southeast Regional Office

Applicant: **Jason Owens**

Applicant Address: 2388 Chester Springs Road, Chester Springs, PA 19425-3402

Application Number: **PAD150324**

Application Type: New

Municipality/County: Charlestown Township, **Chester County**

Project Site Name: Owens Site Plan

Total Earth Disturbance Area (acres): 3.87 acres

Surface Waters Receiving Stormwater Discharges: UNT to Pickering Creek (HQ-TSF, MF)

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

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

Project Description: Construction of a driveway, dwelling, agricultural structure, and equipment shed. Two MRC rain gardens are proposed to control the increased stormwater runoff.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

Southeast Regional Office

Applicant: **Henry Pellegrini and Margaret Pellegrini**

Applicant Address: 54 Pugh Road, Wayne, PA 19084

Application Number: **PAD150244 A-1**

Application Type: Major Amendment

Municipality/County: Charlestown Township, **Chester County**

Project Site Name: Pellegrini Residence

Total Earth Disturbance Area (acres): 13.004 acres

Surface Waters Receiving Stormwater Discharges: Pickering Creek (HQ, TSF)

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

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

Project Description: A proposed redevelopment consisting of a single-family dwelling, barn, and utility structures along with associated site improvements including but not limited to stormwater management, grading, and driveway construction. The major modification submission has updated the plans to include a riding rink on the lot, involving updated grading and riding surface improvements.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

Northeast Regional Office

Applicant: **PPL Electric Utilities Corporation**

Applicant Address: 1639 Church Road, GENN 4, Allentown, PA 18104-9342

Application Number: **PA130001D**

Application Type: New

Municipality/County: Jim Thorpe Borough, Palmerton Borough, Nesquehoning Borough, Weatherly Borough, Banks Township, Franklin Township, Lower Towamensing Township, Packer Township, Penn Forest Township, Towamensing Township, and Hazle Township, **Carbon County** and **Luzerne County**.

Project Site Name: Harwood-East Palmerton 230 kV Line Rebuild Project

Total Earth Disturbance Area (acres): 484 acres

Surface Waters Receiving Stormwater Discharges: 1. Aquashicola Creek (TSF, MF); 2. Beaver Creek (CWF, MF); 3. UNT to Beaver Creek (CWF, MF); 4. Black Creek (CWF, MF); 5. UNT to Black Creek (HQ-CWF, MF); 6. Berry Run (CWF, MF), Bull Run (CWF, MF); 7. Cranberry Creek (CWF, MF); 8. Catawissa Creek (CWF, MF); 9. UNT to Catawissa Creek (CWF, MF); 10. Cross Run (CWF, MF); 11. Fireline Creek (HQ-CWF, MF); 12. Jeans Run (HQ-CWF, MF); 13. UNT to Jeans Run (HQ-CWF, MF); 14. Lehigh River (HQ-CWF, MF); 15. Long Run (CWF, MF); 16. Mill Creek (CWF, MF); 17. UNT to Mill Creek (CWF, MF); 18. Pohopoco Creek (CWF, MF); 19. Quakake Creek (HQ-CWF, MF); 20. UNT to Quakake Creek (HQ-CWF, MF); 21. Robertson Run (HQ-CWF, MF); 22. Sawmill Run (CWF, MF); 23. UNT to Sawmill Run (CWF, MF); 24. Silkmill Run (CWF, MF); 25. 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 Harwood-East Palmerton 230 kV Line Rebuild consists of the reconstruction of an existing electric utility line, approximately 30.2 miles in length. The line starts at the Harwood Substation, northeast of Forest Road, and travels southeast before heading east, and then northeast again, crossing over both the Lehigh River and Aquashicola Creek, ending at the East Palmerton Substation, South of SR 2002. The entire project is located within Luzerne 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.

Northeast Regional Office

Applicant: **Moosic Lakes, Inc.**

Applicant Address: 400 Mill Street, Dunmore, PA 18512-2827

Application Number: **PAD350046**

Application Type: New

Municipality/County: Jefferson Township, **Lackawanna County**

Project Site Name: Moosic Lakes, Inc. (Abraham Singer Warrant)

Total Earth Disturbance Area (acres): 5.60 acres

Surface Waters Receiving Stormwater Discharges: UNTs to West Branch Wallenpaupack Creek (HQ-CWF, MF)

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

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

Project Description: The project involves the construction of single-family residence, gravel access drive and associated stormwater management facilities.

Special Conditions: N/A—No site-specific special conditions proposed.

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

*Southeast Regional Office*Applicant: **Chester County School Authority**

Applicant Address: 455 Boot Road, Downingtown, PA 19355-3043

Application Number: **PAD150209 A-2**

Application Type: Major Amendment

Municipality/County: East Whiteland Township, **Chester County**

Project Site Name: 20 Moores Road

Total Earth Disturbance Area (acres): 11.37 acres

Surface Waters Receiving Stormwater Discharges: UNT to Valley Creek (EV-MF), Valley Creek (EV-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 new school building and associated driveway, parking and stormwater management facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Southeast Regional Office*Applicant: **CubeSmart, LP**

Applicant Address: 5 Old Lancaster Road, Malvern, PA 19355-2132

Application Number: **PAD150328**

Application Type: New

Municipality/County: East Whiteland Township, **Chester County**

Project Site Name: CubeSmart Self Storage

Total Earth Disturbance Area (acres): 1.76 acres

Surface Waters Receiving Stormwater Discharges: Trib. 01005 to Little Valley Creek (EV-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: CubeSmart, LP plans to construct a reserve parking area on their site in East Whiteland Township. An underground infiltration system (situated below the proposed parking area) was designed and installed as part of the original portion of the project. This system was designed to accommodate the additional flow from the reserved parking area.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Southwest Regional Office*Applicant: **Peoples Natural Gas Company LLC**

Applicant Address: 375 North Shore Drive, Suite 600, Pittsburgh, PA 15212

Application Number: **PAD110020**

Application Type: New

Municipality/County: Jackson Township, **Cambria County**

Project Site Name: Waste Management MLX

Total Earth Disturbance Area (acres): 13.7 acres

Surface Waters Receiving Stormwater Discharges: UNTs to Lauren Run (HQ-SF)

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: Gas Line replacement through existing roadway/ROW. Site conditions to be restored to existing conditions.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southcentral Regional Office

Applicant: **Hedgeford, LLC**

Applicant Address: 227 Granite Run Drive, Suite 100, Lancaster, PA 17601

Application Number: **PAD670071 A-1**

Application Type: Major Amendment

Municipality/County: Windsor Borough, **York County**

Project Site Name: Kensington

Total Earth Disturbance Area (acres): 48.4 acres

Surface Waters Receiving Stormwater Discharges: UNT to Kreutz Creek (WWF, MF) and UNT to Kreutz Creek (WWF, 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: Proposed single family detached residential development

Special Conditions: Wetland Monitoring

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

Regional Permit Coordination Office

Applicant: **Landis Homes Retirement Community**

Applicant Address: 1001 East Oregon Road, Lititz, PA 17543

Application Number: **PAD360056 A-1**

Application Type: Renewal

Municipality/County: Manheim Township, **Lancaster County**

Project Site Name: Landis Homes

Total Earth Disturbance Area (acres): 16.2 acres

Surface Waters Receiving Stormwater Discharges: Tributary to Conestoga River (locally know as Kurtz Run) (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: Landis Homes Retirement Community is proposing the removal of four cottages and a two story house with this major amendment. The overall project includes the construction of 87 new units, a maintenance facility, and stormwater management facilities serving a pre-treatment prior to discharging to the restored floodplain.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-772-5987.

Southeast Regional Office

Applicant: **Downingtown Area School District**

Applicant Address: 540 Trestle Place, Downingtown, PA 19335

Application Number: **PAD150322**

Application Type: New

Municipality/County: West Bradford Township, **Chester County**

Project Site Name: West Bradford Elementary School

Total Earth Disturbance Area (acres): 2.08 acres

Surface Waters Receiving Stormwater Discharges: Broad Run (EV, 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: Improvements to the site from this project consist of building additions, a new access drive, and cartway/drive realignments. The existing Elementary School is located in West Bradford Township, Chester County.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

Southcentral Regional Office

Applicant: **Mifflin County School District**

Applicant Address: 201 8th Street, Lewistown, PA 17044

Application Number: **PAD440026**

Application Type: New

Municipality/County: Derry Township, **Mifflin County**

Project Site Name: MC SD Multi-Sport Facility

Total Earth Disturbance Area (acres): 15.91 acres

Surface Waters Receiving Stormwater Discharges: Buck Run (TSF, MF) and Kishacoquillas 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 various sporting fields and associated buildings for buildings for school district.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

Northcentral Regional Office

Applicant: **The Pennsylvania State University**

Applicant Address: 139J Physical Plant Building, State College, PA 16802

Application Number: **PAD140107**

Application Type: New

Municipality/County: State College Borough, **Centre County**

Project Site Name: Sackett Building

Total Earth Disturbance Area (acres): 5.55 acres

Surface Waters Receiving Stormwater Discharges: Slab Cabin 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: Sackett Building additions and demo of various buildings, utility work, and landscaping.

Special Conditions: N/A

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

Southcentral Regional Office

Applicant: **Mifflin County Municipal Authority**

Applicant Address: 70 Chestnut Street, Lewistown, PA 17044

Application Number: **PAD440028**

Application Type: New

Municipality/County: Armagh Borough, **Mifflin County**

Project Site Name: MCMA Office and Garage Facility

Total Earth Disturbance Area (acres): 8.51 acres

Surface Waters Receiving Stormwater Discharges: Laurel 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: Construction of maintenance office and garage.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

PUBLIC WATER SUPPLY PERMITS

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

Individuals wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30-days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (DEP) the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

Application(s) Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

Application No. 3124502, Construction, Public Water Supply.

Applicant Miller Group Holdings, LP
Address 950 East Main St
 Suite 107
 Schuylkill Haven, PA 17972
Municipality Dublin Township

County **Huntingdon County**
Responsible Official Dan McMahon
 Project Manager
 950 East Main St.
 Suite 107
 Schuylkill Haven, PA 17972
Consulting Engineer Robert F. Hasemeler, P.E.
 3901 Hartzdale Drive
 Suite 101
 Camp Hill, PA 17011
Application Received February 9, 2024
Description Construction of a new public water system at the Shade Gap Dollar General store.

Contact: Thomas Filip, Environmental Engineer, 717-705-4708.

Application No. 2224501, Construction, Public Water Supply.

Applicant **Middletown Borough**
Address 60 West Emaus Street
 Middletown, PA 17057
Municipality Middletown Borough
County **Dauphin County**
Responsible Official Ken Klinepeter
 60 West Emaus Street
 Middletown, PA 17057
Consulting Engineer Herbert, Rowland & Grubic, Inc.
 369 East Park Drive
 Harrisburg, PA 17111
Application Received January 9, 2024
Description Installation of a temporary booster pump station for Rehabilitation of the N. Union St Tank.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epswsdw@pa.gov.

Application No. 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	Installation of a mixing system in the 1 million gallon tank.

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.

Deremer 21HC on the Deremer BRA Well Pad, Primary Facility ID # **837281**, 149 Singer Road, Laceyville, PA 18623, Tuscarora Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001 on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Notice of Intent to Remediate. The NIR concerns remediation of site soil contaminated with produced water. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was published in *The Daily Review* on January 24, 2024. Application received: January 29, 2024.

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

Contact: Eric Supey, Environmental Program Manager.

A. Duie Pyle Trucking Terminal, Primary Facility ID # **873512**, 2900 Hoover Avenue, Allentown, PA 18109, Hanover Township, **Lehigh County**. Compliance Management International, 2750 Morris Road, Suite A101, Lansdale, PA 19446 on behalf of A. Duie Pyle, 650 Westtown Road, P.O. Box 564, West Chester, PA 19381, submitted a Notice of Intent to Remediate. Soil was impacted by a release of diesel fuel. The Notice of Intent to Remediate was published in *The Morning Call* on February 16, 2023. Application received: February 16, 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.

Stadium Row 2, Primary Facility ID # **873308**, 812 North Prince Street, Lancaster, PA 17603, City of Lancaster, **Lancaster County**. ECS Mid-Atlantic, LLC, 4909 Louise Drive, Suite 207, Mechanicsburg, PA 17055 on behalf of Second Strong & Deweiler, LLC, 132 North Ann Street, Lancaster, PA 17602, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with metals. The site will be remediated to the site-specific standard. Future use of the site is residential. The Notice of Intent to Remediate was published in *LNP* on December 21, 2023. Application received: January 11, 2024.

MUNICIPAL 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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

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

Contact: Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848.

WMGM051. Buerks Septic Service, 1039 Bruxelles Street, St. Mary's, PA 15857, City of Saint Marys, **Elk County**. Application is to renew the Municipal Waste General Permit WMGM051. General Permit WMGM051 is for the temporary storage and gravity separation of less than 21,000 gallons of residential septage in above ground storage tanks and tank trucks for ultimate discharge into a permitted wastewater treatment plant authorized to land apply septage or sewage sludge or a facility approved under General Permit PAG-9 to process and beneficially use residential septage by land application. Application received: February 16, 2024. Deemed administratively complete: February 16, 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.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Carrie A. Fleming, Program Manager.

WMGR028SC007K, New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Lower Allen Township, **Cumberland County**. This application is for coverage under WMGR028 for New Enterprise Stone & Lime Co., Inc.'s Camp Hill Hot Mix Asphalt Plant located at 1325 Spanglers Mill Road, Camp Hill, PA 17011. WMGR028 authorizes the beneficial use of baghouse fines and/or scrubber precipitates generated by hot-mix asphalt plants for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. Application received: August 18, 2023. Deemed administratively complete: February 20, 2024.

Comments or questions concerning the application should be directed to John L. Oren, P.E., Permits Chief, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

WMGR028SC007L, New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Silver Spring Township, **Cumberland County**. This application is for coverage under WMGR028 for New Enterprise Stone & Lime Co., Inc.'s Locust Point Hot Mix Asphalt Plant located at 55 North Locust Point Road, Mechanicsburg, PA 17050. WMGR028 authorizes the beneficial use of baghouse fines and/or scrubber precipitates generated by hot-mix asphalt plants for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. Application received: August 18, 2023. Deemed administratively complete: February 20, 2024.

Comments or questions concerning the application should be directed to John L. Oren, P.E., Permits Chief, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

WMGR028SC007M, New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Southampton Township, **Cumberland County**. This application is for coverage under WMGR028 for New Enterprise Stone & Lime Co., Inc.'s Shippensburg Hot Mix Asphalt Plant located at 470 Newville Road, Shippensburg, PA 17257. WMGR028 authorizes the beneficial use of baghouse fines and/or scrubber precipitates generated by hot-mix asphalt plants for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. Application received: August 18, 2023. Deemed administratively complete: February 20, 2024.

Comments or questions concerning the application should be directed to John L. Oren, P.E., Permits Chief, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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.

301394. Highland Field Services, LLC—Seven Mile Minerals, 51, Brookville, PA 15825, Sergeant Township, **McKean County**. This application is for an individual residual waste permit intended to replace the current General Waste Permit WMGR123NW015 for the Seven Mile Minerals Facility. The facility will continue to accept, store, and treat produced water and other residual waste related to natural gas drilling and production activities. Application received: February 15, 2024. Deemed administratively complete: February 15, 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.

100663. Kelly Run Sanitation, Inc., 1500 Hayden Boulevard, Elizabeth, PA 15037-0333, Forward Township, **Allegheny County**. Minor modification for revisions to the approved Radiation Protection Plan at the Kelly Run Landfill, located at 1500 Hayden Boulevard. Application received: December 1, 2023. Accepted: December 15, 2023. Approved: February 13, 2024.

Comments or questions concerning the application should be directed to Regional Files, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

Individuals wishing to file a written protest or provide comments or additional information, which they believe

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

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

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

08-00019A: Bimbo Bakeries USA, Inc., 901 N. Elmer Avenue, Sayre, PA 18840, Sayre Borough, **Bradford County**. Application received: November 9, 2023. The Department intends to issue a plan approval for the construction and temporary operation of an AMF BakeTech model MaxiSaver Bread Oven equipped with natural gas burners rated at 7.5 MMBtu/hr at the Sayre Plant bakery facility. This oven will replace the existing bread oven (Source ID P101). The Department review of the information submitted by Bimbo Bakeries USA, Inc. indicates that the air contamination source to be constructed will comply with all regulatory requirements

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, the Department proposes to issue a plan approval for the proposed construction and temporary operation. The emissions from the proposed source included in this project will not exceed the following limits: 3.19 tons of nitrogen oxides (NO_x, expressed as NO₂) per year, 2.68 tons of carbon monoxide per year, 16.00 tons of volatile organic compounds per year, 0.24 ton of particulate matter less than 10 microns and less than 2.5 microns, 0.06 ton of hazardous air pollutants, 0.20 ton of sulfur oxides, and 3,840 tpy of carbon dioxide equivalent. The facility is a State Only (Synthetic Minor) facility. The following is a brief description of the conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements. The plan approval will include a volatile organic compound emission limit, a volatile organic compound control efficiency requirement, temperature monitoring and recording, use of temperature alarms, annual reporting of required monitoring, work practices, and other additional requirements as necessary to verify compliance in accordance with all applicable regulatory requirements within 25 Pa. Code Chapters 121—145. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00019A, the requirements established in the plan approval will be incorporated into a State only (Synthetic Minor) Operating Permit pursuant to 25 Pa. Code § 127.421. 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.

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.

14-00040, Eastern Gas Transmission & Storage, Inc., 6603 West Broad Street, Richmond, VA 23230, Spring Township, **Centre County**. Application received: July 5, 2023. In accordance with 25 Pa. Code Sections 127.424 and 127.425, the Department has received an application and intends to issue a renewal of an Air Quality Operating Permit for the Centre Compressor Station facility. Sources at the facility include one (1) 0.088 million Btu per hour Lenox model G434F-36C-090-08 furnace, one (1) 2.00 million Btu per hour, Ajax model WRFG 2100 boiler, two (2) 5,846 brake horsepower Solar Centaur 50 model T6202S natural gas-fired combustion turbine engines, one (1) 656 brake horsepower Caterpillar model G3412 SI TA lean burn natural gas-fired emergency generator engine along with planned facility blowdowns and fugitive emissions. The subject facility has the following potential emissions: 4.87 TPY of CO; 44.99 TPY of NO_x; 1.47 TPY of SO_x; 18.11 TPY of PM/PM₁₀; 13.75 TPY of VOC; 3.77 TPY of HAP and 56,422 TPY of CO₂e. The operating permit will include

emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with all applicable air quality regulations. Both turbine compressor engines are subject to 40 CFR Part 60, Subpart KKKK—Standards of Performance for New Stationary Source—Stationary Combustion Turbines. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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.

48-00089, Spray Tek LLC, 3010 Avenue B, Bethlehem, PA 18017-2114, City of Bethlehem, **Northampton County**. Application received: January 24, 2024. The Department intends to issue a renewal State-Only Operating Permit (natural minor) for their spray dryers. Sources also include spray dryer scrubbers, a baghouse, carbon bed, wet scrubber, cyclone, and dual cyclones used as control devices. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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.

67-05099, Kinsley Steel, Inc., 1110 East Princess Street, York, PA 17403, City of York, **York County**. Application received: November 28, 2023. For the operation of a manufacturing facility. This is for renewal of the existing State-Only Permit. 2022 air emissions from the facility were reported to be 4.03 tpy VOC and < 1 tpy each of HAPS, PM, NO_x, SO_x and CO. The operating permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52d (Control of VOC emissions from miscellaneous metal part surface coating processes).

67-03110, Protech Powder Coatings, Inc., 939 Monocacy Road, York, PA 17404, City of York, **York County**. Application received: April 12, 2023. For the operation of a powder coating manufacturing facility. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated to be less than 4 tpy particulate matter. 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.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-05086, Donsco Inc., 100 S. Jacob Street, Mount Joy, PA 17552, Mount Joy Borough, **Lancaster County**. Application received: April 28, 2023. For the iron foundry. This is for renewal of the existing State-Only Permit. The subject facility's estimated potential-to-emit is 43.1 tons of PM₁₀, 13.8 tons of VOC, 0.2 ton of SO_x and 0.1 ton of NO_x. 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 foundry operations are subject to 40 CFR Part 63, Subpart ZZZZZ—Iron and Steel Foundries: National Emission Standards for Hazardous Air Pollutants (NESHAP) for Area Sources.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

09-00178, KVK Technology, 110 Terry Dr, Newtown, PA 18940, Newtown Township, **Bucks County**. Application received: September 19, 2023. This action is for the renewal of Synthetic Minor Operating Permit. The facility has taken a site level restriction limiting nitrogen oxide (NO_x) emissions to 24.9 tons per year and volatile organic compound (VOC) emissions to 11.48 tpy. The renewed permit includes testing, 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.

09-00239, Aqua Pennsylvania, Inc., 2520 Lincoln Hwy, Feasterville Trevoise, PA 19053-6820, Middletown Borough, **Bucks County**. Application received: April 27, 2023. This action is for the renewal of a State Only, Synthetic Minor, Operating Permit, for operation of a non-emergency generator diesel engine (Source ID 201) and two emergency generator diesel engines (Source IDs 202 and 203). Source IDs 201 and 202 are subject to 40 CFR 60 Subpart IIII—Standard of Performance for Stationary Compression Ignition Internal Combustion Engines. Source ID 203 is subject to 40 CFR 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The main emissions from the facility operations are Nitrogen Oxides (NO_x). The NO_x emissions shall not exceed 24.9 tons per year. The renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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. 30240701. NPDES No. PA0236632. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill, East Finley and West Finley Townships, **Greene** and **Washington Counties**. To operate a proposed coal refuse activity permit and related NPDES Permit, for construction and operation of a new coal refuse disposal area for coarse coal refuse disposal including sedimentation pond and two (2) new NPDES discharge points, affecting 183.0 proposed coal refuse support acres and 119.0 proposed coal refuse disposal acres. Application received: January 18, 2024. Accepted: February 15, 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. 56180103. NPDES No. PA0279650. Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, Brothersvalley and Summit Townships, **Somerset County**. Permit renewal for continued operation and restoration of a bituminous surface and auger affecting 58.1 acres. Receiving stream: Bear Run, classified for the following use: CWF. Application received: February 13, 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. 10210101. Seneca Landfill, Inc., P.O. Box 1080, Mars, PA 16046, Jackson Township, Lancaster Township, **Butler County**. Revision to an existing bituminous surface mine to allow a continuation of mining activities to occur in Phase 2 of the issued permit area. Application received: February 12, 2024.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 41080101. NPDES No. PA0256714. Fisher Mining Company, Inc., 40 Choate Circle, Montoursville, PA 17754, Pine Township, **Lycoming County**. Permit renewal application for a bituminous surface coal mine and associated NPDES permit affecting 254 acres. Receiving stream(s): Buckeye Run and Otter Run classified for the following use(s): CWF. Application received: February 15, 2024. Accepted: February 15, 2024.

Noncoal Applications

Effluent Limits—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 2

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity			
pH must always be greater than 6.0; less than 9.0.			

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 58990839. Leonard Oliviero, 224 Stone Hill Road, Kingsley, PA 18826, Gibson Township, **Susquehanna County**. Stage I & II bond release on a quarry operation affecting 1.0 acre on property owned by Leonard Oliviero. Application received: February 7, 2024.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (NPDES) permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (DEP) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters DEP may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

Coal NPDES Draft Permits

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.

Contact: Melanie Ford-Wigfield, 814.472.1900, ra-epcambria@pa.gov.

NPDES No. PA0125466. Mining Permit No. 56813006. PBS Coals, Inc., P.O. Box 260, Fridens, PA 15541, Stonycreek Township, **Somerset County.** Renewal of an NPDES permit affecting 285.9 acres related to a coal mining activity permit. Receiving stream: Boone Run and Unnamed Tributaries to/and Clear Run, classified for the following use: CWF. The receiving streams are included in the Kiski-Conemaugh TMDL. Application received: October 18, 2023.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following outfalls discharge to Boone Run and Unnamed Tributaries to/and Clear Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Facility	Intermittent
002	Existing	Treatment Facility	Intermittent
003	Existing	Treatment Facility	Intermittent
004	Existing	Treatment Facility	Intermittent
005	Existing	Treatment Facility	Intermittent
006	Existing	Treatment Facility	Intermittent
008	Existing	Treatment Facility	Intermittent
009	Existing	Treatment Facility	Intermittent
010	Existing	Treatment Facility	Intermittent

The proposed effluent limits for the previously listed outfalls are as follows:

Outfalls: 001 (All Discharges)

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	3.0	6.0	7.0
Total Manganese (mg/L)	XXX	2.0	4.0	5.0
Total Aluminum (mg/L)	XXX	1.0	2.0	3.0
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report

Outfalls: 001 (All Discharges)

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

Outfalls: 002 (All Discharges)

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	3.0	6.0	7.0
Total Manganese (mg/L)	XXX	2.0	4.0	5.0
Total Aluminum (mg/L)	XXX	2.0	4.0	5.0
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

*Outfalls: 003—006 and 008—010**(All Discharges)*

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	3.0	6.0	7.0
Total Manganese (mg/L)	XXX	2.0	4.0	5.0
Total Aluminum (mg/L)	XXX	2.0	4.0	5.0
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	10.5
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

NPDES No. PA0279897. Mining Permit No. 56230101. Fieg Brothers, P.O. Box 38, Berlin, PA 15530, Brothers-valley Township, Somerset County. New NPDES permit affecting 133.1 acres related to a coal mining activity permit. Receiving stream: Unnamed Tributary to/and Buffalo Creek, classified for the following use: CWF. The receiving streams are included in the Buffalo Creek TMDL. Application received: November 13, 2023.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following outfalls discharge to Unnamed Tributary to/and Buffalo Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	New	Treatment Facility	Precipitation Induced
002	New	Treatment Facility	Precipitation Induced
003	New	Treatment Facility	Precipitation Induced
004	New	Treatment Facility	Precipitation Induced
005	New	Stormwater	Precipitation Induced
006	New	Stormwater	Precipitation Induced
007	New	Stormwater	Precipitation Induced

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	3.0	6.0	7.0
Total Manganese (mg/L)	XXX	2.0	4.0	5.0
Total Aluminum (mg/L)	XXX	0.75	0.75	0.75
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report

Parameter (unit)	Minimum	30-Day Average	Daily Maximum	Instant Maximum
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

NPDES No. PA0609439. Mining Permit No. 17753180. Penn Coal Land, Inc., P.O. Box 68, Boswell, PA 15531, Boggs Township, Clearfield County. Application received: January 11, 2024.

