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Agencies in this issue

The Governor
The General Assembly
The Courts
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Labor and Industry
Department of Transportation
Executive Board
Legislative Reference Bureau
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 597, August 2024

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Available Online at <http://www.pacodeandbulletin.gov>

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the Pennsylvania Bulletin

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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THE GOVERNOR

GOVERNOR'S OFFICE

Proclamation of Disaster Emergency

August 9, 2024

Whereas, the remnants of Tropical Storm Debby began to impact the Commonwealth of Pennsylvania on August 9, 2024, causing dangerous conditions, including flash and riverine flooding across multiple counties in the Commonwealth; and

Whereas, the rapid, heavy rain will create additional riverine flooding and other adverse impacts; and

Whereas, this emergency event is causing significant adverse impacts, and there is concern for the safety and well-being of the population in the affected counties; and

Whereas, the emergency event is of such magnitude or severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable state, county and municipal emergency response plans; and

Whereas, the Commonwealth of Pennsylvania has enacted the Emergency Management Assistance Compact (EMAC) into law and codified it at 35 Pa.C.S. §§ 7601—7604, in order to provide for mutual aid between states during an emergency that is duly declared by the Governor of the affected state.

Now Therefore, pursuant to Article IV, Section 20 of the Pennsylvania Constitution, I do hereby proclaim the existence of a general disaster emergency in Adams, Bedford, Berks, Bradford, Carbon, Chester, Cumberland, Dauphin, Fulton, Lackawanna, Luzerne, Lycoming, Monroe, Pike, Potter, Sullivan, Susquehanna, Tioga, Union, Wayne, and Wyoming Counties, and authorize and direct that the Pennsylvania Emergency Management Agency Director, or designee, assume command and control of all statewide emergency operations and that all Commonwealth departments and agencies, under the direction of the Pennsylvania Emergency Management Agency Director, or designee, utilize all available powers, resources and personnel as is deemed necessary to cope with the magnitude and severity of this emergency event pursuant to the provisions of the Emergency Management Services Code, Title 35, Part V of *Pennsylvania's Consolidated Statutes*. 35 Pa.C.S. § 7101, et seq.

Further, I hereby transfer \$2,000,000 in unused appropriated funds to the Pennsylvania Emergency Management Agency for Emergency Management Assistance Compact expenses related to this emergency, to be increased or decreased as conditions require pursuant to the provisions of section 7604(a) of the Emergency Management Services Code, 35 Pa.C.S. § 7604(a). In addition, I hereby transfer \$5,000,000 in unused appropriated funds, to be increased or decreased as conditions require, to the Pennsylvania Emergency Management Agency pursuant to section 1508 of the Act of April 9, 1929, P.L. 343, No. 176 (the Fiscal Code), 72 P.S. § 1508. The aforementioned funds shall be used for expenses authorized and incurred related to this emergency. These funds shall be credited to a special account established by the Office of the Budget. I hereby direct that any funds transferred herein that remain unused after all costs related to this emergency have been satisfied shall be returned to the General Fund; and

Further, all Commonwealth agencies purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in section 516 of the Commonwealth Procurement Code, 62 Pa.C.S. § 516. This Proclamation shall serve as the written determination of the basis for the emergency under 62 Pa.C.S. § 516; and

Further, I hereby direct the Pennsylvania Emergency Management Agency to staff the Commonwealth Response Coordination Center for the

duration of this emergency event, and to augment it with personnel from other Commonwealth agencies and departments. I also authorize the Pennsylvania Emergency Management Agency to direct and coordinate the emergency response, recovery, and mitigation activities of other Commonwealth agencies and departments as deemed necessary to deal with the exigencies of this disaster emergency through implementation of the State Emergency Operations Plan; and

Further, I hereby authorize the Secretary of Transportation to use all available equipment, resources, and personnel of the Department of Transportation, in whatever manner that he deems necessary, to ensure that all federal-aid and state highways in the areas that may be affected by the emergency event are cleared of debris and any other obstructions resulting from this event and to ensure that highways, bridges, roadbeds, and related facilities and structures that may sustain damage in the disaster affected areas are immediately repaired, maintained, reconstructed, or replaced, or that new construction is undertaken where necessary. In addition, I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in the repairs and clearing and removal of debris, and other types of obstructions from non-state-owned highways. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of Transportation. This assistance, however, does not apply to privately owned highways, roads, streets, or other types of property; and I hereby authorize the Secretary of Transportation, in his sole discretion, to waive any provision of the Vehicle Code or any other law or regulation which he is authorized by law to administer or enforce as may be necessary to respond to this emergency event; and

Further, I hereby authorize the Commissioner of the Pennsylvania State Police to use all available resources and personnel of the Pennsylvania State Police, in whatever manner he deems necessary, to aid in the recovery aspects related to all interstate and other federal and state highways in the Commonwealth to address this emergency event; and

Further, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, specifically 51 Pa.C.S. § 508, I hereby authorize the Adjutant General of Pennsylvania to place on state active duty for the duration of this disaster emergency proclamation, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the danger to public health and safety caused by this emergency event; and

