

# PENNSYLVANIA BULLETIN

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The Governor  
The General Assembly  
Board of Coal Mine Safety  
Department of Banking and Securities  
Department of Environmental Protection  
Department of Health  
Department of Revenue  
Environmental Hearing Board  
Fish and Boat Commission  
Game Commission  
Independent Regulatory Review Commission  
Insurance Department  
Patient Safety Authority  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
Public School Employees' Retirement Board  
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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 595, June 2024**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

## *Citation to the Pennsylvania Bulletin*

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

## *Pennsylvania Code*

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

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

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

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

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

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

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

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

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

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*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**.

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

### Fiscal Notes

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

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

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

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# List of Pa. Code Chapters Affected

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

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# THE GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[ 4 PA. CODE CH. 7 ]

[ EXECUTIVE ORDER NO. 1980-18 AMENDED ]

#### Executive Order 1980-18 Amended—Code of Conduct; Revision No. 5

May 6, 2024

*Whereas*, public trust and confidence in the integrity of those individuals appointed and employed to serve the Commonwealth is of paramount importance; and

*Whereas*, the Governor is responsible for establishing standards for the integrity of employees, appointees, and officials of the Executive Branch of the Commonwealth; and

*Whereas*, there are existing Executive Orders, policies, directives, and rules related to the conduct of employees, appointees, and officials of the Executive Branch of the Commonwealth that are in place to assure the effective functioning of government, to prevent the erosion of the public's confidence in the government of the Commonwealth, and to prevent conduct that creates a hostile environment; and

*Whereas*, the conduct of employees, appointees, and officials of the Executive Branch of the Commonwealth, both on and off duty, may impact the public's trust and confidence in the government, as well as the work environment within the Commonwealth; and

*Whereas*, this Administration supports free speech, and consistent with the First Amendment, such speech may never incite violence, encourage people to violate the law or harass others; and

*Whereas*, no employee, appointee, or official of the Executive Branch of the Commonwealth should engage in conduct that could cause interference with or the disruption of the functioning of an agency, board, commission, or council of the government; and

*Whereas*, the Governor seeks to reaffirm existing laws and policies that ensure that public confidence is maintained in the mission of the government of this Commonwealth.

*Now, Therefore*, I, Josh Shapiro, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby reaffirm the Code of Conduct for Commonwealth Employees, *Executive Order 1980-18 Amended*, and promulgate the following amendment to such Code of Conduct:



Governor

**Fiscal Note:** GOV-1980-18 (Amended). No fiscal impact; recommends adoption.



## Annex A

## TITLE 4. ADMINISTRATION

## PART I. GOVERNOR'S OFFICE

## CHAPTER 7. MISCELLANEOUS PROVISIONS

**Subchapter K. CODE OF CONDUCT FOR APPOINTED OFFICIALS  
AND STATE EMPLOYEES**

*(Editor's Note: Executive Order GOV-1980-18 (Amended) is effective immediately. Chapter 7, Subchapter K of 4 Pa. Code is amended by adding §§ 7.158.1 and 7.159.1 and amending § 7.159.)*

**RESTRICTED ACTIVITIES: CONFLICTS OF INTEREST****§ 7.158.1. Personal conduct.**

No employee, appointee or official of the Executive Branch of the Commonwealth may engage in scandalous or disgraceful conduct, or any other behavior, on or off duty, which may bring the service of the Commonwealth into disrepute.

**§ 7.159. Enforcement.**

Employees, appointees or officials who refuse or fail to comply with the standards and regulations set forth in this subchapter shall be subjected to disciplinary action, including, but not limited to, reprimands, suspensions and termination.

**§ 7.159.1. Implementation.**

Sections 7.158.1 and 7.159 shall be implemented consistent with applicable law and applied in conjunction with existing agency policy.

[Pa.B. Doc. No. 24-755. Filed for public inspection May 31, 2024, 9:00 a.m.]

# 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, June 5, 2024	6 p.m.	Dinner Meeting	Harrisburg Hilton and Towers Hotel One North Second Street Harrisburg, PA
Thursday, June 6, 2024	9 a.m.	Policy Meeting	523 Irvis Building Capital Complex Harrisburg, PA Zoom Webinar: <a href="https://bit.ly/PCS-June6-2024">https://bit.ly/PCS-June6-2024</a>
	11 a.m.	Quarterly Business Meeting	523 Irvis Building Capital Complex Harrisburg, PA Zoom Webinar: <a href="https://bit.ly/PCS-June6-2024">https://bit.ly/PCS-June6-2024</a>

MATTHEW KLEIMAN, PhD,  
*Executive Director*

[Pa.B. Doc. No. 24-756. Filed for public inspection May 31, 2024, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

[ 58 PA. CODE CH. 139 ]

#### Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 13, 2024, meeting amends § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2024-2025 license year.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 54 Pa.B. 1321 (March 16, 2024) and 54 Pa.B. 1668 (March 30, 2024).

#### 1. Purpose and Authority

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission amends § 139.4 to provide updated seasons and bag limits for the 2024-2025 license year. The 2024-2025 seasons and bag limits are amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

For small game, eligibility to participate in the early October pheasant season segment is expanded to include mentored hunters of all ages, and the Executive Director would be provided with increased flexibility to authorize pheasant hunting within Wild Pheasant Recovery Areas.

For wild turkey, fall season length changes are made for numerous Wildlife Management Units (WMU) based on analysis of long-term turkey population trends and results of turkey hunter surveys. Season length are increased in 11 WMUs and WMU 5A (previously closed to fall hunting) are opened for a 3-day season. Season length would be reduced in 2 WMUs (3D and 4C).

For black bear, the October muzzleloader season is shortened to 3 days to reduce harvest rates on female bears and thereby promote stabilization of the bear population.

For furbearers, WMU 2D is opened to bobcat hunting and trapping because habitat and population data indicate that this unit can support sustainable bobcat harvest. Also, the fisher trapping season is adopted to be increased by 1 week in all WMUs open to fisher harvest to provide additional opportunity and to make fisher and bobcat trapping seasons concurrent.

No changes are adopted for elk seasons. However, the Commission makes one change for deer seasons by creating new extended regular firearms deer season in WMUs 4A, 4D and 5A to increase deer harvest in the core of Chronic Wasting Disease Management Area 2 where

antlerless license allocations did not sell out or antlerless harvest goals were not met, or both, during the 2023-2024 hunting seasons.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to “fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife.” Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to “promulgate regulations relating to seasons and bag limits for hunting or furtaking . . .” The amendments to § 139.4 are adopted under this authority.

#### 2. Regulatory Requirements

This final-form rulemaking amends § 139.4 to provide updated seasons and bag limits for the 2024-2025 hunting/furtaking license year.

#### 3. Persons Affected

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2024-2025 hunting/furtaking license year will be affected by this final-form rulemaking.

#### 4. Comment and Response Summary

The Commission received a total of 87 official comments concerning this final-form rulemaking. The comments received concerned the following subtopics:

*Deer seasons:* Out of a total of 52 comments received concerning this subtopic, 7 supported and 21 opposed a Saturday opener for regular firearms deer season, 1 opposed opening any big game seasons the week prior to the regular firearms deer season, 1 supported and 3 opposed concurrent antlered/antlerless firearms deer season, 1 supported opening regular firearms deer season on the first Saturday in December, 5 supported a 3-day archery deer season in August, 1 supported adding extended antlerless deer seasons after the regular firearms deer season, 2 opposed the extended antlerless deer seasons, 1 opposed the length of antlerless deer seasons, 3 opposed the length of archery deer season, 1 supported starting archery deer season later in October, 1 supported muzzleloader deer season occurring after Christmas, 1 supported flintlock muzzleloader deer season occurring in October, 1 supported flintlock muzzleloader deer season extending through mid-February, 1 supported opening special firearms deer season to all hunters and 1 supported moving the special firearm deer season to weekdays between the Christmas and New Year’s holidays.

*Turkey seasons:* Out of a total of five comments received concerning this subtopic, one opposed allowing hens to be harvested during the fall turkey season, two opposed the length of the fall turkey season, one supported spring turkey season including five Saturdays and one supported a one-bird season limit for turkey.

*Bear seasons:* Out of a total of four comments received concerning this subtopic, one supported opening muzzleloader bear season on the first Saturday, one opposed early muzzleloader bear season and two opposed the length of archery bear season.

*Elk seasons:* One comment was received concerning this subtopic, in support of moving the start of the conservation elk season to after Labor Day.

*Small game seasons:* Out of a total of two comments received concerning this subtopic, one supported opening

pheasant season on the last Saturday of the junior pheasant season and one opposed allowing mentored youth to participate in the junior pheasant season.

*Migratory bird seasons:* One comment was received concerning this subtopic in support of a December through February tundra swan season.

*Furbearer seasons:* Out of a total of 22 comments received concerning this subtopic, 1 supported moving bobcat hunting season to December, 1 supported a longer bobcat hunting season, 1 supported running bobcat hunting season concurrent with bobcat trapping season, 1 supported bobcat trapping on Sundays, 3 supported opening bobcat trapping season in WMU 4D, 2 supported opening bobcat hunting and trapping seasons in WMU 2D, 1 supported an increase in the bobcat season limit, 1 supported opening fisher and bobcat trapping seasons in WMU 1A, 1 supported a fisher hunting season, 1 supported increasing fisher trapping seasons in WMU 1A, 1 supported extending mink trapping season until the end of February, 2 supported otter season in WMU 4D, 1 supported otter season in WMUs 4A, 4B and 4D, 1 supported otter season in WMU 2D, 3 supported increased raccoon trapping seasons and 1 opposed the length of furbearer seasons.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

6. *Effective Date*

The effective dates of this final-form rulemaking are July 1, 2024, to June 30, 2025.

7. *Contact Person*

For further information about this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of

Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 139, are amended by amending § 139.4 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order is effective July 1, 2024, to June 30, 2025.

STEPHEN SMITH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-506 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 139. SEASONS AND BAG LIMITS

§ 139.4. Seasons and bag limits for the license year.

2024-2025 OPEN HUNTING AND FUR TAKING SEASONS, DAILY LIMIT, FIELD POSSESSION LIMIT AND SEASON LIMIT OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Squirrel</i> —(Combined species) <sup>1</sup> Eligible Junior Hunters only, with or without the required junior license	Sept. 14		Sept. 28	6	18
<i>Squirrel</i> —(Combined species) <sup>2</sup>	Sept. 14		Nov. 16	6	18
	Sun. <sup>3</sup> , Nov. 17	and	Sun. <sup>3</sup> , Nov. 17		
	Nov. 18	and	Nov. 23		
	Sun. <sup>3</sup> , Nov. 24	and	Sun. <sup>3</sup> , Nov. 24		
	Nov. 25	and	Nov. 29		
	Dec. 16	and	Dec. 24		
	Dec. 26	and	Feb. 28, 2025		

RULES AND REGULATIONS

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<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Ruffed Grouse</i> <sup>2</sup>	Oct. 19 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16	and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24	2	6
<i>Rabbit, Cottontail</i> <sup>1</sup> Eligible Junior Hunters only, with or without the required junior license	Oct. 5		Oct. 19	4	12
<i>Rabbit, Cottontail</i> <sup>2</sup>	Oct. 19 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16 Dec. 26	and and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24 Feb. 28, 2025	4	12
<i>Ring-necked Pheasant</i> Central Susquehanna and Franklin County Wild Pheasant Recovery Areas <i>Male only</i> <sup>1</sup>	As authorized by the Executive Order				
<i>Ring-necked Pheasant—Male or Female</i> <sup>1</sup> Junior License Holders and Mentored Permit Holders <sup>9</sup>	Oct. 12		Oct. 19	2	6
<i>Ring-necked Pheasant—Male or Female</i> <sup>2</sup>	Oct. 26 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16 Dec. 26	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24 Feb. 28, 2025	2	6
<i>Bobwhite Quail</i> —There is no open season for the taking of bobwhite quail in the area surrounding the Letterkenny Bobwhite Quail Focus Area, as designated in § 141.30 (relating to bobwhite quail recovery area).					
<i>Bobwhite Quail</i> <sup>2</sup>	Sept. 2 Sun. <sup>3</sup> , Nov. 17	and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17	Unlimited	

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
	Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16 Dec. 26	and and and and	Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24 Mar. 31, 2025		
<i>Snowshoe or Varying Hare</i> <sup>1</sup>	Dec. 26		Jan. 1, 2025	1	3
<i>Woodchuck (Groundhog)</i> <sup>2</sup>	July 1 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16	and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 June 30, 2025	Unlimited	
<i>Crow</i> <sup>3</sup> (Hunting permitted on Thursday, Friday, Saturday and Sunday only)	Aug. 22		Mar. 23, 2025	Unlimited	
<i>Starling and English Sparrow</i> <sup>3</sup>	No closed season, except season closed during the regular firearms deer seasons.			Unlimited	

**MIGRATORY GAME BIRDS**

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C. §§ 703—712) as published in the *Federal Register* on or about February 28 of each year.

Exceptions:

- (a) Hunting hours in § 141.4 (relating to hunting hours).
- (b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.
- (c) Hunting on Sunday not authorized.<sup>1</sup>

**WILD TURKEY**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Turkey, Fall—Male or Female</i> <sup>1</sup> WMUs 1A, 2G, 3A, 4A, 4B and 4D WMUs 1B, 3D, 4C and 4E WMUs 2A, 2F, 3B and 3C  WMUs 2B, 2C, 2D and 2E  WMUs 5A and 5B WMUs 5C and 5D	Nov. 2 Nov. 2 Nov. 2  Nov. 27 Nov. 2  Nov. 27 Nov. 2	and  and	Nov. 16 Nov. 9 Nov. 16  Nov. 29 Nov. 22  Nov. 29 Nov. 5	1	1
<i>Turkey, Spring</i> <sup>1</sup> Bearded Bird only, Eligible Junior Hunters only, with the required junior license	Apr. 26, 2025		Apr. 26, 2025	1	1
<i>Turkey, Spring</i> <sup>1,4</sup> Bearded Bird only				1	2



<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
	May 3, 2025		May 17, 2025	May be hunted 1/2 hour before sunrise to 12 noon	
	May 19, 2025	and	May 31, 2025	May be hunted 1/2 hour before sunrise to 1/2 hour after sunset	

**FALCONRY**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Squirrel—(Combined species)<sup>2</sup></i>	Sept. 2		Nov. 16	6	18
	Sun. <sup>3</sup> , Nov. 17	and	Sun. <sup>3</sup> , Nov. 17		
	Nov. 18	and	Nov. 23		
	Sun. <sup>3</sup> , Nov. 24	and	Sun. <sup>3</sup> , Nov. 24		
	Nov. 25	and	Nov. 30		
	Sun. <sup>3</sup> , Dec. 1	and	Sun. <sup>3</sup> , Dec. 1		
	Dec. 2	and	Mar. 31, 2025		
<i>Quail<sup>2</sup></i>	Sept. 2		Nov. 16	Unlimited	
	Sun. <sup>3</sup> , Nov. 17	and	Sun. <sup>3</sup> , Nov. 17		
	Nov. 18	and	Nov. 23		
	Sun. <sup>3</sup> , Nov. 24	and	Sun. <sup>3</sup> , Nov. 24		
	Nov. 25	and	Nov. 30		
	Sun. <sup>3</sup> , Dec. 1	and	Sun. <sup>3</sup> , Dec. 1		
	Dec. 2	and	Mar. 31, 2025		
<i>Ruffed Grouse<sup>2</sup></i>	Sept. 2		Nov. 16	2	6
	Sun. <sup>3</sup> , Nov. 17	and	Sun. <sup>3</sup> , Nov. 17		
	Nov. 18	and	Nov. 23		
	Sun. <sup>3</sup> , Nov. 24	and	Sun. <sup>3</sup> , Nov. 24		
	Nov. 25	and	Nov. 30		
	Sun. <sup>3</sup> , Dec. 1	and	Sun. <sup>3</sup> , Dec. 1		
	Dec. 2	and	Mar. 31, 2025		
<i>Cottontail Rabbits<sup>2</sup></i>	Sept. 2		Nov. 16	4	12
	Sun. <sup>3</sup> , Nov. 17	and	Sun. <sup>3</sup> , Nov. 17		
	Nov. 18	and	Nov. 23		
	Sun. <sup>3</sup> , Nov. 24	and	Sun. <sup>3</sup> , Nov. 24		
	Nov. 25	and	Nov. 30		
	Sun. <sup>3</sup> , Dec. 1	and	Sun. <sup>3</sup> , Dec. 1		
	Dec. 2	and	Mar. 31, 2025		

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Snowshoe or Varying Hare</i> <sup>2</sup>	Sept. 2 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Mar. 31, 2025	1	3
<i>Ring-necked Pheasant—Male<sup>2</sup> and Female (Combined)</i>	Sept. 2 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Mar. 31, 2025	2	6
<i>Mink, Muskrat, Fox, Opossum, Raccoon, Striped Skunk and Weasel</i> <sup>2</sup>	Sept. 2 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Mar. 31, 2025	Unlimited	
<i>Migratory Game Bird</i> <sup>1</sup> —Seasons and bag limits shall be in accordance with Federal regulations.					

**WHITE-TAILED DEER**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Deer, Archery (Antlered and Antlerless)</i> <sup>2,5</sup> With the required archery license WMUs 2B, 5C and 5D	Sept. 21 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 26	and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Jan. 25, 2025	One antlered deer, and an antlerless deer with each required antlerless license.

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Deer, Archery (Antlered and Antlerless)</i> <sup>2,5</sup> With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Oct. 5  Sun. <sup>3</sup> , Nov. 17  Nov. 18  Dec. 26	and  and  and	Nov. 16  Sun. <sup>3</sup> , Nov. 17  Nov. 22  Jan. 20, 2025	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Muzzleloading (Antlerless only)</i> <sup>1</sup> With the required muzzleloading license	Oct. 19		Oct. 26	An antlerless deer with each required antlerless license.
<i>Deer, Special firearms (Antlerless only)</i> Only Junior and Senior License Holders <sup>6</sup> Mentored Permit Holders <sup>9</sup> , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or United States Coast Guard	Oct. 24		Oct. 26	An antlerless deer with each required antlerless license.
<i>Deer, Regular Firearms (Antlered and Antlerless)</i> <sup>2,5</sup> Statewide	Nov. 30  Sun. <sup>3</sup> , Dec. 1  Dec. 2	and  and	Nov. 30  Sun. <sup>3</sup> , Dec. 1  Dec. 14	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Flintlock (Antlered or Antlerless)</i> <sup>1,5</sup> With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26		Jan. 20, 2025	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
<i>Deer, Flintlock (Antlered or Antlerless)</i> <sup>1,5</sup> With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26		Jan. 25, 2025	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
<i>Deer, Extended Regular firearms (Antlerless)</i> <sup>1</sup> WMUs 2B, 5C and 5D	Dec. 26		Jan. 25, 2025	An antlerless deer with each required antlerless license.
<i>Deer, Extended Regular firearms (Antlerless)</i> <sup>1</sup> WMUs 4A, 4D and 5A	Jan. 2, 2025		Jan. 20, 2025	An antlerless deer with each required antlerless license.
<i>Deer, Antlerless</i> <sup>1</sup> (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.			An antlerless deer with each required antlerless license.

**BLACK BEAR**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Bear, Archery</i> <sup>2,7</sup> WMUs 2B, 5C and 5D	Sept. 21  Sun. <sup>3</sup> , Nov. 17  Nov. 18  Sun. <sup>3</sup> , Nov. 24	and  and  and  and	Nov. 16  Sun. <sup>3</sup> , Nov. 17  Nov. 23  Sun. <sup>3</sup> , Nov. 24	1

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
	Nov. 25		Nov. 29	
<i>Bear, Archery</i> <sup>2,7</sup> WMU 5B	Oct. 5  Sun. <sup>3</sup> , Nov. 17  Nov. 18	and  and	Nov. 16  Sun. <sup>3</sup> , Nov. 17  Nov. 22	1
<i>Bear, Archery</i> <sup>1,7</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Oct. 19		Nov. 9	1
<i>Bear, Muzzleloader</i> <sup>1,7</sup> (Statewide)	Oct. 24		Oct. 26	1
<i>Bear, Special firearms</i> <sup>7</sup> Only Junior and Senior License Holders <sup>6</sup> , Mentored Permit Holders <sup>9</sup> , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or in the United States Coast Guard (Statewide)	Oct. 24		Oct. 26	1
<i>Bear, Regular Firearms</i> <sup>2,7</sup> (Statewide)	Nov. 23  Sun. <sup>3</sup> , Nov. 24  Nov. 25	and  and	Nov. 23  Sun. <sup>3</sup> , Nov. 24  Nov. 26	1
<i>Bear, Extended firearms</i> <sup>2,7</sup> WMUs 2B, 5B, 5C and 5D	Nov. 30  Sun. <sup>3</sup> , Dec. 1  Dec. 2	and  and	Nov. 30  Sun. <sup>3</sup> , Dec. 1  Dec. 14	1
<i>Bear, Extended firearms</i> <sup>2,7</sup> WMUs 3A, 3B, 3C, 3D, 4C, 4E and 5A	Nov. 30  Sun. <sup>3</sup> , Dec. 1  Dec. 2	and  and	Nov. 30  Sun. <sup>3</sup> , Dec. 1  Dec. 7	1

**ELK**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Elk, Special Conservation Tag</i> <sup>1,8</sup> and <i>Special-License Tag</i> <sup>1,8</sup> (Antlered and Antlerless)	Sept. 2		Nov. 9	1
<i>Elk, Archery</i> <sup>1,8</sup> (Antlered and Antlerless)	Sept. 14		Sept. 28	1
<i>Elk, Regular</i> <sup>1,8</sup> (Antlered and Antlerless)	Nov. 4		Nov. 9	1
<i>Elk, Late</i> <sup>1,8</sup> (Antlered and Antlerless)	Dec. 28		Jan. 4, 2025	1

FURTAKING—TRAPPING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Mink and Muskrat</i>	Nov. 23		Jan. 12, 2025	Unlimited	
<i>Beaver</i>	Dec. 21		Mar. 31, 2025		
WMUs 1A and 1B (Combined)				20	60
WMUs 2A, 2B and 3C (Combined)				20	40
WMUs 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)				20	20
WMUs 2G, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)				5	5

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Coyote, Fox, Opossum, Raccoon, Striped Skunk and Weasel</i>	Oct. 26		Feb. 23, 2025	Unlimited
<i>Coyote and Fox</i> Use of cable restraint devices authorized with required certification	Dec. 26		Feb. 23, 2025	Unlimited
<i>Bobcat, with required bobcat permit</i> WMUs 2A, 2B, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 21		Jan. 12, 2025	1
<i>Fisher, with required fisher permit</i> WMUs 1B, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 21		Jan. 12, 2025	1
<i>River Otter, with required otter permit</i> WMUs 1A, 1B, 2F, 3B, 3C, 3D and 4E	Feb. 15, 2025		Feb. 22, 2025	1

FURTAKING—HUNTING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Coyote—(Outside of any big game season)<sup>3</sup></i>	May be taken with a hunting license or a furtaker's license.			Unlimited	
<i>Coyote—(During any big game season)</i>	May be taken while lawfully hunting big game or with a furtaker's license.			Unlimited	
<i>Opossum, Striped Skunk, Weasel<sup>2</sup></i>	July 1 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 June 30, 2025	Unlimited May be hunted any hour, day or night, on open dates from July 1—Nov. 29 and Dec. 15—June 30, 2025. May only be hunted from 1/2 hour after sunset to 1/2 hour before sunrise from Nov. 30—Dec. 14.	
<i>Fox<sup>3</sup></i>	Oct. 26		Feb. 22, 2025	Unlimited May be hunted any hour, day or night, from Oct. 26—Nov. 29 and Dec. 15—Feb. 22, 2025. May only be hunted from 1/2 hour after sunset to 1/2 hour before sunrise from Nov. 30—Dec. 14.	

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Raccoon</i> <sup>2</sup>	Oct. 26 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Feb. 22, 2025	Unlimited May be hunted any hour, day or night, on open dates from Oct. 26—Nov. 29 and Dec. 15—Feb. 22, 2025. May only be hunted from 1/2 hour after sunset to 1/2 hour before sunrise from Nov. 30—Dec. 14.	
<i>Bobcat, with required bobcat permit</i> <sup>1</sup> WMUs 2A, 2B, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Jan. 11, 2025		Feb. 5, 2025	1	1
<i>Porcupine</i> <sup>2</sup>	Oct. 12 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16 Dec. 26	and and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24 Feb. 1, 2025	3	10

No open seasons on other wild birds or wild mammals.

<sup>1</sup> No hunting on Sunday authorized. See 34 Pa.C.S. § 2303 (relating to hunting on Sunday prohibited).

<sup>2</sup> Hunting on Sunday authorized on separately delineated Sunday dates only. See 34 Pa.C.S. § 2303.

<sup>3</sup> Hunting on Sunday is authorized. See 34 Pa.C.S. § 2303.

<sup>4</sup> Only persons who possess a special wild turkey license as provided for in 34 Pa.C.S. § 2709 (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of two spring gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

<sup>5</sup> Only one antlered deer (buck) may be taken during the hunting license year.

<sup>6</sup> Includes resident and nonresident license holders who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under 34 Pa.C.S. § 2706 (relating to resident license and fee exemptions).

<sup>7</sup> Only one bear may be taken during the hunting license year with the required bear license.

<sup>8</sup> Only one elk may be taken during the hunting license year with the required elk license.

<sup>9</sup> Includes mentored youth and mentored adults with a valid mentored hunter permit issued under Chapter 147, Subchapter X (relating to Mentored Hunting Program permit).

[Pa.B. Doc. No. 24-757. Filed for public inspection May 31, 2024, 9:00 a.m.]

**Title 58—RECREATION**

**GAME COMMISSION**

**[ 58 PA. CODE CH. 141 ]**

**Hunting and Trapping; General**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 13, 2024, meeting amends § 141.4, Appendix G (relating to hunting hours) to replace the current hunting

hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2024-2025 hunting/trapping license year.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 54 Pa.B. 1330 (March 16, 2024).



1. *Purpose and Authority*

The Commission amends § 141.4, Appendix G, to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2024-2025 hunting/trapping license year.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.4, Appendix G are adopted under this authority.

2. *Regulatory Requirements*

This final-form rulemaking amends § 141.4, Appendix G to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2024-2025 hunting/trapping license year.

3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2024-2025 hunting/furtaking license year will be affected by this final-form rulemaking.

4. *Comment and Response Summary*

There were no official comments received on this final-form rulemaking.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

6. *Effective Date*

The effective dates of this final-form rulemaking are July 1, 2024, to June 30, 2025.

7. *Contact Person*

For further information about this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.4, Appendix G to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order is effective July 1, 2024, to June 30, 2025.

STEPHEN SMITH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-507 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 141. HUNTING AND TRAPPING**

**Subchapter A. GENERAL**

**§ 141.4. Hunting hours.**

Except as otherwise provided, wild birds and mammals may be hunted 1/2 hour before sunrise to 1/2 hour after sunset.

\* \* \* \* \*

**Appendix G. HUNTING HOURS**

**HUNTING HOURS TABLE**

**FOR JULY 1, 2024, THROUGH JUNE 30, 2025**

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
July 1—6	5:06	9:02
July 7—13	5:13	8:59
July 14—20	5:19	8:54
July 21—27	5:25	8:48
July 28—Aug. 3	5:31	8:41
Aug. 4—10	5:38	8:33
Aug. 11—17	5:44	8:23
Aug. 18—24	5:51	8:13
Aug. 25—31	5:58	8:02
Sept. 1—7	6:04	7:51
Sept. 8—14	6:11	7:40
Sept. 15—21	6:17	7:28
Sept. 22—28	6:24	7:16
Sept. 29—Oct. 5	6:31	7:05
Oct. 6—12	6:38	6:54
Oct. 13—19	6:45	6:44
Oct. 20—26	6:53	6:34
Oct. 27—Nov. 2	7:01	6:26
Nov. 3—9 **Ends	6:09	5:19
Nov. 10—16	6:17	5:13
Nov. 17—23	6:25	5:08
Nov. 24—30	6:32	5:06
Dec. 1—7	6:39	5:05
Dec. 8—14	6:44	5:06
Dec. 15—21	6:49	5:09

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Dec. 22—28	6:51	5:13
Dec. 29—Jan. 4	6:52	5:19
Jan. 5—11	6:52	5:20
Jan. 12—18	6:51	5:27
Jan. 19—25	6:48	5:34
Jan. 26—Feb. 1	6:43	5:43
Feb. 2—8	6:37	5:51
Feb. 9—15	6:30	5:59
Feb. 16—22	6:21	6:08
Feb. 23—Mar. 1	6:12	6:16
Mar. 2—8	6:01	6:23
Mar. 9—15 *Begins	6:51	7:31
Mar. 16—22	6:40	7:38
Mar. 23—29	6:28	7:46
Mar. 30—Apr. 5	6:17	7:53
Apr. 6—12	6:06	8:00
Apr. 13—19	5:55	8:07
Apr. 20—26	5:45	8:14
Apr. 27—May 3	5:35	8:21
May 4—10	5:26	8:28
May 11—17	5:19	8:35
May 18—24	5:12	8:42
May 25—31	5:07	8:48
June 1—7	5:03	8:53
June 8—14	5:01	8:57
June 15—21	5:01	9:01
June 22—28	5:02	9:03
June 29—30	5:04	9:03

Daylight Saving Time:

Begins\*

Ends\*\*

**MIGRATORY GAME BIRD HUNTING HOURS  
TABLE FOR JULY 1, 2024, THROUGH  
JUNE 30, 2025**

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
July 1—6	5:06	8:32
July 7—13	5:13	8:29
July 14—20	5:19	8:24
July 21—27	5:25	8:18
July 28—Aug. 3	5:31	8:11
Aug. 4—10	5:38	8:03
Aug. 11—17	5:44	7:53
Aug. 18—24	5:51	7:43
Aug. 25—31	5:58	7:32
Sept. 1—7	6:04	7:21
Sept. 8—14	6:11	7:10
Sept. 15—21	6:17	6:58

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Sept. 22—28	6:24	6:46
Sept. 29—Oct. 5	6:31	6:35
Oct. 6—12	6:38	6:24
Oct. 13—19	6:45	6:14
Oct. 20—26	6:53	6:04
Oct. 27—Nov. 2	7:01	5:56
Nov. 3—9 **Ends	6:09	4:49
Nov. 10—16	6:17	4:43
Nov. 17—23	6:25	4:38
Nov. 24—30	6:32	4:36
Dec. 1—7	6:39	4:35
Dec. 8—14	6:44	4:36
Dec. 15—21	6:49	4:39
Dec. 22—28	6:51	4:43
Dec. 29—Jan. 4	6:52	4:49
Jan. 5—11	6:52	4:50
Jan. 12—18	6:51	4:47
Jan. 19—25	6:48	5:04
Jan. 26—Feb. 1	6:43	5:13
Feb. 2—8	6:37	5:21
Feb. 9—15	6:30	5:29
Feb. 16—22	6:21	5:38
Feb. 23—Mar. 1	6:12	5:46
Mar. 2—8	6:01	5:53
Mar. 9—15 *Begins	6:51	7:01
Mar. 16—22	6:40	7:08
Mar. 23—29	6:28	7:16
Mar. 30—Apr. 5	6:17	7:37
Apr. 6—12	6:06	7:30
Apr. 13—19	5:55	7:37
Apr. 20—26	5:45	7:44
Apr. 27—May 3	5:35	7:51
May 4—10	5:26	7:58
May 11—17	5:19	8:05
May 18—24	5:12	8:12
May 25—31	5:07	8:18
June 1—7	5:03	8:23
June 8—14	5:01	8:27
June 15—21	5:01	8:37
June 22—28	5:02	8:33
June 29—30	5:04	8:33

Daylight Saving Time:

Begins\*

Ends\*\*

[Pa.B. Doc. No. 24-758. Filed for public inspection May 31, 2024, 9:00 a.m.]

**Title 58—RECREATION**

**GAME COMMISSION**

**[ 58 PA. CODE CH. 141 ]**

**Hunting and Trapping; Small Game**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 13, 2024, meeting amends § 141.28 (relating to wild pheasant recovery areas) to eliminate age restriction and permit requirements and provide the Director the authority to annually designate wild pheasant recovery areas (WPRAs) to be opened to hunting and establish appropriate season dates and bag limits.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 54 Pa.B. 1332 (March 16, 2024).

*1. Purpose and Authority*

Pheasant hunting within a WPRAs has historically been limited to youth participants who are authorized by permit to hunt in designated pheasant hunt zones within the Central Susquehanna WPRAs only. Youth participants are selected for WPRAs hunting access permits through a raffle conducted by the Commission. The Commission has determined that these restrictions are no longer necessary because the biological impacts of hunting on wild pheasant populations can be adequately controlled by limiting harvest to male pheasants and by following an annual executive order process specifying whether a season is to be opened and (if opened) the season length and bag limit that will apply. Therefore, the Commission amends § 141.28 to eliminate age restriction and permit requirements and provide the Director the authority to annually designate WPRAs to be opened to hunting and establish appropriate season dates and bag limits. As a result of this regulatory change, all individuals eligible to hunt pheasants Statewide will also be allowed to participate in pheasant hunting within WPRAs, subject to landowner permission.

Section 322(c)(4) of the code (relating to powers and duties of commission) specifically authorizes the Commission to “[d]efine geographic limitations or restrictions.” Section 2102(c) of the code (relating to regulations) directs that “[t]he commission shall promulgate regulations concerning the transportation, introduction into the wild, importation, exportation, sale, offering for sale or purchase of game or wildlife or the disturbing of game or wildlife in their natural habitat.” Section 2102(a) of the code provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.28 are adopted under this authority.

*2. Regulatory Requirements*

This final-form rulemaking amends § 141.28 to eliminate age restriction and permit requirements and provide

the Director the authority to annually designate WPRAs to be opened to hunting and establish appropriate season dates and bag limits. As a result of this regulatory change, all individuals eligible to hunt pheasants Statewide will also be allowed to participate in pheasant hunting within WPRAs, subject to landowner permission.

*3. Persons Affected*

Persons concerned with hunting pheasants in any area designated as a WPRAs within this Commonwealth will be affected by this final-form rulemaking.

*4. Comment and Response Summary*

There were no official comments received on this final-form rulemaking.

*5. Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

*6. Effective Date*

This final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

*7. Contact Person*

For further information about this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.28 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

STEPHEN SMITH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-505 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.28. Wild pheasant recovery areas.

\* \* \* \* \*

(b) *Prohibitions.* It is unlawful to:

(1) Release artificially propagated pheasants any time within any area designated as a WPRAs.

(2) Hunt pheasants within any area designated as a WPRAs, except the Director may authorize limited pheasant hunting opportunities in one or more WPRAs. During any year pheasant hunting opportunities are authorized in one or more WPRAs, the Director will designate the WPRAs where the season will be established, the dates of the season, and the daily bag limit.

[Pa.B. Doc. No. 24-759. Filed for public inspection May 31, 2024, 9:00 a.m.]