Renewal of an NPDES permit for discharge of water resulting from post-mining treatment of acid mine drainage discharge affecting 140.0 acres. Receiving stream(s): tributary to Laurel Run, classified for the following use(s): CWF, MF. This receiving stream is included in the Laurel Run Watershed TMDL.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following outfall discharges to Unnamed Tributary to Laurel Run:

Outfall No.	New or Existing	Type	Discharge Rate
007	Existing	KD2, Treatment System Discharge	Continuous at average flow rate of 0.089 MGD

The proposed effluent limits for the previously listed outfall are as follows:

Outfalls: 007 (All Discharges) Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	2.0	4.0	5.0
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 10.5 standard units at all times.

Alkalinity must exceed acidity at all times.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office noted above the application.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOGPRG@pa.gov.

E0829224-001. Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, Herrick Township, Bradford County. U.S. Army Corps of Engineers Baltimore District. Application received: February 15, 2024.

To construct, operate and maintain:

1. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet (400 square feet) of an unnamed tributary to Billings Creek (WWF, MF) and 2,400 square feet of floodway impacts (Rome, PA Quadrangle, Latitude: 41.750576°, Longitude: -76.266792°);
2. a 16-inch diameter temporary waterline impacting 4 linear feet (7 square feet) of an unnamed tributary to Billings Creek (WWF, MF), 504 square feet of floodway

impacts, and 313 square feet of Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.750255°, Longitude: -76.272354°);

3. a 16-inch diameter temporary waterline impacting 8 linear feet (13 square feet) of an unnamed tributary to Billings Creek (WWF, MF) and 253 square feet of floodway impacts (Rome, PA Quadrangle, Latitude: 41.750253°, Longitude: -76.272994°);

4. a 16-inch diameter temporary waterline and a timber mat bridge impacting 6 linear feet (8 square feet) of Billings Creek (WWF, MF), 169 square feet of floodway impacts, 1,973 square feet of Palustrine Emergent Wetland and 11 square feet of a Palustrine Scrub-Shrub Wetland (Wyalusing, PA Quadrangle, Latitude: 41.747502°, Longitude: -76.276206°);

5. a 16-inch diameter temporary waterline and a timber mat bridge impacting 5 linear feet (7 square feet) of an unnamed tributary to Billings Creek (WWF, MF), 895 square feet of floodway impacts, and 423 square feet of Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.747063°, Longitude: -76.276581°);

6. a 16-inch diameter temporary waterline impacting 488 square feet of floodways impacts to an unnamed tributary to Billings Creek (WWF, MF) (Wyalusing, PA Quadrangle, Latitude: 41.747285°, Longitude: -76.279580°);

7. a 16-inch diameter temporary waterline and a timber mat bridge impacting 4,135 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.747792°, Longitude: -76.284979°);

8. a 16-inch diameter temporary waterline impacting 3,864 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.747733°, Longitude: -76.286372°)

The project will result in 43 linear feet (435 square feet) of temporary stream impacts, 4,709 square feet (0.108 acre) of temporary floodway impacts, 10,672 square feet (0.245 acre) of temporary PEM wetland impacts, 11 square feet (0.0002 acre) of temporary PSS wetland impacts, all for the purpose of establishing a temporary water supply for Marcellus well development in Herrick Township, Bradford County.

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Jake Carson, Project Manager, 570-327-3565.

E5504124-001. PA DOT Engineering District 3-0, 715 Jordan Ave, Montoursville, PA 17754, Spring Township, **Snyder County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 12, 2024.

PA DOT propose to replace two Single Span Reinforced Concrete Slab Bridges with two Single Cell Precast Concrete Box Culverts at the intersection of SR 0522 and SR 0235. The Existing SR 0522 Structure has a Span of 30.3 Ft, Skew of 90°, Roadway Width of 33 Ft, Underclearance of 5.4 Ft, Low Chord Elevation of 587.03 Ft, and a Hydraulic Opening of 164 Ft². The Existing SR 0235 Structure has a Span of 27.3 Ft, Skew of 40°, Roadway Width of 42.9 Ft, Underclearance of 5.9 Ft, Low Chord Elevation of 586.74 Ft, and a Hydraulic Opening of 164 Ft². The Proposed SR 0522 Structure has a Span of 26.0 Ft, Skew of 90°, Roadway Width of 79.2 Ft, Underclearance of 7.16 Ft, Low Chord Elevation of 587.70 Ft, and a Hydraulic Opening of 186 Ft². The Proposed SR 0235 Structure has a Span of 26.0 Ft, Skew of 53°,

Roadway Width of 78.0 Ft, Underclearance of 7.16 Ft, Low Chord Elevation of 587.21 Ft, and a Hydraulic Opening of 186 Ft². The project will utilize R-8 Rip Rap scour protection at the inlet and outlet. The proposed structure will be depressed one foot and include full width baffles to aid in aquatic passage. The proposed slope is 0.34%. A 63 LF precast concrete U-section will connect the SR 0522 and SR 0235 structures. The project will utilize R-8 Rip Rap Scour Protection at the inlet and outlet of the proposed structures. The project will utilize a sandbag diversion and clean water pump to convey the stream during construction. The project will utilize a temporary roadway with no crossing to convey traffic to the SR 0522 intersection during construction. The project will temporarily impact 0.01 acre and permanently impact 0.02 acre of jurisdictional wetland. The wetland impact is considered de minimis and does not require mitigation. The Unnamed Tributary to Beaver Creek is designated as a Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards and a Stocked and Wild Trout Stream by PA Fish and Boat Commission. Latitude: 40° 44' 54", Longitude: -77° 12' 33".

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.

E5802124-001. PA Department of Transportation, Eng District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Auburn Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 1, 2024.

The following impacts are associated with the SR 0367 Section 550 project: 1. To remove the existing structure and to construct and maintain a 59-foot wide pre-cast box culvert with a 19-foot normal clear span and a 5-foot minimum underclearance and to construct and maintain appurtenant structure features. The structure will carry SR 0367 across a tributary to Tuscarora Creek (CWF, MF). 2. To construct and maintain an outfall in the floodway and watercourse of a Tributary to Tuscarora Creek (CWF, MF) consisting of an 18" diameter pipe, and riprap apron. The project is located along SR 0367 Segment 0030 Offset 3517 approximately 250-ft northeast of the SR 0367/SR3004 intersection (Auburn Center, PA Quadrangle Latitude: 41.720534°, Longitude: -76.106169°) in Auburn Township, Susquehanna County Latitude: 41.720534°, Longitude: -76.106169°.

Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Katelyn Hogue, Clerical Supervisor 2, 814-332-6868.

E0308224-003. Sharisky Waterline. Snyder Brothers Inc., 90 Glade Drive, P.O. Box 1022, Kittanning, PA 16201, Washington Township, **Armstrong County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 3, 2024. Latitude: 40.933347°, Longitude: -79.577366°.

Northwest Region: District Oil and Gas Office, 230 Chestnut Street Meadville PA 16335, 814-332-6860.

E0308224-003, Snyder Brothers Inc., 90 Glade Drive, P.O. Box 1022, Kittanning, PA 16201. Sharisky Waterline, in Washington Township, **Armstrong County**, U.S. Army Corps of Engineers Pittsburgh District, East Brady, PA Quadrangle Lat: 40.933347; Long: -79.577366

To construct, operate, and maintain:

1. A temporary road crossing using timber mats and a 20" buried gas line having 1,376 square feet of temporary and 133 square feet of permanent impacts to a palustrine emergent (PEM) wetland (East Brady, PA Quadrangle 40.930488°, -79.573526°).

2. A temporary road crossing using timber mats and two (2) 20" buried gas lines and one (1) 18" buried waterline having 20 linear feet of temporary and 60 linear feet of permanent stream impacts and 10,244 square feet of temporary and 501 square feet of permanent floodway impacts to Huling Run (TSF) (East Brady, PA Quadrangle 40.930238°, -79.572951°).

3. A temporary road crossing using timber mats and one buried 18" waterline having 14 linear feet of temporary and 14 linear feet of permanent stream impacts and 10,796 square feet of temporary and 165 square feet of permanent floodway impacts to Tributary 49008 to Huling Run (TSF) (East Brady, PA Quadrangle 40.930270°, -79.566718°).

4. A temporary road crossing using timber mats having 336 square feet of temporary impact to a palustrine emergent (PEM) wetland (East Brady, PA Quadrangle 40.932379°, -79.559764°).

5. A temporary road crossing using timber mats and one buried 18" waterline having 9 linear feet of temporary and 9 linear feet of permanent stream impacts and 11,497 square feet of temporary and 175 square feet of permanent floodway impacts to Tributary 49009 to Huling Run (TSF) (East Brady, PA Quadrangle 40.932468°, -79.559708°).

6. A temporary road crossing using timber mats and one buried 18" waterline having 5 linear feet of temporary and 5 linear feet of permanent stream impacts and 8,731 square feet of temporary and 161 square feet of permanent floodway impacts to Tributary 49007 to Huling Run (TSF) (East Brady, PA Quadrangle 40.938292°, -79.559518°).

7. A temporary road crossing and one buried 18" waterline having 137,086 square feet temporary and 346 square feet of permanent floodway impacts to Tributary 48058 to Allegheny River (WWF) (East Brady, PA Quadrangle 40.950196°, -79.551505°).

8. A temporary road crossing having 5,901 square feet temporary impacts to Tributary 48058 to Allegheny River (WWF) (East Brady, PA Quadrangle 40.950565°, -79.550531°).

9. A temporary road crossing and one buried 18" waterline having 10,375 square feet temporary and 19 square feet of permanent floodway impacts to the Allegheny River (WWF) (East Brady, PA Quadrangle 40.945674°, -79.547424°).

The project will result in 48 linear feet of temporary stream impacts, 88 linear feet of permanent stream impacts, 194,630 square feet (4.46 acres) of temporary floodway impacts, 1,367 square feet (0.03 acre) of permanent floodway impacts, 1,712 square feet (0.04 acre) of temporary wetland impacts, 133 square feet (0.003 acre) of permanent wetland impacts all for the purpose of installing 17,053 linear feet of 18" waterline, 3,137 linear feet of 20" gas line, 3,104 linear feet of 20" gas line, one 25' x 25' meter pad and +/- 68 linear feet of new permanent access road in Washington Township Armstrong County.

Contact: RA-EPWW-NWRO@pa.gov.

E3706224-001. Neshannock Township, 3131 Mercer Road, Neshannock, PA 16105, Neshannock Township,

Lawrence County. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 25, 2024.

To remove the existing structure and to construct and maintain a single-span precast concrete arch culvert with a span of 24.0-ft, an underclearance of 11.75-ft, and a length of 50.38-ft along Graceland Road (T-464) over UNT to Neshannock Creek (TSF), and to regrade and stabilize approximately 100-ft of streambank upstream of the structure with the placement of riprap to correct existing bank erosion, and to replace an existing 24-in diameter outfall downstream of the structure resulting in a total of 210-ft of stream impacts. No wetland impacts are proposed. Latitude: 41.023333°, Longitude: -80.325000°.

E4206224-001. Casella Waste Management of PA Inc., 25 Green Hills Lane, Rutland, VT 05071, Sergeant Township, **McKean County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: February 5, 2024.

The applicant proposes to construct, operate and maintain a landfill expansion adjacent to the existing Casella Landfill. The project will impact 1.02 acres of Wetlands, and 0.44 acre of sub-hundred-acre streams. The applicant is proposing to mitigate for the wetland impacts by purchasing credits from the PA Piesces Program. To offset the stream impacts the applicant is planning on funding a stream rehabilitation project within the same watershed. The project is located at 19 Ness Lane, Kane, PA 16735. Latitude: 41.666820°, Longitude: -78.643400°.

E2506224-002. Nathaniel Burnside, P.O. Box 327, Girard, PA 16417, Fairview Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: February 5, 2024.

To construct and maintain a private driveway crossing with a 50-foot long, 4-foot diameter culvert across UNT Trout Run at 2774 Avonia Road. Latitude: 42.038667°, Longitude: -80.264388°.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Dana Drake, Program Manager.

E6305223-008. City of Washington, 55 West Maiden Street, Washington, PA 15206, City of Washington, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: October 14, 2023. Latitude: 40° 09' 39", Longitude: -80° 14' 45".

The applicant proposes to:

1. Construct, operate, and maintain a stream restoration project in and along approximately 1,330 linear feet (LF) of a UNT to Catfish Creek (WWF) (aka Channel 1). Within this reach the following activities/structures are proposed:

a. Place and maintain fill within 1,092 LF of Channel 1 and associated floodway and floodplain, and to construct and maintain approximately 1,109 LF of new channel, to realign Channel 1, establish vernal pool features, re-establish the floodway, and stabilize the toe of slope. In addition, to place and maintain fill, install cross rock vane, and install engineered riffle in another 235 LF reach of Channel 1 and associated floodway and floodplain to transition into the new section of realigned channel. These activities will impact approximately 1.14 acres of floodway and 0.106 acre of floodplain.

b. Place and maintain permanent fill within 0.505 acre of floodway to improve the floodway, establish floodplain benches, and remove approximately 640 square feet of pavement.

c. Place and maintain permanent fill in four different wetlands (aka wetlands 2—5), which will cumulative impact a de minimis amount (0.022 acre) of PEM wetland.

d. The realignment of Channel 1 will also result in the loss of 2 LF of another UNT to Channel 1 (WWF) (aka Channel 2) at the confluence of these two watercourses, to transition Channel 2 into the realigned Channel 1.

2. Construct, operate, and maintain channel restoration and realignment within 317 LF of a UNT to Channel 1 (WWF) (aka Channel 3). Within this reach the following activities/structures are proposed:

a. Place and maintain fill 317 LF of Channel 3 and associated floodway, and to construct and maintain approximately 300 LF of new channel. This activity will also impact approximately 0.118 acre of floodway.

b. Construct and maintain 265 linear feet of 4 foot wide by 2 foot high earthen berm in 0.034 acre of the floodway along the realigned Channel 3.

For the purpose of preventing further stream erosion and sediment pollution in a UNT to Catfish Creek to address the City of Washington's MS4 requirements and to provide protection of existing utilities. Total permanent impacts to watercourses will be 1,646 LF, and total temporary watercourse impacts will be 48 LF. Total permanent impacts to floodways will be 1.797 acres, and total temporary floodway impacts will be 0.502 acre. Total permanent impacts to the floodplain will be 0.106 acre and total temporary impacts to the floodplain will be 0.129 acre. The project will permanently impact a de minimis amount of PEM wetland (0.022 acre).

The project site is located near the intersection of Dewey Avenue with Jennings Lane (Washington East, PA USGS topographic quadrangle; N: 40°, 09', 39"; W: -80°, 14', 45"; Sub-basin 20F; USACE Pittsburgh District), in City of Washington, Washington County.

E26-174. Brownsville Borough, 200 Second Street, Brownsville, PA 15417, Brownsville Borough, **Fayette County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 7, 2023. Latitude: 40° 1' 19.1706", Longitude: -79° 53' 20.8062".

The applicant is proposing to:

Amend permit number E26-174, which authorized the construction and maintenance of a wharf along the right bank of the Monongahela River to provide recreational space and boat docking facilities.

This amendment is seeking authorization to:

- Construct and maintain a linear, premanufactured floating boat dock on the Monongahela River (WWF, N) that is 125 lf by 8 lf, parallel to the right bank.

- Construct and maintain an additional premanufactured floating dock that is 16 lf by 8 lf. This is attached to the shore side of the aforementioned dock and at the downstream end.

- Construct and maintain a "Clip-a-Launch" that will be attached to the previously-mentioned smaller dock.

- Construct and maintain a gangway which will connect the entire dock structure to the wharf. The gangway is 30 lf by 5 lf.

For the purpose of installing a new year-round boat dock for the existing Brownsville wharf to facilitate additional mooring capacity.

The project will permanently impact 125 lf of the Monongahela River.

The project site is located on the Monongahela River, near Mile Point 56.2 (California (PA) USGS topographic quadrangle; N: 40° 1' 19.1706", W: -79° 53' 20.8062", subbasin 19C; USACE Pittsburgh District), in Brownsville Borough, Fayette County.

E0405123-009. PennDOT District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Potter Township, **Beaver County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: June 11, 2023. Latitude: 40° 39' 17.5806", Longitude: -80° 21' 0.3334".

The applicant is proposing to:

1. Remove the existing 184.5' long by 32.0' wide, Single-Span Through Truss Bridge structure, and to construct and maintain a replacement 210' long by 40' wide, Single-Span Composite Steel Plate Girder Bridge, to be placed approximately 67 LF downstream from the existing structure, having a combined permanent floodway impact of 0.285 acre to Raccoon Creek (WWF), and a permanent impact of 0.151 acre to a Palustrine Emergent (PEM) Wetland, namely WL1.

2. Construct and maintain a new 152' long, 42" RCP stream enclosure, including end walls and rock apron, having a permanent watercourse impact of 230 LF, and a permanent floodway impact of 0.254 acre, to an unnamed tributary (UNT) to Raccoon Creek (WWF).

3. Place and maintain fill within 0.063 acre of a Palustrine Emergent (PEM) Wetland, namely WL2.

4. Construct and maintain a temporary timber mat wetland crossing as well as other erosion and sedimentation controls, having a temporary impact of 0.153 acre to WL2.

5. Construct and maintain two (2) temporary access roads, having a combined temporary watercourse impact of 221 LF, and a temporary floodway impact of 0.313 acre, to the floodway of a UNT to Raccoon Creek, as well as a cumulative temporary wetland impact of 0.324 acre to WL1.

6. Construct and maintain two (2) temporary piped stream crossings, having a combined temporary watercourse impact of 290 LF to Raccoon Creek, a temporary floodway impact of 0.220 acre, as well as a combined temporary wetland impact of 0.324 acre to WL1.

For the purpose of replacing a structure, carrying SR 18 over Raccoon Creek. The project will have a cumulative permanent impact to 230 LF of watercourses, and a cumulative temporary impact to 511 LF of watercourses. The project will have a cumulative permanent impact on 0.539 acre of floodways, and a cumulative temporary impact on 0.533 acre of floodways. The project will also have 0.214 acre of cumulative permanent impact and 0.477 acre of cumulative temporary impact on wetlands. The project site is located approximately 200 LF from the intersection of PA Route 18 and Raccoon Creek Road, (Beaver, PA USGS topographic quadrangle; N: 40°, 39', 17.5806"; W: -80°, 21', 0.3334"; Sub-basin 20D; USACE Pittsburgh District), Potter Township, Beaver County.

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.

EA3615223-004. First Pennsylvania Resource, LLC, 317 East Carson Street, Suite 242, Pittsburgh, PA 15219, East Cocalico Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 17, 2023.

The applicant proposes to restore Stony Run (WWF-MF) and unnamed tributaries to Stony Run by removing approximately 19,100 cubic yards of legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 1,800 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 6 acres. The project proposes to restore approximately 3 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: 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 temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. The restoration project is located between Hill Road and the Pennsylvania Turnpike, beginning north-west of the East Cocalico Township Police Department in Denver, PA Latitude: 40.228333°, Longitude: -76.098056°.

EA3615223-005. Akron Borough, 117 South 7th Street, P.O. Box 130, Akron, PA 17501, Akron Borough, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: December 20, 2023.

The applicant proposes to restore three unnamed tributaries to Cocalico Creek (WWF-MF) by removing approximately 7,509 cubic yards of legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 3,000 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 6.8 acres. The project proposes to restore approximately 2.5 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat struc-

tures within the restoration areas; to construct temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. Other proposed work includes the replacement of two pedestrian crossings, the construction of two outfall structures, and the repair of one existing outfall structure. The restoration project is located within Loyd H. Roland Park, beginning immediately west of Main Street and continuing to the discharge point of the existing pond, in Akron, PA Latitude: 40.159182°, Longitude: -76.192232°.

DAM SAFETY

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-783-5784.

Contact: Curtis Brown, Chief, Eastern Section, 717-783-7917.

D40-129. Pennsylvania Fish and Boat Commission, 595 East Rolling Ridge Drive, Bellefonte, PA 16823, Ross Township, **Luzerne County**. The project is to modify, operate and maintain Harris Pond Dam across Roaring Brook (CWF, MF), for the purpose of complying with the Commonwealth regulations, Latitude: 41.2925°, Longitude: -76.131667°. Application received: December 21, 2022.

Contact: Josh Fair, Water Program Specialist, 717-772-5988.

D58-011EA. Daniel Wisor, Pennsylvania Fish & Boat Commission, 595 East Rolling Ridge Road, Bellefonte, PA 16823, New Milford Township, **Susquehanna County**. Applicant proposes to remove the Purdy (Stump Pond) Dam to eliminate a threat to public safety and to restore approximately 2,000 feet of stream channel to a free-flowing condition. 3.7 feet of the dam will be removed to elevation 1403 to facilitate the passage of aquatic organisms and limit the amount of sediment transport. This elevation returns the stream invert to natural bedrock. A native stone riffle will be constructed to allow for fish passage through the breach section. The project is located across Salt Lick Creek (HQ-CWF, MF) (Harford, PA Quadrangle, Latitude: 41.8589, Longitude: -75.6638). Application received: February 9, 2024.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at www.dep.pa.gov/CWPublicNotice.

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@

qjpa.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 & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0294161	CAFO Individual NPDES Permit	Issued	Delbert Burkholder 413 Oak Haven Road Kutztown, PA 19530-8330	Albany Township Berks County	SCRO
PAD060062	Chapter 102 Individual NPDES Permit	Issued	150 Birch Hill Rd Ind Development LLC 5 Knowles Creek Road New Hope, PA 18938-9250	Perry Township Berks County	SCRO
PAD150313	Chapter 102 Individual NPDES Permit	Issued	Signature Group Holdings LLC 23 Mystic Lane Frazer, PA 19355-1942	West Goshen Township Chester County	SERO
PAD210073	Chapter 102 Individual NPDES Permit	Issued	Smith Farm Partners LLC 430 N Front Street Wormleysburg, PA 17043-1114	South Middleton Township Cumberland County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD510010	Chapter 102 Individual NPDES Permit	Issued	City Of Philadelphia Division of Aviation Phl Terminal D Third Floor Planning And Environmental Stewardship Philadelphia, PA 19153	Philadelphia City Philadelphia County	SERO
PAD670093	Chapter 102 Individual NPDES Permit	Issued	Hoover Jordan 2025 Furnace Road Felton, PA 17322-7849	Chanceford Township York County	SCRO
PA0233366	Industrial Stormwater Individual NPDES Permit	Issued	Nextier Completion Solutions Inc. 3990 Rogerdale Road Houston, TX 77042-5142	Lamar Township Clinton County	NCRO
PA0245020	Industrial Stormwater Individual NPDES Permit	Issued	Janssen Biotech Inc. 200 Great Valley Parkway Malvern, PA 19355-1307	East Whiteland Township Chester County	SERO
PA0294322	Industrial Stormwater Individual NPDES Permit	Issued	Custom Milling & Consulting Inc. 1246 Maiden creek Road Fleetwood, PA 19522-8685	Maiden creek Township Berks County	SCRO
2324801	Joint DEP/PFBC Pesticides Permit	Issued	Tall Trees at Thornbury HOA 501 W Office Center Drive Suite 220 Fort Washington, PA 19034	Thornbury Township Delaware County	SERO
6523801	Joint DEP/PFBC Pesticides Permit	Issued	Westmoreland County 194 Donohoe Road Greensburg, PA 15601-6986	Hempfield Township Westmoreland County	SWRO
1512201	Land Application and Reuse of Industrial Waste Individual WQM Permit	Issued	Southeastern Chester County Refuse Authority 219 Street Road West Grove, PA 19390	London Grove Township Chester County	SERO
PAI136129	MS4 Individual NPDES Permit	Issued	North Strabane Township 1929 Route 519 Canonsburg, PA 15317-5128	North Strabane Township Washington County	SWRO
PAI136143	MS4 Individual NPDES Permit	Issued	Brentwood Borough 3735 Brownsville Road Pittsburgh, PA 15227-3554	Brentwood Borough Allegheny County	SWRO
0805201	Major Industrial Waste Treatment Facility Individual WQM Permit	Issued	Cargill Meat Solutions Corp 151 N Main Street Wichita, KS 67202-1413	Wyalusing Township Bradford County	NCRO
3523404	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Scranton City Lackawanna County	NERO
PA0091201	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Indiana Medical Condominium Association 1177 S 6th Street Indiana, PA 15701-3759	White Township Indiana County	NWRO
PA0254380	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Ursina Borough 418 Park Street Confluence, PA 15424-3326	Ursina Borough Somerset County	SWRO

NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0034061	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Vacationland Properties Owner LLC 760 Osterman Drive Suite 201 Unit 2 Bozeman, MT 59715-7948	Deer Creek Township Mercer County	NWRO
PA0054917	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Uwchlan Township Municipal Authority 715 N Ship Road Exton, PA 19341-1945	Uwchlan Township Chester County	SERO
0364S42	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	SNPJ 270 Martin Road Enon Valley, PA 16120-4614	North Beaver Township Lawrence County	NWRO
0364S42	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	SNPJ 270 Martin Road Enon Valley, PA 16120-4614	North Beaver Township Lawrence County	NWRO
0364S42	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	SNPJ Recreation Center Inc. 270 Martin Road Enon Valley, PA 16120-4614	North Beaver Township Lawrence County	NWRO
5508402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Denied	Perry Township Municipal Authority P.O. Box 27 Mt Pleasant, PA 17853-0027	Perry Township Snyder County	NCRO
NOEXNE058	No Exposure Certification	Issued	Quality Carriers Inc. 102 Pickering Way Suite 105 Exton, PA 19341-1330	Parryville Borough Carbon County	NERO
NOEXSC415	No Exposure Certification	Issued	Carel USA Inc. 385 S Oak Street Manheim, PA 17545-1600	Manheim Borough Lancaster County	SCRO
NOEXSE209	No Exposure Certification	Issued	Jabil Inc. 1303 Goshen Parkway West Chester, PA 19380-5986	East Goshen Township Chester County	SERO
NOEXSE364	No Exposure Certification	Issued	Dynamic Metals Inc. 20 Steel Road S Morrisville, PA 19067-3614	Falls Township Bucks County	SERO
PAG030028	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Pitt Ohio Express LLC 15 27th Street Pittsburgh, PA 15222-4729	Upper Providence Township Montgomery County	SERO
PAG030061	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Gelest Inc. 11 East Steel Road Morrisville, PA 19067	Falls Township Bucks County	SERO
PAG030177	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Clean Earth of Philadelphia LLC 3201 South 61st Street Philadelphia, PA 19153	Philadelphia City Philadelphia County	SERO
PAG030192	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Constellation Energy Generation LLC # 1 Industrial Highway Eddystone, PA 19022	Bristol Township Bucks County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG030203	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	BWC Terminal Philadelphia 1111 Bagby Street Suite 1800 Houston, TX 77002-2548	Philadelphia City Philadelphia County	SERO
PAG030239	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Horsham Township Montgomery County	SERO
PAG030258	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	FedEx Freight Inc. 2200 Forward Drive Dc:2219 Harrison, AR 72601	Bristol Township Bucks County	SERO
PAG030299	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ward Trucking LLC P.O. Box 1553 Altoona, PA 16603-1553	Bensalem Township Bucks County	SERO
PAG032336	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Master Bldr Solutions Admixtures US LLC 7234 Penn Drive Allentown, PA 18106-9310	Upper Macungie Township Lehigh County	NERO
PAG032396	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Solar Innovations LLC 31 Roberts Road Pine Grove, PA 17963-9150	Pine Grove Township Schuylkill County	NERO
PAG033711	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Skyline Corp 755 W Big Beaver Road Troy, MI 48084-4900	Upper Leacock Township Lancaster County	SCRO
PAG033910	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	York Bldg Products Co. Inc. 950 Smile Way York, PA 17404-1725	Spring Garden Township York County	SCRO
PAG034025	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Nov Fiber Glass System 14489 Croghan Pike Mount Union, PA 17066-8869	Shirley Township Huntingdon County	SCRO
PAG034821	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	SOS Metals Inc. 320 State Route 54 Mount Carmel, PA 17851-2500	Mount Carmel Township Northumberland County	NCRO
PAG034828	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	STE Hackney Inc. 914 Saegers Station Road Montgomery, PA 17752-8501	Montgomery Borough Lycoming County	NCRO
PAG034903	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	HR Bierly & Sons Garage 585 N Pennsylvania Avenue Centre Hall, PA 16828-9238	Potter Township Centre County	NCRO
PAG034941	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kellanova USA LLC 1 Kellogg Square Battle Creek, MI 49017-3534	Muncy Creek Township Lycoming County	NCRO
PAG034996	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Simsmetal East LLC 1 Linden Avenue E Jersey City, NJ 07305-4726	Williamsport City Lycoming County	NCRO
PAG036124	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Keywell Metals LLC 1035 Commercial Drive Matthews, NC 28104-5001	West Mifflin Borough Allegheny County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG036151	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Superior Mulch LLC P.O. Box 201 Connellsville, PA 15425-0201	Connellsville Township Fayette County	SWRO
PAG036211	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Norfolk Southern Railway Co. 200 N 4th Avenue Altoona, PA 16601-6702	Cresson Borough Cambria County	SWRO
PAG036254	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Innomotics LLC 100 Technology Drive Alpharetta, GA 30005-3900	Upper Burrell Township Westmoreland County	SWRO
PAG036264	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Bayer Healthcare LLC 1 Bayer Drive Indianola, PA 15051	Indiana Township Allegheny County	SWRO
PAG036293	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Norfolk Southern Railway Co. 650 W Peachtree Street NW Atlanta, GA 30308-1925	Johnstown City Cambria County	SWRO
PAG036299	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Maitri Genetics LLC 120 Beta Drive Pittsburgh, PA 15238-2932	Ohara Township Allegheny County	SWRO
PAG036481	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Deep Valley Coal & Disposal Inc. 7111 Steubenville Pike Oakdale, PA 15071-9111	North Fayette Township Allegheny County	SWRO
PAG036523	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Wood Waste Recycling LLC 111 Kelso Road McDonald, PA 15057-2125	North Fayette Township Allegheny County	SWRO
PAG038313	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sysco Pittsburgh LLC 1 Whitney Drive Harmony, PA 16037-7748	Jackson Township Butler County	NWRO
PAG038365	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Bingaman & Son Lumber Inc. P.O. Box 247 Kreamer, PA 17833-0247	Saint Mary's City Elk County	NWRO
PAG038426	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Asbury Graphite Mills Inc. 280 Linde Road Kittanning, PA 16201-4718	North Buffalo Township Armstrong County	NWRO
PAG038457	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Wilmington Township Lawrence County	NWRO
PAG038489	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	North Apollo Borough Armstrong County	NWRO
PAG038490	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Beverage Air 119 Progress Street Brookville, PA 15825-2617	Brookville Borough Jefferson County	NWRO
PAG038511	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	MGK Tech Inc. P.O. Box H Brookville, PA 15825-0608	Homer City Borough Indiana County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG041258	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Melnick Diane 806 Farren Surrena Road Harrisville, PA 16038-3712	Irwin Township Venango County	NWRO
PAG041265	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Dunkerley Edward W Jr 7621 Stewart Sharon Road Masury, OH 16214	Highland Township Clarion County	NWRO
PAG041266	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Mandel Laurie 268 Shades Beach Road Erie, PA 16511-1553	Harborcreek Township Erie County	NWRO
PAG049310	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Martin Miller and Patty Delcamp 21355 Route 957 Columbus, PA 16405	Columbus Township Warren County	NWRO
PAG049430	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Girting Stephen 140 Dehaven Road Beaver Falls, PA 15010-9712	Pittsfield Township Warren County	NWRO
PAG130112	PAG-13 NPDES General Permit for MS4s	Waived	PA State University 101P Office of Physical Plant University Park, PA 16802-1118	Abington Township Montgomery County	SERO
0488413	Pump Stations Individual WQM Permit	Issued	Bradys Run Sanitary Authority 2326 Darlington Road Beaver Falls, PA 15010-1357	Chippewa Township Beaver County	SWRO
0223406	Sewer Extensions Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0223407	Sewer Extensions Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0223408	Sewer Extensions Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
467S081	Sewer Extensions Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
PA0244503	Single Residence STP Individual NPDES Permit	Issued	Meyer Dean L P.O. Box 71 Wagontown, PA 19376-0071	West Caln Township Chester County	SERO
PA0264539	Single Residence STP Individual NPDES Permit	Issued	Henlen Peter 1643 Rutledge Road Transfer, PA 16154-2529	Delaware Township Mercer County	NWRO
PA0267481	Single Residence STP Individual NPDES Permit	Issued	Stoltzfus Stephen F 1645 Mountain Road Newburg, PA 17240-9123	Upper Mifflin Township Cumberland County	SCRO
PA0295370	Single Residence STP Individual NPDES Permit	Issued	Denk David 6759 E Lake Road Erie, PA 16511-1542	Harborcreek Township Erie County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2121402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Stoltzfus Stephen F 1645 Mountain Road Newburg, PA 17240-9123	Upper Mifflin Township Cumberland County	SCRO
2523426	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Denk David 6759 E Lake Road Erie, PA 16511-1542	Harborcreek Township Erie County	NWRO
PA0263958	Small Flow Treatment Facility Individual NPDES Permit	Issued	Demaio Anthony 143 Crown Farms Lane Leeper, PA 16233-4301	Green Township Forest County	NWRO
2712401	Small Flow Treatment Facility Individual WQM Permit	Issued	Demaio Anthony 143 Crown Farms Lane Leeper, PA 16233-4301	Green Township Forest County	NWRO
WQG018516	WQG-01 WQM General Permit	Issued	Martin Miller and Patty Delcamp 21355 Route 957 Columbus, PA 16405	Columbus Township Warren County	NWRO
WQG018619	WQG-01 WQM General Permit	Issued	Girting Stephen 140 Dehaven Road Beaver Falls, PA 15010-9712	Pittsfield Township Warren County	NWRO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC480182	PAG-02 General Permit	Issued	Nazareth Real Estate Management 4067 Jandy Blvd. Nazareth, PA 18064	Lower Nazareth Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@pa.gov
PAC250194	PAG-02 General Permit	Issued	Kunco Landscape Inc. 8099 Johnson Road Erie, PA 16510	Summit Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC250211	PAG-02 General Permit	Issued	Harbor Creek School District 6375 Buffalo Road Harborcreek, PA 16421	Harborcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC430030	PAG-02 General Permit	Issued	Adventure Bound Camping Resorts 905 16th Place Vero Beach, FL 32960	Delaware Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC680058	PAG-02 General Permit	Issued	Robindale Energy Services, Inc. 224 Grange Hall Road Armagh, PA 15920	Chest Township Clearfield County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC680056	PAG-02 General Permit	Issued	PA DEP Bureau of Abandoned Mine Reclamation 286 Industrial Park Road Ebensburg, PA 15931	Marion Township Butler County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800
PAC540148	PAG-02 General Permit	Issued	Wegmans Food Markets, Inc. Arthur Pires P.O. Box 30844 Rochester, NY 14603	Cass Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC021074	PAG-02 General Permit	Issued	Deer Lakes School District 19 East Union Road Cheswick, PA 15024	West Deer Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020426	PAG-02 General Permit	Issued	# 1 Cochran Automotive 4520 William Penn Highway Monroeville, PA 15146	Murrysville Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Pittsburgh, PA 15219 412-291-8005 SWRO
PAC040051	PAG-02 General Permit	Issued	PennDOT Engineering District 11-0 45 Thomas Run Road Bridgeville, PA 15017	Greene Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC021033	PAG-02 General Permit	Issued	Robinson Township Frank Piccolino 1000 Church Hill Road Pittsburgh, PA 15205	Robinson Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC630306	PAG-02 General Permit	Issued	Chartiers Township 2 Buccaneer Drive Houston, PA 15342	Chartiers Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC630311	PAG-02 General Permit	Issued	Peoples Natural Gas Company LLC 375 North Shore Drive Suite 600 Pittsburgh, PA 15212	Fallowfield Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC560086	PAG-02 General Permit	Issued	Peoples Natural Gas Company LLC 315 Elton Road Johnstown, PA 15904	Lincoln Township Somerset Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC020945-A-1	PAG-02 General Permit	Issued	Agan Park Fill Site Lee Thoman 879 Clearfield-Curwensville Highway Clearfield, PA 16830	Springdale Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020361	PAG-02 General Permit	Issued	Owner—George J. Wagner P.O. Box 419 Sturgeon, PA 15082	North Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020962	PAG-02 General Permit	Issued	The Buncher Company Christopher Fink 1300 Penn Avenue Suite 300 Pittsburgh, PA 15222	Leetsdale Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021064	PAG-02 General Permit	Issued	Peoples Natural Gas Company, LLC Jesse Leezer 375 North Shore Drive Pittsburgh, PA 15212	Monroeville Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021056	PAG-02 General Permit	Issued	Bon Tool Company John Bongiovanni 4430 Gibsonia Road Gibsonia, PA 15044	West Deer Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021058	PAG-02 General Permit	Issued	West Jefferson Hills School District Janet Sardon 830 Old Clairton Road Jefferson Hills, PA 15025	Jefferson Hills Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC560087	PAG-02 General Permit	Issued	Peoples Natural Gas of PA, LLC 3115 Elton Road Johnstown, PA 15904	Somerset Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC021041	PAG-02 General Permit	Issued	NRPD, LLC Jim Genstein 761 Osage Road Pittsburgh, PA 15243	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC110117	PAG-02 General Permit	Issued	Peoples Natural Gas Company LLC 3115 Elton Road Johnstown, PA 15904	Conemaugh Township and Stonycreek Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120 SWRO

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC21079	PAG-02 General Permit	Issued	Peoples Natural Gas Company, LLC Jesse Leezer 375 North Shore Drive Pittsburgh, PA 15212	West Mifflin Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020402	PAG-02 General Permit	Issued	M.A. Beech Corporation Chuck Connelly 100 Ryan Court Suite 20 Pittsburgh, PA 15205	Crescent Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021085	PAG-02 General Permit	Issued	City of Pgh Department of Mobility Zachary Workman 301 City County Building 414 Grant Street Pittsburgh, PA 15219	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC100318	PAG-02 General Permit	Issued	Cranberry Township 2525 Rochester Road Cranberry Township, PA 16066	Cranberry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC460663	PAG-02 General Permit	Issued	MH II Pennsburg LLC 300 Conshohocken State Road Suite 200 West Conshohocken, PA 19428	Upper Hanover Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC010225A-1	PAG-02 General Permit	Issued	Gettysburg Municipal Authority 601 East Middle Street Gettysburg, PA 17325	Gettysburg Borough Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC050070	PAG-02 General Permit	Issued	Bedford Rural Electric Cooperative, Inc. 8846 Lincoln Hwy P.O. Box 335 Bedford, PA 15522	Bedford Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 3 Bedford, PA 15522 814-623-7900
PAC360922	PAG-02 General Permit	Issued	501 Alexander Drive LLC 501 Alexander Drive Ephrata, PA 17522	Ephrata Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360271A-4	PAG-02 General Permit	Issued	Anthony Scicchitano 1 Hollinger Lane Elizabethtown, PA 17022	West Donegal Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360923	PAG-02 General Permit	Issued	Merlin Sensenig 1615 Brunnerville Road Lititz, PA 17543	Elizabeth Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360838	PAG-02 General Permit	Issued	Raymond Martin 22 East Trout Run Ephrata, PA 17522	Brecknock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC670264	PAG-02 General Permit	Issued	Farm Lane Estates LP 755 Hemenway Street Marlborough, MA 07152	Jackson Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670267	PAG-02 General Permit	Issued	Joseph A Myers Building & Development Inc. 160 Ram Drive Hanover, PA 17331	Dover Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670271	PAG-02 General Permit	Issued	Spring Forge Development 6259 Reynolds Mill Road Seven Valleys, PA 17360	Spring Grove Borough York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670686	PAG-02 General Permit	Issued	York College of Pennsylvania 441 Country Club Road York, PA 17403	Spring Garden Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670673	PAG-02 General Permit	Issued	Sheetz, Inc. 351 Sheetz Way Claysburg, PA 16625	York Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430

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.

Construction Permit No. 4023513, Major Amendment, Public Water Supply.

Applicant	Pennsylvania American Water Company
Address	852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Plains Township
County	Luzerne County
Consulting Engineer	Maureen Coleman, P.E. Pennsylvania American Water Company 2699 Stafford Ave Scranton, PA 18505
Application Received	September 27, 2023
Permit Issued	January 29, 2024
Description	This permit is for replacement of the existing three (3) NPW booster pumps.

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 4190017. PWSID No. **4190017**. **Millville Municipal Authority**, P.O. Box 30, Millville, PA 17846, Millville Borough, **Columbia County**. Application received: January 10, 2024. Permit Issued: February 12, 2024. This Operation Permit No. 4190017 dated February 12, 2024 includes the operation of a JCS Industries Model 4400 Residual Chlorine Analyzer and an actuated AT Controls NS Series lug-style butterfly valve, which serves as the flow control valve.

Operation Permit 1923503MA. PWSID No. **4190008**. **Veolia Water PA Inc Bloomsburg**, 6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112, City of Bloomsburg, **Columbia County**. Application received: February 14, 2024. Permit Issued: February 15, 2024.

This permit authorizes operation of the rehabilitated 0.3 MG Finished Water Storage Tank serving Bloomsburg University.

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

NCWSA Operation Permit 7380379. PWSID No. **7380379**. **Table Trust Brands**, P.O. Box 10, 2609 St. Rt. 22, Fredericksburg, PA 17026, Bethel Township, **Lebanon County**. Application received: February 2, 2024. Permit Issued: February 12, 2024. Operation of a sodium hypochlorite injection system.

Contact: Thomas Filip, Environmental Engineer, 717-705-4708.

Emergency Permit 3124503 E. PWSID No. **4310015**. **Mapleton Municipal Authority**, P.O. Box 306, Mapleton Depot, PA 17052, Union Township, **Huntingdon County**. Application received: February 9, 2024. Permit Issued: February 13, 2024. Rehabilitation and investigation of Filter No. 2.

Construction/Operation Permit 2223511 MA. PWSID No. **7220017**. **Pennsylvania American Water**, 852 Wesley Drive, Mechanicsburg, PA 17055, South Hanover Township, **Dauphin County**. Application received: September 19, 2023. Permit Issued: October 31, 2023. Replacement of a caustic soda day tank.

Operation Permit 0124502 MA. PWSID No. **7010019**. **Gettysburg Municipal Authority**, 601 East Middle Street, Gettysburg, PA 17325, Cumberland Township, **Adams County**. Application received: January 31, 2024. Permit Issued: February 20, 2024. Turbidimeter replacement, and CFE monitoring point and corrosion inhibitor feed point relocation.

Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.

Operation Permit 7360122. PWSID No. **7360122**. **Safe Harbor Village, LLC**, 537 Church Street, Lancaster, PA 17602, Conestoga Township, **Lancaster County**. Application received: February 1, 2024. Permit Issued: February 13, 2024. Comprehensive operation permit for the use of caustic soda for pH adjustment and an orthophosphate as a corrosion inhibitor.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: RA-EPSWSDW@pa.gov.

Amendment Permit 6521505RDT-A1. PWSID No. **5650060**. **Latrobe Municipal Authority**, 104 Guerrier Road, P.O. Box 88, Latrobe, PA 15650, Derry Township, **Westmoreland County**. Application received: February 14, 2024. Permit Issued: February 16, 2024. Issuance of amended Operation Permit No. 6521505RDT-A1 to Latrobe Municipal Authority for updates to the Authority's 1-log Giardia Inactivation calculations.

Amendment Permit 3013501WMP36-A1. PWSID No. **5300017**. **Southwestern Pennsylvania Water Authority**, 1442 Jefferson Road, P.O. Box 187, Jefferson, PA 15344, Morris Township, **Greene County**. Application received: February 6, 2024. Permit Issued: February 16, 2024. Issuance of Amended Operation Permit No. 3013501WMP36-A1 to the Southwestern Pennsylvania Water Authority for the construction of the Equitrans Clemente bulk water loading station.

Emergency Permit 6524503-E. PWSID No. **5650449.** **Madison KOA Campground**, 764 Waltz Mill Road, Ruffs Dale, PA 15679, Sewickley Township, **Westmoreland County**. Application received: February 8, 2024. Permit Issued: February 14, 2024. Issuance of Emergency Permit No. 6524503-E to the Madison KOA Campground for the emergency use of Water on Wheels, LLC bulk water hauling services to supply water to the Madison KOA Campground.

Construction/Operation Permit 0224503MA. PWSID No. **5020006.** **Borough of Brackenridge**, 1000 Brackenridge Avenue, Brackenridge, PA 15014, Brackenridge Borough, **Allegheny County**. Application received: January 17, 2024. Permit Issued: February 16, 2024. Issuance of Construction/Operation Permit No. 0224503MA to the Borough of Brackenridge for the discontinuation of fluoride injection at the Borough of Brackenridge Water Treatment Plant.

Contact: Renee Diehl, Program Manager, ra-epswsdw@pa.gov.

Operation Permit 0213536-A1. PWSID No. **5020027.** **Monroeville Municipal Authority**, 219 Speelman Lane, Monroeville, PA 15146, Monroeville Borough, **Allegheny County**. Application received: December 18, 2023. Permit Issued: February 13, 2024. Haymaker Pump Station.

Operation Permit 2624502. PWSID No. **5260011.** **Indian Creek Valley Water Authority**, 2019 Indian Head Road, Indian Head, PA 15446, Saltlick Township, **Fayette County**. Application received: February 5, 2024. Permit Issued: February 13, 2024. Phase I of the Pritts Spring Plant Modification Project (piping modifications to the raw waterline to provide a drain before the splitter box).

Transfer Permit 5040334. PWSID No. **5040334.** **Darlington Township**, 3590 Darlington Road, Darlington, PA 16115, Darlington Township, **Beaver County**. Application received: February 8, 2024. Permit Issued: February 16, 2024. Transfer of the public water system located on Aid Drive.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals 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:

Municipality	Address	County
Leacock Township	P.O. Box 558 Intercourse, PA 17534	Lancaster County

Plan Description:

Betty J. Wanner Subdivision, A3-36935-338-2. The revision to the official plan of Leacock Township, **Lancaster County**, for the Betty J. Wanner Subdivision (DEP Code No. A3-36935-338-2; APS ID No. 1107343) has been disapproved. The proposed development—to be located at 4022 East Newport Road in Gordonville—consists of creating a residential lot with a single-family dwelling. This plan revision has been disapproved because it was administratively incomplete; among the

items that were either missing or incorrect were: a resolution of adoption that was inconsistent with the regulations, the submission of an incorrect review fee, and the omission of a required preliminary hydrogeologic study.

BIOSOLIDS INDIVIDUAL PERMITS (PABIG, SSN AND PABIS)

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge this action, the appeal must reach the board within 30-days. A lawyer is not needed to file an appeal.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

Northcentral Region: Clean Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Rebecca Renner, Biosolids Coordinator, 570-980-4696.

PABIG No. 4803, Leslie's Septic Service, 491 Yahn Rd., Galeton, PA 16922, Pike Township, **Potter County**. Lauren Hinman, 491 Yahn Rd., Galeton, PA 16922. Application received: October 6, 2023. Issued: February 9, 2024.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

PUBLIC NOTICE OF PROPOSED CONSENT ORDER AND AGREEMENT

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, AA1, 484-250-5787.

Ridge Run PFAS HSCA Site, Old Bethlehem Pike, Bethlehem Pike, Tabor Road, Hill Road and North

Rockhill Road, Sellersville, PA 18960, East and West Rockhill Townships, **Bucks County**.

The Department of Environmental Protection (Department), under the authority of the Pennsylvania Hazardous Sites Cleanup Act (HSCA), 35 P.S. § 6020.1113, has entered a Consent Order and Agreement (COA) with D.R. Horton, Inc.—New Jersey (Horton) and Park Hill Estates Community Association (Association), regarding the Ridge Run PFAS Site (Site), located in East and West Rockhill Townships.

Hazardous substances and/or contaminants within the meaning of Section 103 of the Hazardous Sites Cleanup Act, 35 P.S. § 6020.103, were released and threatened to be released on the Site. Pursuant to Section 501(a) of HSCA, 35 P.S. § 6020.501(a), the Department performed response actions at the Site to abate the release of hazardous substances and/or contaminants found, which included Perfluorooctanoic acid (PFOA) and Perfluorooctane sulfonic acid (PFOS). The Department's response actions included well sampling in the impacted areas; the provision of bottled water and the installation and maintenance of whole-house filtration systems for impacted properties; and the investigation of environmental media to determine the nature and extent of the contamination in the environment.

Horton is interested in acquiring a certain property within the Site located at 1731 Old Bethlehem Pike (Premises "A" and "B"), Sellersville (Property). Park Hill Estates Community Association would provide maintenance activities at the Property following its acquisition. Horton and the Association desire to resolve any potential liability that they may incur from the purchase and operation of the Property for the releases at the Site. Under the COA, Horton will pay to the Department the sum of Ten Thousand Dollars (\$10,000) for response costs incurred by the Department, and Horton and the Association will receive a covenant not to sue and be eligible for contribution protection in connection with certain claims described in the COA.

This notice is provided under Section 1113 of HSCA, 35 P.S. § 6020.1113, which states that, "settlement shall become final upon the filing of the Department's response to significant written comments". The COA is available for public review and comment. An electronic copy or hard copy of the COA may be requested by contacting either Colin Wade at (484) 250-5722 or cowade@pa.gov or Brian Glass, Esquire at (484) 250-5870 or briaglass@pa.gov. A public comment period on the COA will extend for 60 days from today's date. Persons may submit written comments regarding the COA by submitting them under the subject line "Horton COA" via electronic mail to Colin Wade at the previously listed email address or via U.S. Mail to Colin Wade at 2 East Main Street, Norristown, PA 19401.

The Department has reserved the right to withdraw its consent to the COA if comments submitted during the public comment period disclose facts or considerations which indicate, in the Department's discretion, that the COA is inappropriate or not in the public interest.

**HAZARDOUS SITES CLEAN-UP
UNDER THE ACT
OF OCTOBER 18, 1988**

**PUBLIC NOTICE OF PROPOSED CONSENT
ORDER AND AGREEMENT UNDER HSCA/CERCLA**

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Larry Smith, 717-705-4842 or Dennis Yuen at dyuen@pa.gov, 717-783-0367.

Topton Site, Borough of Topton, Berks County, PA.

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA), 35 P.S. §§ 6020.101 et seq., has entered into three (3) separate proposed Consent Order and Agreements (COAs) with regard to the following parties with respect to the following properties on the Northwest and Northeast corners of the intersection of Washington and North Main Streets, in Topton, Pennsylvania. The properties are a part of the Topton Site (Site) located in the Borough of Topton, Berks County, PA.

- Proposed COA between the Department, Merson USA GS-SPV-Topton GMI LLC (Mersen-GMI), and tenant Graphite Machining, Inc. (GMI), with respect to property identified as Berks Tax Parcel No./Property ID No. 85546316930824.

- Proposed COA between the Department, Merson USA GS-SPV-Topton ACT LLC (Mersen-ACT), and tenant Advanced Carbon Technologies, Inc. (ACT), with respect to property identified as Berks Tax Parcel No./Property ID No. 85546316837840.

- Proposed COA between the Department, Merson USA GS-SPV-Topton Field LLC (Mersen-Field) with respect to property identified as Berks Tax Parcel No./Property ID No. 85546316933927.

All three (3) parcels are currently owned by Lehigh Industries, Ltd, (Seller), and were historically used for a variety of industrial and manufacturing activities. The Seller purchased the parcels in 1988. Two of the parcels, Berks Tax Parcel No./Property ID No. 85546316930824 and 85546316837840, were leased to GMI and ACT in 2000, respectively.

Starting in 1982, Volatile Organic Compounds (VOCs) contamination, including tetrachloroethene (PCE), was identified in groundwater at the Site, and was found to have impacted residential groundwater wells in Topton, and Longswamp, and Maxatawny Townships. Beginning in 1995, the Department engaged in HSCA interim response actions to address contamination at the Site. These response actions have included the maintenance of Point of Entry Treatment (POET) on impacted wells; excavation and disposal of certain PCE contaminated Site soils; and in situ chemical oxidation treatment of contaminated Site soils and groundwater. The Department continues to monitor and treat groundwater at the Site.