Further, I hereby direct that the emergency response, recovery, and mitigation aspects of the Commonwealth and all applicable county, municipal, and other emergency response plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency; and

Further, I hereby suspend the provisions of any other regulatory statute prescribing the procedures for conduct of Commonwealth business, or the orders, rules or regulations of any Commonwealth agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with this emergency event. All Commonwealth agencies may implement their emergency assignments without regard to procedures required by other laws, except mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditures of public funds; and

Still Further, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this emergency to act as necessary to meet the current exigencies as legally authorized under this proclamation, namely, by the employment of temporary workers; by the rental of equipment; and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those

time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

Given under my hand and the Seal of the Governor, at the City of Harrisburg, on this ninth day of August two thousand twenty-four, the year of the Commonwealth the two hundred forty-ninth.

A handwritten signature in black ink, appearing to be 'Dan S. Onyiah', written in a cursive style.

Governor

[Pa.B. Doc. No. 24-1141. Filed for public inspection August 16, 2024, 9:00 a.m.]

THE GENERAL ASSEMBLY

THE GENERAL ASSEMBLY

Recent Actions during the 2024 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2024 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2024 General Acts of Regular Session Enacted—Act 036 through 092					
036	Jul 1	H0073	PN2125	120 days	Vehicle Code (75 Pa.C.S.)—Operation Inherent Resolve veterans plate
037	Jul 1	H0797	PN2002	Immediately	State Highway Law—native vegetation along highways
038	Jul 1	H1490	PN3312	60 days	Acupuncture Licensure Act—regulation of the practice of acupuncture, penalties, approval of acupuncture educational programs
039	Jul 1	H1754	PN3198	180 days	Insurance Company Law of 1921—coverage for biomarker testing
040	Jul 1	H1760	PN2144	180 days	Decedents, Estates and Fiduciaries Code (20 Pa.C.S.)—omnibus amendments
041	Jul 1	S1084	PN1440	60 days	Uniform Commercial Code (13 Pa.C.S.) and Decedents, Estates and Fiduciaries Code (20 Pa.C.S.)—omnibus amendments
042	Jul 3	S0739	PN1670	90 days	Insurance (40 Pa.C.S.)—telemedicine
043	Jul 8	H0816	PN2732	60 days	Vehicle Code (75 Pa.C.S.)—removal of vehicles in a city of the first class
044	Jul 8	H1477	PN1663	60 days	Pennsylvania Municipalities Planning Code—certain transmittals and submissions to governmental bodies
045	Jul 8	H2096	PN2677	60 days	Insurance Company Law of 1921—surplus lines fees and monthly reports
046	Jul 8	H2233	PN3164	60 days	Vehicle Code (75 Pa.C.S.)—accident scene clearance
047	Jul 8	S0082	PN1798	60 days	Dog Law—omnibus amendments
048	Jul 8	S0149	PN0734	60 days	Real Estate Tax Sale Law—title of the act and county demolition and rehabilitation fund
049	Jul 8	S0464	PN1685	60 days	Municipalities (53 Pa.C.S.)—pension service credit for prior service with police department
050	Jul 8	S0645	PN1789	60 days	Municipalities (53 Pa.C.S.)—ten-year limitation for acquiring title to vacant land for gardens in cities of the first class
051	Jul 8	S0916	PN1786	Immediately*	Vehicle Code (75 Pa.C.S.)—lost, stolen, damaged or illegible registration plate, use of farm vehicle plates, Pennsylvania Sportsman plate, Youth Hunting and Fishing Restricted Account
052	Jul 8	S1173	PN1782	180 days	Real Estate Licensing and Registration Act—exclusions, right to cancel sales agreements or sales contracts for wholesale
053	Jul 11	S0219	PN0188	60 days	First and Second Class County Property Tax Relief Act—short title, deferral or exemption authority and retroactive application
054	Jul 11	H2310	PN3506	Immediately*	Fiscal Code—omnibus amendments
055	Jul 11	S0700	PN1816	Immediately*	Public School Code of 1949—omnibus amendments
056	Jul 11	S0654	PN1815	Immediately*	Tax Reform Code of 1971—omnibus amendments
057	Jul 15	H0829	PN3426	60 days	Liquor Code—omnibus amendments
058	Jul 15	H1664	PN3478	60 days	Insurance (40 Pa.C.S.)—payment choice, electronic notice of insurance practices and imposing penalties
059	Jul 15	H1716	PN2230	60 days	Corporations and Unincorporated Associations (15 Pa.C.S.)—omnibus amendments