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# PROPOSED RULEMAKING

## GAME COMMISSION

[ 58 PA. CODE CH. 147 ]

### Special Permits; Mentored Hunting Program Permit; Safety

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its April 13, 2024, meeting to amend § 147.805 (relating to safety) to allow a mentor to accompany up to three of any combination of mentored youth and mentored adults at a time.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the April 13, 2024, meeting of the Commission. Comments can be sent until July 10, 2024, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

Since the mentored hunting program’s initial inception in 2006, the program has gradually grown and expanded to include additional species of game and wildlife and age groups eligible to participate in the program. With each progressive expansion, the mentored hunting program has come into closer alignment to the Commission’s traditional hunting license structures. The Commission is now proposing to amend § 147.805 to allow a mentor to accompany up to three of any combination of mentored youth and mentored adults at a time. This maximum limit of three would also include any junior hunter present and otherwise requiring accompaniment by the mentor as required under section 2711(a)(8) of the code (relating to unlawful acts concerning licenses) when the person is also serving as a mentor. This change will not expand the one lawful hunting device limit for mentored youth, but it will allow mentored adults and junior hunters to possess their own hunting implement while accompanied by a common mentor. The Commission has evaluated the relevant safety data and determined that the amendments will not create an unreasonable safety risk to the persons participating in the hunt or other persons in the vicinity of the hunt.

Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to § 147.805 are proposed under this authority.

#### 2. Regulatory Requirements

This proposed rulemaking will amend § 147.805 to allow a mentor to accompany up to three of any combination of mentored youth and mentored adults at a time.

#### 3. Persons Affected

Persons participating in the mentored hunting program within this Commonwealth may be affected by this proposed rulemaking.

#### 4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

#### 5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 6. Contact Person

For further information about this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

STEPHEN SMITH,  
*Executive Director*

**Fiscal Note:** 48-508. No fiscal impact; recommends adoption.

### Annex A

### TITLE 58. RECREATION

### PART III. GAME COMMISSION

### CHAPTER 147. SPECIAL PERMITS

### Subchapter X. MENTORED HUNTING PROGRAM PERMIT

#### § 147.805. Safety.

While engaged in mentored hunting activities:

(1) A mentored youth shall be stationary, within **[ arms reach ] arm’s reach** and subject to the immediate control of the mentor at all times while in possession of any lawful hunting device. This limitation may not be construed to apply to mentored adults. Mentored adults shall be accompanied by the mentor within eyesight and in close proximity so that verbal instruction and guidance can easily be understood without the aid of electronic communication devices or sound amplification devices.

(2) A mentor may not accompany more than **[ one ] three** mentored youth or mentored **[ adult ] adults** at any given time. A mentor may **[ not ]** accompany a junior hunter in addition to accompanying a mentored youth or mentored adult **within the same maximum total of three. The authorizations of this paragraph are not intended to expand the lawful hunting device limitation set forth in paragraph (3).**

(3) A mentor and mentored youth may not collectively possess more than one lawful hunting device at any given time. This limitation may not be construed to apply to mentors and mentored adults participating in the mentored adult hunting program **or junior hunters joining a mentored youth hunt.**

(4) A mentor and mentored youth or mentored adult shall each comply with section 2524 of the act (relating to protective material required) and with any regulations promulgated by the Commission relating to protective material.

[Pa.B. Doc. No. 24-760. Filed for public inspection May 31, 2024, 9:00 a.m.]



# STATEMENTS OF POLICY

## Title 52—PUBLIC UTILITIES

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 69 ]

#### Utilization of Storage Resources as Electric Distribution Assets

Public Meeting held  
April 4, 2024

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

*Utilization of Storage Resources as Electric Distribution Assets; M-2020-3022877*

#### Final Policy Statement Order

*By the Commission:*

On August 24, 2023, the Pennsylvania Public Utility Commission (PUC) entered a Proposed Policy Statement and Order (August 24, 2023 Order or Proposed Policy Statement Order) wherein the PUC proposed to establish a policy statement on the usage of electric storage to enhance reliability and resiliency in the electric distribution grid. The PUC published its Proposed Policy Statement and Order in the *Pennsylvania Bulletin* at 53 Pa.B. 5926 (9/23/2023). The public comment period closed on November 7, 2023. The Policy Statement, codified at 52 Pa. Code §§ 69.1951-69.1952,<sup>1</sup> now sets forth guidelines for usage of electricity-storage assets as electric distribution assets in the Commonwealth.

#### Summary of the Policy Statement

In the Proposed Policy Statement Order, the PUC addressed the responses it received from commenters in response to the PUC's Secretarial Letter issued on December 3, 2020, and the follow-up Secretarial Letter on August 12, 2021. The Secretarial Letter on August 12, 2021, posed the following inquiries to interested parties:

- (1) What are the parameters that would allow for the use of energy storage on the distribution grid? For example, what factors should be used in the consideration of the energy-storage project? Should the energy-storage project meet certain thresholds and demonstrate certain requirements, e.g., demonstration of cost effectiveness as compared to alternate measures, demonstration of need, required RFPs to solicit potential third-party providers, limitations on project size and scope, etc.
- (2) What [electric distribution companies (EDCs)] have undertaken energy-storage initiatives as a pilot program and what were the results and lessons-learned?
- (3) Under what circumstances is it appropriate to deploy energy storage as compared to traditional infrastructure upgrades?
- (4) Who should own an energy-storage asset? EDCs, third-party vendors, or some combination of both?

<sup>1</sup> The Proposed Policy Statement, as published, indicated that section numbers would be assigned in the Final Policy Statement Order; Sections 69.1951-69.1952 have been assigned. References herein to filings at this docket and to recaps of the August 24, 2023 Order have been aligned with the assigned section numbers.

(5) What processes should the PUC use to review requests to utilize energy storage as a distribution asset and recover associated costs?

(6) What cost recovery mechanisms should be implemented for the ownership and operation of energy-storage assets?

(7) What are the appropriate models and limitations necessary to allow energy storage to participate in wholesale power markets?

The Proposed Policy Statement Order included definitions of terms to be used in the Policy Statement. In this definitional section, the Commission proposed to define terms used in the Policy Statement that are not used anywhere else in the Public Utility Code, 66 Pa.C.S. §§ 101—3316, or the Public Utility Commission's regulations, 52 Pa. Code §§ 1.1—121.8. The terms to be defined included: "EDC-electric distribution company," "electricity-storage asset" and "non-wires solution." With these terms defined, the Proposed Policy Statement set out to guide EDCs as to when an electricity-storage asset should be considered a distribution-system asset.

With respect to setting forth a policy statement on electricity-storage as a distribution-system asset, the PUC proposed to avoid narrow definitions for electricity-storage and recognize that every project that may be suitable for electricity storage should be assessed and reviewed on its individual merits. The PUC agreed with stakeholder comments that electricity-storage should be considered as another tool for EDCs to address the issue of customer reliability and resiliency concerns of the electric distribution system. Accordingly, the final Policy Statement recognizes that EDCs may use electricity-storage systems to solve electric distribution system issues and provide grid resiliency.

#### Discussion

The PUC received comments from Advanced Energy United, Clean Energy Advocates (CEA),<sup>2</sup> Duquesne Light Company (Duquesne Light), Energy Association of Pennsylvania (EAP), FirstEnergy Pennsylvania Electric Company (FirstEnergy),<sup>3</sup> Large Customer Groups,<sup>4</sup> the Office of Consumer Advocate (OCA), PECO Energy Company (PECO), PJM Power Providers Group (P3), PPL Electric Utility Corporation (PPL), Pennsylvania Utility Law Project (PULP), and Solar Energy Industries Association (SEIA). Based upon a review of those comments, the PUC has modified the proposed policy statement. The PUC addresses the comments it received in the following sections.

The comments generally focused on two areas:

A. Effects of the use of electricity-storage assets by EDCs on the wholesale power markets.

B. Ownership of electricity-storage resources.

<sup>2</sup> Clean Energy Advocates are comprised of the following organizations: Vote Solar, Philadelphia Solar Energy Association, Natural Resources Defense Council (NRDC), Clean Air Council, and the Pennsylvania Solar & Storage Industries Association.

<sup>3</sup> FirstEnergy was comprised of four EDCs: Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company, which are now merged into one EDC, FirstEnergy Pennsylvania Electric Company. See the PUC Order entered on December 7, 2023, approving the Joint Application at Docket Nos. A-2023-3038771, et seq.

<sup>4</sup> Large Customer Groups is comprised of the Pennsylvania Energy Consumer Alliance (PECA), Met-Ed Industrial Users Group (MEIUG), Penelec Industrial Customer Alliance (PICA), Philadelphia Area Industrial Energy Users Group (PAIEUG), PP&L Industrial Customer Alliance (PPLICA), and West Penn Power Industrial Intervenors (WPPII).



We will address these two general areas in sections A and B and thereafter address the two Policy Statement sections in specific detail in sections C and D of this Order.

*A. Effects of EDCs Using Electricity-Storage Assets on the Wholesale Market*

P3 expresses concern with the impacts that EDC-owned electricity-storage assets may have on wholesale electricity generation markets and avers that this is best left to the realm of generation providers and competitive markets. P3's position is that electricity-storage used to inject power into the wholesale market would have a chilling effect on wholesale power markets and should not be allowed under the Competition and Customer Choice Act. P3 comments at 2–4. As such, P3 offers suggested changes to the definition of “electricity-storage asset,” which will be discussed in section C, *infra*.

PECO, EAP and FirstEnergy are generally dismissive of the concerns expressed by P3. PECO states that electricity-storage assets should be classified by their function, thus, eliminating the need to be classified as a generation asset. PECO reply comments at 2. EAP states that Section 69.1952 clearly provides that an EDC should consider non-wires solutions in planning, that an EDC needs to justify a request to rate base storage assets as it does for traditional infrastructure upgrades, and that such a request would be made to maintain or improve distribution reliability and resiliency. EAP reply comments at 7-8. FirstEnergy agrees that in very specific circumstances where electricity-storage is injecting power into the bulk power system or selling into the wholesale market, these assets should not be considered as distribution assets. However, FirstEnergy contends that P3's comments on electricity-storage as a generation asset are non sequitur, as all discussions by both the PUC and EDCs have focused on using electricity-storage assets as strictly distribution assets. Electricity-storage assets, as discussed in the PUC's August 24, 2023 Order, are not electric generation assets. FirstEnergy reply comments at 4-5.

*Disposition*

The PUC agrees with PECO, EAP and FirstEnergy that electricity-storage assets should be classified by their function. Electricity-storage assets used on the distribution grid to solve distribution-related issues serve as a distribution asset. The PUC agrees with these commenters that the use of these assets on the distribution grid for distribution-related needs properly renders them distribution assets and, therefore, not generation assets.

The PUC also agrees with FirstEnergy that in very specific circumstances where electricity-storage is used to inject power into the wholesale market, these assets would not be considered distribution assets. However, as FirstEnergy correctly points out, the focus of this Policy Statement is on electricity-storage assets used to resolve distribution-related issues. We note that, as with any other capital expense, an EDC will still be required to establish prudence and justify the need for electricity-storage.

*B. Ownership of Electricity-Storage Resources*

Advanced Energy United proposes adding the following additional section to the Policy Statement, “§ 69.1953. Framework for Pursuing Electricity Storage Solutions.” The contents of such a section would “emphasize that this policy statement is in keeping with the restructured competitive electricity market in Pennsylvania” and recommends that this section support leveraging competitive

market solutions as they relate to non-wires solutions and utility involvement with storage. Advanced Energy United believes that private sector investments via competitive market solutions is the most effective way to deploy storage for the benefit of Pennsylvania consumers. Furthermore, Advanced Energy United points to California's Distribution Investment Deferral Framework<sup>5</sup> as an example of the type of program Pennsylvania could adopt in this regard. Advanced Energy United comments at 2-3.

SEIA does not object to EDC ownership of storage if it is used exclusively as a distribution asset. However, SEIA believes that the deployment of energy-storage systems should involve a competitive solicitation process. SEIA states that the most cost-effective way to provide the necessary services is for EDCs to issue clear and open requests for proposals for the specific services they need and to use the results of the solicitation to select the least cost-effective option, which may include third-party owned storage assets. SEIA comments at 2-3.

FirstEnergy and EAP disagree with Advanced Energy United's proposed change and assert that the PUC has provided appropriate guidance on when and how storage assets, for issues resolving resiliency and reliability, should be deployed by EDCs. Furthermore, FirstEnergy has stated that EDCs are in the best position to deploy and operate electricity-storage assets and non-wires solutions where they are needed most. FirstEnergy further states that the PUC did not provide EDCs unilateral and “in every circumstance” ownership of these electricity-storage assets. FirstEnergy reply comments at 6.

PPL also recognizes the role that third parties play in deploying electricity-storage assets, particularly utility-scale projects that can help reduce carbon emissions. Therefore, PPL encourages the PUC not to prejudge in a policy statement or otherwise whether utility or third-party ownership makes the most sense, as such a determination will often be fact-dependent on the specific circumstances of the issues that must be addressed on the distribution system. PPL reply comments at 4-5.

EAP states that the Proposed Policy Statement is broad enough to allow for third-party ownership and adheres to the well-established processes of Act 11 of 2012<sup>6</sup> and/or rate-case proceedings in the Public Utility Code. Therefore, EAP opposes adoption of the changes proposed by Advanced Energy United. EAP reply comments at 10-11.

PECO does not interpret the Proposed Policy Statement as restricting third parties from owning storage assets. PECO asserts that because the PUC has jurisdiction over public utilities, the Proposed Policy Statement would apply to EDCs and not to private entities. PECO further supports a mix of ownership models, and notes that third parties could still own storage assets and non-wires solutions. PECO reply comments at 3.

*Disposition*

The PUC agrees with EAP, FirstEnergy, PECO and PPL. The Proposed Policy Statement neither promoted nor directed models of ownership of electricity-storage resources. It left the determination of ownership to the individual circumstances presented in rate-case proceedings. The PUC agrees with PECO that third parties may own storage assets and also agrees with PPL that the determination of ownership will be based on the facts of each distinct instance where these resources are used. Thus, the PUC declines to address or prescribe ownership models of electricity-storage resources.

<sup>5</sup> <https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/infrastructure/distribution-planning>

<sup>6</sup> 66 Pa.C.S. § 1358.

C. Section 69.1951. Definitions

1. Electricity-Storage Asset

Commenters provided proposed changes to the definition of “Electricity-Storage Asset.” PPL suggests that the name of this definition should be changed to “Energy-Storage Asset” to avoid limiting EDCs’ ability to utilize different technologies as non-wires solutions and would more accurately reflect the PUC’s intention to avoid narrow definitions as stated on page 12 of the Proposed Policy Statement Order. PPL also suggests changing the word “injection” as it may be troublesome because there are other ways energy-storage assets may be used beyond injection back into the grid, such as load management and absorbing excess generation. As such, PPL proposes that the definition should be:

A resource that captures energy for use at a later time. Uses include improving system reliability, reducing system constraints, and balancing supply and demand.

PPL comments at 5.

OCA disagrees with PPL’s proposed changes to this definition. They contend that it creates a rift between FERC’s definition of an “electric-storage resource” and is overly broad and misses the point of the Proposed Policy Statement. OCA reply comments at 4. However, OCA states that there is a slight variance between the proposed definition and the definition used by FERC. The definition used by FERC in Order 841 defines an electric-storage resource as “[a] resource capable of receiving *electric energy* from the grid and storing it for later injection of electric energy back to the grid.” Order No. 841, 162 FERC ¶ 61,127 at 29 (Emphasis added). Therefore, OCA proposes that the word “electricity” in the PUC’s proposed definition be changed to “electric energy” to match the FERC definition. OCA comments at 6-7.

P3 believes it is important to specify the term “grid” to clearly mean “distribution grid.” As such, P3 requests the addition of the definition “grid” in the PUC’s Policy Statement to read as follows:

Grid. For purposes of the section, “grid” shall mean the distribution system managed by the EDC and shall not mean the interstate transmission system managed by PJM.

P3 comments at 5.

Large Customer Groups agree with and support P3’s proffered language. While they support the idea that electricity-storage technology provides another venue for EDCs to address customer reliability and resiliency concerns, such support must not disrupt the wholesale power market. Specifically, if an EDC were to extend electricity-storage solutions beyond distribution functions and into generation functions, the result could be an inappropriate reinstatement of vertical-integration and an unreasonable undoing of the functional unbundling of services resulting in adverse impacts to competition in Pennsylvania’s retail electricity industry. Large Customer Groups reply comments at 4.

PECO disagrees with P3’s proposed changes and asserts that this would prematurely limit when or how an EDC should utilize energy-storage assets. PECO reply comments at 3. Similarly, Duquesne Light disagrees with P3’s proposed change contending it creates confusion and is unnecessary. Duquesne Light recommends adding the words “electric distribution” before “grid” throughout the Policy Statement definitions and language as it provides the clarity P3 is seeking without adding an additional

definition that may unnecessarily remove flexibility in EDC distribution planning. Duquesne Light reply comments at 4-5.

Disposition

The PUC disagrees with the suggested changes put forth by PPL regarding the use of the name “Energy-Storage Asset” for this section and agrees with OCA that PPL’s proposed changes are overly broad. The scope of this Policy Statement is concerned with electricity-storage resources, not broader energy-storage resources.

The PUC also disagrees with PPL’s suggested change to remove the word “injection” and replace it with a broader definition. While the PUC agrees with PPL that electricity-storage devices can provide functions other than storing electricity, the PUC declines to adopt PPL’s proposed changes. The PUC agrees with OCA’s proposed change to the definition because it would more closely match FERC’s definition. As such, the proposed definition of “Electricity-Storage Asset” has been changed as reflected in final Policy Statement in Annex A.

The PUC declines to adopt P3’s proposed definition of the term “grid.” Since the scope of this Policy Statement is limited to the use of electricity-storage resources as assets on the distribution grid, adding P3’s suggested definition for grid is redundant. However, the PUC agrees with Duquesne Light’s proposal to add the words “electric distribution” before “grid” throughout the definitions to provide greater clarity. These changes are reflected in final Policy Statement in Annex A.

2. Non-Wires Solution (NWS)

Generally, most commenters agree that the proposed definition is too narrow, although there is disagreement on which aspects of the definition are too narrowly defined. Most commenters suggested modifications to the definition to address this concern.

PPL, EAP, and Duquesne Light aver that the portion of the definition that says “at a lower total resource cost” should be stricken as it implies that a total resource cost (TRC) test is to be used in determining the cost effectiveness of an NWS versus traditional infrastructure upgrades or would otherwise diminish the prudent investment standard applied to all other distribution system upgrades. PPL comments at 7; EAP comments at 5; Duquesne Light comments at 4.

Large Customer Groups disagree with this assessment and note that the PUC already declined to adopt a specific cost-effectiveness test or methodology in this proceeding and indicated that EDCs would need to justify the costs like any other traditional infrastructure upgrade. While not advocating specifically for the “lower total resource cost” language, Large Customer Groups submit that the Policy Statement should contain some type of metric that enables an objective standard of review with respect to cost. Large Customer Groups reply comments at 3.

OCA avers that the definition implies that only an EDC may invest in, and operate, a NWS when a variety of third-party developers or customers would be capable of owning storage assets. OCA proposes language that better aligns with the National Regulatory Research Institutions definition of a “non-transmission alternative” that does not mention EDCs, thereby eliminating the implication of only EDC ownership. OCA comments at 7-8. Advanced Energy United also contends that this proposed definition should be revised to avoid any suggestion that EDCs should unilaterally and in every circumstance be the

owners and operators of NWSs. Advanced Energy United suggests that the PUC revise the proposed definition to promote an approach to NWSs that encourages private sector investment and utility procurement of grid services from those competitively sourced solutions. Advanced Energy United comments at 1-2.

SEIA's comments reflect the same position as OCA and Advanced Energy United concerning who may own and operate storage assets and would like the definition to include behind-the-meter (BTM) storage solutions. SEIA provides the example that a storage asset could be deployed by an independent provider with a power-purchase agreement (PPA) in place to provide specific services to the EDC during peak times. This would allow the storage asset to be deployed during other times in wholesale markets to meet demand for regulation services, renewable integration, regional peak shaving, or reliability. SEIA comments at 2-3.

As stated supra, PECO does not interpret the Proposed Policy Statement as restricting third parties from owning storage assets because the PUC has jurisdiction over public utilities. As such, PECO asserts that the Policy Statement only applies to EDCs and not private entities. PECO also supports a mix of ownership models and supports the PUC's view that energy storage is intended as a tool for EDCs to use to increase reliability and resiliency. PECO reply comments at 3. EAP also disagrees that the proposed definition should be changed to include third-party owned storage. EAP reply comments at 5-6.

As stated earlier, EAP, FirstEnergy, and PPL believe the proposed definition is too narrow. Specifically, as proposed, it could restrict the use of electricity-storage to situations involving only "transmission congestion" or "distribution system constraints." These commenters offer definitions that remove the portion of the definition using the terms "transmission congestion" and "distribution system constraints." EAP also envisions the use of energy storage supporting distributed energy resources (DER) and renewable energy sources as well. EAP comments at 4-5, FirstEnergy comments at 4, PPL comments at 6. FirstEnergy adds that under the proposed definition, areas such as managing distribution loading, enhancing reliability and resiliency, or voltage management may not qualify as a NWS. FirstEnergy states that the comments from Advanced Energy United ignore the PUC's recognition that certain energy-storage assets can be effective tools to improve reliability by implying that they would somehow upend the competitive energy market. FirstEnergy reply comments at 3-4. Accordingly, EAP proposes the following definition:

An Electric Distribution Company (EDC) investment and operating practice that acts as a distribution asset to: improve reliability, resilience, or service; reduce congestion or system constraints; or otherwise operationally justified by the EDC at the time of the implementation.

EAP comments at 5.

FirstEnergy proposes and Duquesne Light supports striking the words "at times of maximum demand" from the proposed definition. FirstEnergy comments at 4; Duquesne Light reply comments at 3-4. However, OCA disagrees with FirstEnergy's proposal, stating that it is a key point in considering whether a NWS should be implemented. OCA reply comments at 3-4.

#### *Disposition*

The PUC recognizes the concerns put forth by Duquesne Light, EAP and PPL regarding the portion of

the definition that states "at a lower total resource cost." However, this portion of the proposed definition is not meant to imply that a TRC test must be used to determine the cost effectiveness of an NWS. As with any other proposed infrastructure upgrade, the costs of the proposed NWS would need to be justified in a rate-case proceeding, Long Term Infrastructure Improvement Plan (LTIIP), Inspection and Maintenance, or other existing processes. These existing processes allow stakeholders to provide input. In addition, the definition in the final Policy Statement does not prescribe a specific cost-effectiveness test that must be used. While the PUC recognizes that a prescribed cost-effectiveness test would provide the metrics requested by Large Customer Groups, such a prescription would be premature and difficult to apply in all applications for electricity-storage assets. Thus, the PUC declines to change this portion of the definition or prescribe a specific cost-effectiveness test.

As stated supra, the PUC agrees with Duquesne Light, EAP and PPL. The Policy Statement does not promote nor direct models of ownership of electricity-storage resources and leaves the determination of ownership to the individual circumstances presented. The PUC agrees with PECO and SEIA that third parties may own storage assets. As SEIA correctly notes, BTM electricity-storage may be a viable option to address reliability and resiliency concerns on the distribution grid. However, it would be premature and difficult to prescribe ownership models in every circumstance. Thus, the PUC declines to modify this definition to address or suggest ownership models of electricity-storage resources.

The PUC recognizes that the definition, as currently stated, may imply that electricity-storage assets for use on the distribution grid are only to be used for transmission congestion, distribution system constraints, or at times of maximum demand, as pointed out by Duquesne Light, EAP and PPL. The PUC agrees with these commenters that the proposed definition may suggest limits on the variety of resiliency and reliability benefits that electricity storage can provide. Thus, the PUC has incorporated, in part, the proposed changes put forth by Duquesne Light, EAP and PPL. We have also added "NWS" as part of the definition of "non-wire solution." These changes are reflected in the final Policy Statement in Annex A.

#### *D. Section 69.1952. Electricity Storage as a Distribution-System Asset*

Though several commenters agreed with the general intent of the proposed section, many recommended changes or revisions. OCA requests clarification that reliability improvements do not depend on EDC ownership of the asset, but rather the EDC's ability to utilize dispatch, and coordinate storage for reliability purposes. OCA further cites Massachusetts' Bring-Your-Own-Battery program<sup>7</sup> where customer-owned batteries provide relief during periods of peak demand to lessen the need for additional resources. OCA comments at 9. In addition, Advanced Energy United states that the proposed section lacks clarity on how public utilities should be engaging with electricity storage as a distribution-system asset and believes that this proposed definition is not wholly consistent with the restructured nature of Pennsylvania's energy market. Advanced Energy United recommends that the PUC provide a framework in the final Policy Statement for how EDCs should be engaging

<sup>7</sup> [https://www.mass.gov/-/media/Files/PDFs/Save/Residential/MA-Resi-Battery-Program-Materials—Final—5-4-2023\\_.pdf](https://www.mass.gov/-/media/Files/PDFs/Save/Residential/MA-Resi-Battery-Program-Materials—Final—5-4-2023_.pdf)



and procuring grid services from the customers and electricity-storage providers. Advanced Energy United comments at 2.

Duquesne Light, FirstEnergy, and PPL recommend that the PUC reject any changes to the section to clarify or promote ownership models. FirstEnergy also states that the PUC did not provide EDCs with unilateral and “in every circumstance” ownership. PPL states that EDCs are in prime position to deploy and operate energy-storage assets and non-wires solutions where they are most critically needed, including in areas where the deployment of energy-storage assets may not be economical for a third party to deploy them. At the same time, PPL recognizes the important role that third parties can play in deploying energy-storage assets, particularly utility-scale projects that can help reduce carbon emissions. Duquesne Light reply comments at 4; FirstEnergy reply comments at 6-7; PPL reply comments at 4-5.

EAP states that the PUC should not alter the proposed policy statement based on Advanced Energy United’s comments as the language is broad enough to allow for third-party owned electricity storage. In addition, EAP believes that creating a separate framework for how EDCs should engage and procure storage services is duplicative and overcomplicates the guidance being offered. EAP reply comments at 9–11.

P3 is concerned that the proposed policy statement does not provide any distinction between what the proper deployment of distribution-level storage assets versus the rate basing of assets that are competing in the wholesale market. P3 proposes adding the following sentence (in bold) to this definition:

The [PUC] acknowledges that electricity-storage assets can assist in various engineered reliability solutions. As such, the [PUC] recognizes that electricity-storage assets can be used by EDCs to maintain or to increase the reliability or the resilience of the electric distribution system. The [PUC] encourages the consideration of such assets when cost effective and proper, specifically as an alternative non-wires solution. The [PUC] encourages EDCs to consider electricity-storage assets **that are small in scale and narrowly tailored to address distribution level reliability concerns** as part of their system planning.

P3 comments at 4-5.

Duquesne Light and PPL disagree with P3’s proposed changes. Duquesne Light questions what small scale means and that it is unnecessary. Duquesne Light reply comments at 5-6. PPL states that there is no need to limit reliability benefits to the distribution grid to the exclusion of the transmission system. PPL reply comments at 6.

EAP proposes replacing the phrase “cost effective and proper” with the phrase “reasonable and prudent” in the third sentence. Use of the phrase “reasonable and prudent” is a concept that includes cost effectiveness and necessity and is a term of art in utility law that is well understood and provides greater clarity to the guidance set forth in the proposed policy statement. EAP comments at 6. Likewise, Duquesne Light requests clarity on the use of the phrase “cost effective and proper” in this section and is unclear what would be considered “proper” when considering an electricity-storage asset. Duquesne Light recommends replacing this language with the word “prudent.” Duquesne Light comments at 5.

FirstEnergy wants to ensure that temporary NWSs are not excluded from the definition. As such, FirstEnergy

recommends, and Duquesne Light supports, adding “on a temporary or permanent basis” to the end of the second sentence in this definition. FirstEnergy comments at 4; Duquesne Light reply comments at 3-4.

#### *Disposition*

The PUC agrees with EAP’s assertion that the guidance set forth is broad enough to allow for either, or both, EDC-owned and third-party owned electricity-storage assets on the distribution grid. Furthermore, the PUC agrees with Duquesne Light, FirstEnergy, and PPL that the policy statement does not establish unilateral ownership of electricity-storage assets by EDCs in every circumstance. The PUC is not persuaded by comments to provide greater clarity on how electricity-storage assets should be procured, contracted, or owned.

While the PUC recognizes P3’s concerns, it is important to consider that electricity-storage assets deployed for resiliency and reliability purposes on the distribution grid may have an impact on the transmission system. However, as stated by PPL, prescribing limitations on how electricity-storage assets may be used or deployed solely to be subservient to transmission system impacts may limit the reliability and resiliency benefits these assets can provide to the distribution system. Therefore, the PUC declines to alter the definition as put forth by P3.

The PUC is persuaded by the suggestion that was put forth by EAP and echoed by Duquesne Light to replace the term “cost effective and proper” in this section of the Policy Statement. The term “reasonable and prudent” will be used and these changes are reflected in the final Policy Statement in Annex A. Finally, the Commission is persuaded by the proposed definition modification put forth by FirstEnergy and has incorporated the change in the final Policy Statement in Annex A.

#### *Conclusion*

Accordingly, pursuant to Sections 501, 504, 505, 506, and 1501 of the Public Utility Code, 66 Pa.C.S. §§ 501, 504, 505, 506, and 1501, we have adopted, as a final Policy Statement, 52 Pa. Code §§ 69.1951 and 69.1952, as set forth in Annex A, attached hereto. We note that any issue, comment or reply comment requesting a further change to the Policy Statement or objecting to a possible change, but which we may not have specifically delineated herein, shall be deemed to have been duly considered and denied at this time without further discussion. The PUC is not required to consider expressly or at length each contention or argument raised by the parties. *Consolidated Rail Corp. v. Pa. Pub. Util. Comm’n*, 625 A.2d 741 (Pa. Cmwlth. 1993); see also, generally, *U. of Pa. v. Pa. Pub. Util. Comm’n*, 485 A.2d 1217 (Pa. Cmwlth. 1984); *Therefore*,

#### *It Is Ordered:*

1. That the Public Utility Commission adopts the Policy Statement as set forth as final in Annex A to this Final Policy Statement Order.
2. That the Law Bureau will deliver this Final Policy Statement Order and Annex A to the Governor’s Office of the Budget for fiscal review.
3. That, upon receipt of a fiscal note from the Governor’s Office of the Budget, the Law Bureau will deposit this Final Policy Statement Order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
4. That the Policy Statement as set forth in Annex A as final will become effective upon publication in the *Pennsylvania Bulletin*.

5. That this Final Policy Statement Order and Annex A be posted on the Public Utility Commission's website.

6. The contact person for technical issues related to this Policy Statement is David Edinger, Energy and Conservation Analyst, (717)-787-3512 or dedinger@pa.gov. The contact persons for legal issues are Joseph P. Cardinale, Jr., Assistant Counsel, (717)-787-5558 or jcardinale@pa.gov; and Tiffany L. Tran, Assistant Counsel, (717)-783-5413 or tiftran@pa.gov. The contact person for regulatory issues is Karen Thorne, Regulatory Review Assistant, (717) 772-4597 or kathorne@pa.gov.

ROSEMARY CHIAVETTA,  
Secretary

ORDER ADOPTED: April 4, 2024

ORDER ENTERED: April 4, 2024

#### STATEMENT OF VICE CHAIRPERSON KIMBERLY BARROW

Since the beginning of electric competition in the Commonwealth, one of the goals of the General Assembly that the Commission has endeavored to carry out is to use the power of competition to minimize costs and risks that ratepayers bear, and instead allow generators to connect to the grid and compete to provide services to load.

The expansion of storage options presents difficult questions for the divested structure of our modern grid in Pennsylvania. Storage can clearly satisfy a distribution function. A storage facility can increase resilience and maintain temporary service to an area if a radial wire is knocked down. A storage facility can reduce needed peak transfer capability of a line, increasing load factor and reducing facility costs to ratepayers.

Storage facilities also have aspects that look more like generation. They can store energy when it is cheap, respond to higher locational prices to inject energy into the grid to resolve congestion, and serve load without building transmission facilities. PJM Interconnection LLC, the grid operator for the region, allows storage to participate in wholesale markets like standard generation to the greatest degree possible.

The storage policy statement offered today attempts to strike the balance between the features of storage that serve as a potential distribution asset and the features that look more like generation. I believe that storage should be considered a distribution asset under the Electric Choice Act,<sup>8</sup> in order for storage to be used by Electric Distribution Companies in this manner, they must serve a distribution purpose, not a purpose served by competitive generation.

The policy statement encourages the consideration of storage as a distribution asset. Such an asset is prudent only when the competitive electricity markets are not reasonably or cost-effectively able to serve the function of the electricity-storage asset. This is consistent with our legislature's conclusion that "Competitive market forces are more effective than economic regulation in controlling the cost of generating electricity."<sup>9</sup> A competitive storage facility which is not rate-based is preferable to a rate-based distribution facility, if it can serve the same purpose. The Independent Market Monitor (IMM) for PJM notes, "[i]n competitive markets, investors bear the risk. In the case of storage, the risk of technological obsolescence is extremely high as innovations are cur-

rently occurring at a rapid pace. Competitive power markets are essential to meeting the Commission's overriding goal to ensure that customer rates remain affordable."<sup>10</sup> The IMM also notes that distributor-owned storage can act as a "significant barrier to the competitive participation of electric storage"<sup>11</sup>. I agree that this outcome should be avoided. So too does the Office of Consumer Advocate (OCA) which comments in partial opposition to distributor-owned assets noting that "Some combination of third-party ownership and EDC ownership may turn out to be the model that provides the greatest level of flexibility in this area. In general, however, the OCA submits that the competitive market is likely to return the best outcomes in the way of products and services."<sup>12</sup>

Some of these criticisms are particularly valid given the power of smaller distributed energy resources. While historically generation has operated at a very large scale, it is becoming more apparent that customers may have options to locate storage resources directly at their electric load. These distributed competitive markets have the opportunity to serve the same resilience or congestion mitigation functions as a distributor-owned asset, and the specific functions should be considered in whether a distributor-owned storage facility is performing an acceptable and cost-effective role.

Finally, I would emphasize that as a policy statement, our guidance here does not bind us. We will evaluate the prudence or legality of a distribution asset on an individual basis, and our encouragement here should not be read to displace competitive options.

Date: April 4, 2024

KIMBERLY BARROW,  
Vice Chairperson

**Fiscal Note:** Fiscal Note 57-342 remains valid for the final adoption of the subject regulations.

#### Annex A

### TITLE 52. PUBLIC UTILITIES PART I. PUBLIC UTILITY COMMISSION Subpart C. FIXED SERVICE UTILITIES CHAPTER 69. GENERAL ORDERS, POLICY STATEMENT AND GUIDELINES ON FIXED UTILITIES

#### ENERGY STORAGE ASSET POLICY STATEMENT

##### § 69.1951. Definitions.

The following words and terms, when used in this section and § 69.1952 (relating to electricity storage as a distribution system asset) have the following meanings, unless the context clearly indicates otherwise:

*EDC—electric distribution company*—The term has the same meaning as defined in 66 Pa.C.S. § 2803 (relating to definitions).

*Electricity-storage asset*—A resource capable of receiving electric energy from the distribution grid and storing it for later injection of electricity back to the distribution grid.

*NWS—non-wires solution*—An EDC investment and operating practice that acts as a distribution asset to: improve reliability, resilience or service; reduce congestion or system constraints; or is otherwise operationally justified by the EDC at the time of implementation and which can defer or replace the need for specific transmis-

<sup>8</sup> 66 Pa.C.S. § 2801 et seq.

<sup>9</sup> 66 Pa.C.S. § 2802(5).

<sup>10</sup> IMM Comments filed August 21, 2020, at 2.

<sup>11</sup> Id.

<sup>12</sup> OCA Comments filed November 24, 2021, at 9.

sion or distribution projects, or both, at lower total resource cost, by reliably reducing transmission congestion or distribution system constraints at times of maximum demand in specific distribution grid areas. This term is synonymous with “non-transmission alternative” or “NTA” which is the term used by the National Regulatory Research Institution.