Mersen-GMI, Mersen-ACT, and Mersen-Field (collectively, Purchasers) represent that that they each had no involvement with the respective properties that they seek to purchase other than as a prospective purchaser performing due diligence. The Department has no information that any of the Purchasers ever contributed to the contamination at the Site, or has ever been affiliated with the Seller. Similarly, the Department has no information that either ACT or GMI ever contributed to the contamination found at the Site.

Under the terms and conditions of the prospective COAs, the Department has covenanted not to sue any of the Purchasers for response costs arising from the release or threatened release of hazardous substances at the Site. The Purchasers, GMI, and ACT have each also covenanted not to sue the Department for response costs arising from the release or threatened release of hazardous substances at the Site. Each Purchaser will also submit payment to the Department in the amount of ten

thousand dollars (\$10,000) towards the Department's past response costs at the Site (i.e. total of thirty thousand dollars (\$30,000) for all three (3) properties).

This notice is provided pursuant to Section 1113 of HSCA, 35 P.S. § 6020.1113, which states that, "settlement shall become final upon the filing of the Department's response to significant written comments." The Department has reserved the right to withdraw its consent to any or all of the proposed COAs if comments submitted during the public comment period disclose facts or considerations which indicate, in the Department's discretion, that any or all of the proposed COAs are inappropriate or are not in the public interest. A person adversely affected by any or of these settlements may file an appeal with the Pennsylvania Environmental Hearing Board. The public comment period on the COAs will extend for a period of sixty (60) days from the date of this notice. Persons may submit written comments regarding the COAs by mail to Larry Smith, Geologist, Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg, PA 17110 or by email to larrysmit@pa.gov. Further information, or copies of the COAs, can be obtained by contacting Larry Smith at 717-705-4842 or Dennis Yuen at dyuen@pa.gov or 717-783-0367.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

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

The Department has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Deremer 21HC on the Deremer BRA Well Pad, Primary Facility ID # **837281**, 149 Singer Road, Laceyville, PA 18623, Tuscarora Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

Contact: Eric Supey, Environmental Program Manager.

Whitehall Farms, Primary Facility ID # **858850**, 3855 Lehigh Street, Whitehall, PA 18052, Whitehall Township, **Lehigh County**. Barry Isett & Associates, 5420 Crackersport Road, Allentown, PA 18104, on behalf of Pennsylvania Venture Capita, 177 Sixth Street, Whitehall, PA 18052, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil contaminated with arsenic, lead, vanadium, and semi-volatile organic compounds. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.

Former Glidden Co. Reading Paint Plant, Primary Facility ID # **762978**, 1853 and 1746 North 3rd Street, Reading, PA 19601, City of Reading, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of ANOREAD, LLC, 1515 Des Peres Road, Suite 300, Saint Louis, MO 63131, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with COCs. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Wawa Store #153, Primary Facility ID # **622986**, 1946 North 11th Street, Reading, PA 19604, City of Reading, **Berks County**. Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite 1A, West Chester, PA 19382, on behalf of Wawa, Inc., 260 West Baltimore Pike, Media, PA 19063, submitted a Final Report concerning remediation of soil contaminated with Lead. The Final Report is intended to document remediation of the site to meet the site-specific standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Greylock Wildcat Well Pad, Primary Facility ID # **873211**, 339 Dudas Road, Mt. Morris, PA 15349, Whiteley Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Greylock Production, LLC, 500 Corporate Landing, Charleston, WV 25311, 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.

Rush Run Road Incident, Primary Facility ID # **871294**, Rush Run Road, Sycamore, PA 15364, Center Township, **Greene County**. SE Technologies, LLC, 500 Mosites Way, Pittsburgh, PA 15205, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with chloride. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the Statewide health standards.

EQT Hoosker Doo Well Pad, Primary Facility ID # **871530**, 510 Bryan Ridge Road, New Freeport, PA 15352, Aleppo 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, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Greylock Coastal Greene Well Pad, Primary Facility ID # **873398**, 324 Dutch Run Road, Waynesburg, PA 15370, Whiteley Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Greylock Production, LLC, 500 Corporate Landing, Charleston, WV 25311, 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 analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

The DEP has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Laurel Hill D Unconventional Well Site November 1, 2023 Release, Primary Facility ID # **870550**, 335 Billy Beck Lane, Trout Run, PA 17771, Cogan House Township, **Lycoming County**. Moody and Associates, Inc., 101 N. Main Street, Suite 3, Athens, PA 18810, on behalf of Range Resources—Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with production fluid. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: February 14, 2024.

Parys Water Impoundment, Primary Facility ID # **871893**, 521 Fargo Creek Road, Laceyville, PA 18623, Tuscarora Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide health standards. Approved: February 8, 2024.

Sensinger BRA 4H on the Sensinger BRA Well Pad, Primary Facility ID # **867795**, 13278 Southside Road, Monroeton, PA 18832, Franklin 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 water. The Final Report demonstrated attainment of the Statewide health standards. Approved: February 20, 2024.

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 demonstrated attainment of the Statewide health standards. Approved: February 20, 2024.

Deremer 21HC on the Deremer BRA Well Pad, Primary Facility ID # **837281**, 149 Singer Road, Laceyville, PA 18623, Tuscarora Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report demonstrated attainment of the Statewide health standards. Approved: February 20, 2024.

COP Tract 551 B, Primary Facility ID # **863161**, 5805 Bodine Mountain Road, Ralston, PA 17763, McIntyre Township, **Lycoming County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of EQT ARO, LLC, 33 West Third Street, Suite 300, Williamsport, PA 17701, submitted a Final Report concerning remediation of soil contaminated with production water. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: February 20, 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.

Epting Tract, Primary Facility ID # **860572**, 24 Loose Lane, Leesport, PA 19533, Ontelaunee Township and Leesport Borough, **Berks County**. Environmental Maintenance Co., Inc., 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Metropolitan Development Group, 2001 State Hill Road, Suite 205, Wyomissing, PA 19610, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil contaminated with Arsenic. The Report demonstrated attainment of the site-specific standards. Approved: February 13, 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.

Union Switch and Signal Division Facility, Primary Facility ID # **828755**, 1789 Braddock Avenue, Pittsburgh, PA 15218, Edgewood Borough and Swissvale Borough, **Allegheny County**. Arcadis U.S., Inc., 10 Friends Lane, Suite 100, Newtown, PA 18940, on behalf of WABCO Holdings, Inc., 2770 Research Drive, Rochester Hills, MI 48309, submitted a Risk Assessment/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs, SVOCs, and inorganics. The Report demonstrated attainment of the site-specific standards. Approved: February 1, 2024.

EQT Hoosker Doo Well Pad, Primary Facility ID # **871530**, 510 Bryan Ridge Road, New Freeport, PA 15352, Aleppo Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: February 6, 2024.

Diversified Latrobe Brewing # 4 Well Pad, Primary Facility ID # **871536**, 501 Derry Lane, Blairsville, PA 15717, Derry Township, **Westmoreland County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Diversified Production, LLC, 125 Industry Road, # 201, Waynesburg, PA 15370, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: February 8, 2024.

CNX GH58 Well Pad, Primary Facility ID # **815156**, 530 Pettit Road, Holbrook, PA 15341, Center Township, **Greene County**. Penn Environmental & Remediation, 111 Ryan Court, Pittsburgh, PA 15205, on behalf of CNX Gas Company, LLC, 1000 Horizon Vue Energy Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: February 6, 2024.

Rush Run Road Incident, Primary Facility ID # **871294**, Rush Run Road, Sycamore, PA 15364, Center Township, **Greene County**. SE Technologies, LLC, 500 Mosites Way, Pittsburgh, PA 15205, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with chloride. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: February 5, 2024.

REGISTRATION FOR MUNICIPAL WASTE GENERAL PERMITS

Actions(s) Taken on Registration(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMITS@pa.gov.

WMGM037SE001. Waste Management of Pennsylvania, Inc., 100 Brandywine Boulevard, Newtown, PA 18940, City of Philadelphia, **Philadelphia County**. This General Permit has been revoked and the coverage under General Permit No. WMGM037SE001, which authorized the processing and conversion of municipal waste into a fuel product, is terminated in response to the permittee's

request for final closure certification approval of general permit No. WMGM037SE001 at the WM SpecFUEL-TM. Facility located at 5245 Bleigh Avenue, Philadelphia, PA 19136, in the City of Philadelphia, Philadelphia County. The final closure certification and revocation for the general permit registration was approved by the Southeast Regional Office on January 19, 2024. Application received: December 6, 2023. Revoked: January 19, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Carrie A. Fleming, Program Manager.

WMGM019SC002. B.R. Kreider & Son, Inc., 63 Kreider Lane, Manheim, PA 17545, East Hempfield Township, **Lancaster County.** This is a determination of applicability under WMGM019 for B.R. Kreider & Son, Inc.'s Manheim Crushing Facility at 111 Kreider Lane, Manheim, PA 17545, and is for the processing and beneficial use of waste concrete and asphalt; timber waste and uncontaminated soil; and leaf and yard waste for use as construction material; topsoil and mulch; and compost. Application received: October 12, 2023. Deemed administratively complete: January 3, 2024. Issued: February 14, 2024.

Persons interested in reviewing the permit may contact John L. Oren, P.E., Permits Chief, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Shailesh R. Patel, P.E., New Source Review Chief, 570-826-2357.

AG5A-58-00073A: Coterra Energy Inc., 2000 Park Lane, Ste 300, Pittsburgh, PA 15275, Bridgewater Township, **Susquehanna County.** To operate one (1) 1340 BHP Caterpillar G3516 IC Engine with OXCAT at the

Benedikt, K. Pad 1 well pad site. Application received: November 30, 2023. Issued: December 20, 2023.

GP3-40-044: East Point Aggregate LLC, 925 Harvard Avenue, Bethlehem, PA 18015, Foster Township, **Luzerne County.** To construct and operate a Portable Crushing Operation with water sprays at 28 Quarry Rd. Application received: December 15, 2023. Issued: January 23, 2024.

GP9-40-044: East Point Aggregate LLC, 925 Harvard Avenue, Bethlehem, PA 18015, Foster Township, **Luzerne County.** To install and operate two (2) Diesel I/C engines at 28 Quarry Road. Application received: November 15, 2023. Issued: December 22, 2023.

GP13-40-003: New Enterprise Stone and Lime Co. Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, Plains Township, **Luzerne County.** To operate a hot mix asphalt plant with RAP at 215 East Saylor Ave. Application received: December 11, 2023. Issued: January 23, 2024.

GP10-40-002: Kappa Graphics LP, 50 Rock Street, Hughestown, PA 18640, Hughestown Borough, **Luzerne County.** To construct and operate one (1) Non-Heatset Web Offset Lithographic Printing Press. Application received: December 20, 2023. Issued: January 31, 2024.

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

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

GP14-43-00344D: Hillcrest Memorial Park Inc., 2619 East State Street, Hermitage, PA 16148, City of Hermitage, **Mercer County.** Issued a GP-14 renewal for an existing animal crematory. Permit expires January 31, 2029. Application received: September 18, 2023. Issued: February 12, 2024.

GP4-10-00343D: Sharkskin Finishings, 670 Mercer Road, Butler, PA 16001, Butler Township, **Butler County.** Issued a GP-4 renewal for an existing burnoff oven. Permit expires December 30, 2028. Application received: November 30, 2023. Issued: January 16, 2024.

AG5-16-00004B: Peoples Natural Gas Company, LLC—Redbank Compressor Station, Truittsburg Road, Fairmont City, PA 16224, Redbank Township, **Clarion County.** Issued a GP-5 renewal for an existing natural gas compressor station not proposing any changes. Permit expires December 31, 2028. Application received: November 7, 2023. Issued: January 11, 2024.

AG5-43-00009B: OWS Energy LLC—Wallace Compressor Station, 1369 Cochran Road, Carlton, PA 16311, Frenchcreek Township, **Mercer County.** Issued a GP-5 to replace the existing GP-5, which had inaccuracies. New GP-5 reflects actual onsite equipment. Permit expires December 31, 2028. Application received: September 15, 2023. Issued: January 26, 2024.

AG5-20-00001C: Pin Oak Energy Partners LLC—Fouk Compressor Station, Townline Road, Springboro, PA 16435, Beaver Township, **Crawford County.** Issued a GP-5 transfer due to a change in ownership. Permit expires March 31, 2024. Application received: October 30, 2023. Issued: February 1, 2024.

AG5A-10-00012A: XTO Energy Inc.—Dreher Wellpad, 16 Keel Lane, Butler, PA 16002, Summit Township, **Butler County.** Issued a new GP5-A for existing equipment at the Dreher Wellpad that was previously operat-

ing under an Exemption 38. This permit expires December 31, 2028. Application received: December 5, 2023. Issued: January 19, 2024.

AG5A-10-00014A: XTO Energy Inc.—Kyne Wellpad, 101 Eisler Lane, Butler, PA 16001, Connoquenessing Township, **Butler County**. Issued a new GP5-A for existing equipment at the Kyne Wellpad that was previously covered under an Exemption 38. This permit expires December 31, 2028. Application received: December 5, 2023. Issued: January 29, 2024.

AG5A-10-00004B: XTO Energy Inc.—Mountain Gathering Wellpad, 200 Hicks Road, Renfrew, PA 16053-9708, Penn Township, **Butler County**. Issued a new GP5-A to authorize construction/operation of new (tanks, GPU heaters, enclosed flare control device) and existing equipment at the Mountain Gathering Wellpad. This permit expires January 31, 2029. Application received: December 12, 2023. Issued: February 2, 2024.

AG5-37-00001C: Geopetro LLC—Patterson Compressor Station, Walker and Beaver Dam Road, New Beaver, PA 16141, Little Beaver Township, **Lawrence County**. Issued a GP-5 renewal for the Patterson Compressor Station. Only change was acknowledging a previous engine swap. Permit expires Jan 31, 2029. Application received: October 31, 2023. Issued: February 14, 2024.

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.

GP11-38-03074: North Cornwall Commons Apartments South, LLC, 201 Iron Valley Drive, Lebanon, PA 17042, North Cornwall Township, **Lebanon County**. For a non-road engine, under GP11, at the North Cornwall Commons Apartments. Application received: January 17, 2024. Issued: February 15, 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-30-00832A/AG5A-30-00015A: Greylock Production, LLC, 205 Carmichaels Plz, Carmichael, PA 15320, Whiteley Township, **Greene County**. The Department authorized GP5A-30-00832A/AG5A-30-00015A to Greylock Production, LLC for the construction and operation of a Wildcat Well Pad for: 3-natural gas fired Caterpillar compressors at 1,340 bhp equipped with oxidation catalyst, 14-gas wells, 5-brine water tanks rated at 16,800-gallon, one produced water tank at 4,200-gallon, truck load out, compressor blowdowns, fugitives, pigging, and engine crankcase at Whiteley Township, Greene County. Application received: December 27, 2023. Authorized: February 15, 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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Shailesh Patel, P.E., Environmental Group Manager.

35-00061A: Maid-Rite Specialty Foods, Inc., 105 Keystone Industrial Park, Dunmore, PA 18512, Dunmore Borough, **Lackawanna County**. Installation of an additional cooking line # 3 with a new RTO. Application received: July 28, 2023. Issued: February 20, 2024.

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

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

62-00032Q: Ellwood National Forge—Irvine, 1 Front Street, Irvine, PA 16329, Brokenstraw Township, **Warren County**. Issued Plan Approval 62-00032Q to Ellwood National Forge for the installation of two (2) natural gas fired annealing furnaces, and the modification of emission limits of a file and grind process at the company's facility located at 1 Front Street, Irvine, PA in Brokenstraw Township, Warren County. Permit expires July 19, 2025. Application received: March 21, 2023. Issued: January 19, 2024.

Contact: David Balog, P.E., New Source Review Section Chief, 814-332-6328.

24-00197A: Diversified Production LLC—Longhorn Pad A, 2071 Rock Shanty Road, Brockport, PA 15823, Horton Township, **Elk County**. Issued a plan approval to Diversified Production LLC to provide authorization for the construction and initial operation of 4 engines used in electrical generation and cryptocurrency data mining operations at their existing Longhorn Pad A facility. This project would add equipment for a new process which is outside the scope of their current exemption. This facility and its existing sources will no longer be exempted. Operation of the proposed equipment would focus on electrical generation and cryptocurrency data mining operations and not unconventional natural gas well site operations or remote pigging. The proposed sources would be in addition to Diversified's existing equipment. No changes to the existing equipment is proposed. This project would install four Waukesha engines (each rated at 1,680 bhp) controlled by non-selective catalytic reduction technology. Potential emissions from all sources after completion of the project are estimated to be (tpy): 0.46 VOC, 12.31 NO_x, 21.63 CO, 5.61 PM₁₀, and 3.39 HAPs. This will be a natural minor facility upon completion of the project. Permit expires June 30, 2025. Application received: June 15, 2022. Issued: December 28, 2023.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: James Beach, New Source Review Chief, 484-250-5920.

09-0245: Penn Engineering Manufacturing Plant, 5190 Old Beaton Rd, Danboro, PA 18916, Plumstead Township, **Bucks County**. This action is for the extension of a plan approval for the installation and shake-down operation of an automated barrel plating system and its related air pollution control technology equipment, including a packed-bed scrubber. Application received: February 13, 2024. Issued: February 16, 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-26-00619A: Together Forever Cremation, LLC, 135 Park Street, Brownsville, PA 15417, Brownsville Township, **Fayette County**. Together Forever Cremation,

LLC; Human and Animal Crematorium (135 Park Street Brownsville, PA 15417), issued a plan approval No. PA-26-00619A for the construction and temporary operation of two (2) natural gas-fired multiple chamber crematoriums. One (1) for human remains, manufactured by U.S. Cremation Equipment Model "Classic" Human Crematorium that is a multi-chamber unit having a maximum cremation rate capacity of 150–200 lb/hr with maximum charge of 875 lbs of human remains. One (1) for the Animal Crematorium, manufactured by U.S. Cremation Equipment, model "US 75/300 Gen II aka Sierra 300" that is a multi-chamber unit having an average 75lbs/hr (300 per batch) of animal remains. The facility is located in Brownsville Township, Fayette County. Application received: October 19, 2023. Issued: February 13, 2024.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

Contact: David Balog, P.E., New Source Review Section Chief, 814-332-6328.

24-00012K: Graftech USA LLC, 800 Theresia Street, Saint Mary's, PA 15857, City of Saint Mary's, **Elk County**. Issued a plan approval extension to allow the facility more time for stack testing. This extension expires July 31, 2024. Application received: December 7, 2023. Issued: December 15, 2023.

24-00083W: Mersen USA GS Corporation, 1032 Trout Run Road, Saint Mary's, PA 15857, City of Saint Marys, **Elk County**. Issued a 6-month plan approval extension to allow more time for Source Testing to review the stack re-test report. Extension expires July 31, 2024. Application received: December 8, 2023. Issued: January 31, 2024.

24-00083AA: Mersen USA GS Corporation, 1032 Trout Run Road, Saint Mary's, PA 15857, City of Saint Marys, **Elk County**. Issued a 6-month extension to allow DEP more time to conduct an inspection to ascertain compliance with the plan approval conditions. Extension expires July 31, 2024. Application received: December 8, 2023. Issued: January 31, 2024.

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

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

67-03143D: ESAB Group, Inc., 1500 Karen Lane, Hanover, PA 17331, Hanover Borough, **York County**. For welding wire rewind lines and fabrication lines with control system. The plan approval was extended. Application received: February 8, 2024. Issued: February 16, 2024.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-04-00034C: Sherwin Williams Manufacturing Company, 372 Cleveland Street, Rochester, PA 15074, Rochester Township, **Beaver County**. Plan approval modification issued for the Rochester Plant to update the Facility-wide potential to emit, specify the make and model of the thermal oxidizer, install adsorption equip-

ment, and remove Tank 4085. Application received: March 15, 2023. Issued: February 16, 2024.

Title V Operating Permit(s) Issued Under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

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

67-05001: Magnesita Refractories Co., 425 S. Salem Church Rd., York, PA 17408-5955, West Manchester Township, **York County**. For the refractories products manufacturing facility. The Title V permit underwent a significant modification to add presumptive and case-by-case RACT 3 requirements for the facility, to add a 5 tpy NO_x limit and recordkeeping requirements for Source 8050, and to make minor administrative updates. The portions of the permit related to approval of the RACT 3 case-by-case proposal will be submitted to US EPA for approval and incorporation into Pennsylvania's State Implementation Plan (SIP). Other requirements will be excluded from the SIP submittal. Application received: December 20, 2022. Issued: February 15, 2024.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

46-00298: GlaxoSmithKline LLC/Upper Merion East, 709 Swedeland Rd, UE0393, King of Prussia, PA 19406-0939, Upper Merion Township, **Montgomery County**. This action is for the renewal of Title V Operating Permit for boilers and generators in operation at their facility, whose facility-wide potential to emit NO_x emissions exceed the 25 tons per year (TPY) threshold for Title V applicability. Application received: July 14, 2023. Issued: February 16, 2024.

46-00299: Innovation 411 Fee Owner LLC, 707 Swedeland Rd, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. This is for a renewal of the Title V Operating Permit for boilers and generators operating at their facility, formerly owned and operated by Merion Innovations I LLC and Merion Innovations III LLC, of mixed-business tenant commercial property used for R&D, office and finance. Application received: August 9, 2023. Issued: February 16, 2024.

Operating Permit(s) for Non-Title V Facilities Issued Under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter F.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Norman Frederick, Facility Permitting Chief, 570-826-2409.

40-00112: Four Daughters LLC, 1 Korn Street, Kingston, PA 18704-2637, Kingston Borough, **Luzerne County**. The Department has issued a renewal State-Only (Synthetic Minor) Operating Permit for the Kingston Borough facility. Sources at this facility include a spray booth with panel filter, spray line with filter, and a drying oven. 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 21, 2023. Accepted: November 21, 2023. Issued: February 14, 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.

10-00281: Coherent Corp, 375 Saxonburg Blvd., Saxonburg, PA 16056, Clinton Township, **Clarion County**. The Department issued the renewal of the State Only Operating Permit for Coherent Corp (previously II-VI). The sources at the facility include miscellaneous combustion sources, batch vapor degreaser using a halogenated solvent, chemical vapor deposition units, hydrogen selenide gas production, thins film materials production, isopropyl alcohol vapor degreasers, batch vapor dryer, and emergency generators. The halogenated solvent vapor degreaser is subject to 40 CFR 63 Subpart T—NESHAP for Halogenated solvent cleaning. The emergency generators are subject to 40 CFR 63 Subpart ZZZZ and Subpart IIII. Emissions from the facility are less than the major source thresholds with a potential of 15.73 tpy NO_x, 4.2 tpy methylene chlorine and 0.0037 tpy hydrogen selenide. The facility is a Natural Minor. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: December 21, 2022. Issued: February 13, 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.

21-05051: PA State System of Higher Education, Shippensburg University, 1871 Old Main Drive, Reed Operations Center, Shippensburg, PA 17257-2200, Shippensburg Borough, **Cumberland County**. For the boilers and engines at the Shippensburg University. The State-only permit was renewed. Application received: January 31, 2023. Issued: February 16, 2024.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-05130: Masonic Villages, 1 Masonic Drive, Elizabethtown, PA 17022-2199, Elizabethtown Borough, **Lancaster County**. For the boilers and generators at the residential living campus. The State-only permit was renewed. Application received: August 30, 2023. Issued: February 13, 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.

15-00009: AGC Chem Amer Downingtown Plant, 255 S Bailey Rd, Downingtown, PA 19335-2003, Caln Township, **Chester County**. This action is for the renewal of the existing State-Only Operating Permit. AGC Chemicals manufactures fluoroproducts including fluoropolymer resins, enhanced fluorinated materials and compounds and fluoroelastomers. Application received: July 29, 2022. Issued: February 12, 2024.

09-00037: B. W. Croydon, LLC, 3001 State Rd, Croydon, PA 19021-6962, Bristol Township, **Bucks County**. A revocation of a State Only Operating Permit for a flexible packaging printing facility. All sources of air emissions have ceased operation and have been permanently dis-

mantled and removed from the facility. Application received: January 19, 2024. Revoked: February 15, 2024.

15-00061: Phoenixville Hospital LLC, 140 Nutt Rd, Phoenixville, PA 19460-3906, Phoenixville Borough, **Chester County**. This action is for the renewal of the Synthetic Minor Operating Permit for the operation of boilers and emergency generators. Application received: August 21, 2023. Issued: February 16, 2024.

15-00054: Highway Materials/Malvern Plant, 1750 Walton Rd, P.O. Box 1667, Blue Bell, PA 19422-2306, East Whiteland Township, **Chester County**. This action is for the renewal of the State-Only Operating Permit for Highway Materials, Inc., which operates a hot mix batch asphalt plant, consisting of a rotary dryer which primarily burns natural gas, but is also approved to burn propane and various liquid fuels. Application received: July 26, 2023. Issued: February 13, 2024.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.

62-00012: Warren Generation LLC, 250 Power Plant Dr, P.O. Box F, Shawville, PA 16873, Conewago Township, **Warren County**. The permit for the Warren Combustion Turbine was administratively amended to incorporate the change of responsible official. Application received: January 9, 2024. Revised: February 13, 2024.

16-00149: Clarion Laminates, 301 Fiberboard Road, Shippensburg, PA 16254, Paint Township, **Clarion County**. The Shippensburg facility was administratively amended to incorporate the requirements of plan approval 16-00149F. Application received: September 14, 2023. Revised: February 15, 2024.

25-00964: FMC Tech Measurements Solutions Inc., 1602 Wagner Avenue, Erie, PA 16510, City of Erie, **Erie County**. The facility Operating Permit was administratively amended to incorporate the change of ownership and responsible official. Application received: January 22, 2024. Revised: February 14, 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.

15-00010: Cleveland Cliffs Plate LLC/Coatesville Plant, 139 Modena Rd, Coatesville, PA 193204-036, City of Coatesville, **Chester County**. The significant modification of the Title V Operating Permit for the incorporation of RACT Phase III requirements into the existing Operating Permit in accordance with 25 Pa. Code § 129.114(a) [Alternate RACT proposal]. This facility recycles steel and reforms it into steel slabs or steel ingots. Application received: December 19, 2022. Issued: February 13, 2024.