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
060	Jul 15	H2301	PN3405	Immediately*	Vehicle Code (75 Pa.C.S.)—omnibus amendments
061	Jul 15	S0298	PN0990	60 days	Vehicle Code (75 Pa.C.S.)—unlawful activities, restraint systems and abrogating regulations
062	Jul 15	S1092	PN1405	180 days	Insurance (40 Pa.C.S.)—rebates and inducements and making repeals
063	Jul 15	S1144	PN1806	Immediately*	Multiple designations in multiple counties—designation
064	Jul 15	S1231	PN1666	90 days	Decedents, Estates and Fiduciaries (20 Pa.C.S.)—omnibus amendments
065	Jul 17	H0115	PN0958	60 days	Decedents, Estates and Fiduciaries (20 Pa.C.S.)—payments to family and funeral directors
066	Jul 17	H0327	PN2082	60 days	Barbers' License Law—licensure of manager-barbers and barber-teachers
067	Jul 17	H0663	PN2229	60 days	Public School Code of 1949—residence and right to free school privileges
068	Jul 17	H1032	PN3495	Immediately	Solar for Schools Act—enactment
069	Jul 17	H0897	PN3505	Immediately	Public School Code of 1949—omnibus amendments
070	Jul 17	S0447	PN1799	60 days	Military and Veterans Code (51 Pa.C.S.)—PA VETConnect Program
071	Jul 17	H1086	PN1303	60 days	Military and Veterans Code (51 Pa.C.S.)—veterans registry and editorial change
072	Jul 17	H1466	PN3487	Immediately*	Judicial Code (42 Pa.C.S.)—cause of action on protected public expression, immunity for protected public expression and Administrative Office of Pennsylvania Courts and the Legislative Reference Bureau
073	Jul 17	H1540	PN3496	60 days	Public School Code of 1949—Commission for Agricultural Education Excellence
074	Jul 17	H1633	PN3504	January 1, 2025	Fair Contracting for Health Care Practitioners Act—enactment
075	Jul 17	H1853	PN2921	60 days	Health Care Facilities Act—administration
076	Jul 17	H1889	PN2367	Immediately	Agriculture Code (3 Pa.C.S.)—meter required
077	Jul 17	H1993	PN3499	Immediately*	Pharmacy Audit Integrity and Transparency Act—omnibus amendments
078	Jul 17	H2182	PN3145	30 days	Vehicle Code (75 Pa.C.S.)—visual signals on authorized vehicles
079	Jul 17	H2200	PN2889	180 days	Professions and Occupations (State Licensed) (63 Pa.C.S.)—criminal history background checks
080	Jul 17	H2216	PN3498	Immediately	Conveyance—multiple conveyances in multiple counties
081	Jul 17	S0024	PN1814	180 days	Fiscal Code—claim for property paid or delivered
082	Jul 17	S0209	PN0839	60 days	Public School Code of 1949—National Guard or Reserve parent student support
083	Jul 17	S0559	PN1292	Immediately	Medical Practice Act of 1985—abrogating regulations
084	Jul 17	S0560	PN1293	Immediately	Osteopathic Medical Practice Act—abrogating regulations
085	Jul 17	S0656	PN1811	Immediately*	Vehicle Code (75 Pa.C.S.)—imposition of tax, exemptions and deductions, electric vehicle road user charge and penalty
086	Jul 17	S0688	PN1800	60 days	Liquor Code—omnibus amendments
087	Jul 17	S0831	PN1793	Immediately	Carbon Capture and Sequestration Act—enactment
088	Jul 17	S1236	PN1726	60 days	Landlord and Tenant Act of 1951—notice to quit, applicability and editorial change
089	Jul 17	S1150	PN1818	Immediately	Public School Code of 1949—Grow Pennsylvania Merit Scholarship Program, institutions of higher education, Grow Pennsylvania Scholarship Grant Program, intercollegiate athletics, agency, repeal
090	Jul 17	S1154	PN1819	Immediately	Public School Code of 1949—institutions of higher education and Performance-based Funding Council

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
091	Jul 17	S1246	PN1805	Immediately	Transportation (74 Pa.C.S.)—State Safety Oversight Office and powers and duties
092	Jul 20	S0187	PN0273	60 days	Child Internet Protection Act—title and editorial changes
2024 Appropriation Acts of Regular Session Enacted—Act 001A through 011A					
001A	Jul 11	S1001	PN1817	Immediately	General Appropriation Act of 2024—enactment
002A	Jul 10	S1002	PN1759	Immediately*	Bureau of Professional and Occupational Affairs—operation of professional licensure boards
003A	Jul 10	S1003	PN1760	Immediately*	Department of Labor and Industry and Department of Community and Economic Development—expenses for Workers' Compensation Act, Pennsylvania Occupational Disease Act and Office of Small Business Advocate
004A	Jul 10	S1004	PN1761	Immediately*	Office of Small Business Advocate—operation
005A	Jul 10	S1005	PN1450	Immediately*	Office of Consumer Advocate—operation
006A	Jul 10	S1006	PN1762	Immediately*	Public School Employees' Retirement Board—administrative expenses, etc.
007A	Jul 10	S1007	PN1763	Immediately*	State Employees' Retirement Board—administrative expenses, etc.
008A	Jul 10	S1008	PN1764	Immediately*	Philadelphia Parking Authority—operation
009A	Jul 11	S1009	PN1813	Immediately	Pennsylvania Public Utility Commission—operation
010A	Jul 10	S1010	PN1766	Immediately*	Gaming Control Appropriation Act of 2024—enactment
011A	Jul 11	H0613	PN3479	Immediately	State-aided University Nonpreferred Appropriation Act of 2024—enactment

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective date of statutes).