**§ 69.1952. Electricity-storage as a distribution-system asset.**

The Commission acknowledges that electricity-storage assets can assist in various engineered reliability solu-

tions. As such, the Commission recognizes that electricity-storage assets can be used by EDCs to maintain or to increase the reliability or the resilience of the electric distribution system on a temporary basis or permanent basis. The Commission encourages the consideration of these assets when reasonable and prudent, specifically as an alternative NWS. The Commission encourages EDCs to consider electricity-storage assets as part of their system planning.

[Pa.B. Doc. No. 24-761. Filed for public inspection May 31, 2024, 9:00 a.m.]

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# NOTICES

## BOARD OF COAL MINE SAFETY

### Meeting Cancellation

The Board of Coal Mine Safety (Board) meeting scheduled for Thursday, June 6, 2024, has been cancelled. The next regular meeting of the Board is scheduled for Wednesday, September 4, 2024. The meeting will begin at 10 a.m. in Conference Rooms 1A and 1B, Department of Environmental Protection, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Individuals may attend the meeting in person or remotely.

Information on how to join the meeting remotely, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select

"Public Participation," then "Advisory Committees," then "Mining," then "Board of Coal Mine Safety," then "2024").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the September 4, 2024, meeting can be directed to Peggy Scheloske at [mscheloske@pa.gov](mailto:mscheloske@pa.gov) or (724) 404-3143.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Peggy Scheloske at (724) 404-3143 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JESSICA SHIRLEY,  
*Acting Chairperson*

[Pa.B. Doc. No. 24-762. Filed for public inspection May 31, 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 May 21, 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-bnbksbmsnspspt@pa.gov](mailto:ra-bnbksbmsnspspt@pa.gov) or for credit unions, by e-mail to [ra-bncusubmissions@pa.gov](mailto:ra-bncusubmissions@pa.gov) and trust companies, by e-mail to [ra-bntrustrsuprvsninq@pa.gov](mailto:ra-bntrustrsuprvsninq@pa.gov). Comments must be received no later than 30 days from the date that the notice regarding acceptance of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240, or for credit unions or trust companies (717) 783-2253.

### APPLICATIONS FOR COMMENT

#### BANKING INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

### OTHER APPLICATION ACTIVITY

#### BANKING INSTITUTIONS

##### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
04-26-2024	Penn Community Bank Doylestown Bucks County	3100 West Tilghman Street Allentown Lehigh County	Opened

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
04-29-2024	First Resource Bank Exton Chester County	<i>To:</i> 690 Stockton Drive Suite 300 Exton Chester County (Limited-Service Facility)  <i>From:</i> 1 East Uwchlan Avenue Suite 410 Exton Chester County (Limited-Service Facility)	Effective

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
04-30-2024	1st Summit Bank Johnstown Cambria County	401 Cedar Street Beaverdale Cambria County	Closed

**CREDIT UNIONS**

No activity.

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

WENDY S. SPICHER,  
*Secretary*

[Pa.B. Doc. No. 24-763. Filed for public inspection May 31, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

*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](http://www.dep.pa.gov/CWPublicNotice).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0213808	Joint DEP/PFBC Pesticides Permit	Renewal	Wildwood Golf Course 2195 Sample Road Allison Park, PA 15101-2104	Hampton Township Allegheny County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0818803	Joint DEP/PFBC Pesticides Permit	New	Mormon Lake Association 210 Cross Creek Road Gillett, PA 16925-9268	Ridgebury Township Bradford County	NCRO
0913966	Joint DEP/PFBC Pesticides Permit	Renewal	Millpond of Makefield HOA Bucks County 108 Pondview Drive Washington Crossing, PA 18977-1528	Upper Makefield Township Bucks County	SERO
0913968	Joint DEP/PFBC Pesticides Permit	Renewal	Long Meadow HOA 17 Larkspur Lane Newtown, PA 18940-2620	Upper Makefield Township Bucks County	SERO
0913990	Joint DEP/PFBC Pesticides Permit	Renewal	Sycamore Farms HOA 2110 S Eagle Road Newtown, PA 18940-1574	Upper Makefield Township Bucks County	SERO
0924804	Joint DEP/PFBC Pesticides Permit	New	Vyas Anix 1578 River Road New Hope, PA 18938-9267	Upper Makefield Township Bucks County	SERO
1018810	Joint DEP/PFBC Pesticides Permit	Renewal	Pinnacle at Adams HOA P.O. Box 2225 Cranberry Township, PA 16066-1225	Adams Township Butler County	NWRO
1413808	Joint DEP/PFBC Pesticides Permit	New	Powell Lynda C 221 Middle Road Centre Hall, PA 16828-8510	Potter Township Centre County	NCRO
1524804	Joint DEP/PFBC Pesticides Permit	New	Chesterbrook 1000 Partners LP 610 Freedom Business Center Drive Suite 310 King of Prussia, PA 19406-1329	Tredyffrin Township Chester County	SERO
1524805	Joint DEP/PFBC Pesticides Permit	New	Drummond Michael 4 Chowning Drive Malvern, PA 19355-3322	Willistown Township Chester County	SERO
1524806	Joint DEP/PFBC Pesticides Permit	New	Niehaus David 50 McCormick Way Lincoln University, PA 19352-9052	New London Township Chester County	SERO
2324803	Joint DEP/PFBC Pesticides Permit	New	Feinman Scott 334 Ridge Road Chadds Ford, PA 19317-9102	Chadds Ford Township Delaware County	SERO
2624801	Joint DEP/PFBC Pesticides Permit	New	Nemacolin Wooflands LLC 3945 National Pike Farmington, PA 15437-1334	Wharton Township Fayette County	SWRO
4513847	Joint DEP/PFBC Pesticides Permit	Renewal	Pocahontas Rod & Gun Club 551 Main Street Stroudsburg, PA 18360	Stroud Township Monroe County	NERO
4613888	Joint DEP/PFBC Pesticides Permit	Renewal	Kroiz Irwin 1602 Morgan Drive Ambler, PA 19002-2402	Lower Gwynedd Township Montgomery County	SERO
4617809	Joint DEP/PFBC Pesticides Permit	Renewal	Germantown Academy School 340 Morris Road Fort Washington, PA 19034	Whitemarsh Township Montgomery County	SERO
5824801	Joint DEP/PFBC Pesticides Permit	New	Longford Lake Association Inc. 725 N Longford Lake Road Brackney, PA 18812-8029	Silver Lake Township Susquehanna County	NERO
5924804	Joint DEP/PFBC Pesticides Permit	New	Frank & Glenda Watson 2910 Route 414 Canton, PA 17724-7582	Sullivan Township Tioga County	NCRO
6424806	Joint DEP/PFBC Pesticides Permit	New	Paupackan Lake Assoc Inc. 128 Sheridan Road Hawley, PA 18428-8251	Paupack Township Wayne County	NERO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6613802	Joint DEP/PFBC Pesticides Permit	Renewal	Costello Robert 1080 SR 4002 Laceyville, PA 18623-6768	Windham Township Wyoming County	NERO
PA0080039	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Amendment Minor	Carroll Valley Sewer & Water Authority 5685 Fairfield Road Fairfield, PA 17320-9611	Carroll Valley Borough Adams County	SCRO
0100407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	White Run Region Municipal Authority 2001 Baltimore Pike Gettysburg, PA 17325-7015	Mount Joy Township Adams County	SCRO
1524402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Radley Run Mews Sewer Assoc P.O. Box 84 Pocopson, PA 19366-0084	Birmingham Township Chester County	SERO
NNOEXSC33	No Exposure Certification	Renewal	Specialty Bakers LLC 450 S State Road Marysville, PA 17053-1020	Marysville Borough Perry County	SCRO
NOEXSE075	No Exposure Certification	Renewal	Fenzi Agt USA LLC 498 Acorn Lane Downingtown, PA 19335-3075	Downingtown Borough Chester County	SERO
NOEXSE251	No Exposure Certification	Renewal	ABF Freight System Inc. 3801 Old Greenwood Road Fort Smith, AR 72903	Upper Providence Township Montgomery County	SERO
PAG032431	PAG-03 NPDES General Permit for Industrial Stormwater	New	Energy Transfer Market & Terminal LP 2480 Main Street Whitehall, PA 18052-4607	Whitehall Township Lehigh County	NERO
PAG032432	PAG-03 NPDES General Permit for Industrial Stormwater	New	Amazon Com Service LLC P.O. Box 80842 Seattle, WA 98108-0842	Olyphant Borough Lackawanna County	NERO
PAG032433	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Millwood Inc. 3708 International Boulevard Vienna, OH 44473-9796	Tunkhannock Borough Wyoming County	NERO
PAG034086	PAG-03 NPDES General Permit for Industrial Stormwater	New	Rise Baking Company LLC 3701 Concord Road York, PA 17402-9101	Springettsbury Township York County	SCRO
PAG038612	PAG-03 NPDES General Permit for Industrial Stormwater	New	Endless Summer Supply LLC 838 Pittsburgh Road Butler, PA 16002-8901	Monroe Township Clarion County	NWRO
PAG041224	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Hannah & Matthew Maxwell 172 Wrays Drive Volant, PA 16156-1818	Springfield Township Mercer County	NWRO
PAG041343	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Howell Rebecca 2813 Pleasant Drive Warren, PA 16365-7620	Pleasant Township Warren County	NWRO
PAG042241	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Smith David 7427 Songbird Court Wilmington, NC 28411-8004	Exeter Township Luzerne County	NERO



<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG048311	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Arthurs Stephanie 7 Hummingbird Lane Warren, PA 16365-4381	Glade Township Warren County	NWRO
PAG048457	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Woods Brad 3212 Cobham Park Road Warren, PA 16365-8314	Glade Township Warren County	NWRO
PAG048711	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Jesse & Martha Hurst 25206 Ridge Road Cambridge Springs, PA 16403-3754	Cambridge Township Crawford County	NWRO
PAG048754	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Antony & Holly Grey 3050 Crane Road Edinboro, PA 16412-1656	Washington Township Erie County	NWRO
PAG048842	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Oosterkamp David 24817 Ridge Road Cambridge Springs, PA 16403-3745	Cambridge Township Crawford County	NWRO
PAG048849	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Ashley & Justin McClure 454 W State Road Jamestown, PA 16134-3026	West Shenango Township Crawford County	NWRO
PAG049298	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Bimber Douglas 1716 Spencer Road Corry, PA 16407-4526	Columbus Township Warren County	NWRO
PAG049313	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Kibbey Jenna 1276 Daugherty Run Road Warren, PA 16365-5234	Conewango Township Warren County	NWRO
PAG049358	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Sayers Lisa 491 Alder Bottom Road Columbus, PA 16405-2009	Columbus Township Warren County	NWRO
PAG123637	PAG-12 NPDES General Permit for CAFOs	Renewal	Jay L Bleacher 1175 Breneman Road Conestoga, PA 17516-9307	Manor Township Lancaster County	SCRO
PAG123650	PAG-12 NPDES General Permit for CAFOs	Renewal	High Lamar 920 W Matterstown Road Millersburg, PA 17061-9308	Washington Township Dauphin County	SCRO
PAG123728	PAG-12 NPDES General Permit for CAFOs	Renewal	Good Barry L 1695 Rake Road Mohrsville, PA 19541-9232	Centre Township Berks County	SCRO
PAG123757	PAG-12 NPDES General Permit for CAFOs	Renewal	Noah W Kreider & Sons 1461 Lancaster Road Manheim, PA 17545-9768	Mount Joy Township Lancaster County	SCRO
PAG123829	PAG-12 NPDES General Permit for CAFOs	Renewal	Noah W Kreider & Sons LLP 1461 Lancaster Road Manheim, PA 17545-9768	Lower Swatara Township Dauphin County	SCRO
PAG123867	PAG-12 NPDES General Permit for CAFOs	Renewal	David A Brenize 7201 Sunset Road Newburg, PA 17240	Lurgan Township Franklin County	SCRO
PAG124806	PAG-12 NPDES General Permit for CAFOs	Renewal	Buffalo Valley Farmstead Inc. 269 Meeting House Lane Lewisburg, PA 17837-8862	Buffalo Township Union County	SCRO
PAG124836	PAG-12 NPDES General Permit for CAFOs	Renewal	Rowe Family Farms Co. 216 Pawling Station Road Selinsgrove, PA 17870-7913	Middlecreek Township Snyder County	SCRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG124850	PAG-12 NPDES General Permit for CAFOs	Renewal	Garrett Moyer 1200 Red Bank Road Middleburg, PA 17842-9246	Washington Township Snyder County	SCRO
PAG124853	PAG-12 NPDES General Permit for CAFOs	Renewal	Beaver Run Farms Inc. 3038 Beaver Run Road Mifflinburg, PA 17844-7808	West Buffalo Township Union County	SCRO
PAG124866	PAG-12 NPDES General Permit for CAFOs	Renewal	Weaver Melvin 359 Timber Road Beavertown, PA 17813-9140	Adams Township Snyder County	SCRO
PAG124877	PAG-12 NPDES General Permit for CAFOs	New	Martin Arlyn R 26234 Route 522 McClure, PA 17841-8173	McClure Borough Snyder County	SCRO
0219406	Pump Stations Individual WQM Permit	Amendment	Elizabeth Township Allegheny County 100 Atlantic Avenue McKeesport, PA 15132-3807	McKeesport City Allegheny County	SWRO
2001401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Jesse & Martha Hurst 25206 Ridge Road Cambridge Springs, PA 16403-3754	Cambridge Township Crawford County	NWRO
2002416	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Oosterkamp David 24817 Ridge Road Cambridge Springs, PA 16403-3745	Cambridge Township Crawford County	NWRO
2002422	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Ashley & Justin McClure 454 W State Road Jamestown, PA 16134-3026	West Shenango Township Crawford County	NWRO
2501417	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Antony & Holly Grey 3050 Crane Road Edinboro, PA 16412-1656	Washington Township Erie County	NWRO
6290401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Arthurs Stephanie 7 Hummingbird Lane Warren, PA 16365-4381	Glade Township Warren County	NWRO
6297406	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Woods Brad 3212 Cobham Park Road Warren, PA 16365-8314	Glade Township Warren County	NWRO

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

*Northcentral Regional Office*

**PA0209350**, Sewage, SIC Code 4952, **Delmar Township**, 610 N Lawton Road, Wellsboro, PA 16901-7941. Facility Name: Smithville WWTF. This existing facility is located in Delmar Township, **Tioga County**.

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

The receiving stream, Heise Run (CWF, MF), is located in State Water Plan watershed 9-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 0.007 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>IMIN</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)		IMIN	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Nov 1 - Apr 30	1.2	XXX	XXX	20.0	30.0	40
May 1 - Oct 31	0.6	XXX	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Total Suspended Solids Raw Sewage Influent	1.2	XXX	XXX	20.0	30.0	40
	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet Light Transmittance (%) E. Coli (No./100 ml)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
	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.

*Northcentral Regional Office*

**PA0231801**, Storm Water, SIC Code 2833, **Croda Inc.**, 8 Croda Way, Mill Hall, PA 17751-8727. Facility Name: Croda Inc. This proposed facility is located in Lamar Township, **Clinton County**.

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

The receiving stream(s), Unnamed Tributary to Fishing Creek (HQ-CWF, MF), is located in State Water Plan watershed 9-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are not based on a design flow.—Limits.

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

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
- Other Requirements

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*

**PA0276103**, Storm Water, SIC Code 4225, **Amazon Com Service LLC**, P.O. Box 80842, Seattle, WA 98108-0842. Facility Name: Amazon Com Service LLC—ABE3. This existing facility is located in Upper Macungie Township, **Lehigh County**.

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

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

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

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

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

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

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

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

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

The EPA Waiver is in effect.

*Northeast Regional Office*

**PAI132230**, MS4, **Wilson Borough, Northampton County**, 2040 Hay Ter, Easton, PA 18042-4617.

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 Wilson Borough, **Northampton County**. The receiving streams, Lehigh River (WWF, MF) and Bushkill Creek (HQ-CWF, MF), are located in State Water Plan watershed 1-F and 2-C and are classified for High Quality—Cold Water, Migratory Fishes, Warm Water Fishes, and 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*

**PA0295337**, Industrial, SIC Code 4493, 5541, **Mercatoris Oil Company, Inc.**, 11604 Dawn Drive, Meadville, PA 16335-6394. Facility Name: Former Mercatoris Oil Site. This proposed facility is located in Sadsbury Township, **Crawford County**.

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

The receiving stream, an Unnamed Tributary to the Conneaut Outlet (HQ-WWF), is located in State Water Plan watershed 16-D and is classified for High Quality Waters—Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.000432 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	XXX	9.0
			Inst Min			
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	75.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
BTEX, Total	XXX	XXX	XXX	0.1	XXX	0.25
MTBE	XXX	XXX	XXX	Report	XXX	Report
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0026743**, Sewage, SIC Code 4952, **Lancaster City**, 120 N Duke Street, Lancaster, PA 17608-1599 Facility Name: City of Lancaster AWWTP. This existing facility is located in Lancaster City, **Lancaster County**.

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

The receiving stream, Conestoga River (WWF), is located in State Water Plan watershed 7-J and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 32.08 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.12	XXX	0.41
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	6,689	10,702	XXX	25	40	50
Nov 1 - Apr 30					Wkly Avg	
May 1 - Oct 31	2,943	4,414	XXX	11.0	16.5	22
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	8,026	12,040	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo					
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Total Mo					
Nov 1 - Apr 30	2,007	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	669	XXX	XXX	2.5	XXX	5.0
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo					
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Total Mo					
Total Phosphorus (Total Load, lbs)	535	XXX	XXX	2.0	XXX	4.0
Aluminum, Total	Report	XXX	XXX	XXX	XXX	XXX
Copper, Total	Total Mo					
Cyanide, Free	1.93	3.01	XXX	0.0072	0.011	0.018

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Dibromochloromethane	XXX	XXX	XXX	XXX	Report	XXX
Chloroform	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 32.08 MGD.—Limits.

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

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

The EPA Waiver is not in effect.

Southcentral Regional Office

**PA0041220**, Sewage, SIC Code 7011, **Hershey RV Park & Lodging LLC**, P.O. Box 544, Glenmoore, PA 19343. Facility Name: Hershey RV Park & Lodging. This existing facility is located in Conewago Township, **Dauphin County**.

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

The receiving stream(s), Unnamed Tributary to Conewago Creek (TSF), is located in State Water Plan watershed 7-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .048 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.4	XXX	1.4
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	15.0	XXX	30
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	5.0	XXX	10
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of .048 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus (lbs/year)	XXX	292.1	XXX	XXX	XXX	XXX
		Total Annual				

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

- Stormwater prohibition
- Approval contingencies
- Management of collected screenings, slurries, sludges and other solids
- Requirement to connect if a public sewer becomes available in the area



- Chlorine minimization
- Solids management

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*

**PA0081949**, Sewage, SIC Code 4952, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603-4007. Facility Name: West Earl Water Resource Recovery Facility. This existing facility is located in West Earl Township, **Lancaster County**.

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

The receiving stream, Conestoga River (WWF, MF), is located in State Water Plan watershed 7-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 001 are based on a design flow of .545 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	113	181	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	136	204	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	Geo Mean	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	9.1	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of .545 MGD.—Limits.

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

<i>Parameter</i>	<i>Mass Units (lbs/day)<sup>(1)</sup></i>		<i>Effluent Limitations</i>			
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Concentrations (mg/L) Monthly Average</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen <sup>(3)</sup>	Report	8,219	XXX	XXX	XXX	XXX
Net Total Phosphorus <sup>(3)</sup>	Report	1,096	XXX	XXX	XXX	XXX

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

The EPA Waiver is not in effect.



*Southcentral Regional Office*

**PA0261262**, Sewage, SIC Code 4952, **North Londonderry Township Authority**, 655 E Ridge Road, Palmyra, PA 17078-9308. Facility Name: North Londonderry Township STP. This existing facility is located in South Annville Township, **Lebanon 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), Killinger Creek (TSF), is located in State Water Plan watershed 7-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	250	375	XXX	20	30	40
Nov 1 - Apr 30						
May 1 - Oct 31	125	188	XXX	10	15	20
BOD <sub>5</sub>	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	125	188	XXX	10	15	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		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Ammonia-Nitrogen	88	XXX	XXX	7.0	XXX	14
Nov 1 - Apr 30						
May 1 - Oct 31	31	XXX	XXX	2.5	XXX	5
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus	25	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
Boron, Total	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Cyanide, Free	0.09	XXX	XXX	0.007	XXX	0.018
Zinc, Total	1.88	XXX	XXX	0.15	XXX	0.37
PFOA (ng/L)	XXX	XXX	XXX	XXX	XXX	Report
PFOS (ng/L)	XXX	XXX	XXX	XXX	XXX	Report
PFBS (ng/L)	XXX	XXX	XXX	XXX	XXX	Report
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	XXX	Report

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs)	XXX	25,936	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Total Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) Effluent Net	XXX	3,458 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

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

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

- Stormwater prohibition, Approval contingencies, Solids management, Restriction on receipt of hauled in waste under certain conditions, WET testing requirements, and Stormwater conditions.

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

The EPA Waiver is not in effect.

Southcentral Regional Office

**PA0266493**, Sewage, SIC Code 8811, **Daniel Dryja**, 124 Rattlesnake Hill Road, Boyertown, PA 19512-7537. Facility Name: Dryja Residence. This existing facility is located in Douglass Township, **Berks 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 Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

- Submit an Annual Maintenance Report every year

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

**PA0294349**, Sewage, SIC Code 6515, **Ridgewood Manor MHC, LLC**, 31200 Northwestern Highway, Farmington Hills, MI 48334. Facility Name: Ridgewood Manor MHC. This proposed facility is located in Rapho Township, **Lancaster County**.

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

The receiving stream, Unnamed Tributary to Little Chiques Creek (TSF, MF), is located in State Water Plan watershed 7-G and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Instantaneous Minimum	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 .015 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Ammonia-Nitrogen (lbs/mo)	XXX	XXX	XXX	18.0	XXX	36
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	6.0	XXX	12
Total Phosphorus (lbs/mo)	XXX	XXX	XXX	2.0	XXX	4.0

*Effluent Limitations*

Parameter	Mass Units (lbs) <sup>(1)</sup>		Minimum	Concentrations (mg/L)	
	Monthly	Annual		Monthly Average	Maximum
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	XXX	0	XXX	XXX	XXX
Net Total Phosphorus	XXX	0	XXX	XXX	XXX

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0247031**, Concentrated Animal Feeding Operation (CAFO), **Keystone Dairy Ventures LLC (Keystone Dairy Ventures CAFO)**, 324 Balance Meeting Road, Peach Bottom, PA 17563-9507.

Keystone Dairy Ventures LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Keystone Dairy Ventures CAFO, located in Little Britain Township, **Lancaster County**.

The CAFO is situated near Little Conowingo Creek (HQ-CWF, MF), Conowingo Creek (CWF, MF), and Conowingo Creek (HQ-CWF, MF) in Watershed 7-K, which is classified for High Quality—Cold Water, Migratory Fish, Cold Water Fishes, and Migratory Fishes. The CAFO is designed to maintain an animal population of approximately 1,622.13 animal equivalent units (AEUs) consisting of 880 Holstein Cows, 375 Holstein Heifers, and 375 Holstein Calf. Liquid dairy manure is stored on site in a two stage earthen lagoon, concrete underbarn storage, and concrete circular 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 717-705-4732.

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

*Southeast Regional Office*

**PA0244317**, Storm Water, SIC Code 5015, 5093, **Wilcox Auto Salvage, Inc.**, 241 Old Mill Road, Sellersville, PA 18960. Facility Name: Wilcox Auto Salvage Facility. This existing facility is located in West Rockhill Township, **Bucks County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Daily Maximum	Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	120.0	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	100.0	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Mercury, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Daily Maximum	Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	120.0	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	100.0	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Mercury, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX

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

- Stormwater outfalls and authorized non-stormwater discharges
- Stormwater monitoring requirements
- Permittee shall develop, maintain, and implement PPC Plan
- Permittee acquiring necessary property rights
- Proper disposal of collected screenings, slurries, sludges and other solids

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*

**PAI130079, MS4, Warwick Township, Bucks County**, 1733 Township Greene, Jamison, PA 18929.

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 Warwick Township, **Bucks County**. The receiving stream(s), Unnamed Tributary to Neshaminy Creek (TSF, MF), Unnamed Tributary to Little Neshaminy Creek (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.

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.

*Southwest Regional Office*

**PA0023892**, Sewage, SIC Code 4952, **Masontown Municipal Authority**, 1 E Church Street, Masontown, PA 15461-1841. Facility Name: Bessemer Run STP. This existing facility is located in German Township, **Fayette 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), Cats Run (WWF), is located in State Water Plan watershed 19-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	41.7	62.6	XXX	25.0	37.5	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report Daily Max	XXX	Report	XXX	XXX
Internal Monitoring Point Total Suspended Solids	50.1	75.1	XXX	30.0	45.0	60
Total Suspended Solids Internal Monitoring Point	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .2 MGD.—Limits.

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

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

- Notification of designation of responsible operator
- Hauled-in waste restriction
- Solids management for non-lagoon system

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0026026**, Sewage, SIC Code 4952, **New Brighton Borough Sanitary Authority, Beaver County**, 610 3rd Avenue, New Brighton, PA 15066-1851. Facility Name: New Brighton Borough Sanitary Authority. This existing facility is located in New Brighton Borough, **Beaver 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), Beaver River (WWF), is located in State Water Plan watershed 20-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.



The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Min Mo Avg XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	417	626	XXX	25.0	37.5	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	500	750	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	400
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean	XXX	XXX
Ammonia-Nitrogen	417	XXX	XXX	25.0	XXX	Report 50

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

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

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

- WET Testing & Evaluation
- Stormwater Outfalls Requirements
- Fecal Coliform

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

The EPA Waiver is not in effect.

*Southwest Regional Office*

**PAI136139, MS4, Mount Lebanon Township, Allegheny County, 710 Washington Road, Pittsburgh, PA 15228-2018.**

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 Mount Lebanon Township, **Allegheny County**. The receiving stream(s), Tributary 36807, 36808, and 36810 to Painters Run (WWF), Tributary 37174 to Sawmill Run (WWF), Painters Run (WWF), Scrubgrass Run (WWF), Georges Run (WWF), and Tributary 36799 to Scrubgrass Run (WWF), are located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.



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

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

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

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*Southcentral Regional Office*

Applicant: **Bratton Township**

Applicant Address: 133 Mountain Lane, McVeytown, PA 17051

Application Number: **PAD440031**

Application Type: New

Municipality/County: Bratton Township, **Mifflin County**

Project Site Name: Bratton Township Wastewater Treatment Plant

Total Earth Disturbance Area (acres): 1.95 acres

Surface Waters Receiving Stormwater Discharges: Carlisle 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: Replacement of existing municipal wastewater treatment plant.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southcentral Regional Office*

Applicant: **Walter Zimmerman**

Applicant Address: 11 Kelly Road, Shippensburg, PA 17257

Application Number: **PAD210113**

Application Type: New

Municipality/County: Penn Township, **Cumberland County**

Project Site Name: Walter Zimmerman Ag Operation

Total Earth Disturbance Area (acres): 6.76 acres

Surface Waters Receiving Stormwater Discharges: West Branch Mount Rock Spring Creek (WWF, MF), Big Spring Creek (HQ-CWF, MF)

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

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

Project Description: Construction of a new poultry barn, manure storage, gravel drive and associated stormwater controls.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southeast Regional Office*

Applicant: **Philadelphia Energy Solutions Refining and Marketing LLC**

Applicant Address: 3144 W Passyunk Avenue, Philadelphia, PA 19145-5208

Application Number: **PAD510229 A-1**

Application Type: Major Amendment

Municipality/County: City of Philadelphia, **Philadelphia County**

Project Site Name: The Bellwether District—Innovation Campus: Major Amendment 1

Total Earth Disturbance Area (acres): 65 acres

Surface Waters Receiving Stormwater Discharges: Schuylkill River (WWF, MF)

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

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

Project Description: This application is for the major amendment of phase 1 of the overall project which proposes the development of three, 1-story, industrial/research and development buildings with associated parking and loading spaces, landscape areas, and multiple basins for stormwater management. This also includes the construction of future Jackson Street, and future Forten Way as well as improvements being done on Vare Avenue and Maiden Lane.

Special Conditions: N/A

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

*Cambria District Office*

Applicant: **PA DEP Bureau of Abandoned Mine Reclamation**

Applicant Address: 286 Industrial Park Road, Ebensburg, PA 15931

Application Number: **PAD680015**

Application Type: New

Municipality/County: Brady Township, **Butler County**

Project Site Name: West Liberty # 1

Total Earth Disturbance Area (acres): 21 acres

Surface Waters Receiving Stormwater Discharges: UNT to Slippery Rock Creek (CWF)

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

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

Project Description: Reclamation of 1,500 LF of Dangerous Highwall and 20 acres of Spoil Area caused by abandoned mining activities pre-1977.

Special Conditions: Issuing the Individual NPDES Permit in lieu of the General NPDES Permit expiring 12/7/2024.

You may review the permit application file by contacting DEP's File Review Coordinator at 814-472-1800.

*Northeast Regional Office*

Applicant: **The Charles Chrin Real Estate Trust**

Applicant Address: 400 South Greenwood Ave., Easton, PA 18045-3776

Application Number: **PAD480095**

Application Type: Renewal

Municipality/County: Palmer Township, Tatamy Borough, **Northampton County**

Project Site Name: Chrin Commerce Centre

Total Earth Disturbance Area (acres): 215.0 acres

Surface Waters Receiving Stormwater Discharges: Schoeneck Creek (WWF, MF) and Bushkill 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: Chrin Land Developers is submitting this application to renew Permit No. PAD480095. The project has subdivided a 230-acre parcel of land into the Chrin Commerce Centre and will function as a Business Park. At the time of this renewal application, all previously proposed improvements have been completed. There are two active NPDES permits within the overall 230 acres: Chrin Commerce Centre Lot 9 (No. PAD480095 A-2) in association with light grading activities and NE Quad (NO. PAD480095 A-1) in association with grading activities and the construction of a detention basin. The purpose of this permit renewal is to continue to facilitate the continued development of the commerce center.

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

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

*Southcentral Regional Office*

**Applicant: Columbia Gas of Pennsylvania**

Applicant Address: 1600 Colony Road, York, PA 17408

Application Number: **PAD670100A-1**

Application Type: Major Amendment

Municipality/County: Hopewell and East Hopewell Townships, **York County**

Project Site Name: Vineyard Road

Total Earth Disturbance Area (acres): 3.83 acres

Surface Waters Receiving Stormwater Discharges: Ebaugh Creek (CWF, MF), East Branch Codorus Creek (HQ-CWF, MF), UNTs to Rambo Run (EV, MF), EV Wetlands, and 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: Gas main replacement.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

**STATE CONSERVATION COMMISSION**

**PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed (National Pollutant Discharge Elimination System) NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling 717-787-8821.

Individuals wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

**ACT 38**

**NUTRIENT MANAGEMENT PLANS**

**CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
ENJ Farms LLC 81 Douts Hill Road Pequea, PA 17565	Lancaster County	98.44	442.4	Layers	HQ	Renewal
Jarred Vanderplate 2590 Shumaker Road Manheim, PA 17545	Lancaster County	52	288.86	Pullets	NA	Renewal

## PUBLIC WATER SUPPLY PERMITS

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

Individuals wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30-days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (DEP) the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

### SAFE DRINKING WATER

#### Application(s) Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.*

**Application No. 6724506**, Construction, Public Water Supply.

Applicant	<b>Dover Township</b>
Address	2480 West Canal Road Dover, PA 17315
Municipality	Dover Township
County	<b>York County</b>
Responsible Official	Matthew Helwig 2480 West Canal Road Dover, PA 17315
Consulting Engineer	Spotts, Stevens, and McCoy 1047 N Park Road Reading, PA 19610
Application Received	May 10, 2024
Description	Construction application for a new well (Well No. 11).

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh Rivers, Clerical Assistant 2, 484-250-5887.*

**Application No. 1524508**, Construction, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc. (Pickering)</b>
Address	762 West Lancaster Avenue Bryn Mawr, PA 19010-3402
Municipality	Schuylkill Township
County	<b>Chester County</b>
Responsible Official	Fred P. Gerloff 762 West Lancaster Avenue Bryn Mawr, PA 19010-3402
Consulting Engineer	Mark A. Tompeck 111 Wood Avenue South Iselin, NJ 08830-4112
Application Received	May 17, 2024
Description	Aqua PA is planning to upgrade the East WTP in order to eventually increase the treatment capacity of the plant.

### WATER ALLOCATIONS

#### Application(s) Received Under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) Relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh C. Rivers, Clerical Assistant 2, 484-250-5887.*

**WA-09-1011A**, Water Allocations. **Upper Southampton Municipal Authority**, 939 Street Road, Southampton, PA 18966, Upper Southampton Township, **Bucks County**. Request for Upper Southampton to purchase 1,100,000 gallons per day from Bucks County Water and Sewer Authority. Application received: May 17, 2024.

### 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.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: Ben, 814-350-5132.*

**Bessemer & Lake Erie Greenville PA Yard**, Primary Facility ID # **875524**, 85 Ohl Street, Greenville, PA 16125, Hempfield Township and Borough of Greenville, **Mercer County**. TRC Environmental Corporation, 1030 Wilmer Ave, Suite 100, Richmond, VA 23227 on behalf of Bessemer & Lake Erie Railroad, 85 Ohl Street, Greenville, PA 16125, submitted a Notice of Intent to Remediate. The Locomotive Refueling Area (AOC-01) (the Site) is located on the east side of the property. This AOC was identified in a 2005 Phase I Environmental Site Assessment (ESA). Evidence of staining was observed at the Site during reconnaissance activities. In addition, odors were noted during the removal of two 15,000 gallon USTs. The USTs were replaced with two 10,000-gallon and one 30,000-gallon No. 2 diesel fuel ASTs, in the form of three tank railcars. Subsurface investigations at the Site began in April 2006. Additional subsurface investigations occurred in April and May 2011. Quarterly groundwater gauging began at the Site in April 2012 and continued until March 2017. Additional subsurface investigation took place at the Site in June 2020, along with an additional gauging event in August 2021. Lead and arsenic were detected in Site soils above applicable Statewide Health Standard (SHS) Medium Specific Concentrations (MSCs). In addition, various volatile and semi-volatile compounds (VOCs and SVOCs) were detected in Site soils, however all VOC and SVOC concentrations in Site soils were below applicable SHS MSCs. Arsenic and lead were detected at concentrations above

applicable MSCs in Site shallow groundwater. VOCs and SVOCs were not detected in Site shallow groundwater above applicable MSCs. The primary constituents of concern (COCs) for soil and groundwater at the Site are arsenic, lead, benzene, acetone, carbon disulfide, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)-fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysene, fluoranthene, fluorene, Indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, pyrene. All former refueling infrastructure (i.e., ASTs, USTs, Pump House equipment & piping) was decommissioned in 2014. The Site currently obtains its potable water supply from the Greenville Water Authority (GWA). All historical on-site water withdrawal wells have been abandoned. The intended future use of the Site will continue to be industrial in nature (i.e., a railyard). The Notice of Intent to Remediate was published in *Greenville Newspapers, Inc.* on April 25, 2024. Application received: May 15, 2024.

### RESIDUAL WASTE GENERAL PERMITS

**Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.**

*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.*

**WMGR144NW001. Buckeye Leasing City Slag Quarry**, 8063 Southern Boulevard, Youngstown, OH 44512, City of Hermitage, **Mercer County**. Applicant is proposing to renew the general permit to process and beneficially use blast furnace slag and steel slag generated by steelmaking operations or from historic slag placement areas for use as construction material sub-base, hot or warm mix pavement aggregate, ready mix concrete ingredient, antiskid and for use in Marcellus Shale Pad Construction and Well Annular Material. Application received: March 7, 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.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*



Contact: Waste Program Manager.