Operating Permit(s) Denied, Terminated, Suspended or Revoked Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

09-00037: B. W. Croydon, LLC, 3001 State Rd, Croydon, PA 19021-6962, Bristol Township, **Bucks County**. A revocation of a State Only Operating Permit for a flexible packaging printing facility. All sources of air emissions have ceased operation and have been permanently dismantled and removed from the facility. Application received: January 19, 2024. Issued: February 15, 2024.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Coal Permits

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. 11070202. NPDES No. PA0262439. Ebensburg Power Company, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, Nanty Glo Borough and Jackson Township, **Cambria County**. Permit renewal for the continued operation and restoration of a bituminous surface mine affecting 83.1 acres. Receiving stream: South Brank Blacklick Creek classified for the following use: CWF. Application received: March 2, 2023. Renewal issued: February 16, 2024.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17814000. Rob Holland Enterprises, 52 Holland Lane, Curwensville, PA 16833, Penn Township, **Clearfield County**. Permit renewal for a bituminous surface coal mine permit affecting 23.8 acres. The renewal is for reclamation only. Receiving stream(s): Irish Run and Unnamed Tributaries to Irish Run classified for the following use(s): CWF. Application received: August 31, 2023. Accepted: September 5, 2023. Issued: February 15, 2024.

Noncoal Permits

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 58232505. Timothy Mark Smith, 859 John C. McNamara Drive, Montrose, PA 18801, Franklin Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 quarry operation affecting 10.0 acres. Receiving stream: UNT to Snake Creek. Application received: March 23, 2023. Permit issued: February 20, 2024.

Mining Permit No. 58232505. GP104 Permit No. PAM123010. Timothy Mark Smith, 859 John C. McNamara Drive, Montrose, PA 18801, Franklin Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: UNT to Snake Creek. Application received: March 23, 2023. Coverage issued: February 20, 2024.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.

Blasting Permits

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.

Permit No. 02244102. Wampum Hardware Company, 636 Paden Road, New Galilee, PA 16141, Jefferson Hills Borough and West Mifflin Borough, **Allegheny County**. Blasting activity permit for the construction of Trumbull Mon, Fayette, PA with an expiration date of December 31, 2026. Application received: February 12, 2024. Issued: February 12, 2024.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 45244102. Holbert Explosives, Inc., 237 Mast Hope Plank Road, Suite A, Lackwaxen, PA 18435, Smithfield Township, **Monroe County**. Construction blasting for Wawa Gas Station. Application received: February 9, 2024. Permit issued: February 13, 2024. Expiration date: February 9, 2025.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNNOGPRG@pa.gov.

E5829223-002. Coterra Energy, Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, Gibson Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 19, 2023. Issued: February 16, 2024.

To construct, operate, and maintain:

1) a well pad expansion project permanently impacting 1,052 square feet (0.02 acre) of a Palustrine Emergent Wetland (PEM) (Harford, PA Quadrangle; Latitude: 41.784984°, Longitude: -75.64026°),

2) a well pad expansion project temporarily impacting 929 square feet (0.02 acre) of a Palustrine Emergent Wetland (PEM) (Harford, PA Quadrangle; Latitude: 41.784861°, Longitude: -75.640378°),

3) a well pad expansion project temporarily impacting 1,105 square feet (0.03 acre) of a Palustrine Emergent Wetland (PEM) (Harford, PA Quadrangle; Latitude: 41.783558°, Longitude: -75.640551°).

The well pad expansion project consisting expanding the Weiss M. Well Site in Gibson Township, Susquehanna County. The project will result in 1,052 square feet (0.02 acre) of permanent PEM wetland impacts and 2,034

square feet (0.05 acre) of temporary PEM wetland impacts to provide for the safe development of the Marcellus Shale natural gas.

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

E3902223-006. City of Allentown, 435 Hamilton Street, Allentown, PA 18104, City of Allentown, **Lehigh County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Jordan Park Skatepark Project: 1) An after-the-fact fill in the amount of 2,064 ft³ within the floodplain of Jordan Creek (TSF, MF) consisting of a concrete skateboarding park. 2) An after-the-fact utility line within the floodplain of Jordan Creek (TSF, MF) consisting of 151-LF of 8-inch diameter PVC pipes utilized for stormwater drainage. 3) A fill in the amount of 605 ft³ within the floodplain of Jordan Creek (TSF, MF) consisting of a concrete skateboarding park. 4) A utility line within the floodplain of Jordan Creek (TSF, MF) consisting of 193-LF of 8-inch diameter PVC pipes utilized for stormwater drainage. The project at Jordan Park, which is located directly northeast of the intersection of New York Avenue and N. 6th Street (Allentown East, PA Quadrangle Latitude: 40° 37' 16"; Longitude: -75° 28' 45") in City of Allentown, Lehigh County. Latitude: 40° 37' 16", Longitude: -75° 28' 45". Application received: September 26, 2023. Issued: February 15, 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.

E0901223-013. Williams Field Services Company, LLC, 2000 Commerce Drive, Pittsburgh, PA 15275, Falls Township, **Bucks County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain about 14,200 LF of 6-inch steel renewable gas pipeline crossing about 200 LF of EV wetland (PUB-PFO) associated with the transportation of the safe and reliable renewable natural gas from the future Waste Management Fairless RNG site to an existing surface site in Falls Township. Total wetland impacts will be 0.002 acre, and HDD procedure will be used for crossing. The site is located near New Ford Mill Road (Trenton West, PA USGS Map) in Falls Township, Bucks County. Latitude: 40.146587°, Longitude: -74.753822°. Application received: December 14, 2023. Permit issued: February 20, 2024.

E4601223-035. Perkiomen Township, 1 Trappe Road, Collegeville, PA 19426, Perkiomen Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

Perkiomen Township is proposing to perform Chapter 106 floodplain restoration activities at 574 Gravel Pike associated with a 0.20 acre of disturbance related to the removal of an existing single-family house structure, retaining walls, fill behind the retaining walls, termination of existing utility service lines, and restoration of disturbed areas. This project is located in Perkiomen Township, Montgomery County (USGS PA Doylestown Collegeville). Latitude: 40.223850°, Longitude:

-75.452580°. Application received: December 12, 2023.
Permit issued: February 20, 2024.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

EA2803222-001. Greene Township, 1145 Garver Lane, Chambersburg, PA 17202, Greene Township, **Franklin County**. U.S. Army Corps of Engineers Baltimore District.

To Stabilizing and Maintaining 3.100 linear feet of Phillaman Run (CWF-MF) by way of 3,097 of linear feet of bank/floodway grading with live stake installation and three (3) root wad structures. The project is located west of SR 81 along Black Gap Road in Greene Township, Franklin County (Latitude: 39.9684; Longitude: -77.5789). No wetland impacts are proposed with this project. Latitude: 39.9684°, Longitude: -77.5789°. Application received: December 29, 2022. Issued: February 13, 2024.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOPRG@pa.gov.

ESCGP # 3 **ESG294124001-00**

Applicant Name **EQT ARO, LLC**

Contact Person Todd Klaner

Address 2462 Lycoming Creek Road

City, State, Zip Williamsport, PA 17701

Township(s) Cogan House Township

County **Lycoming County**

Receiving Stream(s) and Classification(s) UNT to Larrys

Creek (HQ—CWF), Flicks Run (EV)

Application received: January 10, 2024

Issued: February 16, 2024

ESCGP # 3 **ESG295823025-00**

Applicant Name **SWN Prod Co, LLC**

Contact Person Carla L. Suszkowski

Address 917 State Route 92

City, State, Zip Tunkhannock, PA 18657

Township(s) Franklin Township

County **Susquehanna County**

Stream(s) and Classification(s) Dubois Creek (CWF, MF)

Application received: November 8, 2023

Issued: February 20, 2024

ESCGP # 3 **ESG295820005-01**

Applicant Name **Coterra Energy, Inc.**

Contact Person Kenneth Marcum

Address 2000 Park Lane, Suite 300

City, State, Zip Pittsburgh, PA 15275-1121

Township(s) Gibson Township

County **Susquehanna County**

Receiving Stream(s) and Classification(s) UNT to Butler Creek (CWF)

Secondary: Butler Creek (CWF)

Application received: October 11, 2023

Issued: February 20, 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 **ESG081024001-00**

Applicant Name **Pine Run Midstream, LLC**

Contact Person Heather Wilkinson

Address 11400 Westmoor Cir, Ste. 200A

City, State, Zip Broomfield, CO 80021-2740

Township(s) Winfield Township

County **Butler County**

Receiving Stream(s) and Classification(s) UNT to Little

Buffalo Creek (HQ—TSF); UNT to Rough Run (HQ—TSF)

Application received: January 17, 2024

Approved: February 13, 2024

ESCGP # 3 **ESG084218001-01**

Applicant Name **Pennsylvania General Energy Co., LLC**

Contact Person Nathan Harris

Address 120 Market Street

City, State, Zip Warren, PA 16365

Township(s) Norwich Township

County **McKean County**

Receiving Stream(s) and Classification(s) UNT to East

Branch Potato Creek (HQ—CWF); Pigeon Hollow Run to Haven Run (CWF); Twenty Seven Branch (HQ—CWF); Secondary: East Branch Potato Creek (HQ—CWF); Havens Run (CWF); & North Creek (HQ—CWF, MF)

Application received: December 15, 2023

Issued: February 14, 2024

ESCGP # 3 **ESG081024002-00**

Applicant Name **Pennenergy Resources, LLC**

Contact Person Richard Watson

Address 3000 Westinghouse Drive, Ste. 300

City, State, Zip Cranberry Township, PA 16066-5239

Township(s) Connoquenessing Township

County **Butler County**

Receiving Stream(s) and Classification(s) UNT to Little

Connoquenessing Creek (CWF)

Application received: February 5, 2024

Issued: February 20, 2024

ESCGP # 3 ESG080324001-00

Applicant Name **Snyder Bros, Inc.**
 Contact Person Carl Rose
 Address P.O. Box 1022, One Glade Park East
 City, State, Zip Kittanning, PA 16201
 Township(s) Sugar creek Township
 County **Armstrong County**

Receiving Stream(s) and Classification(s) Long Run (HQ—TSF); Patterson Creek (HQ—TSF) Tributary 42698 to Long Run (HQ—TSF); Tributary 42700 to Patterson Creek (HQ—TSF); Tributary 42701 to Patterson Creek (HQ—TSF); Tributary 42702 to Patterson Creek (HQ—TSF); Tributary 42704 to Patterson Creek (HQ—TSF); Tributary 46210 to Glade Run (TSF); Unnamed Tributary to Long Run (HQ—TSF)

Application received: January 24, 2024
 Issued: February 20, 2024

Contact: *Katelyn Hogue, Clerical Supervisor 2, 814-332-6868.*

ESCGP # 3 ESG080321001-01 Stone House Well Pad

Applicant Name **Snyder Bros, Inc.**
 Contact Person Carl Rose
 Address P.O. Box 1022
 City, State, Zip Kittanning, PA 16201
 Township(s) Valley Township
 County **Armstrong County**

Receiving Stream(s) and Classification(s) Cowanshannock Creek (TSF), UNT to Cowanshannock Creek (WWF), UNT to Cowanshannock Creek (WWF)

Application received: November 17, 2023
 Issued: February 16, 2024

ESCGP # 3 ESG080323009-00 Bowser Well Pad

Applicant Name **Snyder Bros, Inc.**
 Contact Person Carl Rose
 Address P.O. Box 1022
 City, State, Zip Kittanning, PA 16201
 Township(s) North Buffalo Township
 County **Armstrong County**

Receiving Stream(s) and Classification(s) Tributary 46187 to Glade Run (TSF), Unnamed Tributary to Tributary 46187 of Glade Run (TSF)

Application received: September 20, 2023
 Issued: February 20, 2024

Southwest District: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: *RA-EPSW-OGSUBMISSION@pa.gov.*

ESCGP # 3 ESG073022021-03

Applicant Name **EQM Gathering OPCO LLC—NITMS013 AND NITMH013 Pipeline Project**
 Contact Person Kirsten Kiesel, Senior Environmental Coordinator, (412) 660-0979
 kkiesel@equitransmidstream.com
 Address 0.6 Mile South of Orndoff Road and Smith Creek Road

City, State, Zip Waynesburg, PA 15370
 Township(s) Franklin Township
 County **Greene County**

Receiving Stream(s) and Classification(s) 001. Lat 39.86648, Long -80.21193, UNT to Smith Creek, Ch 93 Class WWF 002. Lat 39.86829, Long -80.21058, UNT to Smith Creek, Ch 93 Class WWF 003. Lat 39.86867, Long -80.20991, UNT to Smith Creek, Ch 93 Class WWF 004. Lat 39.87185, Long -80.14426, UNT to Laurel Run, Ch 93 Class WWF 005. Lat 39.87258, Long -80.17811, Sugar Run, Ch 93 Class WWF

Application received: December 23, 2023
 Issued: February 16, 2024

ESCP # ESP07632300200E

Applicant Name **Range Resources—Appalachia, LLC—Cossell Ruth Well Site**

Contact Person Karl Matz, (724) 873-3090
 kmatz@rangeresources.com

Address Old Brick Road
 City, State, Zip West Alexander, PA 15376
 Township(s) Donegal Borough
 County **Washington County**

Receiving Stream(s) and Classification(s) 001. Lat 40.07698, Long -80.50411, Tribs 32469 and 32471 to Middle Wheeling Creek, Ch 93 Class WWF

Application received: September 13, 2023
 Issued: February 16, 2024

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

Contact: *Eric Supey, Environmental Program Manager.*

Getty 69261, Storage Tank Facility ID # **39-41527**, 741 North Cedar Crest Boulevard, Allentown, PA 18104, South Whitehall Township, **Lehigh County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Sheha, LLC, 102 West Tilghman Street, Allentown, PA 18102, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with

gasoline. The plan is intended to document the remedial actions for meeting site-specific standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Robin L Yerger, LPG.

Sotdordus Motor Company, Storage Tank Facility ID # **67-39549**, 11445 N Main St Ext, Glen Rock, PA 17327, Shrewsbury Township, **York County**. Letterle and Associates, 2022 Axemann Rd, Suite 201, Bellefonte, PA 16823, on behalf of Norm Rohrbaugh, 11445 N Main St Ext, Glen Rock, PA 17327, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report is intended to document the remedial actions for meeting residential Statewide health standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

7 Eleven #36199, Storage Tank Facility ID # **02-80296**, 1102 Perry Highway, Pittsburgh, PA 15237, Ross Township, **Allegheny 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, Dallas, TX 75221, 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 residential Statewide health standards.

GE OK Grocery Dry Goods, Storage Tank Facility ID # **02-11255**, 755 Beechnut Drive, Pittsburgh, PA 15205, City of Pittsburgh, **Allegheny County**. Verdantas, LLC, 211 North 13th Street, Suite 503, Philadelphia, PA 19107, on behalf of Giant Eagle, Inc., 31 35th Street, Pittsburgh, PA 15201, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel fuel. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature

and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

DEP has received the following plans and reports.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Ben, 814-350-5132.

Coen Mkt 1203, Storage Tank Facility ID # **32-01883**, 9650 Route 422, Shelocta, PA 15774, Shelocta Borough, **Indiana County**. Letterle & Associates, Inc., 191 Howard Street, Suite 108, Franklin, PA 16323, on behalf of Coen Markets No 1203, 9650 Route 422, Shelocta, PA 15774, 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 and site-specific standards and was approved by DEP on February 14, 2024.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Robin L Yerger, LPG.

Sotdordus Motor Company, Storage Tank Facility ID # **67-39549**, 11445 N Main St Ext, Glen Rock, PA 17327, Shrewsbury Township, **York County**. Letterle and Associates, 2022 Axemann Rd, Suite 201, Bellefonte, PA 16823, on behalf of Norm Rohrbaugh, 11445 N Main St Ext, Glen Rock, PA 17327, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum constituents. The report residential was acceptable to meet the Statewide health standards and was approved by DEP on February 20, 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.

Golden Oil Collins Texaco, Storage Tank Facility ID # **02-03827**, 800 University Boulevard, Coraopolis, PA 15108, Moon Township, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Golden Oil Co, 1600 Oakdale Road, P.O. Box 275, Oakdale, PA 15071, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on February 6, 2024.

GetGo #3082, Storage Tank Facility ID # **65-39129**, 1100 Mt. Lauren Plaza, Latrobe, PA 15650, Unity Township, **Westmoreland County**. PVE, LLC, 2000 Georgetown Drive, Suite 101, Sewickley, PA 15143, on behalf of Giant Eagle, Inc., 101 Kappa Drive, Pittsburgh, PA 15238, 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 February 5, 2024.

Smith Propane & Oil, Storage Tank Facility ID # **11-37442**, 613 Napoleon Street, Johnstown, PA 15901, City of Johnstown, **Cambria County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Dell M. Cromie, P.O. Box 187, Curtisville, PA 15032, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan residential was acceptable to meet the Statewide health standards and was approved by DEP on January 31, 2024.

SPECIAL NOTICES

WATER PROGRAMS

Application for National Pollutant Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities.

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

Contact: Waterways and Wetlands Program Manager, 717-705-4802, email: RA-EPWW-SCRO@pa.gov.

This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). More information on the types of NPDES permits that are available can be found on DEP’s website (visit www.dep.pa.gov and select Businesses, Water, Bureau of Clean Water, Stormwater Management, and Construction Stormwater Programs).

The Department of Environmental Protection (DEP) has received an application for an Individual NPDES Permit from the applicant named as follows to authorize discharges of stormwater associated with construction activities from the project site named as follows to surface waters of the Commonwealth.

Applicant: **CCD Rock Creek, LLC**

Applicant Address: 1751 A West Diehl Road

Application Number: PAD010001 A-2

Project Site Name: **Amblebrook**

Project Site Address: South side of Shrivvers Corner Road (SR 0394), East of and Adjacent to US Route 15, Gettysburg, PA 17325

Municipality/County: Straban Township, **Adams County**

Total Earth Disturbance Area: 79.2 acres

Surface Waters Receiving Stormwater Discharges: UNT to Rock Creek (WWF, MF) and EV Wetlands

Project Description: Construct infrastructure including underground utilities, streets, stormwater management facilities and 261 new dwelling units in Section D of the Amblebrook project.

The Department of Environmental Protection (DEP) has made a tentative decision to deny the application for the Individual NPDES Permit. Interested persons may submit written comments to DEP at the previously listed address for DEP’s consideration in taking a final action on the permit application. You may also review the permit application file by contacting DEP’s File Review Coordinator at 717.705.4732.

WASTE, AIR, RADIATION AND REMEDIATION

Notice of Certification to Perform Radon-Related Activities in Pennsylvania.

Central Office: Radiation Protection Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: 717-783-3594, Austyn Shank.

In the month of January 2024, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

Name	Address	Certification
Daniel Jones	6 Chesterwood Drive Connellsville, PA 15425-9744	Testing Individual
Ryan Lingold	P.O. Box 651 Macungie, PA 18062-0651	Testing Individual
Thomas Angelucci	424 E Church Street Stevens, PA 17578-9534	Testing Individual
John Goldsworthy, Jr.	600 Conrad Drive Warrington, PA 18976-1797	Testing Individual
William McCormack	3123 Klockner Road Hamilton, NJ 08690-3003	Testing Individual

Name	Address	Certification
Vitale Home Inspection Services, LLC	3123 Klockner Road Hamilton, NJ 08690-3003	Testing Firm
John Davis, Jr.	2851 Barrow Place Midlothian, VA 23113-3953	Testing Individual
John Davis, Jr.	2851 Barrow Place Midlothian, VA 23113-3953	Mitigation Individual
Jennifer Fusco	27 Ironia Road Unit 2 Flanders, NJ 07836-9172	Laboratory Individual
RaData, LLC	27 Ironia Road Unit 2 Flanders, NJ 07836-9172	Laboratory Firm
Joshua Kurtz	719 Keller Creamery Road Telford, PA 18969	Testing Individual
Alpha Radon, LLC	121 Cottonwood Drive Aliquippa, PA 15001-9456	Mitigation Firm
George Conklin, IV	1351 W. Winter Road Loganton, PA 17747-9457	Mitigation Individual
Robert Slusher, Jr.	129 Ironwood Road Canadensis, PA 18325-4766	Testing Individual
Joseph D. Kelly, III	P.O. Box 15811 Pittsburgh, PA 15244-0811	Testing Individual
Laura Neuroth	105 Riva Way Wildwood, VA 22963-4799	Testing Individual

Covered Device Prohibited from Sale under Sections 302 and 507 of the Covered Device Recycling Act, Act 108 of 2010.

Central Office: Bureau of Waste Management, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: Teesha Truesdale, 717-787-7382.

The Department of Environmental Protection (Department) hereby announces that a certain manufacturer of covered devices is not included on the Department's list of registered manufacturers, maintained by the Department under sections 302 and 507 of the Covered Device Recycling Act (CDRA). Accordingly, under Section 302 of the CDRA, no retailer may offer these manufacturers' products for sale within the Commonwealth.

Manufacturers of new covered devices—such as televisions, laptop and desktop computers, tablets, etc.—offered for sale in Pennsylvania are required to register with the Department prior to commencing sales per Section 304 of the CDRA. Manufacturers must also pay an annual registration fee and submit a recycling plan and annual report. Section 302 of the CDRA prohibits the sale of covered devices in the Commonwealth by unregistered manufacturers.

The Department is required to maintain a list of registered manufacturers per Section 302(b) of the CDRA. The list can be accessed by visiting dep.pa.gov.

The following manufacturer is not included on the Department's list and are therefore considered out of compliance:

MTM Trading LLC (Tagital)

Due to its non-compliant status and non-inclusion on the list of registered manufacturers, the Department is notifying the public, in cooperation with covered device

retailers, that the CDRA prohibits the sale of devices manufactured by MTM Trading LLC (Tagital) within the Commonwealth, and that the sale of such devices would constitute unlawful conduct under the CDRA. Non-compliant manufacturers may once again be included on the Department's list of registered manufacturers, and their devices offered for sale in the Commonwealth, if the manufacturers return to compliance with all the applicable provisions of the CDRA.

Inquiries regarding this notification can be directed to Jordan Hoover, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at jorhoover@pa.gov or (717) 783-8973.

[Pa.B. Doc. No. 24-273. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C. §§ 241(a) and 247b), will hold public meetings at the Hilton Harrisburg, One North 2nd Street, Harrisburg, PA 17101 on Wednesday, March 27, 2024, from 9 a.m. to 5 p.m. and on Thursday, March 28, 2024, from 9 a.m. to 4:30 p.m.

Participants can also access the meetings virtually through the following options:

To join Microsoft Teams meetings, individuals will need to connect by phone; this can be done by dialing the following number and entering the meeting ID listed as follows:

Day 1: Main Meeting

Call in Information:

Phone Number: (267) 332-8737
Phone Conference ID: 575 110 902#
<https://bit.ly/3SJWwSL>

Day 1: Evaluation Subcommittee Time

Call in Information:

Phone Number: (267) 332-8737
Phone Conference ID: 292 701 812 123#
<https://bit.ly/48p3rX8>

Day 1: Intersectional and Innovation Subcommittee Time

Call in Information:

Phone Number: (267) 332-8737
Phone Conference ID: 258 234 933 853#
<https://bit.ly/3wrqao6>

Day 2: Main Meeting

Call in Information:

Phone Number: (267) 332-8737
Phone Conference ID: 292 586 768 14#
<https://bit.ly/3wkOHeD>

Day 2: Evaluation Subcommittee Time

Call in Information:

Phone Number: (267) 332-8737
Phone Conference ID: 214 813 040 604#
<https://bit.ly/3uqW2h6>

Day 2: Intersectional and Innovation Subcommittee Time

Call in Information:

Phone Number: (267) 332-8737
Phone Conference ID: 241 858 206 321#
<https://bit.ly/3SGqoPJ>

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention Integrated HIV Surveillance and Prevention Programs for Health Departments grant. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or for persons with a disability who wish to attend the meetings who require an auxiliary aid, service or other accommodation to do so, contact Kyle Fait, Planning Coordinator, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Health and Welfare Building, Harrisburg, PA 17120, (717) 260-8929, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department reserves the right to cancel these meetings without prior notice.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-274. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Medical Care Availability and Reduction of Error (MCARE) Act Surcharge

On March 20, 2002, the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. §§ 1303.101—1303.910) was enacted. Among other provisions, the MCARE Act established the Patient Safety Authority (Authority) to collect, analyze and evaluate data regarding reports of serious events and incidents occurring in certain medical facilities and to make recommendations to those facilities regarding changes, trends and improvements in health care practices and procedures for the purpose of reducing the number and severity of serious events and incidents.

Section 305(a) of the MCARE Act (40 P.S. § 1303.305(a)) authorizes the establishment of a Patient Safety Trust Fund (Fund) for the operations of the Authority. Section 305(c) of the MCARE Act states that beginning July 1, 2002, and for every fiscal year thereafter, each medical facility covered by the MCARE Act shall pay the Department of Health (Department) a surcharge on its licensing fee as necessary to provide sufficient revenues for the Authority to operate. Section 305(c) of the MCARE Act also states that the total assessment amount for Fiscal Year (FY) 2002-2003 shall not exceed \$5 million and that the Department shall transfer the total assessment amount to the Fund within 30 days of receipt. Section 305(d) of the MCARE Act provides that for each succeeding calendar year, the Department shall determine and assess each medical facility a proportionate share of the Authority's budget. The base amount of \$5 million provided for in FY 2002-2003 shall be increased no more than the Consumer Price Index in each succeeding fiscal year.

Initially, the surcharge was assessed on ambulatory surgical facilities (ASF), birth centers and hospitals. Subsequently, the MCARE Act was amended and abortion facilities were also required to pay the surcharge.

With the cooperation of hospitals, birthing centers, abortion facilities and ASFs in this Commonwealth, the surcharge has been implemented and has provided resources for the implementation of the web-based Pennsylvania Patient Safety Reporting System and the operation of the Authority.

This notice sets forth the procedure that the Department will follow in assessing and collecting the surcharge for FY 2023-2024. The Authority's FY 2023-2024 total MCARE assessment (surcharge) is \$6.615 million. The MCARE Act states that the surcharge shall be collected from medical facilities, which are defined as ASFs, birth centers and hospitals licensed under either the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b) or Article X of the Human Services Code (62 P.S. §§ 1001—1088), formerly known as the Public Welfare Code. Also included, as of May 1, 2006, are abortion facilities which are defined in 18 Pa.C.S. § 3203 (relating to definitions). Nursing homes, which are assessed under sections 401—411 of the MCARE Act (40 P.S. §§ 1303.401—1303.411), receive a separate assessment notification.