Advance Copies of Statutes

Section 1106 of 1 Pa.C.S. (relating to prothonotaries to keep files of advance copies of statutes) provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available.

One-time purchases of the advance copies of statutes can be purchased through the State Bookstore's web site at www.shoppaheritage.com.

VINCENT C. DeLIBERATO, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 24-1142. Filed for public inspection August 16, 2024, 9:00 a.m.]

THE COURTS

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CHS. 5 AND 11]

Proposed Amendments of Pa.R.Crim.P. 573 and 1101

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the proposed amendment of Pa.R.Crim.P. 573 (Pretrial Discovery and Inspection) and 1101 (Suspension of Acts of Assembly) for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Joshua M. Yohe, Counsel
Criminal Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: (717) 231-9521
criminalrules@pacourts.us

All communications in reference to the proposal should be received by Tuesday, October 1, 2024. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural
Rules Committee*

STEFANIE J. SALAVANTIS,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART G. Procedures Following Filing of Information

Rule 573. Pretrial Discovery and Inspection.

[**A**] **a** [**INFORMAL**] *Initiation of Discovery.* [**Before any disclosure or discovery can be sought under these rules by either party, counsel**] **Counsel for the parties shall provide all information as required under law.** **Counsel** for the parties shall make a good faith effort to resolve all questions of discovery[,] and to provide information required or requested under these rules **or required by law** as to which there is no dispute.

(1) Initiation of the discovery process shall be documented by a request in writing from the party seeking discovery. The request shall include the name, address, telephone number, and e-mail address of the counsel, or of the self-represented defendant, to whom the discovery is to be provided. Failure of a party to make such a request shall not be grounds for a failure to provide information required by law to be disclosed.

(2) [**When there are items requested by one party which the other party has refused to disclose**] **If a party has failed to disclose information within a reasonable time,** the [**demanding**] **other party** may make appropriate motion. Such motion shall **not** be made [**within**] **until at least** 14 days after arraignment[, **unless the time for filing is extended by the court**]. In such motion the party must set forth the fact that a good faith effort to discuss the [**requested material**] **information** has taken place and proved unsuccessful. Nothing in this provision shall delay the disclosure of any [**items**] **information** agreed upon by the parties pending resolution of any motion for discovery.

[**B**] **b** [**DISCLOSURE BY THE COMMONWEALTH**] *Disclosure by the Commonwealth.*

(1) [**MANDATORY:**] *Mandatory.* In all court cases, [**on request by the defendant, and**] subject to any protective order [**which**] the Commonwealth might obtain under this rule, the Commonwealth shall disclose to the defendant's attorney, **or to the self-represented defendant,** all of the following [**requested items or information, provided they are material to the instant case. The Commonwealth shall, when applicable, permit the defendant's attorney to inspect and copy or photograph such items.**] **information:**

[**a**] **i** [**Any evidence**] **information** favorable to the accused [**that is material either to guilt or to punishment**], **including information that tends to exculpate the defendant, to mitigate the level of the defendant's culpability, to mitigate punishment, or to impeach a prosecution witness's credibility** and **that** is within the possession or control of the attorney for the Commonwealth, **regardless of the form that information takes and whether the attorney for the Commonwealth credits the information;**

[**b**] **ii** any written confession or inculpatory statement, or the substance of any oral confession or inculpatory statement, and the identity of the person to whom the confession or inculpatory statement was made that is in the possession or control of the attorney for the Commonwealth;

[**c**] **iii** the defendant's prior criminal record;

[**d**] **iv** the circumstances, [**and**] results, **and any related documentation or notes** of any identification **or attempted identification** of the defendant by voice, photograph, or in-person identification, **and the circumstances, results, and any related documentation or**

notes of any identification or attempted identification of any other person conducted during the investigation of the instant case;

[e] v) any results or reports of scientific tests, expert opinions, and written or recorded reports of polygraph examinations or other physical or mental examinations of the defendant that are within the possession or control of the attorney for the Commonwealth;

[f) any tangible objects, including documents, photographs, fingerprints, or other tangible evidence; and]

[g] vi) the transcripts and recordings of any electronic surveillance, and the authority by which the said transcripts and recordings were obtained[.]; and

(vii) except as otherwise provided in Rule 230 (Disclosure of Testimony Before Investigating Grand Jury) and Rule 556.10 (Secrecy; Disclosure), and subdivision (g) (Work Product), and subject to redaction of privileged, protected, or other sensitive information from otherwise mandated discovery prior to disclosure, the Commonwealth shall disclose to the defendant's attorney, or to the self-represented defendant, any tangible objects, including:

(A) documents, including law enforcement notes or reports made in response to and in investigation of the instant case;

(B) photographs, audio, video, or other electronic recordings, including the recordings from body or dashboard cameras and other recordings in the possession of law enforcement;

(C) fingerprints, or other tangible information;

(D) the names and all written or recorded statements, and substantially verbatim oral statements, of fact witnesses the Commonwealth intends to call at trial; and

(E) all written and recorded statements, and substantially verbatim oral statements, made by co-defendants, and by co-conspirators or accomplices, whether such individuals have been charged or not.