**100592. USA South Hills Landfill, Inc.**, 3100 Hill Road, South Park Township, PA 15129, South Park Township and Union Township, **Allegheny County** and **Washington County**. Minor modification application for updates to the Radiation Protection Plan for the USA South Hills Landfill located at 3100 Hill Road. Application received: September 25, 2023. Deemed administratively complete: February 8, 2024. Approved: May 20, 2024.

Comments or questions concerning the application should be directed to Regional Files, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.**

##### *New Applications Received*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

Contact: Jonathan Adams.

**Safeco Services, Inc.**, 3082 S. Eighty Eight Road, Dilliner, PA 15327. **License No. PA-AH 0951.** Accepted: March 12, 2024.

##### *Renewal Applications Received*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

Contact: Jonathan Adams.

**Earth Technology II, LLC**, 85 Laura Street, New Haven, CT 06512. **License No. PA-AH 0691.** Accepted: March 28, 2024.

**Gemchem, Inc.**, P.O. Box 384, Lititz, PA 17543. **License No. PA-AH0259.** Accepted: March 25, 2024.

**S&C Transport, Inc.**, 14800 Farmington Road, Livonia, MI 48154. **License No. PA-AH0446.** Accepted: April 3, 2024.

**R.E.D. Technologies, LLC**, 173 Pickering Street, Portland, CT 06480. **License No. PA-AH 0772.** Accepted: March 27, 2024.

**Waste Management of West Virginia, Inc.**, 1488 Dawson Drive, Bridgeport, WV 26330. **License No. PA-AH 0795.** Accepted: March 6, 2024.

**HEPACO, LLC**, P.O. Box 26308, Charlotte, NC 28221. **License No. PA-AH 0837.** Accepted: April 8, 2024.

**Florida Transformer LLC, dba Emerald Transformer**, 7850 Collin McKinney Parkway, McKinney, TX 75070. **License No. PA-AH 0868.** Accepted: March 18, 2024.

#### REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and Regulations to Transport Regulated Medical and Chemotherapeutic Waste License.**

##### *New Applications Received*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

Contact: Jonathan Adams.

**Biomedical Waste Services, Inc.**, 7610 Energy Parkway, Baltimore, MD 21226. **License No. PA-HC 0291.** Accepted: April 15, 2024.

##### *Renewal Applications Received*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

Contact: Jonathan Adams.

**HEPACO, LLC**, P.O. Box 26308, Charlotte, NC 28221. **License No. PA-HC 0271.** Accepted: May 15, 2024.

### AIR QUALITY

#### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001–4015), 25 Pa. Code Chapters 121–145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401–7671q) and regulations adopted under the Federal Clean Air Act.

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

#### PLAN APPROVALS

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

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

*Contact: David G. Balog, P.E. New Source Review Section Chief, 814-332-6328.*

**24-00012N: Graftech USA LLC**, 800 Theresia Street, Saint Marys, PA 15857, City of Saint Marys, **Elk County**. Application received: October 26, 2023. 24-00012N: GrafTech USA LLC: (800 Theresia Street, Saint Marys, PA 15857). The Department intends to issue plan approval 24-00012N to GrafTech USA LLC for authorization to alter their production process, install new sources, modify an existing source, and to install new control devices. This plan approval modifies and replaces 24-012K which is no longer valid. Their existing Title V facility is located in St Mary City, Elk County. The stack testing requirements of this plan approval differ from plan approval 24-0012K. This project changes the diameter of current electrode production, installs additional machining equipment, and increases the allowable sulfur content of coke consumed during production. A new scrubber will be installed on Source 187 (longitudinal graphitizing furnaces) to reduce SO<sub>2</sub> emissions generated from the coke sulfur content increase. The coke change and control device will result in an overall reduction of SO<sub>2</sub> emission rates. The Longitudinal Graphitizers (Source ID 187), LG Coke Screening (Source ID 158), and Machining Operations (Source ID 715) are existing

sources which will be modified by this project. The project proposes the installation of Column Build End Mill (Source 716), Inspection Coring & Pin Line Machining (Source 717), and Spacer Saw & Cleaning Machine (Exempt). This application concerns emissions which will be generated from a source considered modified or new as defined by 25 Pa. Code § 121.1 (installed post 1972). Emissions from those sources must be the minimum attainable through the use of the best available technology as required by § 127.12a(5). The BAT analysis concluded that bag house control technology is considered BAT for new Sources 716 and 717 and that SO<sub>2</sub> scrubber control technology is considered BAT for modified Source 187. There is no change in BAT for the remaining sources. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, monitoring, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. GrafTech will be required to perform stack testing of a given source if at any time the Department has reason to believe that its emissions are, or may be, in excess of any applicable air contaminant emission limitation. The sulfur content of all coke received will be certified and kept in a log. The sulfur content of coke onsite will be less than the highest sulfur content used during a compliant Source 187 stack test unless otherwise approved. Opacity from any stack equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour or opacity equal to or greater than 60% at any time will be prohibited. GrafTech will report to the Department within 5 days after the discovery of non-compliance with the plan approval. GrafTech will inspect the site for fugitive emissions, visible emissions, and malodors weekly then record the observations and any corrective actions. The proposed sources, Inspection Coring & Pin Line Machining (Source 717) and the Column Build End Mill (Source 716), will each be restricted to PM emissions less than or equal to 0.005 gr/dscf. GrafTech will be required to stack test Source 717 to verify compliance with its PM restrictions. GrafTech will monitor pressure drop across each control devices' filter media and monitor the control devices' exhaust for the presence of visible emissions. Each will be prescribed preventive maintenance and inspections, the records of which will be kept. Spare bags/cartridges will be kept on site. The existing source LG Coke Screening (Source 158) will be restricted to PM emissions of 0.02 gr/dscf and 1.98 tpy. The source will be stack tested within 180 days of the plan approval's issuance. All of the source's other current operating permit conditions will remain in effect. Existing source Machining Operations (Source 715) will remain subject to the conditions of the current operating permit. Source 187 will receive new emission restrictions. SO<sub>x</sub> emissions from Source 187 directed to Stack 187 will be reduced by 85% (at a minimum) by scrubber C187 when inlet SO<sub>x</sub> concentrations are equal to or greater than 100 ppm. SO<sub>x</sub> emissions from C187 calculated as a 24-hour average will not exceed 19.6 lb/hr. Annual SO<sub>x</sub> emissions from C187, calculated as a 12-month rolling total, will not exceed 85.9 tpy. PM<sub>10</sub> emissions (filterable and condensable) from the stack exiting scrubber C187 combined with the Building 800 Roof Monitor emissions shall not exceed the following: 6.33 lbs/hr, 27.74 tpy. PM<sub>2.5</sub> emissions (filterable and condensable) from the stack exiting scrubber C187 combined with the Building 800 Roof Monitor emissions shall not exceed the following: 4.80 lbs/hr, 21.01 tpy. VOC emissions from the stack exiting scrubber C187 combined



with the Building 800 Roof Monitor emissions shall not exceed the following: 4.50 lbs/hr, 19.73 tpy. CO emissions from the stack exiting scrubber C187 combined with the Building 800 Roof Monitor emissions shall not exceed the following: 614.53 lbs/hr, 2,705 tpy. H<sub>2</sub>S emissions from the stack exiting scrubber C187 combined with the Building 800 Roof Monitor emissions shall not exceed the following: 0.03 lb/hr, 0.13 tpy. The permittee shall not exceed the following emission rates from the building 800 monitor (internal resistance graphitizer) source: 18.3 lbs/hr of particulate matter, 30.51 lbs/hr of SO<sub>x</sub> (24-hour average) 544.8 lbs/hr of Carbon Monoxide. Within 360 days after initial startup of the source/control device, a stack test program shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. The stack tests shall be performed while the source is operating at its maximum achievable or normal production rate as stated in the application. The stack program shall determine the control device's (C187) 3-hour average SO<sub>x</sub> control efficiency (when over 100 ppm) and the control devices' 24-hour average PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>x</sub>, VOC, CO, H<sub>2</sub>S, and H<sub>2</sub>SO<sub>4</sub> emission rates (lb/hr). The stack test program shall determine the roof monitor's 24-hour average SO<sub>x</sub>, VOC, and CO emission rates (lb/hr). The 24-hour average tests shall be conducted over three 8-hour segments. Control efficiency shall be determined over 3 1-hour runs by comparing the precontrol and stack emission rates while control device inlet SO<sub>x</sub> concentrations exceed 100 ppm. Within 12 to 18 months prior to the operating permit's expiration, the stack testing program will be repeated. GrafTech will monitor and record: Inlet air pressure of the control device, Scrubber liquid pressure, Scrubber liquid flow rate, Scrubber liquid pH, Inlet gas temperature. GrafTech will maintain a record of all preventive maintenance and inspections of the control device. Records of sulfur content analysis of each shipment of coke received will be kept. GrafTech will establish and adhere to the approved indicator range for the control device so that operation within the range shall provide reasonable assurance of compliance and comply with CAM. GrafTech will install audible alarms which sound if the following monitored parameters leave their approved indicator ranges: Inlet air pressure of the control device, Scrubber liquid flow rate, Scrubber liquid pH. GrafTech will perform a weekly visible inspection of the control device's effluent for the presence of visible emissions. In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340. In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [24-00012N: GrafTech USA LLC] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based

on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to the New Source Review Section Chief, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6328. In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

*Philadelphia: Air Management Services: Air Quality Program, 321 University Avenue, Philadelphia, PA 19104-4543.*

*Contact: Maryjoy Ulatowski, Chief, Source Registration, 215-685-9476.*

**IP22-000660: AdvanSix Resins & Chemicals LLC—Frankford Plant**, 2501 Margaret Street, Philadelphia, PA 19137-1193, City of Philadelphia, **Philadelphia County**. Application received: December 29, 2022. Notice City of Philadelphia—Public Health, Philadelphia Air Management Services (AMS), 7801 Essington Avenue, Philadelphia, PA 19153 Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen (NO<sub>x</sub>), Volatile Organic Compounds (VOCs), Notice of Public Hearing, and Notice of Intent to Issue the following RACT III Plan Approval Permit: IP22-000660: Approval of a Reasonably Available Control Technology (RACT) III plan for the AdvanSix Resins & Chemicals LLC—Frankford Plant (AdvanSix Frankford Plant), located in Philadelphia, Philadelphia County (2501 Margaret Street, Philadelphia, PA 19137-1193), as a RACT III plan approval. In accordance with 25 Pa. Code §§ 129.111—129.115 (relating to additional RACT requirements for major sources of NO<sub>x</sub> and VOCs for the 2015 ozone National Ambient Air Quality Standards (NAAQS)), the AMS has made a preliminary determination to approve a RACT III plan for AdvanSix Frankford Plant owned and operated by AdvanSix Resins & Chemicals LLC in Philadelphia, Philadelphia County. The RACT III plan approval incorporates provisions and requirements for the control of emissions of NO<sub>x</sub> and/or VOCs. These provisions and requirements are intended to address the Commonwealth's RACT obligations under section 184 of the Clean Air Act for the 1997, 2008 and 2015 8-hour ozone NAAQS. The RACT III plan approval does not adopt any new regulations. If approved by the Department, this RACT III plan approval will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the Commonwealth's State Implementation Plan (SIP). Requirements that are not part of the RACT III plan approval will be excluded from the SIP revision submittal. Following is a summary of the NO<sub>x</sub> RACT III plan approval requirements for this facility that are proposed to be submitted to the EPA as a revision to the Commonwealth's SIP: Boilers No. 1 and No. 2 (each 260 MMBtu/hr):

- Boiler No. 1 and Boiler No. 2 shall only burn natural gas and waste phenol residue except if there is a natural gas curtailment, other loss of supply, or during stack testing programs. During such events No. 2 oil may be used. AdvanSix shall use water/steam injection for Boiler No. 1 and Boiler No. 2 while firing waste phenol residue.

- The emission rates for Boilers No. 1 and No. 2:

- o Shall not exceed 0.28 pound of NO<sub>x</sub> per MMBtu heat input for each boiler, on a rolling 30-day average, while burning natural gas, waste phenol residue, or a combination of these fuels.

o Shall not exceed 0.35 pound of NO<sub>x</sub> per MMBtu heat input for each boiler, on a rolling 30-day average, while burning No. 2 oil.

o Shall not exceed 272 tons of NO<sub>x</sub> for the two boilers combined on a 12-month rolling average. Boiler No. 3 (381 MMBtu/hr):

- Boiler No. 3 shall only burn natural gas except if there is a natural gas curtailment, other loss of supply, or during stack testing programs. During such events No. 2 oil may be used. No. 2 oil usage by Boiler No. 3 shall be less than 2% of the unit's annual fuel consumption on a heat input basis based on a 12-month rolling average. AdvanSix shall maintain and operate the low NO<sub>x</sub> burners and wall ports on Boiler No. 3. The emission rates for Boiler No. 3:

o Shall not exceed 0.10 pound of NO<sub>x</sub> per MMBtu heat input based on a rolling 30-operating day average while burning natural gas.

o Shall not exceed 0.12 pound of NO<sub>x</sub> per MMBtu heat input based on a daily average while burning natural gas.

o Since No. 2 oil usage by Boiler No. 3 is limited to less than 2% of the unit's annual fuel consumption on a heat input basis, Boiler No. 3 is exempt from the RACT multiple fuel emission limits and meets case-by-case RACT for No. 2 oil. Additionally, AdvanSix shall perform, at a minimum, the annual combustion tuning specifications as cited in 25 Pa. Code § 129.93(b)(2)–(5) for Boilers Nos. 1–3. The plan approval also contains monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

Public Comment. Copies of the application, AMS analysis, and all pertinent documents used in the evaluation are available electronically for public review and copies can be requested by sending an email to DPHAMS\_Service\_Requests@phila.gov or by contacting the Source Registration Unit at 215-685-7572. A 30-day public comment period is provided for persons wishing to file a written protest, objection, comments, or additional information, which they believe should be considered prior to the issuance of a permit. The written comments, information, protests, or objections may be submitted to the Chief of Source Registration, at 7801 Essington Ave., Philadelphia, PA 19153-3240, or at DPHAMS\_Service\_Requests@phila.gov on or before the closing date of this 30-day public comment period. The 30-day public comment period closes on June 30, 2024. Each written submission must contain the name, address and telephone number of the person submitting the comments, identification of the RACT III plan approval, including the permit number, and a concise statement regarding the RACT III plan approval provision or requirement that the person is commenting on and the relevancy of the information or objections to issuance of the RACT III plan approval. AMS suggests submitting any mailed correspondence also by e-mail.

Public hearing. A virtual public hearing will be held if requested within 30 days of this publication to accept oral comments on the proposed RACT III Plan Approval and SIP revision. The hearing will be held, if requested, on July 18, 2024 at 6:00 PM. To request a hearing, to register to speak at the hearing, or to inquire if a hearing will be held, please contact the Chief of Source Registration at DPHAMS\_Service\_Requests@Phila.gov by June 30, 2024. In the email, please write "AdvanSix Resins & Chemicals LLC—Frankford Plant IP22-000660" in the subject line. Speakers must pre-register in order to testify at the hearing. Please note that any updates made to any

aspect of the hearing, including whether or not a hearing will be held, will be posted online at [https://www.phila.gov/departments/air-pollution-control-board/air-management-notices/Oral testimony](https://www.phila.gov/departments/air-pollution-control-board/air-management-notices/Oral%20testimony) at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing may submit a written statement and exhibits within 10 days thereafter to the Chief of Source Registration at 7801 Essington Ave., Philadelphia, PA 19153-3240, or at DPHAMS\_Service\_Requests@Phila.gov. Individuals in need of accommodations and/or interpretation should contact AMS at DPHAMS\_Service\_Requests@Phila.gov and/or 215-685-7572. Please include: (1) the name and contact information of the person requesting an accommodation and/or interpretation; (2) the name of the program, service, activity, or location of the request; and (3) a description of the modification and/or interpretation being requested.

*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.*

**01-03042A: G & S Foods, LLC**, 293 Blettner Avenue, Hanover, PA 17331, Conewago Township, **Adams County**. Application received: February 21, 2024. For the construction and operation of a snack food manufacturing facility. The facility PTE based on 8,760 hours of operation is 7.88 tpy CO, 10.98 tpy NO<sub>x</sub>, 6.66 tpy PM<sub>10</sub>, 17.03 tpy VOC, and < 1 tpy each of SO<sub>x</sub> and HAP. DEP's review of the information submitted by the applicant indicates that the air contamination sources as 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 these findings, the Department proposes to issue a plan approval for the facility. If, after the project has been implemented, the Department determines that the sources are operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an operating permit pursuant to the provisions of 25 Pa. Code Chapter 127.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.*

**11-00378: Interpower Alcon Partners, LP**, 141 Interpower Drive, Colver, PA 15927, Cambria Township, **Cambria County**. Application received: November 9, 2023. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue a modification to the Title V operating permit to Interpower Alcon Partners, LP for the waste coal-fired electric generating facility located in Cambria Township, Cambria County. The modification addresses Petition No. III-2020-13 of June 7, 2022, and also incorporates presumptive Reasonably Available Control Technology (RACT III) requirements into the Title V operating permit. The facility consists of one (1) 1,214.5 MMBtu/hr, 102-MW circulating fluidized bed (CFB) waste



coal-fired boiler. Emissions from the CFB boiler is controlled by limestone fed into the fluidized bed to control sulfur dioxide (SO<sub>2</sub>) emissions, low combustion temperatures, rotating opposed fire air (ROFA), and selective non-catalytic reduction systems (SNCR) with urea injection, to control NO<sub>x</sub> emissions, coarse particulate cyclone separation with reinjection into the bed, followed by fabric filters to control PM emissions and further control SO<sub>2</sub> emissions. Supporting equipment at this site includes one (1), 28 MMBtu/hr, propane-fired fuel dryer, one (1) 5.7 MMBtu/hr, propane-fired propane vaporizer, two (2), 780-bhp and 412-bhp, emergency, diesel engines, coal processing, handling and conveying equipment, an ash handling system, and plant roadways. Additional monitoring requirements with specified ranges and recordkeeping requirements are proposed to address the petition. Presumptive RACT III requirements for the CFB boiler include a 0.16 lb NO<sub>x</sub>/MMBtu emission limitation when firing primarily bituminous waste such as gob, and for the other sources subject to RACT at this facility, are to install, maintain and operate the source in accordance with the manufacturer's specifications and with good operating practices. Annual facility-wide potential emissions are 1,268 tons of CO, 954 tons of NO<sub>x</sub>, 49 tons of VOC, 86 tons of PM<sub>-10</sub>, 51 tons of PM<sub>-2.5</sub>, 1,287,020 tons of carbon dioxide equivalent (CO<sub>2</sub>e), and 172 tons of HAPs. No equipment changes are being approved by this action. The permit includes emission limitations, operational, monitoring, testing, recordkeeping, work practice, and reporting requirements for the site. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the modified Title V operating permit may submit the information to Thomas Joseph, Environmental Engineering Manager, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (11-00378) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit. A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Thomas Joseph, Environmental Engineering Manager, at the previously listed address. All comments must be received prior to the close of business 30 days after the date of this publication. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> and by contacting Thomas Joseph, Environmental Engineering Manager, at 412-442-4336 or [tjoseph@pa.gov](mailto:tjoseph@pa.gov). Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Lauren Camarda at 412-442-4203 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

## OPERATING PERMITS

### Notice of Intent to Issue Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

*Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.*

**24-00121, Northwest Hardwoods Ridgway Fac,** 299 Hardwood Dr, Ridgway, PA 15853-7059, Ridgway Township, **Elk County**. Application received: February 16, 2023. The Department intends to issue the renewal State Only Natural Minor Operating Permit for the hardwood lumbers sawmill. The facility's primary emission sources include an 11.9 MMBtu/hr wood-fired boiler controlled by a multiclone, three (3) wood-fired space heaters, and miscellaneous woodworking operations controlled by a cyclone. The potential emissions of the primary pollutants from the facility are as follows: 12.38 TPY (tons per year) NO<sub>x</sub>, 33.77 TPY CO, 0.96 TPY VOC, 19.01 TPY PM<sub>-10</sub>, 11.69 TPY PM<sub>-2.5</sub>, and 1.41 TPY SO<sub>x</sub>; thus, the facility is a natural minor. The boiler is subject to 40 CFR 63 Subpart JJJJJ, NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

**67-05145, Oldcastle Building Envelope, Inc.,** 1551 Mount Rose Avenue, York, PA 17403, Spring Garden Township, **York County**. Application received: April 4, 2024. To issue a State Only Operating Permit significant modification for the architectural door and window manufacturing facility. The significant modification will remove facility-wide operating hour restrictions and associated operating hour recordkeeping requirements for surface coating operations.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Janine Tulloch-Reid, Environmental Engineer Manager, 484-250-7505.*

**09-00142, Bank of America N.A.,** 35 Runway Drive, Levittown, PA 19057-4700, Bristol Township, **Bucks County**. Application received: April 12, 2024. Bank of America National Association (BOA) (formerly doing business as ML 35 LLC) has submitted a State Only Operating Permit (SOOP) renewal application. BOA utilizes twelve (12) diesel fuel-fired emergency generators to provide backup electrical power, testing and maintenance, uninterrupted power supply (UPS) maintenance and demand response for their data center facility. The renewal permit is for a non-Title V (State Only) facility. The permit was initially issued on 1/23/2003 and was renewed on 3/20/2008, 3/6/2014 and on 12/16/2019. The facility's potential to emit NO<sub>x</sub> is greater than major thresholds without controls or limitations; therefore, the facility is a Synthetic Minor. The Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting



the Southeast Regional Office through the contact person previously listed in the header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEAOAQPUBCOM@pa.gov.

**15-00031, Henry Company**, 336 Coldstream Road, Kimberton, PA 19442, East Pikeland Township, **Chester County**. Application received: February 14, 2024. This action is a renewal of a State Only Natural Minor Operating Permit. The facility manufactures protective asphalt coatings and operates numerous mixing tanks, storage tanks, various process piping and one (1) natural gas emergency generator rated at 60 kW (88 hp). Potential emissions at the facility are as follows: 9.92 tons per year of nitrogen oxides (NO<sub>x</sub>); 24.9 tons per year of volatile organic compound (VOC); 6.18 tons per year of carbon oxides (CO); 8.25 tons per year of Particulate Matter (PM); 3.61 tons per year sulfur oxides (SO<sub>x</sub>) and less than 1 ton per year Hazardous Air Pollutants (HAPs). The facility has elected to take a facility wide emission limit of 24.90 tons of VOC per year. Therefore, the facility operates as a synthetic minor for VOC. The facility is an area source for all other criteria. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility 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 previously listed in the header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEAOAQPUBCOM@pa.gov.

#### PLAN APPROVALS

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

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Shailesh Patel, New Source Review Chief, 570-826-2357.*

**39-00113A, Westport Axle Corp.**, 8801 Congdon Hill Dr., Alburtis, PA 18011, Alburtis Borough, **Lehigh County**. Application received: January 23, 2024. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Westport Axle Corp. for their facility located in Alburtis Borough, Lehigh County. Plan Approval No. 39-00113A will be incorporated into an initial State-Only (Synthetic Minor) Operating Permit at a later date. Plan Approval No. 39-00113A is for the addition of a new topcoat painting operation their facility. The topcoat painting operation consists of two separate fully enclosed spray paint booths controlled by dry panel filters operating in line with each other. The coating operations are subject to the requirements of 25 Pa. Code § 129.52d for the control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the

application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Permit No. 39-00113A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Shailesh Patel, EEM, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2357 within 30 days after publication date.

#### COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

Mining activity permits issued in response to such applications are also subject to applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (DEP). A copy of the application is available for inspection at the District Mining Office indicated above each application. Requests for 401 Water Quality Certifications are included in individual application only if noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or Local Government Agency or Authority to DEP at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to

public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

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

*Noncoal Applications*

*Effluent Limits*—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity.			
pH must always be greater than 6.0; less than 9.0.			

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.*

*Contact: Alicia Cook, Clerical Assistant 3, 814-343-3328.*

**Mining Permit No. 16242802. P. Tinker’s Contracting, Inc.**, 954 Reed Road, Clarion, PA 16214, Ashland Township, **Clarion County**. New permit application for a small noncoal industrial minerals operation affecting 5.0 acres. Receiving stream(s): unnamed tributary to Little East Creek classified for the following use(s): CWF. Application received: May 10, 2024.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPOTTSVILLEDMO@pa.gov.*

**Mining Permit No. 8074SM3. NPDES No. PA0118443. Harleysville Materials, LLC**, 460 Indian Creek Road, Harleysville, PA 19438-2119, Lower Salford Township, **Montgomery County**. Renewal of a NPDES Permit on a quarry operation affecting 43.8 acres. Receiving stream: East Branch of Perkiomen Creek. Application received: May 8, 2024. Accepted: May 15, 2024.

**MINING ACTIVITY NPDES DRAFT PERMITS**

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (NPDES) permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (DEP) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

*Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

*Effluent Limits for Noncoal Mining Activities*

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters DEP may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

*Coal NPDES Draft Permits*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.*

*Contact: RA-EPCAMBRIADMO@pa.gov.*

**NPDES No. PA0248878. Mining Permit No. 4072SM2. Penn Coal Land, Inc.,** P.O. Box 68, Boswell, PA 15531, Elk Lick Township, **Somerset County.** Renewal of NPDES permit affecting approximately 31.2 acres. Receiving stream: Casselman River classified for the following use: WWF. Application received: April 4, 2024.

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 Casselman:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>
002	Existing	Treatment Outfall

The following limits apply to dry weather discharges from all facilities to the Casselman River

<i>Discharge Parameter</i>	<i>Discharge Limitations</i>			<i>Instantaneous Maximum</i>	<i>Monitoring Requirements</i>	
	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Measure-ment Frequency (minimum<sup>1</sup>)</i>	<i>Sample Type</i>
Total Suspended Solids (mg/L)	N/A	35	70	90	2/Month	Grab
Iron, Total (mg/L)		1.9	3.8	4.8	2/Month	Grab
Manganese, Total (mg/L)		1.2	2.5	3.2	2/Month	Grab
Aluminum, Total (mg/L)		0.75	0.75	0.75	2/Month	Grab
Net Alkalinity (as CaCO <sub>3</sub> , mg/L)	0.0				2/Month	Calculated
Alkalinity, Total (as CaCO <sub>3</sub> , mg/L)			Report		2/Month	Grab
Acidity, Total (as CaCO <sub>3</sub> , mg/L)			Report		2/Month	Grab
pH (S.U.)	6.0			9.0	2/Month	Grab
Specific Conductance (micromhos)			Report		2/Month	Grab
Sulfate			Report		2/Month	Grab
Flow (gpm)			Report		2/Month	Measured
Temperature (°F)			Report		2/Month	Measured

**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)).**

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Jay Maneval, Water Pollution Biologist 2, 570-327-3765.*

**E6004224-002. PNK P2, LLC,** 500 Office Center Drive, Suite 4023, Fort Washington, PA 19034, Gregg



Township, **Union County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 16, 2024.

To construct three warehouses located at Great Streams Common, Allenwood, PA 17810. The construction will permanently impact 4,249 square feet (0.1 acre) of Palustrine Emergent, Palustrine Scrub-Shrub, and Palustrine Forested Wetland (Allenwood, PA Quadrangle, Latitude: 41°, 7', 17.24", Longitude: -76°, 54', 8.92").

*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.*

**E4802124-007. PA Department of Transportation, Eng District 5-0**, 1002 Hamilton Street, Allentown, PA 18101, Williams Township, **Northampton County**. U.S. Army Corps of Engineers Philadelphia District. Application received: April 18, 2024.

To remove the existing structure and to construct and maintain approximately 735-LF of retaining wall along the Lehigh Canal (WWF, MF) supporting SR 0611. The proposed project is located along SR 0611 starting at the approximate intersection of SR 00611 and Saylor's Lane and continues north for approximately 0.25 mile (Easton, PA Quadrangle, Latitude: 40.643877°, Longitude: -75.197883° to Latitude: 40.645734°, Longitude: -75.201311°) in Williams Township, Northampton County.

**E3902224-001. Blue Triton Brands, Inc.**, 900 Long Ridge Road, Building 2, Stamford, CT 06902-1140, Upper Macungie Township, **Lehigh County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 21, 2024.

To construct and maintain a stream enclosure of Iron Run (HQ-CWF, MF) consisting of an 8-foot high by 3.5-foot wide by 100-foot long concrete box culvert for the extension of the existing enclosure near the northernmost portion of the site. The project is located at 405 Nestle Way, (Topton, PA Quadrangle, Latitude: 40.572749; Longitude -75.630391) in Upper Macungie Township, Lehigh County.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

**E0703224-001. Peoples Natural Gas Company, LLC**, 3115 Elton Road, Johnstown, PA 15904, Frankstown Township, **Blair County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 1, 2024.

To install approximately 340 linear feet of 6-inch plastic gasline. The proposed impacts are as follows: 51 square feet of permanent impact to Juniata River (WWF, MF), 38 square feet of permanent impact to the floodway of Juniata River (WWF, MF), 2,690 square feet of temporary impact to the floodway of Juniata River (WWF, MF), and approximately 82 square permanent impact to wetlands. The purpose of the proposed work is to bring gas service to a new customer along Degol Industrial Drive. The project is located at Latitude: 40.437265°, Longitude: -78.358868° in Frankstown Township, Blair County.

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: ra-ep-ww-sero-105@pa.gov.*

**E0901223-003. Morning Companies, LLC**, 132-A Veterans Lane, # 362, Doylestown, PA 18902, Dublin Borough, **Bucks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: February 28, 2023.

Morning Companies, LLC is proposing the following activities in and along the 100-year floodway of the UNT Morris Run associated with the construction of new two-storied buildings and parking lots to: 1) realign approximately 296 LF of the existing stream Channel associated with retaining wall rapping the new proposed development, 2) construct and maintain a new 8-ft by 3-ft concrete box culvert along the existing stream Channel and 3) construct and maintain three-checked Dams along the stream Channel to match the existing slope for the total 3,318 SF of waterway impact. The site is located at 144 North Main Street, near the intersection of North Main Street and Manor Drive (Doylestown, PA USGS map) in Dublin Township, Bucks County. Latitude: 40.374028°, Longitude: -75.207794°.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Dana Drake, Program Manager.*

**E6305224-002. Pennsylvania American Water Company**, 300 Galley Road, McMurray, PA 15317, Union Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: March 11, 2024.

To:

1. Construct and maintain an addition to the existing raw water intake building to house additional pumps and intake components for the E.H. Aldrich Water Treatment Plant which will permanently impact 420 square feet of the 100-yr floodplain of the Monongahela River (WWF).

2. Construct and maintain an electrical building for the E.H. Aldrich Water Treatment Plant which will permanently impact 84 square feet of the 100-yr floodplain of the Monongahela River.

3. Construct and maintain stormwater management facilities that include an infiltration trench, underground storage chamber, inlet, endwall, and riprap apron, which will permanently impact 80 square feet of the 100-yr floodplain of the Monongahela River.

For the purpose of constructing improvements at the E.H. Aldrich Water Treatment Plant. Total permanent impacts to the floodplain of the Monongahela River will be 0.013 acre and total temporary impacts to the floodplain will be 0.021 acre.

The project site is located at 60 Elrama Avenue, Elrama, PA 15038 (Monongahela, PA USGS topographic quadrangle; N: 40°, 15', 2"; W: -79°, 55', 36.7"; Sub-basin 19C; USACE Pittsburgh District) in Union Township, Washington County.

**E5605123-002. PennDOT District 9**, 1620 N. Juniata Street, Hollidaysburg, PA 16648, Conemaugh Township, **Somerset County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 2, 2024.

To:

1. Remove the existing 17.56' long, 24.34' wide Single Span Reinforced Concrete Slab bridge, and to construct and maintain a replacement 37.90' long, 18' by 5'6" Reinforced Concrete Box Culvert, resulting in a net loss of

20.34 LF of open channel, and having a permanent wetland impact of 0.002 acre to a Palustrine Emergent (PEM) Wetland.

2. Construct and maintain two (2) 18" HDPE stormwater outfall structures, including end walls and rock aprons; Outfall S1, having a permanent watercourse impact of 69 LF to an unnamed tributary (UNT) to Stonycreek River (CWF), and a permanent floodway impact of 0.113 acre, and Outfall S2, having a permanent floodway impact of 0.002 acre and a temporary floodway impact of 0.029 acre to the floodway of Stonycreek River (WWF).

3. Construct and maintain a temporary stream diversion and other erosion and sediment control structures, having a combined temporary watercourse impact of 98 LF to a UNT to Stonycreek River and a temporary floodway impact of 0.095 acre to the floodway of Stonycreek River.

For the purpose of replacing a structure, carrying SR 601 over a UNT to Stonycreek River. The project will have a cumulative and permanent impact to 69 LF of watercourses and a cumulative and temporary impact to 98 LF of watercourses. The project will also have a cumulative and permanent impact to 0.002 acre of wetlands and 0.115 acre of floodways, as well as a cumulative and temporary impact to 0.124 acre of floodways.

The project site is located approximately 200 LF from the intersection of PA Route 601 and PA Route 403 (Hooversville, PA USGS topographic quadrangle; N: -40°, 12', 37.20222"; W: 78°, 55', 38.1159"; Sub-basin 18E; USACE Pittsburgh District), in Conemaugh Township, Somerset County.

#### ENVIRONMENTAL ASSESSMENTS

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

**EA2203224-002. East Hanover Township**, 8848 Jonestown Road, Grantville, PA 17028, East Hanover Township, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 19, 2024.

To conduct a stream restoration project along approximately 1,600 feet of an unnamed tributary to Manada Creek (WWF, MF), including 1.) the installation and maintenance of three boulder clusters; 2.) the construction and maintenance of a total of 97 feet of boulder rock revetment; 3.) the construction and maintenance of four cross log vanes; 4.) the construction and maintenance of sixteen log vanes; and 5.) the installation and maintenance of an 8.0-foot wide by 5.0-foot high by 12.0-foot long open bottom concrete box culvert with wingwalls in an unnamed tributary to Manada Creek (WWF, MF), all impacting a total of 0.42 acre of palustrine emergent/scrub shrub wetlands and all for the purposes of restoring natural channel dimensions and reconnecting the watercourse with its floodplain. The project is located approximately 0.2 mile north of the intersection of Jonestown Road and Manada Gap Road (Latitude: 40.3647°N; Longitude: 76.6830°W) in East Hanover Township Dauphin County. The applicant proposes to re-establish the impacted wetlands in place.

#### EROSION AND SEDIMENT CONTROL

The following parties have applied for an Erosion and Sediment Control Permit (ESCP) for an earth disturbance activity associated with either a road maintenance or timber harvesting operation.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

Individuals wishing to comment on the proposed permit are invited to submit a statement to the appropriate DEP Regional Office listed above the application within 30-days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement to inform DEP of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate DEP Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity are on file and may be inspected at the office identified in this notice.

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

#### STORAGE TANKS

##### SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (DEP) and is currently under review. Individuals wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, P.O. Box 8762, Harrisburg, PA 17105-8762, within 30-days from the date of this publication. Comments may also be submitted via email to tanks@pa.gov. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform DEP of the exact basis of the comment and the relevant facts upon which it based.

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).