To assess the surcharge in an equitable manner, the Department continues to use a common denominator in these facilities. For ASFs, birth centers and abortion facilities, the Department has chosen the number of operating and procedure rooms. For hospitals, the Department has chosen the number of beds recorded on the license of each hospital, whether licensed by the Department (general and special acute care hospitals) or the Department of Human Services (privately owned psychiatric hospitals). It was also necessary to pick a point in time to make this assessment; the Department has chosen December 31, 2023.

The number of operating/procedure rooms (for ASFs, birth centers and abortion facilities) and the number of licensed beds (for hospitals) was totaled, and that number was divided into \$6.615 million to arrive at a charge per unit for the assessment. The total number of units (operating rooms, procedure rooms and licensed beds) is 41,578. Dividing this number into \$6.615 million results in a per unit assessment of approximately \$159.10. The assessment is payable by June 1, 2024.

To obtain a copy of the assessment for all facilities, send an e-mail to RA-DAAC@PA.gov, and request the FY 2023-2024 MCARE surcharge assessment lists.

Each facility will receive notification from the Department setting forth the amount due, date due and the name and address to which the payment should be sent. Payment will be due by June 1, 2024. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a facility has any questions concerning this notice, a representative from that facility should contact Garrison E. Gladfelter, Jr., Chief, Division of Acute and Ambulatory Care, RA-DAAC@pa.gov, (717) 783-8980.

Persons with a disability who require an alternative format of this document (for example, large print, audio-tape, Braille) should contact Garrison E. Gladfelter, Jr. at the previously listed e-mail address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-275. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cash on the Run Fast Play Game 5233

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the Progressive Top Prize Fast Play lottery game is Pennsylvania Cash on the Run (“Cash on the Run”). The game number is PA-5233.

2. *Definitions*:

(a) *1st PLACE PROGRESSIVE*: A feature of the Cash on the Run game that, when a player matches any of the “YOUR NUMBERS” play symbols with any of the “WIN-

NING NUMBERS” play symbols and the matching play symbol is a 1 (ONE), the player wins the current “PROGRESSIVE TOP PRIZE.”

(b) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(c) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *WINNING NUMBERS*: The play symbols found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(m) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(n) *YOUR NUMBERS*: The play symbols found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Cash on the Run ticket is \$1.

4. *Description of the Cash on the Run Fast Play lottery game*:

(a) The Cash on the Run lottery game is an instant win game printed from a Lottery Terminal. With the exception of the “PROGRESSIVE TOP PRIZE,” all prizes are predetermined, and the player does not have the ability to select their own play symbols. Cash on the Run tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Cash on the Run is played by matching any of the play symbols located in the "YOUR NUMBERS" area to any of the play symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" play symbol. When the matching play symbol is a 1 (ONE) symbol, the player wins the current "PROGRESSIVE TOP PRIZE." A bet slip is not used to play this game.

(c) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) Cash on the Run tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Cash on the Run ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Cash on the Run ticket and select the Cash on the Run option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Cash on the Run ticket characteristics:*

(a) Cash on the Run tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Cash on the Run tickets 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 and the "YOUR NUMBERS" area are: 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) and a 1 (ONE) symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN) and PROG (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$2,500 and increases by \$0.05 every time a Cash on the Run ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$2,500. For a complete description of how these prizes can be won, see section 6 (relating to number and description of prizes and approximate chances of winning). A player can win up to 6 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 1,800,000 tickets will be available for sale for the Cash on the Run lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Cash on the Run prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and the matching play symbol is a 1 (ONE) symbol and a prize symbol of PROG (TOP PRIZE) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$2,500.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(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 \$20⁰⁰ (TWENTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 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.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (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.

(j) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (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.

(k) 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 DOL) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(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 FREE (TICKET) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Cash on the Run Fast Play ticket.

7. Number and description of prizes and approximate chances of winning: The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“1st PLACE PROGRESSIVE”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,800,000 Tickets:</i>
FREE		FREE \$1 TICKET	9.62	187,200
\$1		\$1	20	90,000
\$1 × 2		\$2	76.92	23,400
\$2		\$2	66.67	27,000
\$2 × 2		\$4	166.67	10,800
(\$1 × 2) + \$2		\$4	125	14,400
\$4		\$4	200	9,000
(\$1 × 3) + \$2		\$5	333.33	5,400
(\$2 × 2) + \$1		\$5	333.33	5,400
\$4 + \$1		\$5	333.33	5,400
\$5		\$5	333.33	5,400
\$5 × 2		\$10	666.67	2,700
(\$2 × 3) + \$4		\$10	500	3,600
(\$4 × 2) + (\$1 × 2)		\$10	500	3,600
\$5 + \$4 + \$1		\$10	400	4,500
\$10		\$10	500	3,600
\$10 × 2		\$20	2,400	750
(\$4 × 2) + (\$1 × 2) + \$10		\$20	2,400	750
(\$5 × 2) + \$10		\$20	2,400	750
(\$5 × 3) + (\$2 × 2) + \$1		\$20	2,400	750
\$10 + \$5 + \$4 + \$1		\$20	2,000	900
\$20		\$20	2,000	900
(\$5 × 3) + (\$4 × 2) + \$2		\$25	4,000	450
(\$5 × 3) + \$10		\$25	3,429	525
(\$10 × 2) + (\$2 × 2) + \$1		\$25	3,429	525
\$20 + \$4 + \$1		\$25	3,429	525
\$20 + \$5		\$25	3,429	525
\$25		\$25	3,429	525
\$25 × 2		\$50	3,429	525
(\$20 × 2) + (\$2 × 2) + \$5 + \$1		\$50	3,429	525
\$25 + \$20 + \$5		\$50	4,000	450
\$50		\$50	10,000	180
\$50 × 2		\$100	40,000	45
(\$25 × 3) + (\$10 × 2) + \$5		\$100	40,000	45
\$100		\$100	40,000	45
	\$2,500 w/ 1 SYMBOL MATCH	\$2,500*	360,000	5

1st PLACE PROGRESSIVE: When the matching number is a “1” (ONE) symbol, win the current PROGRESSIVE TOP PRIZE amount instantly!

***PROGRESSIVE TOP PRIZE:** The minimum value of the PROGRESSIVE TOP PRIZE is \$2,500. The PROGRESSIVE TOP PRIZE increases by \$0.05 every time a ticket is purchased, and resets to \$2,500 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized

retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$0.05 from the sale of each Cash on the Run ticket will be accumulated in the "PROGRESSIVE TOP PRIZE" pool.

(b) *Prize Amount:* The amount of the "PROGRESSIVE TOP PRIZE" at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the "PROGRESSIVE TOP PRIZE" are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Cash on the Run game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The "PROGRESSIVE TOP PRIZE" and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a "PROGRESSIVE TOP PRIZE" being reset without the actual sale of a "PROGRESSIVE TOP PRIZE" winning

ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e., \$0.05 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Cash on the Run lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Cash on the Run lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *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 Cash on the Run or through normal communications methods.

20. *Applicability:* This notice applies only to the Cash on the Run lottery game announced in this notice.

PATRICK BROWNE,
Secretary

[Pa.B. Doc. No. 24-276. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania CLUE™ Fast Play Game 5231

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the Fast Play lottery game is Pennsylvania CLUE™ (“CLUE™”). The game number is PA-5231.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *CONFIDENTIAL COMBO:* The play symbols found in the “CONFIDENTIAL COMBO” area that, when matched against the play symbols in the “YOUR COMBO” area, determine whether a player wins double the prize shown under the matching “YOUR COMBO” play symbol.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WHODOUBLEIT:* A feature of the CLUE™ Fast Play game where a player matching any of the play symbols located in the “YOUR COMBO” area at the bottom of the ticket with any of the play symbols located in the “CONFIDENTIAL COMBO” area at the top of the

ticket entitles that player to a prize of double the prize shown under the matching “YOUR COMBO” play symbol.

(l) **WINNING NUMBERS:** The play symbols found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(m) **Winning ticket:** A game ticket which has been validated and qualifies for a prize.

(n) **YOUR COMBO:** The play symbols found in the “YOUR COMBO” area that, when matched against the play symbols in the “CONFIDENTIAL COMBO” area, determine whether a player wins double the prize shown under the matching “YOUR COMBO” play symbol.

(o) **YOUR NUMBERS:** The play symbols found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. **Price:** The price of a CLUE™ ticket is \$5.

4. **Description of the CLUE™ Fast Play lottery game:**

(a) The CLUE™ lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. CLUE™ tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) CLUE™ is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. Whenever a Magnifying Glass (MGNFYGLS) symbol appears in the “YOUR NUMBERS” area the player wins the prize amount shown under that Magnifying Glass (MGNFYGLS) symbol automatically. A bet slip is not used to play this game.

(c) CLUE™ contains a “WHODOUBLEIT” feature that is played by matching any of the “YOUR COMBO” play symbols located in the “YOUR COMBO” area at the bottom of the ticket with any of the “CONFIDENTIAL COMBO” play symbols located in the “CONFIDENTIAL COMBO” area at the top of the ticket. A player matching play symbols in this manner will win double the prize shown under the matching “YOUR COMBO” play symbol. The “WHODOUBLEIT” feature is played separately.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) CLUE™ tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a CLUE™ Fast Play ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a CLUE™ ticket and select the CLUE™ Fast Play option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. **CLUE™ ticket characteristics:**

(a) CLUE™ tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) **Play Symbols:** CLUE™ tickets will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area, and one “WHODOUBLEIT” feature further consisting of a “CONFIDENTIAL COMBO” area and a “YOUR COMBO” 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 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT) and a Magnifying Glass (MGNFYGLS) symbol. The play symbols and their captions located in the “CONFIDENTIAL COMBO” area and the “YOUR COMBO” area are: Miss Scarlett (SCARLETT) symbol, Professor Plum (PLUM) symbol, Chef White (WHITE) symbol, Mayor Green (GREEN) symbol, Solicitor Peacock (PEACOCK) symbol, Colonel Mustard (MUSTARD) symbol, Wrench (WRENCH) symbol, Candlestick (CNDLSTICK) symbol, Dagger (DAGGER) symbol, Lead Pipe (LEADPIPE) symbol, Rope (ROPE) symbol, Revolver (REVOLVER) symbol, Kitchen (KITCHEN) symbol, Ballroom (BALLROOM) symbol, Conservatory (CNSRVTRY) symbol, Dining Room (DINING) symbol, Hall (HALL) symbol and a Library (LIBRARY) symbol.

(c) **Prize Symbols:** The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$75,000 (SVYFIVTHO). The prize symbols and their captions, located in the “YOUR COMBO” area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$500 (FIV HUN).

(d) **Prizes:** The prizes that can be won in this game are: \$5, \$10, \$15, \$25, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$75,000. The prizes that can be won in the “YOUR COMBO” area are: \$5, \$10, \$15, \$25, \$50, \$100, \$200 and \$500. A player can win up to 11 times on a ticket.

(e) **Approximate number of tickets available for the game:** Approximately 960,000 tickets will be available for sale for the CLUE™ lottery game.

6. **Second-Chance Drawing:** The Pennsylvania Lottery will conduct one CLUE™ Second-Chance Drawing for which non-winning CLUE™ instant lottery game tickets may be eligible as provided for in section 9.

7. **Prizes available to be won and determination of prize winners:**

(a) All CLUE™ prize payments will be made as one-time, lump-sum cash payments.

(x) Holders of tickets upon which a Magnifying Glass (MGNFYGLS) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the Prize area under that Magnifying Glass (MGNFYGLS) symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any of the “YOUR COMBO” play symbols match any of the “CONFIDENTIAL COMBO” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the Prize area under the matching “YOUR COMBO” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING

NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which a Magnifying Glass (MGNFYGLS) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the Prize area under that Magnifying Glass (MGNFYGLS) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number: Win With:</i>	<i>“WHODOUBLEIT?”</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
\$5 w/ MAGNIFYING GLASS		\$5	18.18	52,800
\$5		\$5	16.39	58,560
\$5 × 2		\$10	200	4,800
	\$5 w/ MATCH	\$10	20.41	47,040
\$10 w/ MAGNIFYING GLASS		\$10	100	9,600
\$10		\$10	200	4,800
\$5 × 3		\$15	200	4,800
\$10 + \$5		\$15	200	4,800
\$5	\$5 w/ MATCH	\$15	166.67	5,760
\$15 w/ MAGNIFYING GLASS		\$15	250	3,840
\$15		\$15	333.33	2,880
\$5 × 5		\$25	1,000	960
\$10 + \$5	\$5 w/ MATCH	\$25	1,000	960
(((\$10 w/ MAGNIFYING GLASS) × 2) + \$5		\$25	500	1,920
(\$15 w/ MAGNIFYING GLASS) + \$10		\$25	500	1,920
\$5	(\$5 w/ MATCH) × 2	\$25	133.33	7,200
\$25 w/ MAGNIFYING GLASS		\$25	2,000	480
\$25		\$25	1,000	960
\$10 × 5		\$50	5,000	192
\$5 × 2	(((\$5 w/ MATCH) × 2) + (\$10 w/ MATCH)	\$50	500	1,920
(\$5 × 2) + \$10	(\$10 w/ MATCH) + (\$5 w/ MATCH)	\$50	2,000	480
(\$15 w/ MAGNIFYING GLASS) + \$5	(\$5 w/ MATCH) × 3	\$50	500	1,920
	\$25 w/ MATCH	\$50	2,000	480
\$50 w/ MAGNIFYING GLASS		\$50	2,000	480
\$50		\$50	10,000	96
\$25 × 4		\$100	12,000	80
(\$15 × 2) + (\$5 × 2)	(\$15 w/ MATCH) × 2	\$100	4,000	240
(\$15 × 3) + (\$10 × 2) + (\$5 × 3)	(\$5 w/ MATCH) × 2	\$100	4,000	240
(((\$5 w/ MAGNIFYING GLASS) × 2) + (\$25 × 2)	(\$10 w/ MATCH) × 2	\$100	4,000	240
(((\$10 w/ MAGNIFYING GLASS) × 2) + (\$15 × 2)	\$25 w/ MATCH	\$100	4,000	240

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"WHODOUBLEIT?"</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
$((\$15 \text{ w/ MAGNIFYING GLASS}) \times 2) + (\$10 \times 2) + (\$5 \times 6)$	\$10 w/ MATCH	\$100	4,000	240
	\$50 w/ MATCH	\$100	6,000	160
\$100 w/ MAGNIFYING GLASS		\$100	6,000	160
\$100		\$100	7,500	128
$\$50 \times 4$		\$200	12,000	80
$(\$15 \times 4) + (\$10 \times 4)$	\$50 w/ MATCH	\$200	1,714	560
$(\$25 \times 2) + \$15 + \$5$	$((\$25 \text{ w/ MATCH}) \times 2) + (\$15 \text{ w/ MATCH})$	\$200	1,714	560
$((\$25 \text{ w/ MAGNIFYING GLASS}) \times 2) + (\$50 \times 2)$	$(\$15 \text{ w/ MATCH}) + (\$10 \text{ w/ MATCH})$	\$200	1,714	560
$((\$50 \text{ w/ MAGNIFYING GLASS}) \times 2) + \$25 + \$15$	$(\$10 \text{ w/ MATCH}) \times 3$	\$200	1,765	544
\$100 w/ MAGNIFYING GLASS	\$50 w/ MATCH	\$200	1,818	528
	\$100 w/ MATCH	\$200	24,000	40
\$200 w/ MAGNIFYING GLASS		\$200	24,000	40
\$200		\$200	24,000	40
$\$25 \times 4$	$(\$100 \text{ w/ MATCH}) \times 2$	\$500	120,000	8
\$100	\$200 w/ MATCH	\$500	24,000	40
$((\$50 \text{ w/ MAGNIFYING GLASS}) \times 2) + \200	$((\$25 \text{ w/ MATCH}) \times 2) + (\$50 \text{ w/ MATCH})$	\$500	24,000	40
$((\$100 \text{ w/ MAGNIFYING GLASS}) \times 2) + (\$10 \times 2) + \$50$	$(\$100 \text{ w/ MATCH}) + (\$15 \text{ w/ MATCH})$	\$500	24,000	40
$(\$200 \text{ w/ MAGNIFYING GLASS}) + (\$15 \times 3) + \$5$	$((\$50 \text{ w/ MATCH}) \times 2) + (\$25 \text{ w/ MATCH})$	\$500	120,000	8
\$500		\$500	60,000	16
$\$500 \times 2$		\$1,000	120,000	8
$\$50 \times 4$	$(\$200 \text{ w/ MATCH}) \times 2$	\$1,000	60,000	16
$(\$100 \times 2) + (\$25 \times 2) + \$200 + \50	$((\$25 \text{ w/ MATCH}) \times 2) + (\$200 \text{ w/ MATCH})$	\$1,000	60,000	16
$((\$200 \text{ w/ MAGNIFYING GLASS}) \times 2) + \$500 + \$100$		\$1,000	60,000	16
	\$500 w/ MATCH	\$1,000	120,000	8
\$1,000		\$1,000	120,000	8
$\$1,000 \times 5$		\$5,000	320,000	3
$(\$1,000 \times 2) + \$500 + \$200 + \100	$((\$500 \text{ w/ MATCH}) \times 2) + (\$100 \text{ w/ MATCH})$	\$5,000	320,000	3
\$5,000		\$5,000	320,000	3
\$75,000		\$75,000	320,000	3

When a "Magnifying Glass" (MGNFYGLS) symbol appears, win prize shown under that symbol automatically!

WHODOUBLEIT?: When any of YOUR COMBO symbols below match any CONFIDENTIAL COMBO symbol above, DOUBLE the prize shown under the matching symbol. WHODOUBLEIT? is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing*: The CLUE™ Second-Chance Drawing from the Pennsylvania Lottery for qualifying instant and Fast Play lottery game tickets ("Drawing"):

(a) *Qualifying Tickets*: Non-winning PA-1684 CLUE™ (\$5) Instant lottery game tickets and PA-5231 CLUE™ (\$5) Fast Play lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry*:

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery

account, visit <https://www.PAiLottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.pailottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player's name as it appears on a valid government-issued identification or tax documents;

(ii) The player's date of birth;

(iii) The entire or last four digits of the player's Social Security Number, or comparable equivalent;

(iv) The player's address;

(v) The player's telephone number;

(vi) The player's email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(7) Only one claimant per entry is allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one CLUE™ Second-Chance Drawing from among all qualifying Instant and Fast Play lottery game qualifying tickets. All time references are Eastern Prevailing Time.

(2) The entry period for qualifying PA-1684 CLUE™ Instant lottery game tickets will begin after 11:59:59 p.m. March 21, 2024 and will end at 11:59:59 p.m. May 9, 2024. The entry period for qualifying PA-5231 CLUE™ Fast Play lottery game tickets will begin after 4:59:59 a.m. March 22, 2024 and will end at 11:59:59 p.m. May 9, 2024. All entries received during the entry periods will be entered into the Drawing tentatively scheduled to be held between May 10, 2024 and May 24, 2024.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1684 CLUE™ (\$5) = five entries; and PA-5231 CLUE™ (\$5) = five entries.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or those mentioned anywhere else in these rules.

(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first through the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(ii) The fourth through the fifty-third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select one entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Hasbro, Inc., Scientific Games, LLC and MDI Entertain-

ment, LLC, (collectively "SG") and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within one (1) year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and one replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery terms and conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play CLUE™ lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play CLUE™ lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not

exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote CLUE™ or through normal communications methods.

21. *Applicability:* This notice applies only to the CLUE™ lottery game announced in this notice.

PATRICK BROWNE,
Secretary

[Pa.B. Doc. No. 24-277. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania In\$tant Win Fast Play Game 5230

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the Fast Play lottery game is Pennsylvania In\$tant Win (“In\$tant Win”). The game number is PA-5230.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *IN\$TANT MATCH:* A feature of the In\$tant Win game that, when three like prize amounts appear in the “IN\$TANT MATCH” area, located to the left and right of the “YOUR NUMBERS” area, determines whether the player wins that matching prize amount. “IN\$TANT MATCH” is played separately.

(e) *IN\$TANT WIN-ALL:* A feature of the In\$tant Win game that, when any of the “WINNING NUMBERS” play symbols match the “IN\$TANT WIN-ALL NUMBER,” determines whether the player wins all 16 prizes shown in the “YOUR NUMBERS” area.

(f) *IN\$TANT WIN-ALL NUMBER:* The number symbol above the “WINNING NUMBERS” area that, when

matching any of the “WINNING NUMBERS” play symbols, determines whether the player wins all 16 prizes shown in the “YOUR NUMBERS” area.

(g) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(h) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(i) *Play*: A chance to participate in a particular Fast Play lottery game.

(j) *Play Area*: The area on a ticket which contains one or more play symbols.

(k) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(l) *Prize*: A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(m) *WINNING NUMBERS*: The play symbols found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize and when matched against the “IN\$TANT WIN-ALL NUMBER,” determines whether the player wins all 16 prizes shown in the “YOUR NUMBERS” area.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The play symbols found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of an In\$tant Win ticket is \$10.

4. *Description of the In\$tant Win Fast Play lottery game*:

(a) The In\$tant Win lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined and the player does not have the ability to select their own play symbols. In\$tant Win tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) In\$tant Win is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. Whenever a Dollar Sign (DLRSN) symbol appears in the “YOUR NUMBERS” area, the player wins the prize shown under that Dollar Sign (DLRSN) symbol automatically. A bet slip is not used to play this game.

(c) In\$tant Win tickets contain an “IN\$TANT WIN-ALL” feature. Whenever any of the “WINNING NUMBERS” play symbols match the “IN\$TANT WIN-ALL NUMBER” play symbol, the player wins all 16 prizes shown in the “YOUR NUMBERS” area.

(d) In\$tant Win tickets also contain an “IN\$TANT MATCH” area. Whenever three matching prize amounts appear in the “IN\$TANT MATCH” area, the player wins that matching prize amount. “IN\$TANT MATCH” is played separately.

(e) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(f) In\$tant Win tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(g) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request an In\$tant Win ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(h) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of an In\$tant Win ticket and select the In\$tant Win option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *In\$tant Win ticket characteristics*:

(a) In\$tant Win tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: In\$tant Win tickets will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area, one “IN\$TANT WIN-ALL NUMBER” play symbol and one “IN\$TANT MATCH” area located to the left and right of the “YOUR NUMBERS” area. The “IN\$TANT MATCH” area is played separately. The play symbols and their captions located in the “WINNING NUMBERS” area and in the IN\$TANT WIN-ALL NUMBER are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT) and a Dollar Sign (DLRSN) symbol. The prize amounts and their captions, located in the “IN\$TANT MATCH” area are: \$10 (TEN DOL), \$15 (FIFTEEN), \$20 (TWENTY), \$30 (THIRTY), \$50 (FIFTY), \$100 (ONE HUN), \$300 (THR HUN) and \$500 (FIV HUN).

(c) *Prize Symbols*: The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$300 (THR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$150,000 (ONFTYTHO).

(d) *Prizes*: The prizes that can be won in this game, are: \$10, \$15, \$20, \$30, \$50, \$100, \$300, \$500, \$1,000, \$5,000 and \$150,000. The prizes that can be won in the “IN\$TANT MATCH” area are: \$10, \$15, \$20, \$30, \$50, \$100, \$300 and \$500. For a complete description of how

these prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 18 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the In\$tant Win lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All In\$tant Win prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$150,000 (ONEFTYTHO) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(d) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "IN\$TANT WIN-ALL NUMBER" play symbol and a prize symbol of \$500 (FIV HUN) appears in eight of the Prize areas, a prize symbol of \$300 (THR HUN) appears in two of the Prize areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in six of the Prize areas, on a single ticket, shall be entitled to a prize of \$4,900.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "IN\$TANT WIN-ALL NUMBER" play symbol and a prize symbol of \$300 (THR HUN) appears in two of the Prize areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the Prize areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in six of the Prize areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in six of the Prize areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "IN\$TANT WIN-ALL NUMBER" play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in eight of the Prize areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in two of the Prize areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the Prize areas and a prize symbol of \$500 (FIV HUN) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$980.

(h) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "IN\$TANT WIN-ALL NUMBER" play symbol and a prize symbol of \$100 (ONE HUN) appears in six of the Prize areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in five of the Prize areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the Prize areas, on a single ticket, shall be entitled to a prize of \$900.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500

(FIV HUN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which three matching prize amounts of \$500 (FIV HUN) appear in the "IN\$TANT MATCH" area, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "IN\$TANT WIN-ALL NUMBER" play symbol and a prize symbol of \$100 (ONE HUN) appears in three of the Prize areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in three of the Prize areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in four of the Prize areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the Prize areas and a prize symbol of \$30⁰⁰ (THIRTY) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "IN\$TANT WIN-ALL NUMBER" play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in five of the Prize areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the Prize areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the Prize areas and a prize symbol of \$100 (ONE HUN) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "IN\$TANT WIN-ALL NUMBER" play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in three of the Prize areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in two of the Prize areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the Prize areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in four of the Prize areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the Prize areas and a prize symbol of \$100 (ONE HUN) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$450.

(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 \$300 (THR HUN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(o) Holders of tickets upon which a Dollar Sign (DLRSN) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$300 (THR HUN) appears in the Prize area under that Dollar Sign (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$300.

(p) Holders of tickets upon which three matching prize amounts of \$300 (THR HUN) appear in the "IN\$TANT MATCH" area, on a single ticket, shall be entitled to a prize of \$300.

(q) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "IN\$TANT WIN-ALL NUMBER" play symbol and a prize symbol of \$30⁰⁰ (THIRTY) appears in five of the Prize areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the Prize areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in four of the Prize areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the Prize areas, on a single ticket, shall be entitled to a prize of \$300.

(r) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "IN\$TANT WIN-ALL NUMBER" play symbol and a prize symbol of

\$30⁰⁰ (THIRTY) appears in two of the Prize areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the Prize areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in four of the Prize areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the Prize areas, on a single ticket, shall be entitled to a prize of \$270.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(t) Holders of tickets upon which a Dollar Sign (DLRSN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the Prize area under that Dollar Sign (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which three matching prize amounts of \$100 (ONE HUN) appear in the “IN\$TANT MATCH” area, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which a Dollar Sign (DLRSN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the Prize area under that Dollar Sign (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which three matching prize amounts of \$50 (FIFTY) appear in the “IN\$TANT MATCH” area, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(z) Holders of tickets upon which a Dollar Sign (DLRSN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the Prize area under that Dollar Sign (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$30.