(2) [DISCRETIONARY WITH THE COURT:] Discretionary with the Court.

[a] i) In all court cases, except as otherwise provided in [Rules] Rule 230 (Disclosure of Testimony Before Investigating Grand Jury) and Rule 556.10 (Secrecy; Disclosure), if the defendant files a motion for pretrial discretionary discovery, the court may order the Commonwealth to [allow] disclose to the defendant's attorney, or the self-represented defendant, [to inspect and copy or photograph] any of the following requested [items] information, upon a showing [that they are material to the preparation of the defense, and] that the request is reasonable:

[i] A) the [names and addresses of eyewitnesses] name of any fact witness who the Commonwealth does not intend to call at trial and the address and criminal record of any fact witness;

[(ii) all written or recorded statements, and substantially verbatim oral statements, of eyewitnesses the Commonwealth intends to call at trial;

(iii) all written and recorded statements, and substantially verbatim oral statements, made by co-defendants, and by co-conspirators or accomplices, whether such individuals have been charged or not; and]

(B) the underlying data upon which scientific tests or opinions are based; and

[iv] C) any other [evidence] information specifically identified by the defendant, provided the defendant can additionally establish that its disclosure would be in the interests of justice.

[b] ii) If an expert whom the attorney for the Commonwealth intends to call in any proceeding has not prepared a report of examination or tests, the court, upon motion, may order that the expert prepare, and that the attorney for the Commonwealth disclose, a report stating the subject matter on which the expert is expected to testify; the substance of the facts to which the expert is expected to testify; and a summary of the expert's opinions and the grounds for each opinion.

(iii) Nothing in this rule is intended to limit disclosure of the foregoing information by agreement with the opposing party.

[C] c) [DISCLOSURE BY THE DEFENDANT] *Disclosure by the Defendant.*

(1) In all court cases, if the Commonwealth files a motion for pretrial discovery, upon a showing [of materiality to the preparation of the Commonwealth's case and] that the request is reasonable, the court may order the defendant, subject to the defendant's rights against compulsory self-incrimination, to [allow] disclose to the attorney for the Commonwealth [to inspect and copy or photograph] any of the following requested [items] information:

[a] i) results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with the particular case, or copies thereof, within the possession or control of the defendant, that the defendant intends to introduce as evidence in chief, or were prepared by a witness whom the defendant intends to call at the trial, when results or reports relate to the testimony of that witness, provided the defendant has requested and received discovery under [paragraph (B)(1)(e)] subdivision (b)(1)(v); and

[b] ii) the names and addresses of [eyewitnesses] fact witnesses whom the defendant intends to call in its case-in-chief, provided that the defendant has previously requested and received discovery under [paragraph (B)(2)(a)(i)] subdivision (b)(2)(i)(A).

(2) If an expert whom the defendant intends to call in any proceeding has not prepared a report of examination or tests, the court, upon motion, may order that the expert prepare and the defendant disclose a report stating the subject matter on which the expert is expected to testify; the substance of the facts to which the expert is expected to testify; and a summary of the expert's opinions and the grounds for each opinion.

[D] d [CONTINUING DUTY TO DISCLOSE]
Continuing Duty to Disclose.

(1) The obligations of the parties under this rule extend to information in the possession or control of members of the parties' staff and of any others who either regularly report to or, with reference to the instant case, have reported to the parties.

(2) The attorney for the Commonwealth shall make reasonable efforts to ensure that information favorable to the defendant is provided to the attorney for the Commonwealth's office by the police or other investigative personnel. The attorney for the Commonwealth shall report to the court, with notice to the defense, if the police or other investigative personnel fails to provide to the attorney for the Commonwealth information within its possession that would be discoverable if in the possession of the attorney for the Commonwealth.

(3) If the attorney for the Commonwealth is aware that information that would be discoverable if in the possession of the attorney for the Commonwealth is in the possession or control of a governmental agency not reporting directly to the prosecution, the prosecution shall disclose the fact of the existence of such information to the defense.

(4) If a police department, a governmental agency not reporting directly to the attorney for the Commonwealth, or other investigative personnel fails to provide information within its possession that would be discoverable if in the possession of the attorney for the Commonwealth, a motion to compel the disclosure of this information may be filed at any time by either the attorney for the Commonwealth or the defense.

(5) If, prior to or during trial, either party discovers additional **[evidence or material] information** previously required to be disclosed, requested, or ordered to be disclosed by it, which is subject to discovery or inspection under this rule, or the identity of an additional witness or witnesses, such party shall promptly notify the opposing party **[or] and** the court of the additional **[evidence, material,] information** or witness.