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**Application(s) Received for Storage Tank Site-Specific Installation Permits Under the Authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and Under 25 Pa. Code Chapter 245, Subchapter C.**

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SSIP Application No.	<b>24005</b>	Municipality	Hanover Township
Applicant Name	<b>Air Products and Chemicals, Inc.</b>	Tank Type	Two ASTs storing petroleum products
Address	1940 Air Products Blvd	Tank Capacity	40,000 gallons total
City, State, Zip	Allentown, PA 18106	Application Received	April 29, 2024
County	<b>Lehigh County</b>		

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## ACTIONS

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

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at [www.dep.pa.gov/CWPUBLICNOTICE](http://www.dep.pa.gov/CWPUBLICNOTICE).

DEP office contact information to review official files relating to the final actions in Section I is as follows:

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES\_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES\_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES\_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.*

*DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES\_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.*

*DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES\_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.*

*DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES\_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.*

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not

needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. §§ 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. *See Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

**I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.**

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD060092	Chapter 102 Individual NPDES Permit	Issued	Bridging Pennsylvania Development I LLC 1 Allegheny Square Nova Tower 1 Suite 300 Pittsburgh, PA 15212-5318	Greenwich Township Berks County	SCRO
PAD130016	Chapter 102 Individual NPDES Permit	Issued	Blue Ridge Real Estate Co. P.O. Box 707 Blakeslee, PA 18610-0707	Kidder Township Carbon County	NERO
PAD140108	Chapter 102 Individual NPDES Permit	Issued	Centre Hills Country Club 153 Country Club Road State College, PA 16801-7719	State College Borough Centre County	NCRO
PAD210040	Chapter 102 Individual NPDES Permit	Issued	Forgedale Xing LLC 529 E Main Street Lititz, PA 17543-2121	South Middleton Township Cumberland County	SCRO
PAD400068	Chapter 102 Individual NPDES Permit	Issued	901 Sathers LLC Inc. 3 Empire Boulevard South Hackensack, NJ 07606-1806	Pittston Township Luzerne County	NERO
PAD540023	Chapter 102 Individual NPDES Permit	Issued	Eagle Rock Resort Inc. 1031 Valley of Lks Hazleton, PA 18202-9714	North Union Township Schuylkill County	NERO
PAD590016	Chapter 102 Individual NPDES Permit	Issued	Repsol Oil & Gas USA LLC 337 Daniel Zenker Drive Horseheads, NY 14845-1008	Liberty Township Tioga County	NCRO
PAD670097	Chapter 102 Individual NPDES Permit	Issued	MPL SGH Holdings LLC 801 Belvedere Street Carlisle, PA 17013-4002	Springfield Township York County	SCRO
PA0275972	Industrial Stormwater Individual NPDES Permit	Issued	Behr Proc Corp 9670 West Hills Court Kutztown, PA 19530	Weisenberg Township Lehigh County	NERO
PAS206111	Industrial Stormwater Individual NPDES Permit	Issued	JWF Ind Inc. 84 Iron Street Johnstown, PA 15906-2618	West Taylor Township Cambria County	SWRO
0624802	Joint DEP/PFBC Pesticides Permit	Issued	Januszka Cynthia 185 Golf Road Reinholds, PA 17569-9067	South Heidelberg Township Berks County	SCRO
0913861	Joint DEP/PFBC Pesticides Permit	Issued	Camp Onas 609 Geigel Hill Road Ottsville, PA 18942-9707	Tinicum Township Bucks County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0913874	Joint DEP/PFBC Pesticides Permit	Issued	Phillips Stephen L 6454 Meetinghouse Road New Hope, PA 18938-5642	Solebury Township Bucks County	SERO
0913919	Joint DEP/PFBC Pesticides Permit	Issued	Rasner Dave 511 S 21st Street Philadelphia, PA 19146-1363	Tinicum Township Bucks County	SERO
0913964	Joint DEP/PFBC Pesticides Permit	Issued	Allen John 54 Rock Ridge Road Upper Black Eddy, PA 18972-9518	Tinicum Township Bucks County	SERO
0913966	Joint DEP/PFBC Pesticides Permit	Issued	Millpond of Makefield HOA Bucks County 108 Pondview Drive Washington Crossing, PA 18977-1528	Upper Makefield Township Bucks County	SERO
0913968	Joint DEP/PFBC Pesticides Permit	Issued	Long Meadow HOA 17 Larkspur Lane Newtown, PA 18940-2620	Upper Makefield Township Bucks County	SERO
1324801	Joint DEP/PFBC Pesticides Permit	Issued	Sokalsky Will Jr 115 Smith Road Jim Thorpe, PA 18229-2797	Penn Forest Township Carbon County	NERO
1516839	Joint DEP/PFBC Pesticides Permit	Issued	Colket Brian 707 Hillview Road Malvern, PA 19355-3429	Willistown Township Chester County	SERO
1524806	Joint DEP/PFBC Pesticides Permit	Issued	Niehaus David 50 McCormick Way Lincoln University, PA 19352-9052	New London Township Chester County	SERO
3814805	Joint DEP/PFBC Pesticides Permit	Issued	Kenbrook Bible Camp 190 Pine Meadow Road Lebanon, PA 17046-7938	Swatara Township Lebanon County	SCRO
3913823	Joint DEP/PFBC Pesticides Permit	Issued	The Lakes Apartments 3218 W Cedar Street Allentown, PA 18104-3408	Allentown City Lehigh County	NERO
4513829	Joint DEP/PFBC Pesticides Permit	Issued	East Stroudsburg Borough Monroe County P.O. Box 303 East Stroudsburg, PA 18301-0303	East Stroudsburg Borough Monroe County	NERO
4513837	Joint DEP/PFBC Pesticides Permit	Issued	East Stroudsburg Borough Monroe County P.O. Box 303 East Stroudsburg, PA 18301-0303	East Stroudsburg Borough Monroe County	NERO
4613854	Joint DEP/PFBC Pesticides Permit	Issued	Upper Moreland Township Montgomery County 117 Park Avenue Willow Grove, PA 19090-3209	Upper Moreland Township Montgomery County	SERO
4613888	Joint DEP/PFBC Pesticides Permit	Issued	Kroiz Irwin 1602 Morgan Drive Ambler, PA 19002-2402	Lower Gwynedd Township Montgomery County	SERO
4613898	Joint DEP/PFBC Pesticides Permit	Issued	Kress Kraig 1413 Newman Road Pennsburg, PA 18436	Upper Hanover Township Montgomery County	SERO
4617809	Joint DEP/PFBC Pesticides Permit	Issued	Germantown Academy School 340 Morris Road Fort Washington, PA 19034	Whitemarsh Township Montgomery County	SERO
5813806	Joint DEP/PFBC Pesticides Permit	Issued	Caruso Anthony 4971 Chestnut Hill Road Center Valley, PA 18034-8666	Clifford Township Susquehanna County	NERO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6413805	Joint DEP/PFBC Pesticides Permit	Issued	Coxton Lake Protective Assoc 6085 Whitetail Drive Coopersburg, PA 18036-9592	Preston Township Wayne County	NERO
6424804	Joint DEP/PFBC Pesticides Permit	Issued	Krahmert-Cantin Family Trust 37 Minebrook Road Colts Neck, NJ 07722	Buckingham Township Wayne County	NERO
1590416	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Upper Uwchlan Township Municipal Authority 140 Pottstown Pike Chester Springs, PA 19425-9516	Upper Uwchlan Township Chester County	SERO
PA0027421	Major Sewage Facility >= 5 MGD Individual NPDES Permit	Issued	Norristown Municipal Waste Authority Montgomery County 235 East Airy Street Norristown, PA 19401	Norristown Borough Montgomery County	SERO
PA0009458	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Pittsburgh Glass Works LLC 4408 E Pleasant Valley Boulevard Tyrone, PA 16686-7029	Antis Township Blair County	SCRO
PA0024228	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Table Trust Brands LLC 2609 Route 22 P.O. Box 10 Fredericksburg, PA 17026	Bethel Township Lebanon County	SCRO
PA0204269	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Inter Power Ahlcon Partners LP 141 Interpower Drive Colver, PA 15927-4207	Barr Township Cambria County	SWRO
PA0004995	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Armstrong Cement & Supply Corp 100 Clearfield Road Cabot, PA 16023-9531	Winfield Township Butler County	NWRO
PA0005029	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Brookfield Power Piney & Deep Creek LLC 482 Old Holtwood Road Holtwood, PA 17532-9720	Piney Township Clarion County	NWRO
PA0215856	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Blairsville Municipal Authority Indiana County 203 E Market Street Blairsville, PA 15717-1120	Derry Township Westmoreland County	SWRO
PA0081191	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	MHC PA Dutch Country LP 2 N Riverside Plaza # 800 Chicago, IL 60606-2600	West Cornwall Township Lebanon County	SCRO
PA0088668	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Metal Township Municipal Authority Franklin County 17001 Fannettsburg Road E P.O. Box 232 Fannettsburg, PA 17221	Metal Township Franklin County	SCRO
PA0095150	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Bunola Estates LLC 1598 Oakleaf Lane Pittsburgh, PA 15237-1512	Forward Township Allegheny County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0240001	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	PA DCNR 38 Clear Creek Street Park Road Sigel, PA 15860-9502	Barnett Township Jefferson County	NWRO
PA0022233	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Arendtsville Borough Municipal Authority Adams County 1 Chestnut Street P.O. Box 508 Arendtsville, PA 17303	Arendtsville Borough Adams County	SCRO
PA0023604	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	McAlisterville Area Joint Authority Juniata County P.O. Box 61 McAlisterville, PA 17049-0061	Fayette Township Juniata County	SCRO
PA0037737	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Elizabethville Borough Area Authority Dauphin County 4154 N Route 225 Elizabethville, PA 17023-9704	Elizabethville Borough Dauphin County	SCRO
PA0070378	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Blue Mountain Academy 2363 Mountain Road Hamburg, PA 19526-8745	Tilden Township Berks County	SCRO
PA0081582	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Possum Valley Municipal Authority Adams County 609 Clearview Road Aspers, PA 17304-9703	Menallen Township Adams County	SCRO
PA0092550	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Bradys Bend Township Water & Sewer Authority 697 State Route 68 East Brady, PA 16028-2817	Bradys Bend Township Armstrong County	NWRO
PA0093165	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	PA American Water Co. 800 W Hershey Park Drive Hershey, PA 17033-2400	Donegal Township Washington County	SWRO
0284407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Bunola Estates LLC 1598 Oakleaf Lane Pittsburgh, PA 15237-1512	Forward Township Allegheny County	SWRO
3471403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	McAlisterville Area Joint Authority Juniata County P.O. Box 61 McAlisterville, PA 17049-0061	Fayette Township Juniata County	SCRO
NNOEXSC33	No Exposure Certification	Issued	Specialty Bakers LLC 450 S State Road Marysville, PA 17053-1020	Marysville Borough Perry County	SCRO
NOEX11702	No Exposure Certification	Issued	ON Semiconductor 125 Crestwood Drive Mountain Top, PA 18707-2107	Wright Township Luzerne County	NERO
NOEXSE251	No Exposure Certification	Issued	ABF Freight System Inc. 3801 Old Greenwood Road Fort Smith, AR 72903	Upper Providence Township Montgomery County	SERO



## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG030294	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Clemens Food Group 2700 Clemens Road Hatfield, PA 19440-4202	Hatfield Township Montgomery County	SERO
PAG030316	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Atlantic Used Auto Parts Inc. 6544 Essington Avenue Philadelphia, PA 19153-3526	Philadelphia City Philadelphia County	SERO
PAG033953	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Westrock-Southern Container LLC 500 Richardson Drive Lancaster, PA 17603-4038	East Hempfield Township Lancaster County	SCRO
PAG034909	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Wenger Feeds LLC P.O. Box 26 Rheems, PA 17570-0026	Clinton Township Lycoming County	NCRO
PAG035046	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Highland Fld Service LLC 51 Zents Boulevard Brookville, PA 15825-2701	Blossburg Borough Tioga County	NCRO
PAG036347	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Genesys Ind Inc. P.O. Box 980 Ellenton, FL 34222-0980	Unity Township Westmoreland County	SWRO
PAG036532	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Maund Ind Inc. 1200 Wood Street California, PA 15419-1262	California Borough Washington County	SWRO
PAG038335	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	John W Thrower Inc. 409 Saxonburg Boulevard Saxonburg, PA 16056-9451	Clinton Township Butler County	NWRO
PAG038345	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ellwood Crankshaft & Mach Co. 1161 N Sharpsville Avenue Sharon, PA 16146-2442	Sharon City Mercer County	NWRO
PAG038371	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Todd Rarey d/b/a Rareys Auto Service 1335 Jackson Run Road Warren, PA 16365-4783	Conewango Township Warren County	NWRO
PAG038422	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Waste Management PA Inc. 1154 W 16th Street Erie, PA 16502-1501	Erie City Erie County	NWRO
PAG038424	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Jays Auto Wrecking Inc. 11610 Hamilton Road Edinboro, PA 16412-1117	Washington Township Erie County	NWRO
PAG038459	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kawneer Co. Inc. 71 Progress Avenue Cranberry Township, PA 16066-3511	Cranberry Township Butler County	NWRO
PAG038560	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sintermet LLC 222 N Prk Drive W Hills Ind Prk Kittanning, PA 16201	East Franklin Township Armstrong County	NWRO
PAG038580	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Hodge Foundry Inc. 42 Leech Road Greenville, PA 16125-9724	Hempfield Township Mercer County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG038582	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Freeport Terminal Inc. P.O. Box 72 700 Riverside Drive Freeport, PA 16229-0072	Freeport Borough Armstrong County	NWRO
PAG041102	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Hoffman Kevin S 783 Willow Avenue P.O. Box 10 Knox, PA 16232-1857	Porter Township Clarion County	NWRO
PAG041300	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Senger Paul 21638 Fry Road Saegertown, PA 16433-2716	Cussewago Township Crawford County	NWRO
PAG041334	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	John W and Marcia A Konopa 7951 Griffey Road West Springfield, PA 16443-9622	Springfield Township Erie County	NWRO
PAG049223	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Trubic Darren 1701 Samuelson Road Youngsville, PA 16371-4521	Sugar Grove Township Warren County	NWRO
PAG049337	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Headley Jean 102 Nursery Road Renfrew, PA 16053-9301	Connoquenessing Township Butler County	NWRO
PAG049419	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Adams Charles A 21632 Fisher Road Meadville, PA 16335-5474	Woodcock Township Crawford County	NWRO
PAG066141	PAG-06 NPDES General Permit for Combined Sewer Systems	Issued	Munhall Sanitary Sewer Municipal Authority 1809 West Street Munhall, PA 15120-2532	Munhall Borough Allegheny County	SWRO
PAG122222	PAG-12 NPDES General Permit for CAFOs	Issued	AG Ventures LLC 345 West High Street Elizabethtown, PA 17022	Lynn Township Lehigh County	SCRO
PAG123761	PAG-12 NPDES General Permit for CAFOs	Issued	Hillandale Gettysburg LP 3910 Oxford Road Gettysburg, PA 17325-8367	Codorus Township York County	SCRO
PAG123892	PAG-12 NPDES General Permit for CAFOs	Issued	Carowick Casey S 6109 Country Lane Todd, PA 16685	Cass Township Huntingdon County	SCRO
6573410	Pump Stations WQM Individual Permit	Issued	North Huntingdon Township Municipal Authority Westmoreland County 4130 Turner Valley Road Irwin, PA 15642-4969	North Huntingdon Township Westmoreland County	SWRO
PA0222038	Single Residence STP Individual NPDES Permit	Issued	Boylan Kenny 3111 Trails End Lane Sigel, PA 15860-5719	Barnett Township Jefferson County	NWRO
PA0271471	Single Residence STP Individual NPDES Permit	Issued	Lori and Troy Johnson 665 Minard Run Road Bradford, PA 16701-3715	Corydon Township McKean County	NWRO
0223403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Gilliland Jonathan 175 Audubon Road Sewickley, PA 15143-9013	Sewickley Heights Borough Allegheny County	SWRO
2018403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Senger Paul 21638 Fry Road Saegertown, PA 16433-2716	Cussewago Township Crawford County	NWRO

**NOTICES**

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4218403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Lori and Troy Johnson 665 Minard Run Road Bradford, PA 16701-3715	Corydon Township McKean County	NWRO
WQG0018434	WQG-01 WQM General Permit	Issued	Trubic Darren 1701 Samuelson Road Youngsville, PA 16371-4521	Sugar Grove Township Warren County	NWRO
WQG01161301	WQG-01 WQM General Permit	Issued	Hoffman Kevin S 783 Willow Avenue P.O. Box 10 Knox, PA 16232-1857	Porter Township Clarion County	NWRO
WQG018541	WQG-01 WQM General Permit	Issued	Headley Jean 102 Nursery Road Renfrew, PA 16053-9301	Connoquenessing Township Butler County	NWRO
WQG018611	WQG-01 WQM General Permit	Issued	Adams Charles A 21632 Fisher Road Meadville, PA 16335-5474	Woodcock Township Crawford 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 &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC150374	PAG-02 General Permit	Issued	541 Webb Road, LLC 910 Fairthorne Drive Kennett Square, PA 19348	Birmingham Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150376	PAG-02 General Permit	Issued	Collegium Charter School Athletic Fields 435 Creamery Way Exton, PA 19341	West Whiteland Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150158	PAG-02 General Permit	Issued	Liberty Commercial Development Corporation, LTD 1930 Route 309 Coopersburg, PA 18036	West Bradford Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC350174	PAG-02 General Permit	Issued	Andrew Simonik 19 Betty Drive Scott Township, PA 18433	Scott Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Rd. South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC010254	PAG-02 General Permit	Issued	Department of Defense 1155 Defense Pentagon Washington, DC 20301	Liberty Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC670692	PAG-02 General Permit	Issued	Dover Township 2480 West Canal Road Dover, PA 17315	Dover Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC220410 A-1	PAG-02 General Permit	Issued	Samuel Elicker and Scott Barnhart 8210 Carlisle Pike York Springs, PA 17372	Steelton Boro and Swatara Twp Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220259 A-1	PAG-02 General Permit	Issued	Halifax Area Water & Sewer Authority P.O. Box 443 Halifax, PA 17032	Halifax Township Steelton Boro and Swatara Twp Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220433	PAG-02 General Permit	Issued	PA Dept. of General Services 1800 Herr St Harrisburg, PA 17125	Harrisburg City and Susquehanna Twp Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC360953	PAG-02 General Permit	Issued	Weston Shertzer 105 Garrity Road Millersville, PA 17551	Manor Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC010267	PAG-02 General Permit	Issued	Gettysburg Municipal Authority 601 East Middle Street Gettysburg, PA 17325	Cumberland Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC010231	PAG-02 General Permit	Issued	Ridge Rentals, LLC 906 Upper Temple Road Biglerville, PA 17307	Biglerville Borough Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC140173	PAG-02 General Permit	Issued	Mingoville PVI LLC 1422 E College Ave Bellefonte, PA 16823	Walker Township Centre County	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 814-355-6817



## NOTICES

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC140174	PAG-02 General Permit	Issued	Parking Lot Expansion Centre County Tax Parcels 29-101-181-182-183-151 Philipsburg, PA 16866	Philipsburg Borough Centre County	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 814-355-6817
PAC140175 A-1	PAG-02 General Permit	Issued	Edward G. Maxwell Off Shiloh Road State College, PA 16801	College Township Centre County	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 814-355-6817
PAC190082	PAG-02 General Permit	Issued	Cottontail Solar 7, LLC 400 Montgomery St 8th Floor San Francisco, CA 94104	Scott Township Columbia County	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 570-784-1310
PAC600117	PAG-02 General Permit	Issued	Raymond Beachy 156 Wilderness Lodge Lane Lewisburg, PA 17837	East Buffalo Township Union County	Union County Conservation District 155 N 15th St Lewisburg, PA 17837 570-524-3860
PAC560042	PAG-02 General Permit	Issued	Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Middletown, PA 17057	Allegheny Township and New Baltimore Borough Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC560086	PAG-02 General Permit	Issued	Peoples Natural Gas Company, LLC 3115 Elton Road Johnstown, PA 15904	Lincoln Township and Somerset Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC110119	PAG-02 General Permit	Issued	CPV Rogue's Wind, LLC 50 Braintree Hill Office Park Suite 300 Braintree, MA 02184	Carrrolltown Borough and Ebensburg Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120 SWRO
PAC560156	PAG-02 General Permit	Issued	Donald Paulone Grayhawk, LLC 131 Matthews Drive Suite 1000 Greensburg, PA 15601	Unity Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC650391	PAG-02 General Permit	Issued	Lincoln Corner Plaza, Inc 555 West Newtown Street Greensburg, PA 15601	North Huntingdon Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC650390	PAG-02 General Permit	Issued	Bellevue Partners, LP P.O. Box 1020 Belle Vernon, PA 15012	Rostraver Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC040104	PAG-02 General Permit	Issued	Zokaites Properties, LP 375 Golfside Drive Wexford, PA 15090	Center Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC110120	PAG-02 General Permit	Issued	Saint Francis University 111 Juniper Lane Loretto, PA 15940	Loretto Borough and Allegheny Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120 SWRO
PAC100255A1	PAG-02 General Permit	Issued	Pinewood Farms Development LLC 1272 Mars Evans City Road Evans City, PA 16033	Adams Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC010269	PAG-02 General Permit	Issued	Jeffrey Seibert 315 Forest Drive New Oxford, PA 17350	Reading Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC400095	PAG-02 General Permit	Issued	KNO LLC Neil Nelson 2220 River View Avenue Bloomsburg, PA 17815	Nescopeck Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC560031	PAG-02 General Permit	Issued	Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Middletown, PA 17057	Allegheny Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO

## PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-

3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

## SAFE DRINKING WATER

**Actions Taken Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

*Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.*

**Construction Permit No. 1924502MA**, Minor Amendment, Public Water Supply.

Applicant **PA American Water—Berwick**  
 Address 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Municipality Berwick Borough  
 County **Columbia County**  
 Consulting Engineer Eric Keller  
 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Application Received April 29, 2024  
 Permit Issued May 16, 2024  
 Description This permit authorizes the permittee to replace the two existing hexametaphosphate peristaltic chemical feed pumps with two new KECO S10 peristaltic chemical feed pumps in Berwick Borough, Columbia County.

**Construction Permit No. 1424505**, Major Amendment, Public Water Supply.

Applicant **Pennsylvania-American Water Company—Philipsburg District**  
 Address 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Municipality Rush Township  
 County **Centre County**  
 Consulting Engineer Steven Donohue  
 207 Senate Avenue  
 Camp Hill, PA 17011  
 Application Received January 17, 2024  
 Permit Issued May 20, 2024  
 Description This permit authorizes construction of an additional clearwell, 1 MG storage tank, and reserve entry point at the existing Philipsburg Filtration Plant.

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Darin Horst, Environmental Engineer, 717-705-4948.*

**Operation Permit No. 7280881**, Public Water Supply.

Applicant **CHR Corporation**  
 Address 2295 North Susquehanna Trail  
 Suite C  
 York, PA 17404  
 Municipality Quincy Township  
 County **Franklin County**

Consulting Engineer

James R. Holley & Associates, Inc.  
 18 South George Street  
 Suite 300  
 York, PA 17401

Application Received

January 31, 2024

Permit Issued

May 9, 2024

Description

Installation of a Hach CL-17sc continuous online chlorine residual analyzer.

**Operation Permit No. 7360119**, Public Water Supply.

Applicant

**Weaverland Valley Authority**

Address

4610 Division Highway East  
 Earl, PA 17519

Municipality

Terre Hill Borough

County

**Lancaster County**

Consulting Engineer

Becker Engineering, LLC  
 1848 Charter Lane  
 Suite 214  
 Lancaster, PA 17601

Application Received

February 15, 2024

Permit Issued

May 14, 2024

Description

Designation of water quality parameters for the phosphate inhibitor for copper corrosion control.

**Operation Permit No. 3623518**, Public Water Supply.

Applicant

**East Petersburg Borough**

Address

6040 Main Street  
 East Petersburg, PA 17520

Municipality

Manheim Township

County

**Lancaster County**

Consulting Engineer

ARRO Consulting, Inc.  
 108 West Airport Road  
 Lititz, PA 17543

Application Received

April 25, 2024

Permit Issued

May 14, 2024

Description

Operation of the replacement Graver Spring raw water pumps.

**Operation Permit No. 3620510 MA**, Public Water Supply.

Applicant

**East Petersburg Borough**

Address

6040 Main Street  
 East Petersburg, PA 17520

Municipality

East Petersburg Borough

County

**Lancaster County**

Consulting Engineer

Systems Design Engineering  
 1032 James Drive  
 Leesport, PA 19533

Application Received

April 25, 2024

Permit Issued

May 14, 2024

Description

Sodium hypochlorite feed modifications and installation of filter-to-waste piping.

*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 1422510.** PWSID No. **4140110. Monument Water Authority**, 2332 Monument Orviston Road, Beech Creek, PA 16822, Liberty Borough, **Centre County**. Application received: May 15, 2024. Permit Issued: May 17, 2024. This permit authorizes operation of manganese greensand filtration for iron and manganese removal. New equipment includes MGA Series manufactured by Marlo Inc. Greensand Filtration system. Permit No. 1403501-T1 is also hereby partially cancelled to remove the approval to operate orthophosphate injection.

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.*

**Operation Permit 3622513 MA.** PWSID No. **7360025. Masonic Villages of the Grand Lodge of PA**, 1 Masonic Drive, Elizabethtown, PA 17022, West Donegal Township, **Lancaster County**. Application received: May 7, 2024. Permit Issued: May 14, 2024. Operation permit for the tank rehabilitation project.

*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.*

**Construction Permit 0424504-E.** PWSID No. **5040019. UMH Properties, Inc.**, 150 Clay Street, Suite 450, Morgantown, WV 26501, Independence Township, **Beaver County**. Application received: January 31, 2024. Permit Issued: May 15, 2024. Installation of a sample tap between the contact loop and 7,500-gallon reservoirs and the temporary use of bulk water as a source for Independence Park using Dalton's Services Company or Stallion Oilfield Service, Ltd.

**NCWSA Construction Permit 5040311.** PWSID No. **5040311. J Kells Corporation, d/b/a Front Door Tavern**, 300 7th Street, Beaver Falls, PA 15010, South Beaver Township, **Beaver County**. Application received: April 26, 2024. Permit Issued: May 16, 2024. Well rehabilitation (pitless adapter installation, locking watertight well cap, new casing material).

**Construction/Operation Permit 0424508MA.** PWSID No. **5040376. PA DCNR Bureau of State Parks Raccoon Creek State Park**, 3000 State Route 18, Hookstown, PA 15050, Hanover Township, **Beaver County**. Application received: April 5, 2024. Permit Issued: May 16, 2024. Use of BoreSaver for CIP chemical cleaning of existing membrane filters at the Raccoon Creek State Park Water Treatment Plant.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

**The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

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

The Department has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**O'Dell Impoundment**, Primary Facility ID # **873652**, 2336 Houlihan Road, New Milford, PA 18834, New Milford Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of soil contaminated with 3 releases of freshwater and production fluid (brine). The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**WY-04 Dimmig Pad**, Primary Facility ID # **873618**, 2120 State Route 87, Forkston, PA 18629, Forkston Township, **Wyoming County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine), foamer, and defoamer. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**J. Loffredo Pad 1**, Primary Facility ID # **874291**, 936 Squier Hill Road, Nicholson, PA 18446, Nicholson Township, **Wyoming County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf



of Coterra Energy, Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine). The Final Report is intended to document remediation of the site to meet the Statewide health standards.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.*

**Brickyard Road**, Primary Facility ID # **836799**, 299 Brickyard Road, New Oxford, PA 17350, Oxford Township, **Adams County**. Kleinfelder, Inc., 200 Airport Road, New Cumberland, PA 17070, on behalf of ERY Properties, 1030 Wilson Avenue, Hanover, PA 17331, submitted a Final Report concerning remediation of soil contaminated with Arsenic and Manganese. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Auchey's Greenhouse and Auchey's Plant Farm**, Primary Facility ID # **875261**, 1851 Baltimore Pike, Hanover, PA 17331, West Manheim Township, **York County**. Environmental Consulting, Inc., 2002 Renaissance Blvd., Suite 110, King of Prussia, PA 19406, on behalf of Hanover Commerce, LLC, 14 Balligomingo Road, Conshohocken, PA 19428, submitted a Final Report concerning remediation of soil contaminated with Arsenic. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

## 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.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: Bill, 814-332-6671.*

**ARG Refinery**, Primary Facility ID # **651768**, 77 North Kendall Avenue, Bradford, PA 16701, Bradford Township, **McKean County**. GHD Services Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, on behalf of American Refining Group, Inc., 77 North Kendall Avenue, Bradford, PA 16701, submitted a Risk Assessment concerning remediation of soil and groundwater contaminated with soil: Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-, Fluorene, Phenanthrene, Anthracene, Pyrene, Chrysene, Benzo(a)anthracene, Benzo(b)fluoranthene, Benzo(a)pyrene, Benzo(g,h,i)perylene and groundwater: Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-, Phenanthrene, Pyrene, Chrysene for EU-6. The Report did not demonstrate attainment of the site-specific standards. Disapproved: May 15, 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.*

**Charlene Kane Property**, Primary Facility ID # **874283**, 28404 Route 35 North, Oakland Mills, PA 17076, Fayette Township, **Juniata County**. McKee Environmental, Inc., 86 Quartz Drive, Bellefonte, PA 16823, on behalf of Ms. Charlene Kane, 28404 Route 35 North, Oakland Mills, PA 17076, submitted a Final Report concerning remediation of soil and groundwater contaminated with No. 2 Heating Oil. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: May 16, 2024.

**Former McMinn's Asphalt Plant**, Primary Facility ID # **622545**, 1061 Manheim Pike and 1111 McKinley Avenue, Lancaster, PA 17603, City of Lancaster and Manheim Township, **Lancaster County**. Liberty Environmental, Inc., 315 West James Street, Suite 205,

Lancaster, PA 17603, on behalf of McKinley Avenue Partners, 120 North Pointe Blvd., Suite 201, Lancaster, PA 17601, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with Fuel Oil and VOCs. The Report demonstrated attainment of the site-specific standards. Approved: May 20, 2024.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Action(s) Taken on Hazardous Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.**

##### *New Transporter License Issued*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

*Contact: Jonathan Adams.*

**Safeco Services, Inc.**, 3082 S. Eighty Eight Road, Dilliner, PA 15327. **License No. PA-AH 0951.** Application received: March 12, 2024. Effective April 16, 2024.

##### *Transporter License Expired*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

*Contact: Jonathan Adams.*

**Environmental Industrial Services Corp. of New Jersey**, 288 Oak Grove Road, Swedesboro, NJ 08085. **License No. PA-AH 0457.** Application received: May 1, 2024. Effective May 1, 2024.

**Coal City Cob Company, Inc.**, 4300 North I-35 East, Waxahachie, TX 75165. **License No. PA-AH 0589.** Application received: May 1, 2024. Effective May 1, 2024.

##### *Transporter License Reissued*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

*Contact: Jonathan Adams.*

**Earth Technology II, LLC**, 85 Laura Street, New Haven, CT 06512. **License No. PA-AH 0691.** Application received: March 28, 2024. Effective May 1, 2024.

**Gemchem, Inc.**, P.O. Box 384, Lititz, PA 17543. **License No. PA-AH 0259.** Application received: March 25, 2024. Effective April 16, 2024.

**S&C Transport, Inc.**, 14800 Farmington Road, Livonia, MI 48154. **License No. PA-AH 0446.** Application received: April 3, 2024. Effective April 16, 2024.

**R.E.D. Technologies, LLC**, 173 Pickering Street, Portland, CT 06480. **License No. PA-AH 0772.** Application received: March 27, 2024. Effective April 16, 2024.

**Waste Management of West Virginia, Inc.**, 1488 Dawson Drive, Bridgeport, WV 26330. **License No. PA-AH 0795.** Application received: March 6, 2024. Effective April 16, 2024.

**HEPACO, LLC**, P.O. Box 26308, Charlotte, NC 28221. **License No. PA-AH 0837.** Application received: April 8, 2024. Effective April 16, 2024.

**Florida Transformer LLC, dba Emerald Transformer**, 7850 Collin McKinney Parkway, McKinney, TX

75070. **License No. PA-AH 0868.** Application received: March 18, 2024. Effective April 16, 2024.

#### REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Action(s) Taken on Regulated and Chemotherapeutic Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); Act 93 of June 28, 1988 (P.L. 525, No. 93); and Regulated Medical and Chemotherapeutic Regulations to Transport Regulated Medical and Chemotherapeutic Waste.**

##### *New Transporter License Issued*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

*Contact: Jonathan Adams.*

**Biomedical Waste Services, Inc.**, 7610 Energy Parkway, Baltimore, MD 21226. **License No. PA-HC 0291.** Received on April 15, 2024. Effective May 15, 2024.

##### *Transporter License Reissued*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

*Contact: Jonathan Adams.*

**HEPACO, LLC**, P.O. Box 26308, Charlotte, NC 28221. **License No. PA-HC 0271.** Received on May 15, 2024. Effective May 15, 2024.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.**

*Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Carrie A. Fleming, Program Manager.*

**WMGR028SC007M. New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, Southampton Township, Cumberland County. This is for authorization under Residual Waste General Permit No. WMGR028 for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (1) 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 at New Enterprise Stone & Lime Co., Inc.'s Shippensburg HMA Plant located at 470 Neville Road, Shippensburg, PA 17257. Application received: August 18, 2023. Issued: May 17, 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.

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**AG5-08-00001B: UGI Texas Creek, LLC**, 835 Knitting Mills Way, Wyomissing, PA 19610, Canton Township, **Bradford County**. The Department approved authorization for the continued operation of one (1) 1,380 bhp Caterpillar G3516B LE four-stroke ultra-lean-burn compressor engine, one (1) 80 bhp Arrow A62 (4SRB) natural gas fired generator engine for station power, one (1) 67 bhp Caterpillar DG50-2 (4SLB) natural gas fired emergency generator engine, one (1) 25 MMscf/day dehydrator unit equipped with a 0.50 MMBtu/hr reboiler burner, one (1) 10,000-gallon produced fluids tank, one (1) 500-gallon engine oil tank, one (1) 500-gallon compressor oil tank, one (1) 60,000 Btu/hour gas line heater, a pigging station and fugitive emissions from blowdown, pneumatic devices and components pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Castle Compressor Station. Application received: May 9, 2024. Renewal issued: May 17, 2024. New expiration date: May 16, 2029.

*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.*

**GP9-15-0044: Vanguard/Malvern Central Campus**, 100-200 Vanguard Blvd, Malvern, PA 19355, Tredyffrin Township, **Chester County**. This action is for the issuance of a General Plan Approval and General Operating Permit for one diesel-fired internal combustion engine. Application received: April 19, 2024. Issued: May 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.

*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.*

**15-0138A: Aqua PA Inc./Pickering Water Treatment Plant**, 1050 Valley Forge Rd, Phoenixville, PA 19460-2657, Schuylkill Township, **Chester County**. A plan approval extension for the temporary operation and shakedown of five (5) diesel-fired emergency generators that are being operated under Synthetic Minor Operating Permit No. 15-00138. Application received: March 25, 2024. Issued: May 13, 2024.

**46-0031G: GlaxoSmithKline LLC/Upper Providence**, 1250 S Collegeville Rd, Collegeville, PA 19426-2990, Upper Providence Township, **Montgomery County**. A plan approval extension for the installation of a selective catalytic reduction (SCR) unit, oxidation catalyst, diesel particulate filter (DPF), and associated equipment, to the exhaust of an existing 2,000 kW diesel-fired emergency electric generator engine (Source 106). The generator is being repurposed from emergency to non-emergency use. Application received: May 2, 2024. Issued: May 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.