(aa) Holders of tickets upon which three matching prize amounts of \$30 (THIRTY) appear in the “IN\$TANT MATCH” area, on a single ticket, shall be entitled to a prize of \$30.

(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 \$20⁰⁰ (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets upon which a Dollar Sign (DLRSN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the Prize area under that Dollar Sign (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which three matching prize amounts of \$20 (TWENTY) appear in the “IN\$TANT MATCH” area, on a single ticket, shall be entitled to a prize of \$20.

(ee) 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 \$15⁰⁰ (FIFTEEN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(ff) Holders of tickets upon which a Dollar Sign (DLRSN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the Prize area under that Dollar Sign (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$15.

(gg) Holders of tickets upon which three matching prize amounts of \$15 (FIFTEEN) appear in the “IN\$TANT MATCH” area, on a single ticket, shall be entitled to a prize of \$15.

(hh) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(ii) Holders of tickets upon which a Dollar Sign (DLRSN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the Prize area under that Dollar Sign (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(jj) Holders of tickets upon which three matching prize amounts of \$10 (TEN DOL) appear in the “IN\$TANT MATCH” area, on a single ticket, shall be entitled to a prize of \$10.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“IN\$TANT MATCH”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
	3—\$10s	\$10	18.52	32,400
\$10 w/ DOLLAR SIGN		\$10	19.8	30,300
\$10		\$10	100	6,000
	3—\$15s	\$15	30.3	19,800
\$15 w/ DOLLAR SIGN		\$15	50	12,000

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"INSTANT MATCH":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$15		\$15	100	6,000
\$10 × 2		\$20	200	3,000
\$10	3—\$10s	\$20	100	6,000
	3—\$20s	\$20	125	4,800
\$20 w/ DOLLAR SIGN		\$20	200	3,000
\$20		\$20	200	3,000
\$10 × 3		\$30	1,000	600
\$15	3—\$15s	\$30	111.11	5,400
\$20	3—\$10s	\$30	111.11	5,400
(\$10 w/ DOLLAR SIGN) × 2	3—\$10s	\$30	250	2,400
	(3—\$20s) + (3—\$10s)	\$30	100	6,000
	3—\$30s	\$30	333.33	1,800
\$30 w/ DOLLAR SIGN		\$30	333.33	1,800
\$30		\$30	1,000	600
\$10 × 5		\$50	1,000	600
(\$15 × 2) + (\$10 × 2)		\$50	1,000	600
\$10	(3—\$30s) + (3—\$10s)	\$50	500	1,200
\$15	(3—\$20s) + (3—\$15s)	\$50	333.33	1,800
(\$15 w/ DOLLAR SIGN) + \$15	3—\$20s	\$50	500	1,200
	(3—\$30s) + (3—\$20s)	\$50	500	1,200
	3—\$50s	\$50	1,000	600
\$50 w/ DOLLAR SIGN		\$50	1,000	600
\$50		\$50	1,000	600
\$20 × 5		\$100	3,000	200
\$50 × 2		\$100	3,000	200
(\$15 × 2) + (\$10 × 5) + \$20		\$100	2,000	300
(\$10 w/ DOLLAR SIGN) + \$10	(3—\$50s) + (3—\$30s)	\$100	1,500	400
(\$30 w/ DOLLAR SIGN) + \$20	(3—\$30s) + (3—\$20s)	\$100	1,500	400
	(3—\$50s) + (3—\$30s) + (3—\$20s)	\$100	2,000	300
	3—\$100s	\$100	3,000	200
\$100 w/ DOLLAR SIGN		\$100	3,000	200
\$100		\$100	3,000	200
INSTANT WIN-ALL MATCH w/ ((\$30 × 2) + (\$20 × 5) + (\$15 × 4) + (\$10 × 5))	(3—\$20s) + (3—\$10s)	\$300	666.67	900
INSTANT WIN-ALL MATCH w/ ((\$30 × 5) + (\$20 × 2) + (\$15 × 4) + (\$10 × 5))		\$300	2,400	250
\$100 × 2	(3—\$50s) + (3—\$30s) + (3—\$20s)	\$300	9,231	65
	3—\$300s	\$300	12,000	50
\$300 w/ DOLLAR SIGN		\$300	12,000	50
\$300		\$300	12,000	50
INSTANT WIN-ALL MATCH w/ ((\$50 × 3) + (\$30 × 2) + (\$20 × 2) + (\$15 × 4) + (\$10 × 4) + \$100)	3—\$50s	\$500	4,800	125

When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:	"INSTANT MATCH":	Win:	Approximate Chances Of Winning Are 1 In:	Approximate No. Of Winners Per 600,000 Tickets:
INSTANT WIN-ALL MATCH w/ ((\$50 × 5) + (\$20 × 5) + (\$10 × 5) + \$100)		\$500	6,000	100
INSTANT WIN-ALL MATCH w/ ((\$100 × 3) + (\$20 × 3) + (\$15 × 4) + (\$10 × 5) + \$30)		\$500	6,000	100
\$100 × 5		\$500	24,000	25
(\$100 w/ DOLLAR SIGN) + (\$50 × 4) + (\$20 × 5)	(3—\$50s) + (3—\$30s) + (3—\$20s)	\$500	12,000	50
(\$300 w/ DOLLAR SIGN) + (\$50 × 2)	3—\$100s	\$500	12,000	50
	3—\$500s	\$500	24,000	25
\$500		\$500	24,000	25
INSTANT WIN-ALL MATCH w/ ((\$50 × 8) + (\$15 × 2) + (\$10 × 5) + \$500)	3—\$20s	\$1,000	12,000	50
INSTANT WIN-ALL MATCH w/ ((\$100 × 6) + (\$50 × 5) + (\$10 × 5))	3—\$100s	\$1,000	12,000	50
INSTANT WIN-ALL MATCH w/ ((\$300 × 2) + (\$50 × 2) + (\$30 × 6) + (\$20 × 6))		\$1,000	24,000	25
(\$300 × 2) + (\$100 × 4)		\$1,000	30,000	20
\$500	3—\$500s	\$1,000	120,000	5
\$1,000		\$1,000	120,000	5
INSTANT WIN-ALL MATCH w/ ((\$500 × 8) + (\$300 × 2) + (\$50 × 6))	3—\$100s	\$5,000	120,000	5
\$1,000 × 5		\$5,000	120,000	5
(\$1,000 × 2) + (\$500 × 5) + (\$100 × 2)	3—\$300s	\$5,000	120,000	5
\$5,000		\$5,000	120,000	5
\$150,000		\$150,000	200,000	3

When a "Dollar Sign" (DLRSN) symbol appears, win prize shown under that symbol automatically!

INSTANT WIN-ALL: When any WINNING NUMBER matches the INSTANT WIN-ALL NUMBER, win all 16 prizes shown in the YOUR NUMBERS area!

INSTANT MATCH: Match 3 like amounts in the INSTANT MATCH area, win that amount! INSTANT MATCH is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will

be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play In\$tant Win lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play In\$tant Win lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote In\$tant Win or through normal communications methods.

19. *Applicability:* This notice applies only to the In\$tant Win lottery game announced in this notice.

PATRICK BROWNE,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania Lightning Fast Fortune Fast Play Game 5232

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the Progressive Top Prize Fast Play lottery game is Pennsylvania Lightning Fast Fortune (“Lightning Fast Fortune”). The game number is PA-5232.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *DOWNPOUR PROGRESSIVE*: A feature of the Lightning Fast Fortune game where, whenever four Rain Cloud (DWNPOUR) symbols appear in the “LIGHTNING STRIKE” area, the player wins the current “PROGRESSIVE TOP PRIZE.”

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *LIGHTNING STRIKE*: The area on a Lightning Fast Fortune ticket located to the right of the “YOUR NUMBERS” play symbols. Whenever two Lightning Bolt (BOLT) symbols appear in the LIGHTNING STRIKE area the player wins all four prizes shown in the “YOUR NUMBERS” area. Whenever four Rain Cloud (DWNPOUR) symbols appear in the “LIGHTNING STRIKE” area, the player wins the current “PROGRESSIVE TOP PRIZE.”

(f) *LINE*: A specific, pre-defined portion of the play area which contains three “YOUR NUMBERS” play symbols, a “LIGHTNING STRIKE” symbol and a Prize symbol in a horizontal line. Each “LINE” is played separately.

(g) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(h) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(i) *Play*: A chance to participate in a particular Fast Play lottery game.

(j) *Play Area*: The area on a ticket, which contains one or more play symbols.

(k) *Play Symbol*: A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(l) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a

ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(m) *Prize*: A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(n) *WINNING NUMBERS*: The numbers symbols found in the play area that, when matched against the “YOUR NUMBERS” number symbols in each “LINE,” determine whether a player wins the prize for that “LINE.”

(o) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(p) *YOUR NUMBERS*: The numbers symbols found in each “LINE” in the play area that, when matched against the number symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Lightning Fast Fortune ticket is \$2.

4. *Description of the Lightning Fast Fortune Fast Play lottery game*:

(a) The Lightning Fast Fortune lottery game is an instant win game printed from a Lottery Terminal. With the exception of the “PROGRESSIVE TOP PRIZE,” all prizes are predetermined and the player does not have the ability to select their own play symbols. Lightning Fast Fortune tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Lightning Fast Fortune is played by matching any of the “YOUR NUMBERS” number symbols located in the four “LINE” areas to any of the number symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown in the Prize area for that “LINE.” When two Lightning Bolt (BOLT) symbols appear in the “LIGHTNING STRIKE” area the player wins all four prizes shown. When four Downpour (DWNPOUR) symbols appear in the “LIGHTNING STRIKE” area, the player wins the current “PROGRESSIVE TOP PRIZE.” A bet slip is not used to play this game.

(c) A Lightning Fast Fortune game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(d) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Lightning Fast Fortune game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(e) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Lightning Fast Fortune game ticket and select the Lightning Fast Fortune option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Lightning Fast Fortune ticket characteristics*:

(a) A Lightning Fast Fortune ticket shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Each Lightning Fast Fortune ticket play area will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, further consisting of four "LINES" designated as "LINE 1," "LINE 2," "LINE 3" and "LINE 4," and one "LIGHTNING STRIKE" area. Each "LINE" area contains three "YOUR NUMBERS" number symbols and one prize symbol. Each "LINE" is played separately. The number symbols and their captions located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "LIGHTNING STRIKE" area are: Sun (SUN) symbol, Moon (MOON) symbol, Stars (STARS) symbol, Lightning Bolt (BOLT) symbol and a Downpour (DOWNPOUR) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located at the right of each "LINE" are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTEEN), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN) and \$200 (TWO HUN).

(d) *Prizes*: The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$200 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$10,000 and increases by \$0.10 every time a Lightning Fast Fortune ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$10,000. For a complete description of how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to four times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 960,000 tickets will be available for sale for the Lightning Fast Fortune lottery game.

6. Prizes available to be won and determination of prize winners:

(a) All Lightning Fast Fortune prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which four Rain Cloud (DWNPOUR) symbols appear in the "LIGHTNING STRIKE" area, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$10,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$200 (TWO HUN) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$200.

(d) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$40.⁰⁰ (FORTY) appears in two of the Prize areas, a prize symbol of \$100 (ONE HUN) appears in one of the Prize areas and a prize symbol of \$20.⁰⁰ (TWENTY) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE"

area and a prize symbol of \$50.⁰⁰ (FIFTY) appears in all four of the Prize areas, on a single ticket, shall be entitled to a prize of \$200.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$100 (ONE HUN) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$20.⁰⁰ (TWENTY) appears in two of the Prize areas, a prize symbol of \$50.⁰⁰ (FIFTY) appears in one of the Prize areas and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$40.⁰⁰ (FORTY) appears in two of the Prize areas and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$20.⁰⁰ (TWENTY) appears in two of the Prize areas and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in three of the Prize areas and a prize symbol of \$20.⁰⁰ (TWENTY) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$40.⁰⁰ (FORTY) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$40.

(m) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$15.⁰⁰ (FIFTEEN) appears in two of the Prize areas and a prize symbol of \$5.⁰⁰ (FIVDOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in all four of the Prize areas, on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE"

area and a prize symbol of \$4⁰⁰ (FOR DOL) appears in two of the Prize areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the Prize areas and a prize symbol of \$2⁰⁰ (TWO DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in all four of the Prize areas, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$15.

(s) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$4⁰⁰ (FOR DOL) appears in two of the Prize areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in one of the Prize areas and a prize symbol of \$2⁰⁰ (TWO DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$15.

(t) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets upon which two Lightning Bolt (BOLT) symbols appear in the "LIGHTNING STRIKE" area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in three of the Prize areas and a prize symbol of \$4⁰⁰ (FOR DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$5.

(w) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$4.

(x) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols in a "LINE" match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the Prize area for that "LINE," on a single ticket, shall be entitled to a prize of \$2.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" In A "LINE" Match Any "WINNING NUMBER," Win Prize Shown For That "LINE." Win With:</i>	<i>"DOWNPOUR PROGRESSIVE":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
\$2		\$2	9.52	100,800
\$2 × 2		\$4	16.67	57,600
\$4		\$4	100	9,600
\$5		\$5	47.62	20,160
2 LIGHTNING BOLTS w/ ((\$2 × 3) + \$4)		\$10	50.51	19,008
\$5 × 2		\$10	909.09	1,056
(\$4 × 2) + \$2		\$10	500	1,920
\$10		\$10	1,000	960
2 LIGHTNING BOLTS w/ ((\$4 × 2) + \$5 + \$2)		\$15	714.29	1,344
\$5 × 3		\$15	2,000	480
\$10 + \$5		\$15	2,000	480
\$15		\$15	2,500	384
2 LIGHTNING BOLTS w/ (\$5 × 4)		\$20	500	1,920
2 LIGHTNING BOLTS w/ ((\$4 × 2) + \$10 + \$2)		\$20	500	1,920
\$10 × 2		\$20	1,250	768
(\$5 × 2) + \$10		\$20	2,000	480
\$20		\$20	2,000	480
2 LIGHTNING BOLTS w/ (\$10 × 4)		\$40	1,154	832
2 LIGHTNING BOLTS w/ ((\$15 × 2) + (\$5 × 2))		\$40	1,200	800
\$20 × 2		\$40	6,000	160
\$40		\$40	6,000	160

<i>When Any Of "YOUR NUMBERS" In A "LINE" Match Any "WINNING NUMBER," Win Prize Shown For That "LINE." Win With:</i>	<i>"DOWNPOUR PROGRESSIVE":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
2 LIGHTNING BOLTS w/ (($\$10 \times 3$) + $\$20$)		\$50	2,400	400
2 LIGHTNING BOLTS w/ (($\$20 \times 2$) + ($\5×2))		\$50	2,400	400
($\$20 \times 2$) + $\$10$		\$50	12,000	80
$\$40 + \10		\$50	12,000	80
$\$50$		\$50	6,000	160
2 LIGHTNING BOLTS w/ (($\$40 \times 2$) + ($\10×2))		\$100	6,000	160
2 LIGHTNING BOLTS w/ (($\$20 \times 2$) + $\$50 + \10)		\$100	6,000	160
$\$50 \times 2$		\$100	12,000	80
$\$100$		\$100	24,000	40
2 LIGHTNING BOLTS w/ ($\$50 \times 4$)		\$200	96,000	10
2 LIGHTNING BOLTS w/ (($\$40 \times 2$) + $\$100 + \20)		\$200	96,000	10
$\$100 \times 2$		\$200	240,000	4
$\$200$		\$200	240,000	4
	\$10,000 w/ 4 RAIN CLOUDS	\$10,000	240,000	4

When two "Lightning Bolt" (BOLT) symbols appear in the LIGHTNING STRIKE area, win all 4 prizes shown! Each LINE is played separately.

DOWNPOUR PROGRESSIVE: When four "Rain Cloud" (DOWNPOUR) symbols appear in the LIGHTNING STRIKE area, win the current PROGRESSIVE TOP PRIZE amount instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *“PROGRESSIVE TOP PRIZE” restrictions:*

(a) An amount of \$0.10 from the sale of each Lightning Fast Fortune ticket will be accumulated in the “PROGRESSIVE TOP PRIZE” pool.

(b) *Prize Amount:* The amount of the “PROGRESSIVE TOP PRIZE” at the time a ticket is purchased can only be verified through the Lottery’s Central Computer System. Any advertisement or any materials describing the amount of the “PROGRESSIVE TOP PRIZE” are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Lightning Fast Fortune game, this notice and the data contained in the Lottery’s Central Computer System shall govern.

(c) The “PROGRESSIVE TOP PRIZE” and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a “PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e., \$0.10 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Lightning Fast Fortune lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Lightning Fast Fortune lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *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 Lightning Fast Fortune or through normal communications methods.

20. *Applicability:* This notice applies only to the Lightning Fast Fortune lottery game announced in this notice.

PATRICK BROWNE,
Secretary

[Pa.B. Doc. No. 24-279. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Smart Chip Play™ Card and Program

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following type of lottery.

The Smart Chip Play™ (hereinafter “Smart Chip Play”) card and program will be implemented and effective beginning on or after March 6, 2024 and will be effective for six months, unless extended by public notice or unless terminated earlier through the Lottery’s standard communication methods. Smart Chip Play provides for a new mechanism by which players may purchase Pennsylvania Lottery game plays as follows:

1. *Name:* The name of the Lottery product governed by this notice is Smart Chip Play. Smart Chip Play consists of a physical product, the Smart Chip Play card, and the program and system that supports the use of the cards.

2. *Purpose:* This notice establishes procedures for the creation of the Smart Chip Play lottery program, sales of Smart Chip Play cards and game plays, validation of winners, payment of prizes and compensation of retailers for Smart Chip Play lottery games conducted by the Pennsylvania Lottery.

3. *Definitions:*

(a) *Authorized retailer, retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Autoplay:* An optional function of Smart Chip Play games that allows a player to purchase and play multiple game rounds of the same Smart Chip Play game in succession. Autoplay can be stopped at any time prior to playing all game rounds at the player’s option.

(c) *Claim ticket:* The document provided to a player by a participating retailer when redeeming a prize over \$600, and which must be submitted to the Lottery on a claim form.

(d) *Game play:* An opportunity to participate in a Smart Chip Play game upon payment of the purchase price.

(e) *Participating retailer:* An authorized retailer, provided Smart Chip Play cards, Smart Chip Play tablets and Smart Chip Play terminals, and who is authorized by the Lottery to offer Smart Chip Play games.

(f) *Play credit:* A monetary equivalent of the money loaded on the Smart Chip Play card using cash or generated through prizes won of \$600 or less and used to purchase Smart Chip Play game plays.

(g) *Prize:* Money that can be won by playing a Smart Chip Play game. All prizes are initially rewarded as play credits, which can be converted to cash.

(h) *Purchase receipt:* The document provided to a player by a participating retailer when depositing cash for play credits through the Smart Chip Play terminal.

(i) *Redemption receipt:* The document provided to a player by a participating retailer when redeeming an individual prize of \$600 or less, or a collection of individual prizes each of which are \$600 or less.

(j) *Reveal All:* An optional function of Smart Chip Play games that allows the player to reveal all game play

and/or prize symbols at the same time instead of the standard one-by-one reveal of individual game play and/or prize symbols.

(k) *Smart Chip Play card:* A bearer instrument issued by the Lottery and purchased through participating retailers, which is the player’s record of game play for Smart Chip Play games and contains the Smart Chip Play microchip, which contains certain encrypted game play data, and validation data used for identifying winning and losing game plays, and which transmits game play data to the Smart Chip Play system through the Smart Chip Play tablet upon completion of game play.

(l) *Smart Chip Play game:* A lottery game of chance, in which players have a chance to win one prize per game play. Smart Chip Play game play outcomes are predetermined at the time the game begins and player selections cannot influence the outcome of any game play.

(m) *Smart Chip Play microchip:* The secure, encrypted area of the Smart Chip Play card which contains information unique to that microchip including, but not limited to, the play credit balance, the balance of prize winnings, the Smart Chip Play game math, the random number generator that determines game play outcomes, and a log file storing limited game outcome information, and which transmits game play data to the Smart Chip Play system through the Smart Chip Play tablet upon completion of each game play.

(n) *Smart Chip Play system:* The computer gaming system on which all Smart Chip Play transactions and game plays are recorded, and which is the system of record for all Smart Chip Play transactions.

(o) *Smart Chip Play tablet.* A touchscreen, tablet, computing device authorized by the Lottery, in which a player inserts a Smart Chip Play card to play Smart Chip Play games, and upon completion of game play to communicate the game play outcome, game play data, and card information from the Smart Chip Play card and microchip to the Smart Chip Play system.

(p) *Smart Chip Play terminal:* A device authorized by the Lottery to interact with the Smart Chip Play system, for the purpose of entering, receiving, and processing Smart Chip Play transactions, including loading play credits and processing wins, validating game plays, and transmitting certain reports.

4. *Description of the Smart Chip Play card and program:*

(a) The Smart Chip Play program offers customers who visit participating retailers a method to play Lottery games of chance for the opportunity to win a prize. The Smart Chip Play program consists of Smart Chip Play cards, the Smart Chip Play system, Smart Chip Play tablets and Smart Chip Play terminals. Smart Chip Play games are played on the Smart Chip Play tablet and the Smart Chip Play card generates the random game results and securely records and transmits information related to game plays to be recorded on the Smart Chip Card system.

(b) The Smart Chip Play card is a multi-use lottery product that allows lottery players to purchase play credits for the purpose of playing Smart Chip Play games through the Smart Chip Play tablet located at participating retailers. The Smart Chip Play card securely processes Smart Chip Play transactions through the unique, secure Smart Chip Play microchip found in each Smart Chip Play card.

(c) Smart Chip Play tablets are geo-fenced and can only be played within the area permitted inside the participating retailer's premises.

(d) To acquire a Smart Chip Play card, a player must request a card from the participating retailer and must load play credits on to the Smart Chip Play card using cash. Players may purchase play credits at any time during the period the program is active in the amounts of \$10, \$20, \$30, \$50, \$100 or \$200. The participating retailer will provide the player with a purchase receipt whenever the player purchases play credits.

(e) Once play credits are loaded onto a Smart Chip Play card, the play credits must be used to purchase Smart Chip Play game plays and cannot be withdrawn. Only prizes can be withdrawn from the Smart Chip Play card. The Smart Chip Play card can only be used to purchase Smart Chip Play game plays during the period that the program is active and cannot be used to purchase any other type of Lottery products.

(f) A Smart Chip Play card, loaded with play credits, can be inserted into the card reader on the Smart Chip Play tablet. Once inserted, the player may play Smart Chip Play games on the Smart Chip Play tablet using the play credits available on the card. Play credits generated by winning prizes of \$600 or less can only be used to purchase Smart Chip Play game plays after all play credits loaded onto the card using cash are depleted.

5. *Smart Chip Play games:*

(a) *Game descriptions:* The Lottery will post descriptions for each Smart Chip Play game, including game play instructions, which will be accessible from the QR code contained on the back of the Smart Chip Play card and the Lottery's publicly accessible website at <https://www.palottery.state.pa.us/smartchipplay>, with the following information:

- (i) The name of the game.
- (ii) The purchase price or range of purchase prices of an individual game play for the game.
- (iii) The prizes that can be won.
- (iv) The chances of winning a prize in the game.
- (v) Instructions for playing the game.
- (vi) Other information necessary for the conduct of the game.

(b) *Purchase price:* The purchase price for a single game play in any individual Smart Chip Play game is determined by the game selected and can range from \$0.10 to \$30. The price, or range of prices, of any individual game play in any Smart Chip Play game can be found in the game descriptions as further described in this section.

(c) *Determination of prize winners:*

(i) Prize-winning game plays will be determined under this notice and the specific Smart Chip Play lottery game descriptions posted as required under this section.

(ii) A prize shall be paid only if the Smart Chip Play card and the Smart Chip Play game play meets the criteria established in section 7 (relating to validation and requirements).

(d) *Bearer instrument responsibility:* The holder of a Smart Chip Play card and any purchase receipt, redemption receipt or claim ticket issued upon presentation of that Smart Chip Play card to a participating retailer has the sole responsibility for checking the condition of the

card, the data printed on the purchase receipt, redemption receipt or claim ticket and that the card and any purchase receipt, redemption receipt and claim ticket satisfy the requirements of section 7 (relating to validation and requirements).

(e) *Termination of a game:* The Secretary may announce a termination date, after which no game plays from a Smart Chip Play game may be sold. The announcement will be disseminated through media used to advertise or promote Smart Chip Play games or through normal communications methods.

6. *Smart Chip Play card responsibility:*

(a) A Smart Chip Play card is a bearer instrument deemed to be owned by the person holding the card, except that if a name is contained on the back of the card, the person named will, for all purposes, be considered the owner of that card.

(b) The Commonwealth shall not be responsible for a lost or stolen Smart Chip Play card or claim ticket, or for a prize redeemed by a player in error.

(c) If a player believes that the player's Smart Chip Play card was stolen, the player should report the alleged theft to the local police department. The Lottery is not responsible for lost, damaged or stolen Smart Chip Play cards or claim tickets.

7. *Validation and requirements:*

(a) All winning game plays must be validated through the Smart Chip Play system.

(b) All winning game plays in excess of \$600 will be immediately validated through the Smart Chip Play system following completion of each game play, and the card and tablet will lock. Players with Smart Chip Play cards containing suspected winning game plays in excess of \$600 must remove the card to unlock the tablet and present the card to the participating retailer, who will insert the card into the terminal to further validate the win, generate a claim ticket and unlock the card. The retailer will issue a claim ticket from the Smart Chip Play terminal to begin the claim process, as further provided for in section 8 (relating to procedures for claiming and payment of prizes).

(c) Winning game plays of \$600 or less are immediately validated through the Smart Chip Play system following the completion of each game play. Players with Smart Chip Play cards containing winning game plays validated through the Smart Chip Play system will have their prizes added to their play credits total, which can be used to purchase Smart Chip Play game plays after all play credits loaded to the Smart Chip Play card have been depleted, or which may be paid by a participating retailer any time, at the player's request.