(6) If, following trial but before judgment of conviction and sentence is final, the attorney for the Commonwealth discovers additional information previously required to be disclosed, requested, or ordered to be disclosed by it, which is subject to discovery or inspection under this rule, or the identity of an additional witness or witnesses, the disclosure of which would undermine an aspect of the Commonwealth's case, the Commonwealth shall promptly notify the defendant and the court of the additional information or witness.

[E] e [REMEDY] Remedy.

(1) If at any time during the course of the proceedings it is brought to the attention of the court that a party has failed to comply with this rule, the court may order such party to permit discovery or inspection, may grant a continuance, or may prohibit such party from introducing into evidence **information** not disclosed, other than testimony of the defendant, or it may enter such other order as it deems just under the circumstances.

(2) As it deems just under the circumstances and as permitted under the law of this Commonwealth, the court may issue:

(i) an order of dismissal if the attorney for the Commonwealth fails to comply with the obligations under this rule; or

(ii) a finding of contempt against the attorney for the Commonwealth or the attorney for the defendant if he or she fails to comply with the obligations under this rule.

[F] f [PROTECTIVE ORDERS] Protective Orders. Upon a sufficient showing, the court may at any time order that the discovery or inspection be denied, restricted, or deferred, or make such other order as is appropriate. Upon motion of any party, the court may permit the showing to be made, in whole or in part, in the form of a written statement to be inspected by the court *in camera*. If the court enters an order granting relief following a showing *in camera*, the entire text of the statement shall be sealed and preserved in the records of the court to be made available to the appellate court(s) in the event of an appeal.

[G] g [WORK PRODUCT] Work Product. Disclosure shall not be required of legal research or of records, correspondence, reports, or memoranda to the extent that they contain the opinions, theories, or conclusions of the attorney for the Commonwealth or the attorney for the defense, or members of their legal staffs.

Comment:

This rule is intended to apply only to court cases. However, the constitutional guarantees mandated in *Brady v. Maryland*, 373 U.S. 83 (1963), and the refinements of the *Brady* standards embodied in subsequent judicial decisions, apply to all cases, including court cases and summary cases, and nothing to the contrary is intended. For definitions of "court case" and "summary case," see Rule 103. *See also Commonwealth v. Green*, 640 A.2d 1242 (Pa. 1994); *Commonwealth v. Johnson*, 815 A.2d 563 (Pa. 2002); *Commonwealth v. Paddy*, 800 A.2d 294 (Pa. 2002); *Commonwealth v. Smith*, 985 A.2d 886 (Pa. 2009).

This rule does not apply to rebuttal evidence. See, e.g., Commonwealth v. Clary, 226 A.3d 571 (Pa. Super. 2020).

See Rule 556.10(B)(5) for discovery in cases indicted by a grand jury.

The attorney for the Commonwealth should not charge the defendant for the costs of copying pretrial discovery materials. However, nothing in this rule is intended to preclude the attorney for the Commonwealth, on a case-by-case basis, from requesting an order for the defendant to pay the copying costs. In these cases, the trial judge has discretion to determine the amount of costs, if any, to be paid by the defendant.

Subdivision (a) recognizes the more common practice of the parties to provide mandatory discovery information to the opposing party as a matter of course. This had previously been called "informal discovery." However, this terminology was changed to recognize that the first step in discovery should be the voluntary disclosure of mandatory discovery information without the need for there to be a solicitation by the opposing party.

In the event that there is a disagreement between the parties, the process for seeking an order to compel discovery is available as provided in this rule. In order for the process of voluntary discovery to proceed in the first instance, the rule prohibits the filing of a motion to compel discovery earlier than 14 days after arraignment. Previous versions of this rule required the motion to be filed within 14 days of arraignment. This requirement had proved to be impracticable and did not reflect actual practice. The rule was amended to reflect this actual practice wherein the parties attempt to resolve discovery issues among themselves and seek intervention by the court when one party fails to provide discovery deemed necessary by another party. Although the rule does not provide a deadline for when such motions must be filed, the rule contemplates that such motions will be filed promptly as soon as the dispute over discovery is determined to be irresolvable by the parties without the court's intervention. The parties should bring such disputes to the court's attention as soon as practicable.

Any motion under this rule must comply with the provisions of Rule 575 (Motions and Answers) and Rule 576 (Filing and Service by Parties).

[See] See Rule 576(b)(4) and [Comment] Comment for the contents and form of the certificate of service.

For purposes of this rule, "information" means any evidence, document, item, or other material or data concerning the case.

For purposes of this rule, "to disclose" includes, but is not limited to, when applicable, permitting the party seeking disclosure to inspect and copy, photograph, or otherwise reproduce such items.