*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.*

### **CORRECTION—previously published on May 18, 2024**

**28-05051A: AJ Stove and Pellet, LLC**, 8642 Molly Pitcher Highway, Greencastle, PA 17225, Antrim Township, **Franklin County**. For construction of a wood pellet manufacturing plant with multi-clone emission control device. The plan approval was extended, with a compliance schedule. Application received: April 22, 2024. Issued: April 30, 2024.

### **CORRECTION—previously published on May 18, 2024**

**67-05083F: Calpine Mid-Merit LLC**, 1055 Pikes Peak Road, Delta, PA 17314, Peach Bottom Township, **York County**. For the upgrade of the Block 2 Electricity Generation Project's nominally rated power output capacity from 760 MW to 830 MW at the York Energy Center. The plan approval was extended. Application received: April 19, 2024. Issued: May 3, 2024.

### **CORRECTION—previously published on May 18, 2024**

**67-05083G: Calpine Mid-Merit, LLC**, 1055 Pikes Peak Road, Delta, PA 17314, Peach Bottom Township, **York County**. For the modification of the York Energy Center Block 2 Electricity Generation Project's turbine BACT emission limits. These limits are imposed on each combined cycle (CC) combustion turbine (CT) associated with the project. The existing facility is located in Peach Bottom Township, York County. The modification consists of the following changes to the requirements of P.A. No. 67-05083F (issued on August 1, 2016): 1.) Remove provisional status of any emission limits previously so specified except CO, 2.) Remove requirement for second stack test related to provisional emission limits, and 3.) Revise the CO BACT emission limit for the CTs firing ULSD without duct burners from 3.5 ppmvd at 15% O<sub>2</sub> (3-hour block average; average of 3 test runs) to a bifurcated limit as follows: Load ≥ 90% = 2.0 ppmvd at 15% O<sub>2</sub> (3-hour block average; average of 3 test runs); Load < 90% = 3.5 ppmvd at 15% O<sub>2</sub> (3-hour block average; average of 3 test runs). The plan approval was extended. Application received: April 19, 2024. Issued: May 3, 2024.

*Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.*

### **CORRECTION—previously published on May 18, 2024**

**36-05013A: Lancaster County Solid Waste Management Authority**, 1911 River Road, Bainbridge, PA 17502-9360, Conoy Township, **Lancaster County**. For the installation of Covanta proprietary Low NO<sub>x</sub> (LN) technology for each of the three (3) municipal waste combustors at the Lancaster Waste-to-Energy (LWTE) facility, and the incorporation of presumptive, and alternative RACT 3 requirements for the MWCs, at the facility. As part of this plan approval the facility will upgrade the furnace Type K thermocouples used to measure furnace temperatures with infrared (IR) sensors. The plan approval was extended. Application received: April 23, 2024. Issued: April 30, 2024.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.*

**65-00839C : Texas Eastern Transmission, LP**, 915 N Eldridge Pkwy, Suite 1100, Houston, TX 77079, Salem Township, **Westmoreland County**. This plan approval extension has been issued to ensure the plan approval remains active until it is formally incorporated into the Title V Operating Permit which is processing renewal application. Application received: April 24, 2024. Revised: May 10, 2024.

**Plan Approval(s) Denied, Terminated, Modified, Suspended or Revoked Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and the Provisions of 25 Pa. Code §§ 127.13b and 127.13c.**

*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.*

**30-00077E: Texas Eastern Transmission, LP**, 915 N Eldridge Pkwy, Suite 1100, Houston, TX 77079, Richhill Township, **Greene County**. This plan approval modification has been issued to allow additional time for the construction of the Solar Turbines Recompression System (C131) and other plan approval authorized sources and to authorize temporary operation of Source IDs 131—134 that includes: two (2), 10,744 HP, Solar Taurus 070, natural gas-fired turbine equipped with SoLoNO<sub>x</sub> technology; controlled by an oxidation catalyst; one (1) natural gas fired 585 hp Waukesha VGF24GL emergency generator; and two (2) gas fired fuel gas heaters, 0.769 MMBtu/hr each. Application received: March 26, 2024. Revised: April 24, 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.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Norm Frederick, 570-826-2409.*

**54-00069: Omnova North America Inc.**, Auburn Plant FKA Reneer Films, 95 Hickory Drive, Auburn, PA 17922-9625, West Brunswick Township, **Schuylkill County**. The Department issued a renewal Title V Operating Permit for the manufacturing of Unsupported Plastics, Film and Sheet facility located in West Brunswick Township, Schuylkill County. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G. The main sources at this facility consist of

boilers, hot oil furnace, printers, calender lines, embossers, presses, storage tanks, and emergency generators. The sources are controlled by a thermal incinerator. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. On April 23, 2016, the Pennsylvania Department of Environmental Protection (PADEP) published 25 Pa. Code §§ 129.96—129.100, Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOC, also known as Reasonably Available Control Technology (RACT) II. Omnova North America Inc., Auburn Plant FKA Reneer Films Facility qualifies as a major source of VOC emissions because facility-wide potential VOC emissions are above the RACT II major source threshold (i.e., 50 tons per year). As a result, the VOC-emitting operations at the facility will be subject to the provisions of the RACT II rule. The VOC emitting sources at the facility are Source ID # 112, Ink Mix Room, Source ID # 119, Emergency Generators, Source ID # 120, Water Pump No. 8, and Source ID # 123, 1.5 MW Cogeneration System. The Presumptive RACT II requirements are included in the TV Operating Permit. The Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: December 22, 2022. Renewal issued: April 30, 2024.

**Operating Permit(s) for Non-Title V Facilities Issued Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Norm Frederick, 570-826-2409.*

**45-00011: Pleasant Valley School District, Pleasant Valley High**, 2233 Route 115, Ste 100, Brodheadsville, PA 18322, Chestnuthill Township, **Monroe County**. The Department issued a renewal State-Only (Synthetic Minor) Permit for the operation of elementary and secondary schools in Chestnuthill Township, Monroe County. The primary sources consist of two (2) coal fired boilers and one (1) No. 2 oil fired boiler. Regenerative centrifugal cyclones are used for control devices for the sources. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: October 4, 2023. Renewal issued: May 15, 2024.

**45-00027: Pleasant Valley School District, Polk Township Elementary School**, Route 209, Brodheadsville, PA 18322, Polk Township, **Monroe County**. The Department issued a renewal State-Only (Synthetic Minor) Permit for the operation of elementary and secondary schools in Polk Township, Monroe County. The primary sources consist of one (1) coal fired boiler and one (1) No. 2 oil fired boiler. A regenerative centrifugal cyclone is used for a control device for the sources. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The Operating Permit con-



tains 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: October 4, 2023. Renewal issued: May 15, 2024.

**35-00015: Valmet Inc.**, 987 Griffin Pond RD, South Abington Township, PA 18411-9214, South Abington Township, **Lackawanna County**. The Department has issued a renewal State-Only (Synthetic Minor) Operating Permit for the South Abington Township facility. Sources at this facility include a boiler, their rubber mixing operations, Pangborn shot blast system, carver lab press, blanket and hand building, cording machine, extruder, rubber vulcanization process, Poreba Lathe, blanket grinder, Farrel grinder, Safop wet drilling machine, and misc. plating/spraying/mixing mill and lathe. This permit also includes a Pangborn dust collector, Farrel grinder dust collector, blanket cyclone precleaner, blanket dust collector, and compounding area and Farrel mixers dust collector as control devices. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: March 15, 2024. Accepted: March 15, 2024. Issued: May 15, 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.*

**38-03014: Pennsy Supply, Inc.**, 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, North Londonderry Township, **Lebanon County**. For the Millard Stone Plant. The State-Only permit was renewed. Application received: January 6, 2024. Issued: May 14, 2024.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.*

**65-00769: Raven Industrires, Inc.**, 5049 Center Drive, Latrobe, PA 15650, Unity Township, **Westmoreland County**. On May 20, 2024, the Department issued a renewal natural minor State Only Operating Permit to Raven Industries for operation of a toner production facility known as the Latrobe Plant located in Unity Township, Westmoreland County. Sources of emissions consist of various blending, milling, and extruding equipment, as well as machines for filling toner cartridges. These sources are controlled by ten (10) different baghouses. Emissions at the facility are primarily particulate matter (PM<sub>10</sub>) emissions and are based on material throughput. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The facility is required to conduct daily surveys of the site to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The final Operating Permit includes applicable emission limits, work practice standards, and monitoring, reporting, and recordkeeping requirements for the facility. Application received: June 6, 2023. Deemed administratively complete: June 20, 2023.

## ACTIONS ON COAL AND NONCOAL APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).** The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

### Coal Permits

*California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.*

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**Mining Permit No. 32061303. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, Pine, Cherryhill and Green Townships, **Indiana County**. To renew the permit. Application received: November 18, 2022. Accepted: January 23, 2023. Issued: May 3, 2024.

**Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Aleppo and Richhill Townships, **Greene County**. To revise the permit and related NPDES permit to construction degas boreholes, affecting 9.4 surface acres. Application received: November 29, 2023. Accepted: January 5, 2024. Issued: April 30, 2024.

**Mining Permit No. GP12-56071301-R10. RoxCOAL, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Stonycreek Township, **Somerset County**. To renew the permit. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-56071301-R10. Application received: November 7, 2023. Accepted: December 6, 2023. Renewal issued: March 5, 2024.

**Mining Permit No. 30121301. NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Morris Townships, **Greene County**. To revise the permit and related NPDES permit for installation of three (3) degas boreholes, affecting 10.3 surface acres. Application received: October 20, 2023. Accepted: November 8, 2023. Issued: March 12, 2024.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPOTTSVILLEDMO@pa.gov.*

**Mining Permit No. 40930102R6. Glenn O. Hawbaker**, 1952 Waddle Road, Suite 203, State College, PA 16803, Hazle and Butler Townships, **Luzerne County**. Renewal of an existing anthracite coal preparation and processing facility affecting 696.0 acres. Application received: September 11, 2023. Renewed: May 7, 2024.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.**

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: James Cassidy, Senior Civil Engineer, 570-855-9764.*

**E6004223-003. Ron Stahl**, 323 Sierre Lane, Mifflinburg, PA 17844, Hartley Township, **Union County**. U.S. Army Corps of Engineers Baltimore District.

To construct a stream crossing to a future overflow parking area to a future church that will be owned by the developer. The project proposes the installation of a 24 feet wide driveway to access the parcel being added to the existing West End Bible Fellowship Church parcel. The access drive will cross the UNT 18158 to Laurel Run classified as EV-CWF, MF and will impact 19' x 52' area of the stream. The work includes installation of a 10' x 5'-2.5" structural plate arch with one (1) 36' dia. and one (1) 48" dia overflow pipes. Latitude: 40.8810°, Longitude: -77.2007°. Latitude: 40.880833°, Longitude: -77.199967°. Application received: October 11, 2023. Accepted: April 17, 2023.

*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.*

**E3902223-002. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015, Upper Saucon Township, **Lehigh County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the construction of the Saucon Valley Country Club Irrigation Improvement project: 1) A fill within the normal pool elevation of Weyhill Pond (CWF, MF) consisting of the modification of the existing 1.0-acre, 3-ft deep pond to construct a 2.6 acres, 11-ft deep pond having a 70-foot long earthen weir overflow structure, a 26-LF, 10-inch diameter CMP outlet culvert, a 20-LF, 10-inch diameter cast iron outlet pipe, a 44-LF, 10-inch diameter cast iron intake pipe, a 4-foot x 4-foot concrete structure, a gate valve, and value box within the floodway of Saucon Creek (CWF, MF). This pond expansion will encroach upon 1.85 acres of the floodway of Saucon Creek (CWF, MF) and result in a net cut of 3,229 yd<sup>3</sup> within the floodway. 2) A utility line crossing within the floodway of Saucon Creek (CWF, MF) consisting of a 20-foot long, 12-inch diameter HDPE water transfer pipe. 3) A utility line crossing within the floodway of Saucon Creek (CWF, MF) consisting of a 150-foot long, 12-inch diameter HDPE water transfer pipe. 4) A utility line crossing within the floodway of Saucon Creek (CWF, MF) consisting of a 40-foot long, 12-inch diameter HDPE water transfer pipe. The project is located directly northeast of the Saucon Valley Country Club Weyhell Golf Course, approximately 0.3 mile northeast of the intersection of Spring Valley Road and Weyhill Road (Hellertown, PA Quadrangle Latitude: 40°, 33', 18.88" Longitude: -75°, 21', 58.44") in Upper Saucon Township, Lehigh County. Application received: August 11, 2023. Issued: May 14, 2024.

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: RA-EPWW-NWRO@pa.gov.*

**E2506223-006. New Realty LP**, 8670 Peach Street, Erie, PA 16509, Summit Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District.

To fill 0.046 acre of PEM/PSS wetland, permanently impact 456 feet of UNT Walnut Creek (CWF/MF) and 0.11 acre of floodway for expansion of asphalt parking lot at New Motors Subaru along the west side of Peach Street (SR 19) approximately 1.3 miles south of I-90.

Latitude: 42.035858°, Longitude: -80.067624°. Application received: December 5, 2023. Issued: May 15, 2024.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

**E2203223-003. York Haven Power Company, LLC**, 7315 Wisconsin Avenue, Suite 1100W, Bethesda, MD 20814, Londonderry Township, **Dauphin County**. U.S. Army Corps of Engineers District.

To construct and maintain a nature-like fishway in the Susquehanna River (WWF, MF), permanently impacting 770 linear feet of the Susquehanna River (WWF, MF), 14.8 acres of the floodway of the Susquehanna River (WWF, MF), 0.14 acre of palustrine emergent wetlands, and 0.41 acre of palustrine forested wetlands, all for the purposes of allowing for upstream and downstream passage of American Shad, other anadromous fish species, resident fish species, and juvenile American eel. The project is located on Three Mile Island at the York Haven Main Dam (Latitude: 40°, 7', 57.58" N; Longitude: 76°, 43', 21.75" W) in Londonderry Township, Dauphin County. To compensate for the wetland impacts, the applicant proposes to purchase 0.87 wetland credits from the East Branch Codorus Creek Mitigation Bank (PADEP Permit # MB990367-0002) in York County, PA. Application received: March 24, 2023. Approved: May 20, 2024.

#### ENVIRONMENTAL ASSESSMENTS

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

**EA3603223-004. Warwick Township**, 315 Clay Road, Lititz, PA 17543, Warwick Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District.

To grade and maintain the streambanks along 2,554 linear feet of Watercourse 1 and 20 linear feet of Watercourse 2 which are both unnamed tributaries to Cocalico Creek (WWF, MF) including the construction of floodplain benches, (3) plunge pools, 14 log sills, the establishment of native vegetation, and a baseflow channel, all for the purpose stabilizing the actively eroding streambanks. The project also proposes to 1) install and maintain a temporary stream crossing under a General Permit 8 and 2) to install and maintain an agricultural crossing under General Permit 6 coverage. The project is located at 33 Picnic Woods Road (Latitude: 40.15774621°N; Longitude: -76.24755257°W) in Warwick Township, Lancaster County. No wetlands will be impacted by the project. Application received: November 1, 2023. Approved: May 20, 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-EPEASTERNOPR@pa.gov.*

ESCGP # 3	<b>ESG290824007-00</b>
Applicant Name	<b>Blackhill Energy LLC</b>
Contact Person	Matthew Pitts
Address	4600 J Barry Ct, Suite 320
City, State, Zip	Canonsburg, PA 15317
Township(s)	Springfield Township
County	<b>Bradford County</b>
Receiving Stream(s) and Classification(s)	Mill Creek (TSF, MF), UNT to Mill Creek (TSF, MF)
Application received:	March 13, 2024
Issued:	May 16, 2024
ESCGP # 3	<b>ESG291824001-00</b>
Applicant Name	<b>EQT ARO LLC</b>
Contact Person	Todd Klaner
Address	2462 Lycoming Creek Road
City, State, Zip	Williamsport, PA 17701
Township(s)	Beech Creek Township
County	<b>Clinton County</b>
Receiving Stream(s) and Classification(s)	UNT Middle Branch Big Run (EV)
Application received:	March 1, 2024
Issued:	May 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 character-



ization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Fill & Fly of Gouldsboro**, Storage Tank Facility ID # **64-52513**, 22 Main Street, Gouldsboro, PA 18424, Lehigh Township, **Wayne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Lehigh Oil, LLC, 440 East Moorestown Road, Wind Gap, PA 18091, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting Statewide health and site-specific standards.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Gregory Bowman, Environmental Group Manager, 717-705-4705.*

**Leola Service Center**, Storage Tank Facility ID # **36-19453**, 24 East Main Street, Leola, PA 17540-1936, Upper Leacock Township, **Lancaster County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of MAA Meldi, LLC, 24 East Main Street, Leola, PA 17540, submitted a Remedial Action Completion Report concerning remediation of soil contaminated with petroleum constituents. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

**Rutters 96**, Storage Tank Facility ID # **44-38026**, 20 Commerce Drive, Milroy, PA 17063-8104, Armagh Township, **Mifflin County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna Trail, Suite C, York, PA 17404, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum constituents. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

*Contact: Robin L. Yerger, LPG, 717-705-4705.*

**Lindsay's Servicer**, Storage Tank Facility ID # **67-12529**, 3 Lewisberry Road, New Cumberland, PA 17070, Fairview Township, **York County**. Skelly and Loy, 449 Eisenhower Boulevard, Suite 300, Harrisburg, PA 17111, on behalf of Matthew D'Agostino, 302 Shuey Road, New Cumberland, PA 17070, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

#### Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation 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: Lee, 814-332-6127.*

**Hanks Pennzoil**, Storage Tank Facility ID # **20-20054**, 105 Penn Street, Linesville, PA 16424, Linesville Borough, **Crawford County**. AECOM, 707 Grant Street, 5th Floor, Pittsburgh, PA 15219, on behalf of Pennzoil Quaker State Company, 20945 South Wilmington Avenue, Carson, CA 90810 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan was not



acceptable to meet the residential Statewide health standards and was disapproved by DEP on May 15, 2024.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Robin L. Yerger, LPG, 717-705-4705.*

**Linday's Servicerent**, Storage Tank Facility ID # **67-12529**, 3 Lewisberry Road, New Cumberland, PA 17070, Fairview Township, **York County**. Kelly and Loy, 449 Eisenhower Boulevard, Suite 300, Harrisburg, PA 17111, on behalf of Matthew D'Agostino, 302 Shuey Road, New Cumberland, PA 17070, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report demonstrated attainment of the nonresidential site-specific standards and was approved by DEP on May 7, 2024.

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.*

**Jack Lynch**, Storage Tank Facility ID # **46-42903**, 260 Butler Ave., Ambler, PA 19002, Addison Borough, **Montgomery County**. August Mack Environmental, Inc., 806 Fayette Street, Conshohocken, PA 19428, on behalf of Robert Lynch, 260 East Butler Ave., Ambler, PA 19002, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan was acceptable to meet the nonresidential Statewide health standards and was approved by DEP on May 13, 2024.

**Chester Delta**, Storage Tank Facility ID # **15-42590**, 1209 Wilmington Pike, West Chester, PA, West Chester, PA 19382, Thornbury Township, **Chester County**. Enviro-Trac Ltd., 602 S. Bethlehem Pike, Suite A2 and 3, Ambler, PA 19002, on behalf of Lukoil North America, LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the residential Statewide health standards and was approved by DEP on May 16, 2024.

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## SPECIAL NOTICES

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### WATER PROGRAMS

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#### **Proposed State Water Quality Certification Required By Section 401 Of The Clean Water Act For The US Army Corps Of Engineers Raystown Lake Tunnel And Warm Water Slide Gate Replacement Project.**

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*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: RA-EPWW-SCRO@pa.gov.*

**DEP File No.: WQ3103224-001. U.S. Army Corps of Engineers** ("Applicant"), Baltimore District, 6145 Seven Points Road Hesston, PA 16647-8303. Raystown Lake Tunnel and Warm Water Slide Gate Replacement Project, Raystown Dam, Juniata Township, **Huntingdon County** (Mount Union, PA Quadrangle, Lat: 40.429339, Long: -77.997016).

On February 12, 2024, the Applicant requested a State water quality certification from the Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the replacement, operation, maintenance, and repairs to the Raystown Lake Tunnel and Warm Water Slide Gate Replacement Project at Raystown Lake will protect water quality in this Commonwealth through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The proposed project includes the replacement of the low-level hydraulic control gates within the tunnel outlet structure of the Raystown Dam, approximately 180 feet below the lake surface for flood water control at Raystown Lake. It also includes the improvement of an existing access road and the construction of a new access road. The project involves excavating 57,716 square feet of an existing shoal to an excavation depth of 1.5 feet and placing temporary fill material (2,241 cubic yards) within the stream channel of Raystown Branch Juniata River to allow for temporary access of equipment to the outlet end of the tunnel, resulting in 315 linear feet (7,150 square feet) of temporary impact to Raystown Branch Juniata River. No wetlands will be impacted by the project.

The Department anticipates issuing a State water quality certification to the applicant for the Raystown Lake Tunnel and Warm Water Slide Gate Replacement Project that will require compliance with the following State water quality permitting programs, criteria, and conditions established pursuant to State law to ensure that the Raystown Lake Tunnel and Warm Water Slide Gate Replacement Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapters 93 and 96:

1. *Erosion and Sediment Control Permit*—Applicant shall comply with the Department's Chapter 102 Erosion and Sediment Control requirements pursuant to the Commonwealth's Clean Streams Law (35 P.S. §§ 691.1—691.1001), Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

2. *Erosion and Sediment Control Plan*—Applicant shall develop an Erosion and Sediment Control Plan that is consistent with the requirements identified in 25 Pa. Code Chapter 102. Applicant shall implement best management practices (BMPs) to minimize the potential for accelerated erosion and sedimentation from the project and to protect, maintain, reclaim and restore water quality and the existing and designated uses of waters of the Commonwealth and comply with all applicable implementing regulations (25 Pa. Code Chapter 102) pursuant to Pennsylvania's Clean Streams Law.

3. *Water Obstruction and Encroachment*—Applicant shall comply with the requirements of 25 Pa. Code Chapter 105 for the construction, operation, and maintenance of all water obstructions and encroachments associated with the Raystown Lake Tunnel and Warm Water Slide Gate Replacement Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Inspection*—The Raystown Lake Tunnel and Warm Water Slide Gate Replacement Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department, or an authorized representative thereof, during such inspections of the Raystown Lake Tunnel and Warm Water Slide Gate Replacement Project.

6. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Raystown Lake Tunnel and Warm Water Slide Gate Replacement Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owners containing a specific date for transfer of certification responsibility, coverage, and liability between them.

7. *Correspondence*—All correspondence with and submissions to the Department concerning this State Water Quality Certification shall be addressed to: Department of Environmental Protection, Southcentral Regional Office, Program Manager, Waterways and Wetlands, 909 Elmerston Avenue, Harrisburg, PA 17110

8. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

9. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

10. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Prior to issuance of the final State Water Quality Certification, the Department will consider all relevant and timely written comments, suggestions, or objections submitted to the Department within 30 days of this notice. Written comments should be submitted to the Department by e-mail to RA-EPWW-SCRO@pa.gov or by mail to the previously listed address or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) and should be directed to Program Manager, Waterways and Wetlands Program. Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections, or suggestions on this proposed State Water Quality Certification. No comments submitted by facsimile will be accepted.

[Pa.B. Doc. No. 24-764. Filed for public inspection May 31, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Cleanup Standards Scientific Advisory Board Meeting Cancelled

The June 18, 2024, meeting of the Cleanup Standards Scientific Advisory Board (Board) has been rescheduled for July 24, 2024. This meeting will be a hybrid format of inperson and by means of Microsoft Teams. Persons wishing to join the next Board meeting may do so remotely or inperson. Information will be provided on the Board's webpage as follows. Persons interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Michael Maddigan at mmaddigan@pa.gov or (717) 772-3609.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Cleanup and Brownfields," then "Cleanup Standards Scientific Advisory Board").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the next Board meeting can be directed to Michael Maddigan at mmaddigan@pa.gov or (717) 772-3609.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-1566 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JESSICA SHIRLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 24-765. Filed for public inspection May 31, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Proposed Clean Energy Campus Projects on Commonwealth-Owned Abandoned Mine Lands; Request for Information

#### *Description*

The Department of Environmental Protection (Department) issues this Request for Information (RFI) to those interested in submitting concept papers for the Department's consideration on behalf of the Commonwealth to satisfy a need for the Design, Development, Commercialization and Maintenance of Clean Energy Campus (CEC) Projects on Abandoned Mine Lands (AML) controlled by the Commonwealth.

The Department seeks concept papers submitted by a single project sponsor or a consortium led by a single project sponsor willing to coinvest with the Commonwealth to transform these sites into CEC projects. The Department owns 13 properties greater than 50 acres in size, with an aggregate total of approximately 1,850 acres

of land eligible for conversion. Each property represents a campus available to the project sponsor to host an individual CEC project. Project sponsors may submit concept papers for one, all or any combination of properties subject to the requirement that a project sponsor must demonstrate the capacity to perform:

- *Design.* Provides design for land reclamation and remediation, including earthworks and stormwater management, to convert AML controlled by the Department to pad-ready sites that maximize the value of potential clean energy generation and energy storage installations.

- *Development.* Completes leasing agreement, site preparation, permitting, geotech and interconnection. The Department contemplates a collaborative process with the project sponsor and will consider deploying additional funding for the acquisition of adjacent properties that might be required for CEC project development.

- *Commercialization.* Installs clean energy generation and energy storage equipment, negotiates a Power Purchase Agreement (PPA) or response to market mechanisms, or both, that might generate income for the CEC project. The Department will require any project sponsor to invest all capital associated with the commercialization effort and take any and all risks associated with the investment. The Commonwealth will not offer to be an offtaker of the electricity produced on this site and will not enter into a PPA for energy produced on the site. The project sponsor will be required to enter into a contract and lease agreement for use of the site. The Department expects the project sponsor to consider a revenue-sharing agreement for the intrinsic value of the land but understands that the scale of these payments depends on the project sponsor's capital requirements to commercialize the property. The project sponsor should also explicitly take into account and communicate in its offer how the tax credits afforded under the Inflation Reduction Act of 2022 (Pub.L. No. 117-169, 136 Stat. 1818 (August 16, 2022)) (IRA) will impact its commercialization investment and its proposed financial consideration to the Department under the land lease agreement.

- *Maintenance.* Maintains all systems and land development covenants made with the Department or local authorities in the construction of this site for the duration of the lease term, to include insurance, security and other requirements enumerated in the lease agreement. The Department recognizes that the costs associated with the maintenance of the site will impact the financial considerations offered.

This RFI is intended for respondents to provide concept papers in response to the information specified in this notice. This RFI is also intended to communicate the Department's general goals and objectives for proposed CEC projects on Commonwealth-owned AML. This RFI does not constitute a Request for Proposal (RFP), nor does it represent a commitment to issue an RFP solicitation in the future. This RFI does not commit the Department to any specific form of RFP solicitation. Responding to this RFI is not a prerequisite for participation in a future RFP solicitation process. Persons and organizations who choose to not respond to this RFI may still participate in any subsequent RFP solicitation process for proposed CEC projects on Commonwealth-owned AML. Respondents choosing to respond to this RFI will not, merely by submitting a response, be deemed to be respondents to any future RFP solicitation process and no respondent will have any preference, special designation, advantage or disadvantage whatsoever in any subsequent RFP solicitation process. Respondents should not anticipate a re-

sponse from the Department regarding submitted materials. This RFI is not intended to, and does not, create any contractual rights or obligations with respect to any actual or potential respondents or any other parties.

#### *Purpose*

To assist in meeting its mission to protect air, land and water in this Commonwealth from pollution and to provide for the health and safety of its citizens through a cleaner environment, the Department is issuing an RFI soliciting concept papers from clean energy project developers, asset owners, financial institutions and other relevant parties to:

1. Ascertain the level of private-sector interest in designing, developing, commercializing and maintaining CEC projects on Commonwealth-owned AML.

2. Solicit initial feedback on the potential use of loan guarantees to support clean energy deployment and energy infrastructure reinvestment through the United States Department of Energy's (DOE) Loan Programs Office (LPO) Title 17 Clean Energy Financing Program. Specifically, the Department seeks concept papers for CEC projects to inform how to best leverage the DOE LPO Energy Infrastructure Reinvestment (EIR) category of the Title 17 Clean Energy Financing Program.<sup>1</sup> Through this program category, the LPO can provide additional financial support to eligible projects that meet program requirements and align with energy priorities of the United States like this Commonwealth.

In particular, the Department is looking for concept papers that propose CEC projects that have financial needs that cannot be fully met by existing financial tools available on the private market.

#### *Background*

The Commonwealth has long been revered for its energy resource abundance and significant history of energy production and innovation. The Commonwealth sits at the nexus of opportunities and challenges associated with fundamental transitions to diversified energy systems and clean energy technologies. The Commonwealth holds an opportunity to leverage previously mined lands to harness growth of the energy sector, promote economic opportunities and maintain strategic energy importance in the region and nation.

The growth of the Commonwealth's clean energy installations is advancing; however, in 2022, the Commonwealth generated only 3% of its electricity from renewable sources and 35% from carbon-free sources. Accelerating clean energy deployment in alignment with the Commonwealth's greenhouse gas (GHG) reduction goals and sustainability goals while preserving and protecting valuable arable lands requires thoughtful policies and actionable recommendations to improve the processes and other factors involved in siting solar facilities on lands such as previously mined lands.

The addition of energy storage to utility scale clean energy installations has become an increasingly essential component, as market demand for intermittent energy sources is likely to come under pressure from renewable projects that can sustain at least 10 hours of an uninterrupted energy cycle. Capacity market restructuring within the PJM Regional Transmission Organization will set 10 hours as the minimum resiliency standard to fully value electricity generation for any grid scale solar project. The Department therefore considers the addition of energy storage as an essential portion of this effort and

<sup>1</sup> See 42 U.S.C. § 16517.



will look to innovative proposals from project sponsors to include batteries or other novel approaches such as geothermal storage or pumped hydro projects on locations with sufficient scale.

In a recently commissioned study, the Department's Energy Programs Office outlined the myriad challenges associated with leveraging the Commonwealth's inventory of AML as part of the Commonwealth's energy transition. The report, *An Assessment of Solar Development on Previously Impacted Mine Lands in Pennsylvania*, published by the Department in May 2024, provides more detail and is available at <https://greenport.pa.gov/elibrary/GetDocument?docId=8421405&DocName=ASSESSMENT%20OF%20SOLAR%20DEVELOPMENT%20ON%20PREVIOUSLY%20IMPACTED%20MINE%20LANDS%20>

IN%20PENNSYLVANIA.PDF The report analyzes the market forces underlying the siting process for grid-scale solar projects, such as land acquisition costs, access to transmission infrastructure and the uncertainty of regulatory requirements. It is difficult to make general statements regarding the viability of previously mined lands as desirable sites for hosting grid-scale solar installations compared to greenfield sites, where most of the current development is occurring. However, the Department recognizes that previously impacted mine lands could also host other clean energy generation technologies beyond, or in combination with, solar.

The objective of this RFI is to identify project sponsors that can design, develop, commercialize and maintain projects on the following Commonwealth-owned sites:



<i>Project ID</i>	<i>DGS ID Number</i>	<i>Installation Name</i>	<i>Address</i>	<i>Municipal</i>	<i>County</i>	<i>Lat</i>	<i>Long</i>	<i>Acres</i>	<i>Current Use</i>	<i>Status</i>
23	2248	Highland Fuel Mine	I-80 and T998 and T457	Wolf Creek Township	Mercer	41.2043	-80.03381	64.48	Mine Drainage	Mine sealing site (SL 110-4-101.1 and 102.1)
35	3425	Sheridan Bank	0 Colliery Street (north end of George Street), Tower City	Porter Township	Schuylkill	40.59116	-76.569	245	Land Reclamation	Refuse bank material under recovery contract
53	2779	Cross Keys Basin-SRP	Cross Keys Road, south side along Schuylkill River	Bern Township	Berks	40.41237	-75.94456	73.29	Impounding Basin	Small area licensed to Bern Township; PennDOT has recorded jurisdiction over portion
55	4346	Stoudt's Ferry Basin-SRP	Rickenbach Road	Bern Township	Berks	40.41105	-75.96181	202.56	Impounding Basin	Sand waste materials remain in basin
56	4350	Epler Basin-SRP	Cedar Hill Road	Bern Township	Berks	40.40096	-75.96945	69.79	Impounding Basin	Basin cleaned out; Fish and Boat Commission has jurisdiction over adjacent parcel
57	2780	North Seyfert Basin-SRP	West Neversink Road	Exeter Township	Berks	40.30089	-75.88924	143.5	Impounding Basin	Waste removal operations ongoing
58	2839	Kernsville-SRP	SR 4037, Industrial Drive	Tilden Township	Berks	40.56451	-75.99411	181.5	Dam Management Area/ Impounding Basin	Stone warehouse located near dam abutment, with adjacent boat launch and dredge berth Area includes portion crossed by US Route 22/I-78
61	2783	Lower Vincent Basin-SRP	North Church Street	East Vincent Township	Chester	40.20702	-75.56001	81.18	Impounding Basin	Waste removal completed; Remnant lock structures on site
62	4347	Oaks Basin-SRP	Longford Road and Railroad	Upper Providence Township	Montco	40.13055	-75.47731	64.55	Impounding Basin	Waste removal ongoing; Fish and Boat Commission has jurisdiction over adjacent parcel
63	2842	Auburn-SRP	SR 2011 (Meadow Drive), south of Landingville	West Brunswick Township	Schuylkill	40.61026	-76.1202	142	Dam Management Area	Some purchased acreage inundated by dam pool; Stone warehouse on parcel; Fish and Boat Commission has jurisdiction over adjacent parcel
64	2842	Auburn-SRP		West Brunswick Township	Schuylkill	40.611	-76.1118	411.6	Dam Management Area/ Impounding Basin	Some purchased acreage inundated by dam pool; Waste removal operations active

<i>Project ID</i>	<i>DGS ID Number</i>	<i>Installation Name</i>	<i>Address</i>	<i>Municipal</i>	<i>County</i>	<i>Lat</i>	<i>Long</i>	<i>Acres</i>	<i>Current Use</i>	<i>Status</i>
66	2841	Tamaqua-SRP	Route 443	Walker Township	Schuylkill	40.75167	-75.95263	72.7	Dam Management Area	Some purchased acreage inundated by dam pool; Active desilting operation; Stone warehouse on parcel, with mooring site for dredge
68	2790	Tamaqua Basin-SRP	Atlas Road (T 517)	West Penn Township	Schuylkill	40.7449	-75.96437	99.04	Impounding Basins	Waste recovery ongoing

With more than 1,800 acres available, the Department's target will be to develop 13 CEC projects that deploy grid-scale clean energy generation and energy storage. Should the Department succeed in this initial effort, the objective will be to issue future RFPs for other surplus property and expand the program.

The challenge in each of the four areas of effort are, nonetheless, substantial. During the Design effort, project sponsors will provide professional design services, feasibility studies, geophysical investigations, construction oversight and other technical services as required for the reclamation of AML and remediation of associated environmental impacts.

The project sponsor also must be prepared to submit a final CEC project design and obtain the Department's approval of the design before entering the Development phase.

As part of the Development effort, a project sponsor must manage the remediation and development of the site to the specifications of the approved design. A project sponsor must be prepared to begin Development efforts within a specified period of time after the approval of design and complete the CEC project within an agreed-to timeline.