(d) To be a valid Smart Chip Play card, the Smart Chip Play card must meet the following conditions:

- (i) The card must be intact.
- (ii) The card must not be mutilated, altered, reconstituted or tampered with.
- (iii) The card must not be counterfeit, or a duplicate.
- (iv) The card must be validly issued.

(e) Winning game plays must be validated in accordance with section 8 (relating to procedures for claiming and payment of prizes) and as follows:

(i) The redemption receipt or claim ticket must not be defectively printed or printed or produced in error, such that it cannot be processed and validated by the Lottery, and must agree in all respects to the information contained in the Smart Chip Play system. In the event of a printing error of a claim ticket, the participating retailer may print a claim ticket copy, which must be submitted with the original claim ticket with the Lottery claim form.

(ii) The transaction number of the winning game play must appear on the Lottery's official file of transaction numbers of winning game plays, and a winning game play with that transaction number must not have been previously paid.

(iii) The redemption receipt or claim ticket, and the game play data contained on the Smart Chip Play system, must pass other confidential security checks of the Lottery.

(iv) A redemption receipt or claim ticket not passing the validation requirements in this section will not be considered valid and will not be paid.

(f) In any cases of doubt, the determination of the Secretary is final. The Lottery reserves the right, in its sole discretion, to require a player to present any prize-winning Smart Chip Play card, redemption receipt or claim ticket for the purpose of inspection and validation.

8. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through a participating retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the end of the Smart Chip Play program.

(b) A participating retailer is authorized to pay prizes of \$600 or less. The holder of a Smart Chip Play card evidencing a winning game play representing a prize of \$600 or less will have their prizes added to their play credits total. The player may be paid by a participating retailer if a proper redemption receipt was issued by the retailer's Smart Chip Play terminal.

(c) The holder of a Smart chip Play card evidencing a winning game play representing a prize in excess of \$600 when validated through the retailer's Smart Chip Play terminal must submit the claim ticket as well as a completed Lottery claim form to a Lottery District Office, or Lottery Headquarters. In the event of a printing error of a claim ticket, the participating retailer may print a claim ticket copy, which must be submitted with the original claim ticket with the Lottery claim form.

(d) The holder of a claim ticket issued by a participating retailer and evidencing a winning game play shall mail the receipt and claim form to the Lottery Headquarters or a Lottery District Office. The Lottery will issue payment if:

(i) The game play is validated through the Smart Chip Play system;

(ii) A claim form is properly and fully completed and is accompanied by a valid claim ticket;

(iii) The identification of the claimant is confirmed; and

(iv) The winning game play has not expired, pursuant to this section or section 10 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning game play paid in error by a participating retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

(g) The Lottery reserves the right, in its sole discretion, to require a player to present any prize-winning Smart Chip Play card, redemption receipt or claim ticket for the purpose of inspection and validation.

9. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund to the extent necessary to fund the payment of Smart Chip Play prizes.

10. *Unclaimed prizes:* Unclaimed prize money on winning game plays will be retained by the Secretary for payment to the persons entitled thereto for 1 year from end of the Smart Chip Play program. If no claim is made within 1 year from the end of the Smart Chip Play program, the right of a Smart Chip Play card holder to claim the prize represented by that card, if any, shall expire.

11. *Retailer promotion programs:* Retailer incentive and marketing promotion programs, including the use of free Smart Chip Play cards, may be implemented at the discretion of the Secretary.

12. *Purchase and prize restrictions:* A Smart Chip Play card, play credits or game play may not be purchased by, and a prize may not be paid to, an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Smart Chip Play Games.

13. *Withholding:* Federal and state taxes will be withheld by the Lottery from certain prize payments in amounts required in accordance with applicable provisions of law.

14. *Lottery winnings intercept:* If the Department of Human Services, pursuant to 23 Pa.C.S.A. § 4308, the Department of Revenue or the Administrative Office of Pennsylvania Courts, pursuant to 72 P.S. § 215, determines that a winner of more than \$2,500 is a delinquent support obligor as provided in 23 Pa.C.S.A. § 4308 or has an outstanding state tax liability or owes court-ordered obligations as provided in 72 P.S. § 215 the amount of any arrearages shall be deducted from the prize. After the delinquent support obligation, state tax liability or court-ordered obligation is met, the prize-winner will receive the remaining portion of the prize, if any, which shall be fulfilled according to Lottery procedure.

15. *Governing law:*

(a) By purchasing a Smart Chip Play card or a game play for any Smart Chip Play game, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of Smart Chip Play Games.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice, as well as individual Smart Chip Play game descriptions, are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer bonus and incentive programs:*

(a) The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Smart Chip Play game plays.

(b) The Lottery may offer a retailer bonus in connection with the sale of Smart Chip Play game plays. 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 game play that entitles the game play 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 game play that entitles the game play 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 game play that entitles the game play 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 game play. A bonus will be initiated for payment after the winning game play is claimed and validated.

18. *Termination of the Smart Chip Play program:* The Smart Chip Play program will last for an initial period of six months, unless extended further by the Secretary through public notice or terminated earlier through the Lottery's standard communication methods. Unclaimed prizes may still be claimed for one year from the end of the Smart Chip Play program, as further detailed in section 10 (relating to unclaimed prizes).

19. *Applicability:* This notice applies only to the Smart Chip Play card and program provided for in this notice.

PATRICK BROWNE,
Secretary

[Pa.B. Doc. No. 24-280. Filed for public inspection March 1, 2024, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Highly Automated Vehicle Advisory Committee Meeting and Public Comment

The Highly Automated Vehicle Advisory Committee (Committee) will hold a meeting to review and consult with the Department of Transportation regarding proposed Committee guidelines and related projects by means of Microsoft Teams teleconference on Thursday, March 14, 2024, between 2:30 p.m. and 4:30 p.m. Public attendees should RSVP to the following e-mail address to receive call-in information. For more information or to RSVP, contact Kevin Tobias, Administrative Specialist, Transformational Technology, (717) 710-2086, kevtobias@pa.gov.

MICHAEL CARROLL,
Secretary

[Pa.B. Doc. No. 24-281. Filed for public inspection March 1, 2024, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Gary and Maryann Pruden v. Department of Environmental Protection, Dauphin County Conservation District and South Hanover Township Board of Supervisors and J.D. Eckman, Inc., Permittee; EHB Doc. No. 2024-023-BP

Gary and Maryann Pruden have appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PAC220415 authorizing discharge of stormwater in South Hanover Township, Dauphin County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested person through the Board's web site at <http://ehb.courtapps.com>. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available online and upon request from the Board.

STEVEN C. BECKMAN,
Chairperson

[Pa.B. Doc. No. 24-282. Filed for public inspection March 1, 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 regulations. 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>
16A-4955	State Board of Medicine Physician Assistants 53 Pa.B. 7896 (December 16, 2023)	01/16/24	02/15/24
16A-4518	State Board of Cosmetology Practice of Massage Therapy in Cosmetology or Esthetician Salons 53 Pa.B. 7894 (December 16, 2023)	01/16/24	02/15/24
16A-726	State Board of Massage Therapy Practice of Massage Therapy in Cosmetology or Esthetician Salons 53 Pa.B. 7908 (December 16, 2023)	01/16/24	02/15/24

**State Board of Medicine Regulation # 16A-4955
(IRRC # 3390)**

Physician Assistants

February 15, 2024

We submit for your consideration the following comments on the proposed rulemaking published in the December 16, 2023 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Medicine (Board) to respond to all comments received from us or any other source.

1. Section 18.142. Written agreements.—Implementation procedures; Reasonableness.

Subsection (b)

Section 18.142(b) proposes to delete the requirement that written agreements be approved by the Board. It is replaced with language that specifies that written agreements must be “filed” with the Board. Additional language is proposed to be added to clarify that the written agreements become effective upon submission to the Board. These amendments make the Board’s regulations consistent with the requirements of Act 79 of 2021 (Act 79).

Act 79 requires the Board to conduct a full review of 10% of all written agreements submitted. In addition to providing a framework for written agreements subject to review, the legislation required the Board to publish notice of the review process. This notice was published in the February 12, 2022, edition of the *Pennsylvania Bulletin*. Along with other administrative responsibilities and procedures related to Act 79, the notice details the review process for those written agreements, subject to the 10 percent review, and provides for discrepancy notices. It reads:

“The written agreement is prepared and submitted by the primary supervising physician, physician assistant or a delegate of the supervising physician and physician assistant. If the written agreement does not meet the requirements outlined in 4(a)—(d), Board staff sends a discrepancy notice to the supervising physician and physician assistant indicating that the written agreement application is subject to the 10% review. Within that discrepancy notice,

Board staff provides the list of items that need to be remedied within the written agreement and a notification that the parties have 2 weeks to respond to the discrepancy notice. *If the parties do not respond to the discrepancy notice within 2 weeks, the written agreement is void and the application status will be changed to expired. The physician assistant and supervising physician must submit an entirely new written agreement.* The new written agreement is effective upon submission and is subject to 10% review. *If a response to the discrepancy is received by the Board outside of the 2-week period, a second discrepancy notice will be sent to the parties indicating that the response is outside of the 2-week period and informing the parties that a new written agreement application must be submitted.*” (Emphasis added).

Since inaction or delayed response to a discrepancy notice can trigger a change of status and require the submittal of a new written agreement by the physician, physician assistant, or their designee, we ask the Board to consider including these key provisions in the final-form regulation or explain why it is unnecessary to do so.

2. Section 18.151. Role of physician assistant.—Clarity.

Subsection (c)

This subsection proposes to delete the prohibition that a physician assistant may not determine the cause of death. The Preamble to the proposed regulation explains that the amendment is intended to update the language to comply with the act of July 7, 2017 (P.L. 296, No. 17) (Act 17). Act 17 amended the Vital Statistics Law of 1953 to authorize physician assistants to medically certify a report of a death or fetal death to the Pennsylvania Department of Health’s Bureau of Health Statistics and Registry.

In 2012, similar legislation granting the same authority to certified registered nurse practitioners was implemented with the act of June 22, 2012 (P.L. 644, No. 68) (Act 68). In addition to updating Sections 502 (relating to Death and Fetal Death Registration: Information for Certificates) and 503 (relating to Death and Fetal Death Registration: Coroner Referrals) of the Vital Statistics Law, which identifies the list of medical professionals that can supply medical certification of death and make

referrals to a coroner, Act 68 also revised Section 507 (relating to Death and Fetal Death Registration: Pronouncement of Death by a Professional Nurse). Specifically, Subsection (d) of Section 507 reads:

“. . .(d) Except as provided for under sections 502 and 503, this section provides for the pronouncement of death by professional nurses in accordance with the “Uniform Determination of Death Act,” but in no way authorizes a nurse to determine the cause of death. *The responsibility for determining the cause of death remains with the physician, certified registered nurse practitioner or the coroner as provided under this act.*” (Emphasis added).

Based on this language in Section 507(d), we are unable to discern if “determine the cause of death” is the same as to medically certify a report of death. On one hand, this section seems to affirm that determining the cause of death is meant to be synonymous with certifying a death. While on the other hand, we cannot ignore whether there is any relevance in the exclusion of physician assistants from the list of medical professionals under Section 507(d). We do not question the statutory authority of physician assistants to medically certify death and sign death certificates, but we take caution not to assume that “determining the cause of death” is the same as certifying a report of death. We ask the Board to clarify whether “determine” and “certify” are the same or different under the Vital Statistics Law and to modify, if necessary, this section in the final-form regulation.

We also ask the Board to review this subsection to determine whether there is a role for the substitute supervising physician. Specifically, should the substitute supervising physician, if the attending physician or primary supervising physician is not available, be notified before contacting the coroner? Lastly, the Board should review and revise, if necessary, this section to ensure the consistent use of terms. Namely, we question whether “attending physician” and “not available” should be replaced by the proposed defined terms “primary supervising physician” and “unable to supervise,” respectively.

**State Board of Cosmetology Regulation # 16A-4518
(IRRC # 3391)**

**Practice of Massage Therapy in Cosmetology or
Esthetician Salons
February 15, 2024**

We submit for your consideration the following comments on the proposed rulemaking published in the December 16, 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 State Board of Cosmetology (Board) to respond to all comments received from us or any other source.

Section 7.150. Practice of massage therapy in cosmetology or esthetician salons.—Fiscal impacts; Clarity; Reasonableness of requirements, implementation procedures, and timetables for compliance.

Clarity.

Paragraph (a)(2) states that a massage therapist licensed under the act is permitted to practice massage therapy within the approved premises of a licensed cosmetology salon or a licensed esthetician salon if the massage therapist practices in accordance with “this section, Chapter 20 (relating to State Board of Massage Therapy), the act and the Massage Therapy Law.” Simi-

larly, Subsection (b) states that a massage therapist providing massage therapy services within the approved premises of a salon shall practice in accordance with “the act, this chapter and the Massage Therapy Law.” Since these provisions are nearly duplicative, we ask the Board to combine and clarify the requirements for the regulated community.

Fiscal impacts: Reasonableness of requirements, implementation procedures, and timetables for compliance.

Clause (a)(3)(ii)(A) states that the size of the separate massage therapy room must be a minimum of 120 square feet. A commenter asserts that this requirement is onerous and not a true requirement for the safe and effective application of massage therapy. The commenter also raises concerns related to salons who have already incorporated massage therapy using rooms that are less than 120 square feet in size. We agree that salons needing to expand rooms to meet this requirement would likely face significant fiscal impacts. We also recognize the potentially negative impact on massage therapists currently employed by salons that choose not to expand to meet the requirement.

In the Regulatory Analysis Form provided with the regulatory package, the Board notes that the minimum requirement of 120 square feet was a concern raised by commenters as the Board was drafting the proposed regulation. The Board acknowledges that some salons may incur costs if renovations are necessary to meet the square foot requirements for massage therapy rooms, but asserts that most, if not all, massage therapy rooms currently in use should already be a minimum of 120 square feet in size because that is a generally accepted industry standard. Did the Board consider providing salons with an opportunity to obtain an exemption on a case-by-case basis?

We note that the Board intends for the proposed regulation to be effective upon publication in the *Pennsylvania Bulletin*. Has the Board considered including a delayed implementation in order to provide a timeframe for salons that require renovations to comply?

Finally, we note that this proposed regulation is being promulgated in conjunction with the State Board of Massage Therapy proposed regulation # 16A-726 (IRRC # 3392, “Practice of Massage Therapy in Cosmetology or Esthetician Salons”) to ensure consistency between the standards of both boards. Therefore, we ask the Board to reevaluate with the Massage Therapy Board the reasonableness of the appropriate minimum square-footage requirement in the final regulation, as well as ways to minimize fiscal impacts from implementation of the final regulation.

**State Board of Massage Therapy Regulation
16A-726 (IRRC # 3392)**

**Practice of Massage Therapy in Cosmetology or
Esthetician Salons
February 15, 2024**

We submit for your consideration the following comments on the proposed rulemaking published in the December 16, 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 State Board of Massage Therapy (Board) to respond to all comments received from us or any other source.

Section 20.62. Practice of massage therapy in cosmetology or esthetician salons.—Fiscal impacts; Reasonableness of requirements.

Act 136 authorizes massage therapists to practice massage therapy within the approved premises of licensed cosmetology and esthetician salons under specified conditions. One condition is provided for in clause (a)(2)(ii)(A), which requires that massage therapy rooms be a minimum of 120 square feet in size. The Board states in the preamble that this is a generally accepted industry standard based on the size of a standard massage table and allowing room for a massage therapist to safely maneuver around it. However, a commenter is concerned that the requirement is overly restrictive without providing an opportunity for salons to request an exemption on a case-by-case basis. We agree that massage therapists currently employed by salons with rooms that do not

meet the standard and that choose not to expand to meet the requirement may be negatively impacted.

We note that this proposed regulation is being promulgated in conjunction with the State Board of Cosmetology (Cosmetology Board) proposed regulation # 16A-4518 (IRRC # 3391, “Practice of Massage Therapy in Cosmetology or Esthetician Salons”) to ensure consistency between the standards of both boards. Therefore, we ask the Board to reevaluate with the Cosmetology Board the reasonableness of the appropriate minimum square-footage requirement in the final regulation, as well as ways to minimize fiscal impacts from implementation of the final regulation.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 24-283. Filed for public inspection March 1, 2024, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be reviewed on the Commission’s web site at www.irrc.state.pa.us.

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
125-246	Gaming Control Board Table Games Side Wager and Variations—Final Regulations	02/15/24	03/21/24

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-66	Bureau of Professional and Occupational Affairs Consideration of Criminal Convictions	02/14/24	03/21/24
106-14	Environmental Hearing Board Environmental Hearing Board Rules of Practice and Procedure	2/15/24	03/21/24

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 24-284. Filed for public inspection March 1, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Daniella Daugherty; Doc. No. SC24-02-006

Notice is hereby given of the Order to Show Cause issued on February 14, 2024, by the Deputy Insurance Commissioner of the Commonwealth in the previously referenced matter. Violations of the following are alleged: section 611-A(7), (17), (19) and (20) of The Insurance Department Act of 1921 (40 P.S. § 310.11(7), (17), (19) and (20)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—

56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, Agency ADA Coordinator, jkorman@pa.gov, (717) 787-4429.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-285. Filed for public inspection March 1, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Brittany Gayle Morris; Doc. No. SC24-02-005

Notice is hereby given of the Order to Show Cause issued on February 14, 2024, by the Deputy Insurance Commissioner of the Commonwealth in the previously referenced matter. Violations of the following are alleged: sections 611-A(1), (4), (7), (17) and (20) and 678A(a) and (b) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1), (4), (7), (17) and (20) and 310.78(a) and (b)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, Agency ADA Coordinator, jkorman@pa.gov, (717) 787-4429.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-286. Filed for public inspection March 1, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cancellation of Certificates of Public Convenience for Motor Carriers; Failure to Pay Assessment for Fiscal Year 2022-2023

Public Meeting held
December 21, 2023

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

Cancellation of Certificates of Public Convenience for Motor Carriers; Failure to Pay Assessment for Fiscal Year 2022-2023; M-2023-3041465

Tentative Order

By the Commission:

For each fiscal year, the Pennsylvania Public Utility Commission (Commission) determines the total assessment for regulatory expenses, which is allocated to,¹ and paid by, public utilities pursuant to the methodology set

¹ To properly allocate an assessment, the Code requires that every public utility file a report by March 31 of each year detailing the utility's gross intrastate operating revenue for the preceding calendar year. 66 Pa.C.S. § 510(b).

forth in the Public Utility Code (Code).² The Commission provides notice of the amount lawfully assessed against a utility and requires the utility to pay that amount within thirty (30) days of receipt of the notice.³ If a carrier fails to pay the assessment within the prescribed 30-day time period, the Code authorizes the Commission to revoke a utility's Certificate of Public Convenience (CPC).⁴

The Commission undertook a review of its records to determine whether various motor carriers complied with the assessment payment requirement set forth in the Code. This review revealed that several carriers failed to pay assessments for fiscal year 2022-2023. Specifically, each carrier listed in Appendix A, attached hereto, has an outstanding assessment balance.

The Fiscal Office of the Commission's Bureau of Administration sent a letter to each motor carrier listed in Appendix A, notifying them of their outstanding assessment balance and requesting that past-due balances be paid within twenty (20) days of receipt of the letter. The letter warned that failure to comply would result in the Commission taking appropriate action to cancel the carrier's CPC. None of the carriers listed in Appendix A submitted payment in response to the Bureau of Administration's letter.

Additionally, Commission staff made two attempts to contact each carrier listed in Appendix A at the telephone number the carrier provided to the Commission. Staff was unable to make contact with the carriers listed in Appendix A.

Under the circumstances, the Commission tentatively concludes that the motor carriers listed in Appendix A are not in compliance with the assessment payment requirements outlined in 66 Pa.C.S. § 510(c) and thus may no longer continue to operate in Pennsylvania as a motor carrier utility. As a result, it is appropriate and in the public interest to initiate the process to cancel the CPC of each carrier listed in Appendix A; *Therefore,*

It Is Ordered That:

1. The cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A is tentatively approved as being in the public interest.
2. The Secretary shall serve a copy of this Tentative Order upon all motor carriers listed in Appendix A.
3. The Secretary shall file this Tentative Order at each motor carrier's assigned docket number.
4. The Secretary's Bureau shall publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.
5. To the extent that any of the motor carriers listed in Appendix A challenge cancellation of their Certificate of Public Convenience, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Comments shall be sent to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.
6. Alternatively to avoid cancellation, carriers listed in Appendix A may pay their outstanding assessment balance within thirty (30) days after publication in the

² 66 Pa.C.S. §§ 510(a) and (b).

³ 66 Pa.C.S. § 510(c)

⁴ *Id.*

Pennsylvania Bulletin. Payment shall be sent to the Pennsylvania Public Utility Commission, Attn: Fiscal Office, P.O. Box 3265, Harrisburg, PA 17105. Checks shall be made payable to “Commonwealth of Pennsylvania.”

7. Absent the timely filing of comments challenging the cancellation of the Certificate of Public Convenience or the timely payment of a carrier’s outstanding assessment balance, the Law Bureau shall prepare a Secretarial Letter, for issuance by the Secretary’s Bureau, canceling the Certificate of Public Convenience of each motor carrier that fails to respond. The Secretarial Letter shall direct the Department of Transportation to suspend the carrier’s vehicle registration(s) consistent with 75 Pa.C.S. § 1375.

8. Upon the Secretary’s issuance of the Secretarial Letter per Ordering Paragraph No. 7, the Certificate of Public Convenience of each non-compliant carrier shall be cancelled.

9. The Secretary shall serve a copy of the Secretarial Letter upon the Commission’s Bureau of Investigation and Enforcement, Bureau of Technical Utility Services, Bureau of Administration, the Pennsylvania Department of Revenue—Bureau of Corporation Taxes and the Pennsylvania Department of Transportation.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: December 21, 2023

ORDER ENTERED: December 21, 2023

Appendix A

<i>Utility Code</i>	<i>Carrier Name</i>	<i>Docket Number</i>
632827	KENNETH SCOTT COBB	A-2018-3000422
636827	RAINBOW CAB, INC.	A-00107211
6411081	MAPEMAWA, INC.	A-2009-2106848 A-2011-2226137
6411251	CUOZZO, LLC	A-2009-2120621 A-2009-2124034
6413974	VISIT VANS, LLC	A-2011-2268700 A-2014-2434592
6415036	E&M TRANS, INC.	A-2012-2317384
641519	KABATA TRANSPORTATION, INC.	A-00121937
6416166	FIRST CHOICE LIMOUSINE, INC.	A-2013-2397068
6419076	VASQUEZ TRANSPORTATION, LLC	A-2016-2561641
6419156	GLOBAL RIDES TRANSPORTATION, LLC	A-2016-2564565
6419613	PARATRANSIT CAR'S SERVICE, LLC	A-2017-2589969
6420268	EXECUTIVE TRANS, INC.	A-2018-3002171
702745	ENVIRONMENTAL COORDINATION SERVICES	A-00114353
703212	FIRST CLASS EXPRESS, INC.	A-00115041
708213	DONALD L. GILPATRICK	A-00123139
708269	JOHN D. RISSER	A-00123233
708438	EAST COAST PAVING & SEAL COATING, INC.	A-00123470
766270	HEAVEN SENT, LTD	A-00102694
8910386	RANDY STERLING TRUCKING, INC.	A-2009-2090913
8914604	C & C BACKHOE SERVICE, LLC	A-2012-2301689
8915331	BRIAN P. PERRY	A-2012-2337355
8918935	MODESTO SERVICES, LLC	A-2016-2553329
8920498	LAPP TRANSPORT, LLC	A-2017-2637624
8920787	ROSABAL TRANSPORT, LLC	A-2018-3000584
8922355	JOHN G. AUKER	A-2019-3011271
8922479	PRECISION LOGISTICS OF PA, INC.	A-2019-3012072

[Pa.B. Doc. No. 24-287. Filed for public inspection March 1, 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 18, 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 18, 2024. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the docket number as follows or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2024-3045693. Angell, LLC (1808 Danforth Street, Philadelphia, PA 19152) in paratransit service, from points in Montgomery County, and the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2024-3046227. HomeAides, Inc., t/a HomeAides (4934 Peach Street, Suite B1, Erie, Erie County, PA 16509) for the right to begin to transport, as a common carrier, by motor vehicle, Community HealthChoices Managed Care Organization participants in paratransit service, between points in the Counties of Crawford, Erie, Mercer, Venango and Warren.

A-2024-3046336. Bav Service Gruppe, LLC, t/a Klasse Shuttle Service (1127 Wyndham Drive, York, York County, PA 17403) to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Cumberland, Dauphin, Lancaster and York, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

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-2024-3046224. New World Van Lines, Inc. (5875 North Rogers Avenue, Chicago, IL 60646) household goods in use, between points in Pennsylvania.

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-2024-3046364. Ida E. Hurst (1707 Bowmansville Road, Mohnton, Berks County, PA 19540) discontinuance

of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-2008-2037385, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Berks and Lancaster, to points in Pennsylvania, and return.

A-2024-3046371. Network Connect Tours, LLC (336 Jackson Street, Olyphant, Lackawanna County, PA 18447) for the discontinuance and cancellation of its right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Lackawanna, Lehigh, Luzerne, Monroe and Northampton, and the City and County of Philadelphia, to points in Pennsylvania, and return, as originally Docketed at A-2021-3026668.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-288. Filed for public inspection March 1, 2024, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have 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 claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101.

April 23, 2024	Account of Eric A. Furst (Multiple Service Membership)	10 a.m.
July 24, 2024	Account of J. Elizabeth Trice (Effective Date of Retirement)	10 a.m.

Persons with a disability who wish to attend a 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 hearings 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. 24-289. Filed for public inspection March 1, 2024, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Commonwealth of Pennsylvania Bureau of Professional and Occupational Affairs v. Gary A. Deem, Respondent; Case No. 19-60-016767

Notice to Gary A. Deem:

On September 22, 2020, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Vehicle Manufacturers, Dealers and Salespersons, alleging that you have violated certain provisions of the Pennsylvania Board of Vehicles Act, act of December 22, 1983, P.L. 306, No. 84 (“Act”), as amended, 63 P.S. §§ 818.101—818.704; 63 Pa.C.S. Chapter 31 (“Chapter 31”); and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing for service of process upon you by publication.

Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause

from the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. **IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING.** To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

KIRK A. DAVIS,
Chairperson

[Pa.B. Doc. No. 24-290. Filed for public inspection March 1, 2024, 9:00 a.m.]