Subdivision (b)(1)(i) was amended in 2024 to remove the provision of "materiality" from the requirement of mandatory disclosure by the prosecution of information favorable to the defense. While originally intended to convey the idea that the information was relevant to the case at issue, the term had become more narrowly defined in practice and used as an obstacle to disclosure. The removal of this requirement, however, is not intended to alter the meaning or application of materiality in the post-conviction *Brady* context. Additionally, subdivision (b)(1)(i) requires disclosure of favorable information regardless of the form in which that information might be or whether the attorney for the Commonwealth believes the information is credible.

[See] See Rule 569 (Examination of Defendant by Mental Health Expert) for the procedures for the examination of the defendant by the mental health expert when the defendant has given notice of an intention to assert a defense of insanity or mental infirmity or notice of the intention to introduce expert evidence relating to a mental disease or defect or any other mental condition of the defendant.

Subdivision (b)(1)(vii)(D) requires the Commonwealth to provide the names and statements of any fact witnesses who are to be called at trial. Because a witness's address and other contact information could be misused, including for the purpose of

witness intimidation, disclosure of that information is discretionary under subdivision (b)(2)(i)(A). If it is determined that a witness's address will not be disclosed, the Commonwealth must provide the defense with other means of access to the witness for investigative purposes.

Included within the scope of [paragraph (B)(2)(a)(iv)] subdivision (b)(2)(i)(C) is any information concerning any prosecutor, investigator, or police officer involved in the case who has received either valuable consideration, or an oral or written promise or contract for valuable consideration, for information concerning the case, or for the production of any work describing the case, or for the right to depict the character of the prosecutor or investigator in connection with his or her involvement in the case.

Pursuant to [paragraphs (B)(2)(b) and (C)(2)] subdivisions (b)(2)(ii) and (c)(2), the trial judge has discretion, upon motion, to order an expert who is expected to testify at trial to prepare a report. However, these provisions are not intended to require a prepared report in every case. The judge should determine, on a case-by-case basis, whether a report should be prepared. For example, a prepared report ordinarily would not be necessary [when] if the expert is known to the parties and testifies about the same subject on a regular basis. On the other hand, a report might be necessary if the expert is not known to the parties or is going to testify about a new or controversial technique.

Whenever the rule makes reference to the term "identification," or "in-person identification," it is understood that such terms are intended to refer to all forms of identifying a defendant by means of the defendant's person being in some way exhibited to a witness for the purpose of an identification: e.g., a line-up, stand-up, show-up, one-on-one confrontation, one-way mirror, etc. The purpose of this provision is to make possible the assertion of a rational basis for a claim of improper identification based upon *Stovall v. Denno*, 388 U.S. 293 (1967), and *United States v. Wade*, 388 U.S. 218 (1967).

This rule is not intended to affect the admissibility of evidence that is discoverable under this rule or evidence that is the fruits of discovery, nor the standing of the defendant to seek suppression of such evidence. [See] See Rule 211 for the procedures for disclosure of a search warrant affidavit(s) that has been sealed.

[Paragraph] Subdivision (C)(1), which provided the requirements for notice of the defenses of alibi, insanity, and mental infirmity, was deleted in 2006 and moved to Rules 567 (Notice of Alibi Defense) and 568 (Notice of Defense of Insanity or Mental Infirmity).

[It is intended that the remedies provided in paragraph (E) apply equally to the Commonwealth and the defendant as the interests of justice require.]

The provision for a protective order, [paragraph (F)] subdivision (f), does not confer upon the Commonwealth any right of appeal not presently afforded by law.

It should also be noted that as to [material] information which is discretionary with the court, or which is not enumerated in the rule, if such information [contains] is exculpatory [evidence] as would come under the *Brady* rule, it *must* be disclosed. Nothing in this rule is intended to [limit in any way disclosure of evi-

dence constitutionally required to be disclosed] supersede or abrogate in any way the Commonwealth's constitutional obligations to disclose information to the defense.

Nothing in this rule is intended to limit the defense in performing its own independent investigation at any time outside of the discovery process provided in this rule, including seeking the issuance of subpoenas by the court.

Subdivision (d) is intended to clarify that the obligation of the parties to provide required discovery extends to the offices of the attorneys for the Commonwealth and defense counsel, including those who regularly report to the respective attorneys. Additionally, the attorney for the Commonwealth has the obligation to obtain favorable information relevant to the case from the police or other investigating entities that report to the prosecution. The attorney for the Commonwealth does not have an obligation to seek out favorable information affirmatively from governmental agencies that do not report to the prosecution but must inform the defense if they learn that favorable information is in the possession of those governmental agencies. For purposes of this rule, such governmental agencies may include, but are not limited to, child and youth agencies, child protective agencies, and the Department of Corrections. If discoverable information in the possession of the police or a governmental agency is being withheld, either the prosecution or defense may seek an order from the court to compel the information's disclosure.