The Commercialization effort centers on the project sponsor's ability to maximize the value of the land and its own investment. Project sponsors with established track records in developing and successfully deploying grid-scale clean energy generation and energy storage projects will be favored over those without a significant history of operational success. The project sponsor must be ready to begin deployment of the CEC project proposed in its original design (and modified to the requirements of any design or development priorities approved by the Department during earlier phases) within a specified period of time after the completion of the Development phase.

The long-term Maintenance of the CEC project will be the responsibility of the project sponsor. Maintenance requirements will likely include the equipment components required to achieve the generation of clean energy, as well as equipment/components plus all additional equipment components required to complete the interconnection of the clean energy generation asset to the electrical distribution system. The project sponsor will also be responsible for maintaining the land upon which the CEC project is constructed plus all buildings/equipment housings associated with the CEC project.

#### *Specifics of the DOE LPO EIR Program*

Under Title 17 of the Energy Policy Act of 2005 (Pub.L. No. 109-58, 119 Stat. 1117 (August 8, 2005)), as amended, the DOE LPO may provide loan guarantees for projects that support clean energy deployment and EIR in the United States. LPO administers the Clean Energy Financing Program under the authority provided by Title 17.<sup>2</sup> Since it was originally enacted almost 20 years ago, Title 17 has been reauthorized, amended and revised by legislation, including, most recently, by the Infrastructure Investment and Jobs Act in 2021 (Pub.L. No. 117-58) and the IRA in 2022.

The new EIR (section 1706) authority created under the IRA expands LPO's mission under Title 17 to include retooling, repowering, repurposing or replacing American

energy infrastructure that has ceased operations and enabling operating energy infrastructure to avoid, reduce, utilize or sequester air pollutants, including anthropogenic GHG emissions. This is a powerful tool to reinvest in the Nation's energy infrastructure, revitalize the economy (including in communities with aging infrastructure) and reduce overall emissions. The amount of loan guarantee authority available through EIR under the IRA is up to \$250 billion. These funds are available on or before September 30, 2026, after which time the authorization expires. Interested applicants are encouraged to review all eligibility criteria and program requirements in the DOE's Program Guidance for Title 17 Clean Energy Financing Program (OMB Control No. 1910-5134, May 19, 2023) at <https://www.energy.gov/lpo/title-17-clean-energy-financing>.

The LPO enables borrowers to access long-term, senior debt for the construction of clean energy projects that are challenged in obtaining adequate, flexible debt financing on competitive terms from private lenders. To do this, the LPO leverages considerable in-house expertise to support large-scale project deployment and serves as a committed partner for the life of the loan. A Title 17 loan guarantee should reduce the all-in interest rates charged by third-party lenders. Loans issued by the Federal Financing Bank typically bear a fixed interest rate pegged to the United States Treasury rates (matched to loan tenor) plus "three-eighths" (0.375%), as well as a risk-based charge. The LPO can guarantee up to 80% of eligible project costs, although project cashflows and credit risk considerations often lower leverage ratios with many projects ending up in the 50% to 70% range.

The EIR projects support reinvestment in communities throughout the United States where existing energy infrastructure has been challenged by market forces, resource depletion, age, technology advancements or the broader energy transition. This infrastructure might include power plants, fossil fuel extraction sites, transmission systems, fossil fuel pipelines, refineries or other energy facilities that have ceased to operate or that continue to operate but could benefit from GHG or pollution-reducing improvements.

These energy assets have often served as economic backbones for local communities for decades and can continue to do so with targeted investment and economic development support. Redeveloping energy infrastructure typically comes with valuable benefits to new industry, including reuse of existing infrastructure assets, ready access to roads, rails and other means of transportation, existing grid connections and water access, as well as additional use permits. In addition, these areas are often home to a workforce that is well suited to building and operating complex energy infrastructure.

Applications for EIR financing must fall into one or more of the following types of projects:

1. Projects that retool, repower, repurpose or replace energy infrastructure<sup>3</sup> that has ceased operations, pro-

<sup>3</sup> For purposes of EIR eligibility, energy infrastructure means a facility, and associated equipment, used for (1) the generation or transmission of electric energy or (2) the production, processing and delivery of fossil fuels, fuels derived from petroleum or petrochemical feedstocks. This can encompass a wide variety of facilities and sites, including, but not limited to, decommissioned or operating power plants, related grid interconnection facilities, existing transmission lines and related facilities, oil and gas infrastructure including pipelines, refineries, gas stations or refueling terminals, chemical production facilities and distributed electric energy assets that are suitable for improvements.

<sup>2</sup> The Title 17 Clean Energy Financing Program is codified at 42 U.S.C. §§ 16511 et seq. DOE's implementing regulations can be found at 10 CFR Part 609 (relating to loan guarantees for clean energy projects).

vided that, if the project involves electricity generation through the use of fossil fuels, it is required to have controls or technologies to avoid, reduce, utilize, or sequester air pollutants and anthropogenic emissions of GHGs.

2. Projects that enable operating energy infrastructure to avoid, reduce, utilize or sequester air pollutants or anthropogenic emissions of GHGs.

EIR projects are not required to use innovative technology. The scope of a project receiving the EIR project financing may include remediation of environmental damage associated with energy infrastructure. At the DOE's discretion, the costs of refinancing outstanding indebtedness directly associated with eligible energy infrastructure may also be included as part of EIR financing. The EIR category can support a wide range of investments to utilize existing facilities and support host communities, including:

- Repowering or retooling energy infrastructure, such as nuclear or wind facilities, to restart or operate more efficiently or at higher output.
- Replacing energy, capacity or other grid services of retired energy infrastructure.
- Building new facilities for clean energy purposes, which utilize legacy energy infrastructure.
- Repurposing retired energy infrastructure for Title 17-qualified industrial purposes for 1703-eligible technologies.
- Environmental remediation at sites of abandoned or uneconomic energy infrastructure and upgrades to the site.

As described in the DOE's Program Guidance for Title 17 Clean Energy Financing Program (OMB Control No. 1910-5134, May 19, 2023), the LPO does not set a minimum loan size; however, due to some of the fixed costs associated with receiving a loan guarantee from the LPO, the LPO projects are typically \$100 million or more. Thus, the underlying project, technology, transaction parties and financing structure must match accordingly. The Department's expectation is that multiple CEC projects could be combined into a portfolio that rises to a funding level sufficiently large enough to take advantage of the LPO program. With this RFI, the Department seeks to understand whether there is an interest in this Commonwealth supporting CEC projects of this nature by leveraging this Federal funding.

#### *Priority CEC Project Categories*

The Department will prioritize concept papers on CEC projects that deploy one or more of the following technologies or project types:

- Solar and storage.
- Wind and storage.
- Advanced or enhanced geothermal.
- Small modular reactor nuclear.
- Biomass generation with carbon capture and sequestration.
- New manufacturing facilities for clean energy products or services.

- Coal ash remediation with site redevelopment.
- Critical minerals recovery (including processing, manufacturing and recycling of mineral alternatives).
- Hydrogen production and infrastructure.
- Sustainable aviation fuels or other biofuels production.

#### *Minimum Requirements*

Focusing on these priority CEC project categories, the Department is seeking project concept papers to better understand the scale of financing needs across various market sectors. The Department will prioritize feedback on concept papers proposing CEC projects that meet the following requirements:

- Substantially avoid, reduce, utilize or sequester anthropogenic emissions of GHGs or air pollutants.
- Have a reasonable prospect of repayment.
- Involve technically viable and commercially ready technology.<sup>4</sup>
- Include an analysis of how the proposed CEC project will engage with and affect associated communities.
- Does not benefit from prohibited Federal support.
- Accurately discloses the levels of market, regulatory, legal, financial, technological and other risks.

#### *Potential Respondents*

The Department is interested in collaborating with a wide range of entities proposing to undertake CEC project development. Potential respondents could include conventional organizations such as major renewable energy developers or real estate developers but also smaller entities that may be more community focused. The Department encourages all interested parties to provide feedback to the RFI. Potential respondents to the RFI may include but are not limited to:

- Property owners.
- Real estate developers.
- Renewable energy developers and operators.
- Financial institutions.
- Corporations.
- Nonprofit organizations.
- Venture and private equity groups.
- Philanthropic organizations that support clean energy or community development projects.
- Community-based organizations, including those representing Environmental Justice Communities.
- Other private sector entities.

<sup>4</sup> "Commercial Technology" means a technology in general use in the commercial marketplace. A technology is in general use if it is being used in three or more facilities that are in commercial operation in the United States for the same general purpose as the proposed project and has been used in each such facility for a period of at least 5 years.



Submissions

**Timeline**

June 1, 2024	Distribution of RFI
June 10, 2024	Informational webinar
July 1, 2024	Deadline for providing responses the RFI

**Required Information for Concept Paper Submission**

<i>Cover Page (1-page limit)</i>	<ul style="list-style-type: none"> <li>A. Lead project sponsor entity’s name.</li> <li>B. Primary point of contact information for lead project sponsor (including: name, title, address, phone number and e-mail address).</li> <li>C. Similar information for any Coproject sponsors/partners.</li> </ul>
<i>Entity Profile (2-page limit)</i>	<ul style="list-style-type: none"> <li>A. Summary of respondent’s organizational history and background.</li> <li>B. Organizational involvement with, or commitments, or both, to clean energy, including a summary of relevant ongoing or recently completed projects.</li> <li>C. Organizational size or operating capacity, or both.</li> </ul>
<i>CEC Project Information (5-page limit)</i>	<ul style="list-style-type: none"> <li>A. Describe the CEC project and project locations of interest. Include project type, specific technologies utilized, overall business model, expected sources of project revenue and other relevant details to inform the project scope (size, renewable capacity and the like).</li> <li>B. Explain how the CEC project falls under any of the priority investment categories, if applicable.</li> <li>C. Detail any potential benefits to the Commonwealth, especially with regard to the Commonwealth’s Environmental Justice Communities. These benefits should include positive environmental (for example, projected emissions reductions and local air quality improvements) and economic (for example, job creation) impacts directly or indirectly resulting from the CEC project.</li> <li>D. Propose a timeline for the completion of the Design, Development, Commercialization and Maintenance phases.</li> </ul>
<i>Capital Requirements (5-page limit)</i>	<ul style="list-style-type: none"> <li>A. Detail capital requirements expected for each CEC project or total capital needs if project sponsor is submitting a concept paper regarding a portfolio of CEC projects. Include an anticipated schedule for the CEC project, detailing when capital will be needed during various stages of project development.</li> <li>B. Include an explanation for why the project sponsor is interested in seeking LPO support instead of or in addition to existing financial tools available on the private market. This explanation may include barriers such as project credit constraints, high cost of capital, long project payback periods, technological risks, complex underwriting requirements, innovative business models, small transaction sizes and the like.</li> <li>C. Describe how the CEC project may benefit from, or require, lending support from the LPO and how the project might meet the requirements of the EIR Program, for example, exceeding \$100 million in project size, qualified projects, underwriting time period and the like.</li> </ul>

	<p>D. Explain how the CEC project is expected to contribute to financial market transformation in terms of, for example, (i) benefiting residents in this Commonwealth Environmental Justice Communities, (ii) creating scale, (iii) improving private sector participation, (iv) increasing level of awareness and confidence in the relevant sub-sector or business model and (v) other aspects of market transformation.</p> <p>E. Outline any current or expected internal/external sources of funding (if known) to address financial needs beyond what financial support is being sought by means of the LPO EIR Program.</p>
<p><i>Additional Questions (2-page limit)</i></p>	<p>A. Is the project sponsor interested in purchasing or leasing the property to develop a CEC project? What terms would the project sponsor consider for either option?</p> <p>B. Does the project sponsor want to maintain ownership of the CEC project assets or does it want the Department to maintain ownership of the assets?</p> <p>C. Given that the Department does not want to enter into a PPA and act as the offtaker of the electricity generated by the CEC project, would the project sponsor consider a revenue-sharing agreement with the Department for the electricity produced? If so, what would be the structure of this agreement?</p>

RFI responses must be submitted no later than July 1, 2024, by e-mail to RA-EPCleanEngCampAML@pa.gov. The subject line of the e-mail should state: CEC Project RFI Response—(Respondent Name).

Questions concerning this RFI should be directed to Louie Krak at lkrak@pa.gov. The subject line of the e-mail should state: CEC Project RFI Questions.

*Post-Submission Process*

The Department may invite respondents to provide additional information to better understand the information provided in the submittal. The Department may also request meetings with some or all of the respondents to discuss concept paper details.

Based on the feedback provided by the RFI, the Department may issue a formal RFP to solicit CEC project proposals.

*Data Practices*

This RFI is for information gathering purposes only and should not be construed as a solicitation or obligation on the part of the Department to provide funding.

Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure under applicable law, including, but not limited to, the Right-to-Know Law (65 P.S. §§ 67.101—67.3104). Respondents should only submit information that they wish to make publicly available and should not enclose any information considered confidential or inappropriate for public disclosure.

JESSICA SHIRLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 24-766. Filed for public inspection May 31, 2024, 9:00 a.m.]

**DEPARTMENT OF HEALTH**

**Availability of Updated Academic Clinical Research Center List and of Clinical Registrant Applications and Submission Deadline**

The purpose of this notice is to announce the publication of an updated list of academic clinical research centers (ACRC) on the web site of the Department of Health (Department) under section 2001.1(b) of the Medical Marijuana Act (35 P.S. § 10231.2001.1(b)) and to establish the time period during which applications for clinical registrants (CR) will be accepted by the Department.

*Availability of Updated ACRC List and of CR Applications and Submission Deadline*

Notice is hereby given, as required by 28 Pa. Code § 1211a.25(d) (relating to certifying ACRCs), that as of May 20, 2024, the Department has added Duquesne University, College of Osteopathic Medicine, 600 Forbes Avenue, Pittsburgh, PA 15282, to its list of approved ACRCs on its web site at <https://www.health.pa.gov/topics/programs/Medical%20Marijuana/Pages/Research.aspx>.

Notice is also hereby given, as required by 28 Pa. Code § 1211a.27(a) (relating to application for approval of a clinical registrant), that the Department has made available, on its web site at <https://www.health.pa.gov/topics/programs/Medical%20Marijuana/Pages/Research.aspx>, the

application to be approved as a CR. Two ACRCs, Duquesne University, College of Osteopathic Medicine and University of Pittsburgh School of Medicine are seeking a partner CR. The Department will accept CR applications starting on July 1, 2024, and until August 2, 2024. The Department will consider any application sent by mail to have been received on the date it is deposited in the mail as long as the postmark on the outside of the package is clear and legible. The Department will not consider and will return an application that is postmarked after the August 2, 2024, deadline. Applicants must submit an application by mail and in an electronic format that is listed in the instructions portion of the application to the Bureau of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Interested persons are invited to submit written comments, suggestions or objections regarding this notice to J. Diane Brannon-Nordtomme, Bureau of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, jbrannonno@pa.gov.

Persons with a disability who wish to submit comments, suggestions or objections regarding this notice or who require an alternative format of this notice (for example, large print, audiotope or Braille) may do so by using the previously listed contact information. Speech and/or hearing-impaired persons may 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. 24-767. Filed for public inspection May 31, 2024, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 204.9(d) (relating to bathing facilities):

Lakeside at Willow Valley  
300 Willow Valley Lakes Drive  
Willow Street, PA 17584  
FAC ID # 233602

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommoda-

tion to do so, should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 24-768. Filed for public inspection May 31, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Adventure Ahead Fast Play Game 5243

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 Fast Play lottery game:

1. *Name*: The name of the Fast Play lottery game is Pennsylvania Adventure Ahead (“Adventure Ahead”). The game number is PA-5243.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *MOUNTAIN MATCH*: The area in the center of an Adventure Ahead Fast Play ticket containing two play symbols that, when those two play symbols match and are not both FORD BRONCO® (VEHICLE) symbols, awards the player a prize of \$50 and when those two matching play symbols are both FORD BRONCO® (VEHICLE) symbols, awards the player a prize of a FORD BRONCO® Vehicle Prize as described in section 9 (relating to FORD BRONCO® vehicle prize description). MOUNTAIN MATCH is played separately.

(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) *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.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The play symbols found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of an Adventure Ahead ticket is \$5.

4. *Description of the Adventure Ahead Fast Play lottery game*:

(a) The Adventure Ahead Fast Play 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. Adventure Ahead 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) Adventure Ahead 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 correctly matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” number symbol. A bet slip is not used to play this game.

(c) Adventure Ahead tickets contain a “MOUNTAIN MATCH” area. When two matching play symbols that are not FORD BRONCO® (VEHICLE) symbols appear in the “MOUNTAIN MATCH” area, the player wins a prize of \$50. When two matching FORD BRONCO® (VEHICLE) symbols appear in the “MOUNTAIN MATCH” area, the player wins a FORD BRONCO® Vehicle Prize as described in section 9 (relating to FORD BRONCO® vehicle prize description). “MOUNTAIN MATCH” 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) Adventure Ahead 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 an Adventure Ahead 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 Adventure Ahead ticket and select the Adventure Ahead 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. *Adventure Ahead ticket characteristics*:

(a) Adventure Ahead tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Adventure Ahead tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and one “MOUNTAIN MATCH” 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 (TWNIN) and 30 (THIRT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT) and a Bucking Bronco (WINPRZ) symbol. The play symbols and their captions located in the “MOUNTAIN MATCH” area are: Trees (TREES) symbol, Mountain (MOUNTAIN) symbol, Tire (TIRE) symbol, Steering Wheel (STEERING WHEEL) symbol, Compass (COMPASS) symbol, Map (MAP) symbol, Tent (TENT) symbol, Campfire (CAMPFIRE) symbol and a FORD BRONCO® (VEHICLE) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

(d) *Prizes*: The prizes that can be won in this game, are: \$5, \$10, \$15, \$20, \$50, \$100, \$200, \$500 and \$1,000. The prizes that can be won in the “MOUNTAIN MATCH” area are: \$50 and the FORD BRONCO® Vehicle Prize as described in section 9 (relating to FORD BRONCO® vehicle prize description). A player can win up to 13 times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 960,000 tickets will be available for sale for the Adventure Ahead lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Buckin’ Buck\$ Second-Chance Drawing for which non-winning Adventure Ahead Fast Play lottery game tickets may be eligible as provided in section 10 (relating to second-chance drawing).

7. *Prizes available to be won and determination of prize winners*:

(a) All Adventure Ahead prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which two matching FORD BRONCO® (VEHICLE) symbols appear in the “MOUNTAIN MATCH” area, on a single ticket, shall be entitled to a prize of a FORD BRONCO® Vehicle Prize as described in section 9 (relating to FORD BRONCO® vehicle prize description).

(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 \$1,000 (ONE THO) appears in the Prize area under the match-



ing “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a Bucking Bronco (WINPRZ) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the Prize area under that Bucking Bronco (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match 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.

(f) Holders of tickets upon which a Bucking Bronco (WINPRZ) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$500 (FIV HUN) appears in the Prize area under that Bucking Bronco (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$500.

(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 \$200 (TWO HUN) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which a Bucking Bronco (WINPRZ) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the Prize area under that Bucking Bronco (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$200.

(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 \$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.

(j) Holders of tickets upon which a Bucking Bronco (WINPRZ) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the Prize area under that Bucking Bronco (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50<sup>00</sup> (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which a Bucking Bronco (WINPRZ) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the Prize area under that Bucking Bronco (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which two matching symbols appear in the “MOUNTAIN MATCH” area, and the matching play symbols are not FORD BRONCO® (VEHICLE) symbols, on a single ticket, shall be entitled to a prize of \$50.

(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 \$20<sup>00</sup> (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which a Bucking Bronco (WINPRZ) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the Prize area under that Bucking Bronco (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) 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 \$15<sup>00</sup> (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.

(q) Holders of tickets upon which a Bucking Bronco (WINPRZ) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the Prize area under that Bucking Bronco (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$15.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which a Bucking Bronco (WINPRZ) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the Prize area under that Bucking Bronco (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which a Bucking Bronco (WINPRZ) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the Prize area under that Bucking Bronco (WINPRZ) 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>Match Any Of “YOUR NUMBERS” To Any Of The “WINNING NUMBERS,” To Win Prize Shown Under That Match. Win With:</i>	<i>“MOUNTAIN MATCH”:</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/ BUCKING BRONCO		\$5	16.13	59,520
\$5		\$5	15.87	60,480

<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS," To Win Prize Shown Under That Match. Win With:</i>	<i>"MOUNTAIN MATCH":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
\$5 × 2		\$10	50	19,200
\$10 w/ BUCKING BRONCO		\$10	50	19,200
\$10		\$10	100	9,600
\$5 × 3		\$15	111.11	8,640
(\$10 w/ BUCKING BRONCO) + \$5		\$15	111.11	8,640
\$15 w/ BUCKING BRONCO		\$15	111.11	8,640
\$15		\$15	125	7,680
\$10 × 2		\$20	666.67	1,440
(\$5 × 2) + \$10		\$20	500	1,920
(((\$5 w/ BUCKING BRONCO) × 2) + (\$5 × 2))		\$20	500	1,920
(\$10 w/ BUCKING BRONCO) × 2		\$20	500	1,920
\$20 w/ BUCKING BRONCO		\$20	500	1,920
\$20		\$20	666.67	1,440
\$10 × 5		\$50	10,000	96
(\$10 × 3) + \$20		\$50	10,000	96
(((\$10 w/ BUCKING BRONCO) × 2) + (\$15 × 2))		\$50	2,000	480
(((\$15 w/ BUCKING BRONCO) × 2) + (\$10 × 2))		\$50	2,000	480
(((\$20 w/ BUCKING BRONCO) × 2) + (\$5 × 2))		\$50	2,000	480
	\$50 w/ SYMBOL MATCH	\$50	108.70	8,832
\$50 w/ BUCKING BRONCO		\$50	2,000	480
\$50		\$50	10,000	96
\$50 × 2		\$100	6,000	160
(\$20 × 2) + (\$15 × 2) + (\$10 × 2) + (\$5 × 2)		\$100	6,000	160
(((\$5 w/ BUCKING BRONCO) × 2) + (\$15 × 2) + (\$5 × 2))	\$50 w/ SYMBOL MATCH	\$100	4,000	240
(((\$10 w/ BUCKING BRONCO) × 2) + (\$10 × 2) + (\$5 × 2))	\$50 w/ SYMBOL MATCH	\$100	4,000	240
(\$15 w/ BUCKING BRONCO) + (\$5 w/ BUCKING BRONCO) + (\$10 × 3)	\$50 w/ SYMBOL MATCH	\$100	4,000	240
(\$20 w/ BUCKING BRONCO) + (\$10 w/ BUCKING BRONCO) + (\$5 × 4)	\$50 w/ SYMBOL MATCH	\$100	4,000	240
\$50 w/ BUCKING BRONCO	\$50 w/ SYMBOL MATCH	\$100	3,000	320
\$100 w/ BUCKING BRONCO		\$100	6,000	160
\$100		\$100	6,000	160
\$50 × 4		\$200	8,000	120
\$100 × 2		\$200	8,000	120
(\$20 × 5) + (\$10 × 5)	\$50 w/ SYMBOL MATCH	\$200	8,000	120
(((\$20 w/ BUCKING BRONCO) × 2) + (\$15 × 2) + (\$10 × 2) + (\$5 × 2) + \$50)	\$50 w/ SYMBOL MATCH	\$200	4,800	200
(((\$50 w/ BUCKING BRONCO) × 2) + (\$20 × 2) + (\$5 × 2))	\$50 w/ SYMBOL MATCH	\$200	4,000	240
(\$100 w/ BUCKING BRONCO) + (\$50 w/ BUCKING BRONCO)	\$50 w/ SYMBOL MATCH	\$200	6,000	160

<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS," To Win Prize Shown Under That Match. Win With:</i>	<i>"MOUNTAIN MATCH":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
(\$100 w/ BUCKING BRONCO) × 2		\$200	6,000	160
\$200 w/ BUCKING BRONCO		\$200	8,000	120
\$200		\$200	10,000	96
\$100 × 5		\$500	40,000	24
(\$50 × 2) + (\$20 × 5) + (\$15 × 2) + (\$10 × 2) + \$200	\$50 w/ SYMBOL MATCH	\$500	12,000	80
(\$100 × 3) + (\$50 × 2) + (\$15 × 3) + \$5	\$50 w/ SYMBOL MATCH	\$500	12,000	80
(\$200 w/ BUCKING BRONCO) + (\$100 w/ BUCKING BRONCO) + (\$50 × 2) + (\$10 × 5)	\$50 w/ SYMBOL MATCH	\$500	12,000	80
(((\$200 w/ BUCKING BRONCO) × 2) + \$50	\$50 w/ SYMBOL MATCH	\$500	12,000	80
\$500 w/ BUCKING BRONCO		\$500	24,000	40
\$500		\$500	60,000	16
\$500 × 2		\$1,000	120,000	8
(\$100 × 5) + (\$50 × 5) + \$200	\$50 w/ SYMBOL MATCH	\$1,000	120,000	8
(\$200 × 3) + (\$100 × 3) + \$50	\$50 w/ SYMBOL MATCH	\$1,000	120,000	8
(((\$100 w/ BUCKING BRONCO) × 2) + (\$200 × 3) + (\$20 × 5) + \$50	\$50 w/ SYMBOL MATCH	\$1,000	120,000	8
(((\$200 w/ BUCKING BRONCO) × 2) + \$500 + \$50	\$50 w/ SYMBOL MATCH	\$1,000	120,000	8
(\$500 w/ BUCKING BRONCO) × 2		\$1,000	120,000	8
\$1,000 w/ BUCKING BRONCO		\$1,000	120,000	8
\$1,000		\$1,000	120,000	8
	FORD BRONCO® w/ SYMBOL MATCH	\$100,000	320,000	3

Find a "Bucking Bronco" (WINPRZ) symbol to win prize shown under that symbol automatically!

MOUNTAIN MATCH: Match two like symbols to win \$50 instantly. Match two "FORD BRONCO®" (VEHICLE) symbols to win a 2024 FORD BRONCO® of your choice instantly! MOUNTAIN MATCH is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

**9. FORD BRONCO® Vehicle Prize Description:**

(a) Each FORD BRONCO® Vehicle Prize shall have a value of \$100,000 and shall include dealers' fees, dealer preparation, set up fees, freight charges, delivery charges, registration, \$894.78 state income tax withholding and \$24,000 federal income tax withholding.

(b) Each FORD BRONCO® Vehicle Prize winner shall select one prize from the following four available choices:

(1) 2024 FORD Bronco® Badlands®, 4 Door: Base model includes standard 2.3L EcoBoost® I-4 engine;

(2) 2024 FORD Bronco® Everglades®: Base model includes 2.3L EcoBoost® I-4 engine; or

(3) 2024 FORD Bronco® Wildtrak®, 4 Door: Base model includes 2.7L EcoBoost® V6 engine; or

(4) The cash value of the prize ("Cash Option"), as described in section 9(d), below.

(c) The amount allocated to the vehicle itself (hereafter "Allocated Amount") is \$75,105.22. Each FORD

BRONCO® Vehicle Prize will be a 2024 production year model at the time of the claim or may be replaced with a 2025 model if a 2024 model is no longer available. During 2024 model production, the Lottery may factory order a FORD BRONCO® Vehicle Prize with winner's specifications up to the Allocated Amount or locate the FORD BRONCO® Vehicle Prize based on local dealer stock. Once 2024 model production ceases, a FORD BRONCO® Vehicle Prize will be ordered based on current local dealer stock up to the Allocated Amount.

(d) A FORD BRONCO® Vehicle Prize winner opting for the Cash Option will receive the cash value of the FORD BRONCO® Vehicle Prize (\$100,000) minus required income tax withholding, subject to the provisions of section 9(e)(1), below.

**(e) FORD BRONCO® Vehicle Prize Restrictions:**

(1) If the Department of Human Services, pursuant to 23 Pa.C.S.A. § 4308, determines that a winner of the FORD BRONCO® Vehicle Prize owes certain debts to the Commonwealth as provided in 23 Pa.C.S.A. § 4308, or if the Department of Revenue or the Administrative Office of Pennsylvania Courts, pursuant to 72 P.S. § 215, determines that a winner of the FORD BRONCO® Vehicle

Prize owes certain debts to the Commonwealth as provided in 72 P.S. § 215, the winner shall be awarded the Cash Option, and the amount of any arrearages shall be deducted from the cash value of the prize. After the delinquent support obligation is met, the winner will receive the remaining prize value, if any, according to Lottery procedure.

(2) In the event a prize described in section 9(b)(1)—9(b)(3) 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.

(3) Each winner, his or her respective heirs, legal representatives and assigns, agrees to indemnify, defend, release and discharge the Pennsylvania Lottery, its employees, officers, directors and commissioners and Ford Motor Company from and against any loss, claim, damage, suit or injury arising out of or relating to this game, acceptance and possession of the FORD BRONCO® Vehicle Prize or any action taken pursuant to these rules. By entering, the winner indemnifies, releases, discharges and agrees to hold harmless the Pennsylvania Lottery, its employees, officers, directors and commissioners and Ford Motor Company from unanticipated cancellation, suspension or postponement of the promotion due to natural disaster, national emergency or other unforeseen act of God or man.

10. *Second-Chance Drawing:* The Pennsylvania Lottery's Buckin' Buck\$ Second-Chance Drawing for qualifying instant and Fast Play lottery game tickets ("Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1693 Keys and Cash (\$5) Instant lottery game tickets and PA-5243 Adventure Ahead (\$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 Buckin' Buck\$ 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-1693 Keys and Cash Instant lottery game tickets will begin after 11:59:59 p.m. May 19, 2024 and will end at 11:59:59 p.m. July 25, 2024. The entry period for qualifying PA-5243 Adventure Ahead Fast Play lottery game tickets will begin after 4:59:59 a.m. June 4, 2024 and will end at 11:59:59 p.m. July 25, 2024. All entries received during the entry periods will be entered into the Drawing tentatively scheduled to be held between July 29, 2024 and August 9, 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-1693 Keys and Cash (\$5) = five entries; and PA-5243 Adventure Ahead (\$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 10(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 10(c)(2).

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$75,000, less required income tax withholding.

(ii) The second through the sixth entries selected in the Drawing will be winning entries and the entrants who



submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iii) The seventh through the eleventh 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 \$4,000.

(iv) The twelfth through the sixteenth 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 \$1,000.

(v) The seventeenth through the sixty-sixth 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, 9Roof tops Marketing, LLC (formerly known as MARC USA, LLC), Scientific Games, LLC and MDI Entertainment, 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 10(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.

11. *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.

12. *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.

#### 13. *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 15 (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.

14. *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.

15. *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.

16. *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.

#### 17. *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 Adventure Ahead 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.

#### 18. *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.

19. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Adventure Ahead lottery game tickets.

20. *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.

21. *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 Adventure Ahead or through normal communications methods.

22. *Applicability:* This notice applies only to the Adventure Ahead lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

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## DEPARTMENT OF REVENUE

### Pennsylvania Charge Up Fast Play Game 5244

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 Fast Play lottery game:

1. *Name:* The name of the Progressive Top Prize Fast Play lottery game is Pennsylvania Charge Up (“Charge Up”). The game number is PA-5244.

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) *BATTERY BONUS:* The area at the top of a Charge Up ticket containing one play symbol that, when a Full Charge (PROG) symbol appears, the player wins the current “PROGRESSIVE TOP PRIZE” instantly. BATTERY BONUS is played separately.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket, which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *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.

(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 determines whether a player wins the prize under the matching “YOUR NUMBERS” play symbols.

3. *Price:* The price of a Charge Up ticket is \$2.

4. *Description of the Charge Up Fast Play lottery game:*

(a) The Charge Up 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. Charge Up 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) Charge Up is played by matching the play symbols located in the “YOUR NUMBERS” area to 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 an Up Arrow (WINALL) symbol appears in the “YOUR NUMBERS” area the player wins all 8 prizes shown. A bet slip is not used to play this game.

(c) Charge Up contains a “BATTERY BONUS” area where, when a Full Charge (PROG) symbol appears, the player wins the current “PROGRESSIVE TOP PRIZE.” “BATTERY BONUS” is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) A Charge Up game ticket 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 Charge Up game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Charge Up game ticket and select the Charge Up 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. *Charge Up ticket characteristics:*

(a) A Charge Up ticket shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Each Charge Up ticket play area will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “BATTERY BONUS” 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) and 20 (TWENT). 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) and an Up Arrow (WINALL) symbol. The play symbols and their captions located in the "BATTERY BONUS" area are: One Bar (TRY AGAIN) symbol, Two Bars (TRY AGAIN) symbol, Three Bars (NO BONUS) symbol, Four Bars (NO BONUS) symbol and a Full Charge (PROG) symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$25.<sup>00</sup> (TWY FIV), \$40.<sup>00</sup> (FORTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN) and \$200 (TWO HUN).

(d) *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$40, \$50, \$100 and \$200. The prize that can be won in the "BATTERY BONUS" area is the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$10,000 and increases by \$0.10 every time a Charge Up ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$10,000. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to eight times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 960,000 tickets will be available for sale for the Charge Up lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Charge Up prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which a Full Charge (PROG) symbol appears in the "BATTERY BONUS" 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" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(d) Holders of tickets upon which an Up Arrow (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in two of the Prize areas, a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in three of the Prize areas, a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in two of the Prize areas and a prize symbol of \$5.<sup>00</sup> (FIV DOL) 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 an Up Arrow (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in two of the Prize areas, a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in four of the Prize areas and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$200.

(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 \$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.

(g) Holders of tickets upon which an Up Arrow (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in two of the Prize areas, a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in two of the Prize areas, a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in two of the Prize areas, a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in one of the Prize areas and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which an Up Arrow (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in two of the Prize areas, a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in two of the Prize areas, a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in three of the Prize areas and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in one 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" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which an Up Arrow (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in four of the Prize areas, a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in three of the Prize areas and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which an Up Arrow (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in three of the Prize areas, a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in three of the Prize areas, a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in one of the Prize areas and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(m) Holders of tickets upon which an Up Arrow (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in two of the Prize areas, a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in two of the Prize areas, a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in three of the Prize areas and a



prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which an Up Arrow (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in four of the Prize areas, a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in two of the Prize areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in one of the Prize areas and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in one 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” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>.00</sup> (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.

(p) Holders of tickets upon which an Up Arrow (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in three of the Prize areas and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in five of the Prize areas, on a single ticket, shall be entitled to a prize of \$25.

(q) Holders of tickets upon which an Up Arrow (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in three of the Prize areas, a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in four of the Prize areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$25.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING

NUMBERS” play symbols and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

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>Match Any Of “YOUR NUMBERS” To Any Of The “WINNING NUMBERS” To Win Prize Shown Under That Match. Win With:</i>	<i>“BATTERY BONUS”:</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	35.71	26,880
\$5 × 2		\$10	200	4,800
(\$2 × 3) + \$4		\$10	200	4,800
(\$4 × 2) + \$2		\$10	200	4,800
\$10		\$10	200	4,800
\$10 × 2		\$20	2,000	480
(\$4 × 2) + \$10 + \$2		\$20	2,000	480
(\$5 × 2) + \$10		\$20	2,000	480
\$20		\$20	2,500	384
UP ARROW w/ ((\$4 × 3) + (\$2 × 4) + \$5)		\$25	416.67	2,304
UP ARROW w/ ((\$5 × 3) + (\$2 × 5))		\$25	434.78	2,208
(\$5 × 3) + (\$4 × 2) + \$2		\$25	2,500	384
(\$10 × 2) + \$5		\$25	2,500	384
\$25		\$25	2,000	480

<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS" To Win Prize Shown Under That Match. Win With:</i>	<i>"BATTERY BONUS":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
UP ARROW w/ (( $\$5 \times 4$ ) + ( $\$4 \times 2$ ) + $\$10$ + $\$2$ )		\$40	1,818	528
UP ARROW w/ (( $\$10 \times 2$ ) + ( $\$5 \times 2$ ) + ( $\$2 \times 3$ ) + $\$4$ )		\$40	1,818	528
$\$20 \times 2$		\$40	12,000	80
$\$25 + \$10 + \$5$		\$40	12,000	80
$\$40$		\$40	6,000	160
UP ARROW w/ (( $\$5 \times 3$ ) + ( $\$2 \times 3$ ) + $\$25 + \$4$ )		\$50	2,000	480
UP ARROW w/ (( $\$10 \times 4$ ) + ( $\$2 \times 3$ ) + $\$4$ )		\$50	2,000	480
$\$25 \times 2$		\$50	12,000	80
( $\$20 \times 2$ ) + ( $\$4 \times 2$ ) + $\$2$		\$50	12,000	80
$\$40 + \$10$		\$50	12,000	80
$\$50$		\$50	12,000	80
UP ARROW w/ (( $\$20 \times 2$ ) + ( $\$10 \times 2$ ) + ( $\$5 \times 3$ ) + $\$25$ )		\$100	12,000	80
UP ARROW w/ (( $\$25 \times 2$ ) + ( $\$10 \times 2$ ) + ( $\$4 \times 2$ ) + $\$20 + \$2$ )		\$100	12,000	80
$\$50 \times 2$		\$100	12,000	80
( $\$10 \times 3$ ) + $\$40 + \$25 + \$5$		\$100	24,000	40
$\$50 + \$40 + \$10$		\$100	24,000	40
$\$100$		\$100	24,000	40
UP ARROW w/ (( $\$40 \times 2$ ) + ( $\$25 \times 4$ ) + ( $\$10 \times 2$ ))		\$200	240,000	4
UP ARROW w/ (( $\$50 \times 2$ ) + ( $\$25 \times 3$ ) + ( $\$10 \times 2$ ) + $\$5$ )		\$200	240,000	4
$\$100 \times 2$		\$200	240,000	4
( $\$50 \times 2$ ) + ( $\$40 \times 2$ ) + ( $\$10 \times 2$ )		\$200	480,000	2
$\$100 + \$50 + \$25 + \$20 + \$5$		\$200	480,000	2
$\$200$		\$200	480,000	2
	\$10,000 w/ FULL CHARGE	\$10,000	240,000	4

Find an "Up Arrow" (WINALL) symbol to win all 8 prizes shown!

BATTERY BONUS: Find a "Full Charge" (PROG) symbol to win the current PROGRESSIVE TOP PRIZE amount instantly! BATTERY BONUS 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. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$0.10 from the sale of each Charge Up 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 Charge Up 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 Charge Up 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 Charge Up 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 Charge Up or through normal communications methods.

20. *Applicability:* This notice applies only to the Charge Up lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-770. Filed for public inspection May 31, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Money Tree Fast Play Game 5242

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 Money Tree (“Money Tree”). The game number is PA-5242.

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) *BUCKETS OF CASH:* A feature of the Money Tree game where, when ten Bucket symbols appear in the “YOUR NUMBERS” area, the player multiplies the total won by matching any of the number symbols located in the “YOUR NUMBERS” area to any of the number symbols located in the “WINNING NUMBERS” area by 10. The “PROGRESSIVE TOP PRIZE” is not multiplied.

(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) *MONEY TREE:* The area at the top of a Money Tree ticket containing three play symbols where, whenever two P symbols appear in the “MONEY TREE” area, the player wins the current “PROGRESSIVE TOP PRIZE.” “MONEY TREE” is played separately.

(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) *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) *TREE:* A feature of the Money Tree game where, when any “YOUR NUMBERS” play symbol matches a “WINNING NUMBERS” play symbol and the matching “YOUR NUMBERS” symbol appears printed on a Tree symbol, the player increases that prize by \$100 and wins that amount.

(n) *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.

(o) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(p) *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 Money Tree ticket is \$20.

4. *Description of the Money Tree Fast Play lottery game:*

(a) The Money Tree 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. Money Tree 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) Money Tree 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 the matching “YOUR NUMBERS” play symbol appears printed on a “TREE” symbol, the player increases the prize won by \$100 and wins that amount. Whenever ten Bucket play symbols appear in the “YOUR NUMBERS” area, the player multiplies the total won in the “YOUR NUMBERS” area by 10 and wins that amount. The “PROGRESSIVE TOP PRIZE” is not multiplied. A bet slip is not used to play this game.

(c) Money Tree is also played by finding two like P play symbols in the “MONEY TREE” area. A player finding play symbols in this way will win the current “PROGRESSIVE TOP PRIZE.” “MONEY TREE” is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Money Tree 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 Money Tree 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 Money Tree ticket and select the Money Tree 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. Money Tree ticket characteristics:

(a) Money Tree tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Money Tree tickets will contain one play area, consisting of a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “MONEY TREE” area. The “MONEY TREE” area is played separately. 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), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions located in the “YOUR NUMBERS” area, and which are not printed on a “TREE” symbol, 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), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The number symbols and their captions, located in the “YOUR NUMBERS” area, and which are printed on a “TREE” symbol, 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), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols located in the “MONEY TREE” area are: Lemon symbol, Pear symbol, Apple symbol, Peach symbol, Cherry symbol and a P symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area, are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$10,000 (TEN THO).

(d) *Prizes:* The prizes that can be won in this game are: \$20, \$30, \$40, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$10,000. The prize that can be won in the “MONEY TREE” area is the “PROGRESSIVE TOP PRIZE.” The “PROGRESSIVE TOP PRIZE” amount starts at \$400,000 and increases by \$0.90 every time a Money Tree ticket is purchased. When a “PROGRESSIVE TOP PRIZE” winning ticket is sold, the “PROGRESSIVE TOP PRIZE” resets to \$400,000. For a complete description of how these prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 11 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Money Tree lottery game.

##### 6. Prizes available to be won and determination of prize winners:

(a) All Money Tree prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which two P symbols appear in the “MONEY TREE” 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 \$400,000.

(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 \$10,000 (TEN THO) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which ten Bucket symbols appear in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any two of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$500 (FIV HUN) appears in the Prize area under both matching “YOUR NUMBERS” play symbols, and upon which ten Bucket symbols appear in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$10,000.



NUMBERS” play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol is printed on a “TREE” symbol, on a single ticket, shall be entitled to a prize of \$150.

(x) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol is printed on a “TREE” symbol, on a single ticket, shall be entitled to a prize of \$140.

(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 \$30.<sup>00</sup> (THIRTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol is printed on a “TREE” symbol, on a single ticket, shall be entitled to a prize of \$130.

(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 \$20.<sup>00</sup> (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol is printed on a “TREE” symbol, on a single ticket, shall be entitled to a prize of \$120.

(aa) 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.

(bb) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(cc) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(dd) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30.<sup>00</sup> (THIRTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(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 \$20.<sup>00</sup> (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

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>Match Any Of “YOUR NUMBERS” To Any Of The “WINNING NUMBERS” To Win Prize Shown Under That Match. Win With:</i>	<i>“BUCKETS OF CASH”:</i>	<i>“MONEY TREE”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$20			\$20	6.67	90,000
\$30			\$30	20	30,000
\$20 × 2			\$40	33.33	18,000
\$40			\$40	50	12,000
\$30 + \$20			\$50	66.67	9,000
\$50			\$50	66.67	9,000
\$20 × 5			\$100	1,111	540
\$50 × 2			\$100	1,111	540
(\$30 × 2) + \$40			\$100	1,000	600
(\$40 × 2) + \$20			\$100	1,000	600
\$50 + \$30 + \$20			\$100	1,000	600
\$100			\$100	1,000	600
\$100 × 2			\$200	3,333	180
(\$50 × 2) + (\$40 × 2) + \$20			\$200	3,333	180
\$100 + \$50 + \$30 + \$20			\$200	3,333	180
(\$20 w/ TREE SYMBOL) + (\$40 × 2)			\$200	1,000	600
(\$30 w/ TREE SYMBOL) + \$50 + \$20			\$200	1,000	600
(\$40 w/ TREE SYMBOL) + (\$20 × 3)			\$200	1,000	600
(\$50 w/ TREE SYMBOL) + \$30 + \$20			\$200	1,000	600



<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS" To Win Prize Shown Under That Match. Win With:</i>	<i>"BUCKETS OF CASH":</i>	<i>"MONEY TREE":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$20	10X w/ TEN BUCKETS		\$200	178.57	3,360
\$100 w/ TREE SYMBOL			\$200	1,000	600
\$200			\$200	5,000	120
$(\$200 \times 2) + \$100$			\$500	120,000	5
$(\$100 \times 2) + (\$50 \times 2) + (\$40 \times 2) +$ $(\$30 \times 2) + (\$20 \times 3)$			\$500	120,000	5
$(\$100 \text{ w/ TREE SYMBOL} \times 2) +$ $(\$40 \times 2) + \$20$			\$500	12,000	50
$(\$100 \text{ w/ TREE SYMBOL} \times 2) +$ $(\$50 \times 2)$			\$500	12,000	50
$(\$100 \text{ w/ TREE SYMBOL} \times 2) +$ $\$100$			\$500	12,000	50
$(\$200 \text{ w/ TREE SYMBOL}) + (\$100 \times$ $2)$			\$500	12,000	50
$(\$200 \text{ w/ TREE SYMBOL}) + \$200$			\$500	10,000	60
\$30 + \$20	10X w/ TEN BUCKETS		\$500	6,000	100
\$50	10X w/ TEN BUCKETS		\$500	6,000	100
\$500			\$500	24,000	25
$\$200 \times 5$			\$1,000	120,000	5
$\$500 \times 2$			\$1,000	120,000	5
$(\$200 \times 2) + (\$100 \times 5) + (\$30 \times 2) +$ $(\$20 \times 2)$			\$1,000	120,000	5
$(\$100 \text{ w/ TREE SYMBOL} \times 3) +$ $(\$50 \times 4) + \$200$			\$1,000	24,000	25
$(\$200 \text{ w/ TREE SYMBOL} \times 2) +$ $(\$100 \times 4)$			\$1,000	24,000	25
$(\$500 \text{ w/ TREE SYMBOL}) + (\$200 \times$ $2)$			\$1,000	24,000	25
$\$20 \times 5$	10X w/ TEN BUCKETS		\$1,000	12,000	50
$\$50 \times 2$	10X w/ TEN BUCKETS		\$1,000	12,000	50
\$100	10X w/ TEN BUCKETS		\$1,000	12,000	50
\$1,000			\$1,000	120,000	5
$\$1,000 \times 5$			\$5,000	120,000	5
$(\$1,000 \text{ w/ TREE SYMBOL} \times 4) +$ $\$500 + \$100$			\$5,000	120,000	5
$(\$200 \times 2) + \$100$	10X w/ TEN BUCKETS		\$5,000	120,000	5
\$500	10X w/ TEN BUCKETS		\$5,000	120,000	5
\$5,000			\$5,000	120,000	5
$\$5,000 \times 2$			\$10,000	300,000	2
$(\$5,000 \text{ w/ TREE SYMBOL}) + (\$1,000$ $\times 3) + (\$500 \times 3) + (\$200 \times 2)$			\$10,000	300,000	2
$\$500 \times 2$	10X w/ TEN BUCKETS		\$10,000	300,000	2



<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS" To Win Prize Shown Under That Match. Win With:</i>	<i>"BUCKETS OF CASH":</i>	<i>"MONEY TREE":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$1,000	10X w/ TEN BUCKETS		\$10,000	200,000	3
\$10,000			\$10,000	200,000	3
		\$400,000 w/ TWO PROGRESSIVE SYMBOLS	\$400,000	200,000	3

Match any of YOUR NUMBERS on a "TREE" symbol to any of the WINNING NUMBERS to ADD \$100 to the prize shown under that match and win that amount!

BUCKETS OF CASH: Find ten "Bucket" symbols in the "YOUR NUMBERS" area to multiply the TOTAL WON by 10 TIMES. PROGRESSIVE TOP PRIZE is not multiplied.

MONEY TREE: Find two "Progressive" symbols in the "MONEY TREE" area to 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 \$0.90 from the sale of each Money Tree 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 Money Tree 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., \$0.90 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 Money Tree 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 Money Tree 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 Money Tree or through normal communications methods.

20. *Applicability:* This notice applies only to the Money Tree lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-771. Filed for public inspection May 31, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Spot Some Ca\$h Fast Play Game 5245

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 Fast Play lottery game:

1. *Name:* The name of the Progressive Top Prize Fast Play lottery game is Pennsylvania Spot Some Ca\$h (“Spot Some Ca\$h”). The game number is PA-5245.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of

a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *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.

(i) *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.

(j) *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.

(k) *WHOOPS! MISSED A SPOT*: A feature of the Spot Some Ca\$h game where, when any "YOUR NUMBERS" play symbol is not printed on a "SPOT" symbol, the player increases the prize amount below that play symbol by \$10 and wins that amount. A winning "WHOOPS! MISSED A SPOT" play symbol will never match a "WINNING NUMBERS" 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 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 Spot Some Ca\$h ticket is \$1.

4. *Description of the Spot Some Ca\$h Fast Play lottery game*:

(a) The Spot Some Ca\$h 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. Spot Some Ca\$h 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) Spot Some Ca\$h 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 P (TPRIZE) symbol appears in the "YOUR NUMBERS" area, the

player wins the current "PROGRESSIVE TOP PRIZE." A bet slip is not used to play this game.

(c) Spot Some Ca\$h also contains a "WHOOPS! MISSED A SPOT" feature. Whenever any "YOUR NUMBERS" play symbol is not printed on a "SPOT" symbol, the player increases the prize amount shown under that play symbol by \$10 and wins that amount. A winning "WHOOPS! MISSED A SPOT" play symbol will never match a "WINNING NUMBERS" play symbol.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Spot Some Ca\$h 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 Spot Some Ca\$h 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 Spot Some Ca\$h ticket and select the Spot Some Ca\$h 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. *Spot Some Ca\$h ticket characteristics*:

(a) Spot Some Ca\$h tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Spot Some Ca\$h tickets will contain one play area consisting of a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions, located in the "YOUR NUMBERS" area, and which are printed on a "SPOT" symbol, 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) and a P (TPRIZE) symbol. The play symbols and their captions located in the "YOUR NUMBERS" area, and which are missing a "SPOT" symbol, 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).

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$3.<sup>00</sup> (THR DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$15.<sup>00</sup> (FIFTEEN), \$20.<sup>00</sup> (TWENTY), \$30.<sup>00</sup> (THIRTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN) and PROG (TOP PRIZE). The "PROGRESSIVE TOP PRIZE" amount starts at \$2,000 and increases by \$0.05 every time a Spot Some Ca\$h ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$2,000.

(d) *Prizes*: The prizes that can be won in this game are: FREE (TICKET), \$1, \$2, \$3, \$4, \$5, \$10, \$15, \$20,



\$30, \$50, \$100 and the "PROGRESSIVE TOP PRIZE." 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 six 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 Spot Some Ca\$h lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Spot Some Ca\$h prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which a P (TPRIZE) symbol appears in the "YOUR NUMBERS" area and a prize symbol of PROG (TOP PRIZE) appears in the Prize area under that P (TPRIZE) 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 \$2,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, and upon which the matching "YOUR NUMBERS" play symbol appears printed on a "SPOT" symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is missing a "SPOT" symbol and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$60.

(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 \$50.<sup>00</sup> (FIFTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, and upon which the matching "YOUR NUMBERS" play symbol appears printed on a "SPOT" symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is missing a "SPOT" symbol and a prize symbol of \$30.<sup>00</sup> (THIRTY) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$30.<sup>00</sup> (THIRTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, and upon which the matching "YOUR NUMBERS" play symbol appears printed on a "SPOT" symbol, on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is missing a "SPOT" symbol and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is missing a "SPOT" symbol

and a prize symbol of \$15.<sup>00</sup> (FIFTEEN) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(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 \$20.<sup>00</sup> (TWENTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, and upon which the matching "YOUR NUMBERS" play symbol appears printed on a "SPOT" symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" number is missing a "SPOT" symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15.<sup>00</sup> (FIFTEEN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, and upon which the matching "YOUR NUMBERS" play symbol appears printed on a "SPOT" symbol, on a single ticket, shall be entitled to a prize of \$15.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is missing a "SPOT" symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is missing a "SPOT" symbol and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$14.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is missing a "SPOT" symbol and a prize symbol of \$3.<sup>00</sup> (THR DOL) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$13.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is missing a "SPOT" symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is missing a "SPOT" symbol and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the Prize area under that "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$11.

(r) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, and upon which the matching "YOUR NUMBERS" play symbol appears printed on a "SPOT" symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 \$5.<sup>00</sup> (FIV DOL) appears in the Prize area under the matching



“YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol appears printed on a “SPOT” symbol, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol appears printed on a “SPOT” symbol, on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$3.<sup>00</sup> (THR DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol appears printed on a “SPOT” symbol, on a single ticket, shall be entitled to a prize of \$3.

(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 \$2.<sup>00</sup> (TWO DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the

matching “YOUR NUMBERS” play symbol appears printed on a “SPOT” symbol, on a single ticket, shall be entitled to a prize of \$2.

(w) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol appears printed on a “SPOT” symbol, on a single ticket, shall be entitled to a prize of \$1.

(x) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol appears printed on a “SPOT” symbol, on a single ticket, shall be entitled to a prize of one Spot Some Ca\$h Fast Play Game 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>Match Any Of “YOUR NUMBERS” To Any Of The “WINNING NUMBERS” To Win Prize Shown Under That Match. Win With:</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	10	180,000
\$1	\$1	20	90,000
\$1 × 2	\$2	40	45,000
\$2	\$2	100	18,000
\$1 × 3	\$3	100	18,000
\$2 + \$1	\$3	200	9,000
\$3	\$3	1,000	1,800
\$1 × 4	\$4	500	3,600
\$2 × 2	\$4	500	3,600
\$3 + \$1	\$4	500	3,600
\$4	\$4	500	3,600
(\$1 × 3) + \$2	\$5	250	7,200
(\$2 × 2) + \$1	\$5	500	3,600
\$3 + \$2	\$5	1,000	1,800
\$5	\$5	1,000	1,800
\$5 × 2	\$10	3,333	540
(\$2 × 3) + \$4	\$10	3,333	540
(\$3 × 2) + (\$2 × 2)	\$10	3,333	540
\$5 + \$3 + \$2	\$10	3,333	540
\$10	\$10	3,333	540
\$5 × 3	\$15	2,000	900
(\$1 w/ MISSED A SPOT) + (\$2 × 2)	\$15	909.09	1,980
(\$2 w/ MISSED A SPOT) + \$2 + \$1	\$15	909.09	1,980
(\$3 w/ MISSED A SPOT) + \$2	\$15	909.09	1,980
\$5 w/ MISSED A SPOT	\$15	909.09	1,980

<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS" To Win Prize Shown Under That Match. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,800,000 Tickets:</i>
\$15	\$15	2,000	900
\$10 × 2	\$20	2,400	750
(\$5 × 2) + (\$3 × 2) + (\$2 × 2)	\$20	2,400	750
(\$4 w/ MISSED A SPOT) + (\$2 × 3)	\$20	2,400	750
(\$5 w/ MISSED A SPOT) + \$5	\$20	2,000	900
\$10 w/ MISSED A SPOT	\$20	2,000	900
\$20	\$20	2,400	750
\$15 × 2	\$30	4,000	450
(\$5 w/ MISSED A SPOT) + (\$5 × 2) + (\$1 × 2) + \$3	\$30	4,000	450
(\$10 w/ MISSED A SPOT) + (\$5 × 2)	\$30	4,000	450
(\$15 w/ MISSED A SPOT) + \$4 + \$1	\$30	2,308	780
\$20 w/ MISSED A SPOT	\$30	2,400	750
\$30	\$30	6,000	300
(\$20 × 2) + \$10	\$50	4,000	450
(\$20 w/ MISSED A SPOT) + (\$5 × 4)	\$50	3,429	525
(\$30 w/ MISSED A SPOT) + \$10	\$50	3,429	525
\$50	\$50	12,000	150
\$50 × 2	\$100	60,000	30
(\$50 w/ MISSED A SPOT) + (\$10 × 3) + (\$5 × 2)	\$100	24,000	75
\$100	\$100	60,000	30
\$2,000 w/ PROGRESSIVE SYMBOL	\$2,000	360,000	5

Find a "PROGRESSIVE" (TPRIZE) symbol to win the current PROGRESSIVE TOP PRIZE amount instantly!

WHOOPS! MISSED A SPOT: Find one of YOUR NUMBERS that missed a "SPOT" symbol to ADD \$10 to the prize shown under that symbol and win that amount!

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 Spot Some Ca\$h 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 Spot Some Ca\$h 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 Spot Some Ca\$h 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 Spot Some Ca\$h 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 Spot Some Ca\$h or through normal communications methods.

20. *Applicability:* This notice applies only to the Spot Some Ca\$h lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-772. Filed for public inspection May 31, 2024, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Aqua Pennsylvania, Inc. v. Department of Environmental Protection; EHB Doc. No. 2024-098-L

Aqua Pennsylvania, Inc. has appealed the transfer by the Department of Environmental Protection of NPDES Permit No. PA0062758A-1 authorizing a discharge to Lost Creek from the Shenandoah Water Treatment Plant located in West Mahanoy Township, Schuylkill 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. 24-773. Filed for public inspection May 31, 2024, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Proposed Special Regulation Designations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates or redesignates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations and redesignations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission’s guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Board of Commissioners.

At the next Commission meeting on July 22, 2024, the Commission will consider taking the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective upon publication in the *Pennsylvania Bulletin*.

#### 58 Pa. Code § 65.9. Big bass

The Commission will consider adding the following waters to its list of “big bass” waters regulated and managed under 58 Pa. Code § 65.9 (relating to big bass):

County	Water
Butler	Glade Run Lake

#### 58 Pa. Code § 65.11. Panfish enhancement

The Commission will consider adding the following waters to its list of “panfish enhancement” waters regulated and managed under 58 Pa. Code § 65.11 (relating to panfish enhancement):

County	Water	Species
Butler	Glade Run Lake	Crappie

#### 58 Pa. Code § 65.17. Catch and release lakes

The Commission will consider removing the following waters from its list of “catch and release lakes” regulated and managed under 58 Pa. Code § 65.17 (relating to catch and release lakes):

County	Water
Fulton	Meadow Grounds Lake
McKean	Bradford City Number Two Reservoir

The Commission will consider adding the following waters to its list of “catch and release lakes” regulated and managed under 58 Pa. Code § 65.17:

County	Water
Wayne	Lower Woods Pond

#### 58 Pa. Code § 65.21. Waters limited to specific purposes—exclusive use fishing areas

The Commission will consider adding a portion of the following water to its list of “waters limited to specific purposes—exclusive use fishing areas” for both children and special populations, regulated and managed under 58 Pa. Code § 65.21 (relating to waters limited to specific purposes—exclusive use fishing areas):

County	Water
Lycoming	Little Bear Creek, Section 02

Persons with comments, objections or suggestions concerning the designations are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments may also be submitted electronically to [RA-pfbcregulations@pa.gov](mailto:RA-pfbcregulations@pa.gov). Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,  
Executive Director

[Pa.B. Doc. No. 24-774. Filed for public inspection May 31, 2024, 9:00 a.m.]



# INDEPENDENT REGULATORY REVIEW COMMISSION

## Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, April 18, 2024, and announced the following:

### *Action Taken—Regulation Disapproved*

Bureau of Professional and Occupational Affairs # 16A-66: Consideration of Criminal Convictions (amends 49 Pa. Code Chapter 43b)

### Disapproval Order

Public Meeting Held  
April 18, 2024

*Commissioners Voting:* George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Dennis A. Watson, Esq.

*Order Issued May 21, 2024*

*Bureau of Professional and Occupational Affairs—  
Consideration of Criminal Convictions  
Regulation No. 16A-66 (# 3361)*

On November 4, 2022, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Bureau of Professional and Occupational Affairs (Bureau). This rulemaking amends 49 Pa. Code Chapter 43b. The proposed regulation was published in the November 19, 2022 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 15, 2024.

This final-form regulation includes a proposed schedule of criminal convictions directly related to each of the 29 professional and occupational licensing boards and commissions as required under 63 Pa.C.S. § 3117 (relating to list of criminal offenses). The Bureau was required to develop such a schedule as directed by Act 53 of 2020.

If an applicant for a license has a past conviction for a crime that is on the directly-related schedule of crimes, it creates a rebuttable presumption that the applicant is unfit for licensure. Additionally, under the final-form regulation, if the past conviction is for a crime that is not on the directly-related schedule, the rebuttable presumption does not apply but each Board still retains the power to deny licensure.

The initial schedule of criminal offenses developed by the Bureau and contained in the proposed version of this rulemaking was the subject of extensive comments from the regulated community, members of the General Assembly, and this Commission. Among the comments voiced were concerns that the schedule of convictions developed by the Bureau was overinclusive in that certain offenses on the schedule may not directly relate to the professions in which applicants may seek to practice and was contrary to the intent of the General Assembly. In developing the final-form version of the regulation, the Bureau conducted a review of the schedule of criminal offenses in the proposed regulation and, in response to comments

from the legislature and public, it revised the schedule of each licensing board in the final-form regulation.

The Commission appreciates the Bureau's efforts to update the schedule of directly-related criminal convictions and the progress made in that regard. However, we have also expressed concerns that in some instances, offenses with direct bearing on the conduct, services, and practices of various occupations and professions have been removed from the schedule of convictions in the final-form regulation. In the view of the Commission, the removal of these provisions lacks clarity, and is neither reasonable nor sufficient to adequately protect the public health, safety, and welfare—criteria which we are obligated to consider under Pennsylvania's Regulatory Review Act. 71 P.S. §§ 745.5b(b), (b)(2), (b)(3)(ii) and (b)(3)(iv).

The schedule of criminal offenses is meant to delineate specific crimes directly relevant to the candidacy of individuals for licensure in occupations and professions where those individuals would directly and personally impact the lives of the citizens of this Commonwealth. At the public meeting held on April 18, 2024, there was extended discussion by members of the Commission about various crimes which the Bureau proposed deleting from the schedule of criminal offenses and we raised concerns regarding the impact of such changes.

As a result of such concerns, the Commission determined that the final-form regulation is not in the public interest. Consequently, we ask the Bureau to review the final-form regulation and evaluate which convictions directly relate to candidacy under each of the 29 boards and commissions with the benefit of the concerns and objections raised at the Commission's meeting. We also ask for the Bureau to explain in further detail how the removal of convictions is reasonable and protects the public health, safety, and welfare. The Bureau can also improve the clarity of this rulemaking by further detailing the licensure process and expanding on its authority to deny licensure for past convictions for crimes not appearing on the directly-related schedule of criminal convictions.

We appreciate the tremendous efforts of the General Assembly and the Bureau to eliminate barriers to employment for those seeking occupational and professional licenses in the Commonwealth. It is not the role of the Commission to micromanage the schedule of offenses; however, safeguarding public health and safety is an integral part of this process, as is a determination that these rules comply with Pennsylvania law and are in the public interest under the Regulatory Review Act.

While the promulgation of this regulation is consistent with the statutory authority of the Bureau and the intention of the General Assembly under Act 53 of 2020, after considering the criteria of the Regulatory Review Act relating to protection of the public health, safety, and welfare, reasonableness, and clarity, we find promulgation of this regulation is not in the public interest.

*By Order of the Commission:*

This regulation is disapproved.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 24-775. Filed for public inspection May 31, 2024, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, May 16, 2024, and announced the following:

#### *Actions Taken—Regulations Approved:*

Office of Attorney General # 59-001: Automotive Industry Trade Practices (amends 37 Pa. Code Chapter 301)

State Board of Certified Real Estate Appraisers # 16A-7031: Federally Mandated Revisions (amends 49 Pa. Code Chapter 36)

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#### Approval Order

Public Meeting Held  
May 16, 2024

*Commissioners Voting:* George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Office of Attorney General—  
Automotive Industry Trade Practices  
Regulation No. 59-001 (# 3373)*

On April 28, 2023, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Office of Attorney General (OAG). This rulemaking amends 37 Pa. Code Chapter 301. The proposed regulation was published in the May 13, 2023 *Pennsylvania Bulletin* with a public comment period ending on June 12, 2023. The final-form regulation was submitted to the Commission on March 19, 2024.

This final-form rulemaking amends the OAG's regulations regarding automotive trade practices.

We have determined this regulation is consistent with the statutory authority of the OAG (73 P.S. § 201-3.1) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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#### Approval Order

Public Meeting Held  
May 16, 2024

*Commissioners Voting:* George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Certified Real Estate Appraisers—  
Federally Mandated Revisions  
Regulation No. 16A-7031 (# 3393)*

On April 9, 2024, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Certified Real Estate Appraisers (Board). This rulemaking amends 49 Pa. Code Chapter 36. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking aligns the Board's regulations with corresponding Federal statutes and regulations.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 457.5(1) and (2), 457.6, and 457.10(b), (b.1), and (b.2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

GEORGE D. BEDWICK,  
Chairperson

[Pa.B. Doc. No. 24-776. Filed for public inspection May 31, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Paul Alvarez; Doc. No. SC24-05-022

Notice is hereby given of the Order to Show Cause issued on May 16, 2024, by the Deputy Insurance Commissioner of the Commonwealth in the previously referenced matter. Violations of the following are alleged: section 611-A(5), (6), (7), (17) and (20) of The Insurance Department Act of 1921 (40 P.S. § 310.11(5), (6), (7), (17) 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. 24-777. Filed for public inspection May 31, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Lakesha Bellamy; Doc. No. SC24-05-023

Notice is hereby given of the Order to Show Cause issued on May 17, 2024, by the Deputy Insurance Com-

missioner of the Commonwealth in the previously referenced matter. Violations of the following are alleged: sections 610-A(a), 611-A(8) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P.S. §§ 310.10(a), 310.11(8) and (20), and 310.78(a)).

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. 24-778. Filed for public inspection May 31, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by 2050 Trevorton Road Opco, LLC

2050 Trevorton Road Opco, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Mountain View Rehabilitation and Senior Living Center in Coal Township, PA. The initial filing was received on May 16, 2024, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-779. Filed for public inspection May 31, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Patriot Opco, LLC

Patriot Opco, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Patriot Village in Somerset, PA. The initial filing was received on May 16, 2024, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-780. Filed for public inspection May 31, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The proceedings will be governed in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held in the Insurance Department's Administrative Hearings Office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

A prehearing telephone conference initiated by this office is scheduled for June 17, 2024, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before June 13, 2024.

The hearing will be held at the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Earl Ferguson; Integon General Insurance Corporation; File No. 24-121-294392; Doc. No. P24-04-011; June 26, 2024, 10 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial



action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-781. Filed for public inspection May 31, 2024, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a public meeting of the Authority's Board to be held at the Conference Center at Central Penn College, 600 Valley Road, Summerdale, PA 17093, at 10:30 a.m. on Thursday, June 20, 2024. The public meeting will also be available virtually by means of Zoom.

Individuals can register in advance by going to <https://us06web.zoom.us/join/register/tZclc-ihpjoIG9YnAUa73UP5XRVSXN7RnkL>.

After registering, individuals will receive a confirmation e-mail containing information about joining the meeting.

Individuals who are unable to sign in with the previously listed registration link may dial-in by using the following information:

*Meeting ID:* 838 4198 1812

*Passcode:* 6aW49t

*Dial by individual's location:*  
(646) 558-8656 (New York)  
(301) 715-8592 US (Washington DC)  
(646) 931-3860 (New York)  
(312) 626-6799 US (Chicago)  
(346) 248-7799 US (Houston)  
(720) 707-2699 US (Denver)

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

A closed executive session of the Authority's Board of Directors will be held on June 20, 2024, at 10 a.m. The purpose of the executive session is for consideration of personnel matters and to engage in nondeliberative informational discussions regarding various actions and matters, which have been approved at previous public meetings.

REGINA M. HOFFMAN, MBA, BSN, RN, CPPS,  
*Executive Director*

[Pa.B. Doc. No. 24-782. Filed for public inspection May 31, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Natural Gas Service

**A-2024-3049172. Columbia Gas of Pennsylvania, Inc.** Application for approval of abandonment of natural gas service by Columbia Gas of Pennsylvania, Inc. to two inactive residential premises in Clarion County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, June 17, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery.

*Applicant:* Columbia Gas of Pennsylvania, Inc.

*Through and By Counsel:* Candis A. Tunilo, Esquire (ID # 89891), 800 North Third Street, Suite 204, Harrisburg, PA 17102, [ctunilo@nisource.com](mailto:ctunilo@nisource.com); Theodore J. Gallagher, Esquire (ID # 90842), 121 Champion Way, Suite 100, Canonsburg, PA 15317, [tjgallagher@nisource.com](mailto:tjgallagher@nisource.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-783. Filed for public inspection May 31, 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 June 17, 2024. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by June 17, 2024. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web



site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the docket number as follows or by searching the applicant's web site.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2024-3047738. Arrive N Style Limousine Service, Inc.** (211 Pennsylvania Avenue, Mill Hall, Clinton County, PA 17751) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Blair, Bradford, Cambria, Cameron, Centre, Clearfield, Clinton, Columbia, Elk, Huntingdon, Jefferson, Juniata, Lycoming, McKean, Mifflin, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union, to points in Pennsylvania, and return.

**A-2024-3048899. Bucks County Airport Express, LLC** (132 Veterans Lane, Suite A344, Doylestown, Bucks County, PA 18901) to transport persons, by motor vehicle, in airport transfer service, from points in Bucks County to Lehigh Valley International Airport, Philadelphia International Airport, and vice versa; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2024-3048973. Rapid Care Transportation, LLC** (12 Hambletonian Drive, Colts Neck, Monmouth County, NJ 07722) to provide nonemergency transportation services by motor vehicle, to persons, from points in the Counties of Cumberland, Dauphin, Lancaster, Lebanon, Perry and York, to points in Pennsylvania, and return. *Attorney:* Todd S. Stewart, 100 North Tenth Street, Harrisburg, PA 17101.

**A-2024-3049045. Keshav Smruti, LLC, t/a Golden Dove Transit** (3832 Springtown Road, Furlong, Bucks County, PA 18925) in paratransit service, from points in the Counties of Adams, Cumberland, Dauphin, Franklin, Huntingdon, Juniata, Lancaster, Lebanon, Perry and York, to points in Pennsylvania, and return. *Attorney:* Aaron D. Rosengarten, 100 North Tenth Street, Harrisburg, PA 17101.

**Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.**

**A-2024-3049060. Imovers, LLC** (622 Cresta Circle, West Palm Beach, FL 33413) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-8925387, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-784. Filed for public inspection May 31, 2024, 9:00 a.m.]

**PHILADELPHIA  
PARKING AUTHORITY**

**Service of Notice of Motor Carrier Applications in the City of Philadelphia**

The following permanent authority application to render service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Au-

thority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than June 17, 2024. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Peter Carnival at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-24-05-07. M Sall Taxi, LLC** (7057 Elmwood Avenue, Philadelphia, PA 19142): An application for a medallion taxicab certificate of public convenience to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Shintia Zaman Riva, Esq., 1914 Chandler Street, Philadelphia, PA 19111.

RICH LAZER,  
*Executive Director*

[Pa.B. Doc. No. 24-785. Filed for public inspection May 31, 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.

September 18, 2024	Account of Kathleen A. Maylath (Waive Service Adjustment)	10 a.m.
September 25, 2024	Account of Gail I. Apfel (Partial Waive of Annuity Debt)	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) 720-4913 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. 24-786. Filed for public inspection May 31, 2024, 9:00 a.m.]

**END OF ISSUE**