Dismissal is an extraordinary remedy and "a trial court should consider dismissal of charges where the actions of the Commonwealth are egregious and where demonstrable prejudice will be suffered by the defendant if the charges are not dismissed." Commonwealth v. Burke, 781 A.2d 1136, 1144 (Pa. 2001), quoting from Commonwealth v. Shaffer, 712 A.2d 749, 752 (Pa. 1998). Contempt may be entertained when the misconduct satisfies 42 Pa.C.S. § 4132.

The limited suspension of [Section 5720 of the Wiretapping and Electronic Surveillance Control Act,] 18 Pa.C.S. § 5720, see Rule 1101([E] 5), is intended to [insure] ensure that the statutory provision and Rule [573(B)(1)(g)] 573(b)(1)(vi) are read in harmony. A defendant may seek discovery under [paragraph (B)(1)(g)] subdivision (b)(1)(vi) pursuant to the time frame of the rule, while the disclosure provisions of Section 5720 would operate within the time frame set forth in Section 5720 as to materials specified in Section 5720 and not previously discovered.

[*Official Note:* Present Rule 305 replaces former Rules 310 and 312 in their entirety. Former Rules 310 and 312 adopted June 30, 1964, effective January 1, 1965. Former Rule 312 suspended June 29, 1973, effective immediately. Present Rule 305 adopted June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; *Comment* revised April 24, 1981, effective June 1, 1981; amended October 22, 1981, effective January 1,

1982; amended September 3, 1993, effective January 1, 1994; amended May 13, 1996, effective July 1, 1996; *Comment* revised July 28, 1997, effective immediately; *Comment* revised August 28, 1998, effective January 1, 1999; renumbered Rule 573 and amended March 1, 2000, effective April 1, 2001; amended March 3, 2004, effective July 1, 2004; *Comment* revised March 26, 2004, effective July 1, 2004; amended January 27, 2006, effective August 1, 2006; amended June 21, 2012, effective in 180 days.

Committee Explanatory Reports:

Report explaining the September 3, 1993 amendments published at 21 Pa.B. 3681 (August 17, 1991).

Final Report explaining the May 13, 1996 amendments published with the Court's Order at 26 Pa.B. 2488 (June 1, 1996).

Final Report explaining the July 28, 1997 *Comment* revision deleting the references to the ABA Standards published with the Court's Order at 27 Pa.B. 3997 (August 9, 1997).

Final Report explaining the August 28, 1998 *Comment* revision concerning disclosure of remuneration published with the Court's Order at 28 Pa.B. 4883 (October 3, 1998).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the March 3, 2004 amendments to paragraphs (A), (C)(1)(a), and (C)(1)(b), and the revision to the *Comment* adding the reference to Rules 575 and 576 published with the Court's Order at 34 Pa.B. 1561 (March 20, 2004).

Final Report explaining the March 26, 2004 *Comment* revision concerning costs of copying discovery materials published with the Court's Order at 34 Pa.B. 1933 (April 10, 2004).

Final Report explaining the January 27, 2006 changes to paragraph (C) deleting the notice of defenses of alibi, insanity, and mental infirmity published with the Court's Order at 36 Pa.B. 694 (February 11, 2006).

Final Report explaining the June 21, 2012 amendments concerning discovery when case is indicted by grand jury published with the Court's Order at 42 Pa.B. 4140 (July 7, 2012).]

CHAPTER 11. ABOLITIONS AND SUSPENSIONS

Rule 1101. Suspension of Acts of Assembly.

This rule provides for the suspension of the following Acts of Assembly:

([1] a) The Act of June 15, 1994, P.L. 273, No. 45, § 1, 42 Pa.C.S. §§ 4137, 4138, and 4139, which provides, *inter alia*, that any punishment imposed for contempt will be "automatically stayed for a period of 10 days from the date of the imposition of the punishment during which time an appeal of the action" of a district justice, a Pittsburgh Magistrates Court judge, or a Philadelphia Traffic Court judge "may be filed with the court of common pleas of the judicial district," and which is implemented by Rules 140, 141, and 142, is suspended only insofar as the Act is inconsistent with the 30-day appeal period and 30-day automatic stay period set forth in Rule 141.

[2] **b** The Act of April 29, 1959, P.L. 58, § 1209, 75 P.S. § 1209, repealed by Act of June 17, 1976, P.L. 162, No. 81, § 7 and replaced by Sections 6322, 6323, 6324, and 6325 of the Vehicle Code (75 Pa.C.S. §§ 6322—6325), are suspended insofar as these sections are inconsistent with Rule 470.

[3] **c** The Act of July 1, 1987, P.L. 180, No. 21, § 2, 42 Pa.C.S. § 1520, is suspended insofar as the Act is inconsistent with Rules 300, 301, 302, and Rules 310 through 320.

[4] **d** The Public Defender Act, Act of December 2, 1968, P.L. 1144, No. 358, § 1 et seq. as amended through Act of December 10, 1974, P.L. 830, No. 277, § 1, 16 P.S. § 9960.1 et seq., is suspended only insofar as the Act is inconsistent with Rule 122.

[5] **e** Section 5720 of the Wiretapping and Electronic Surveillance Control Act, Act of October 4, 1978, P.L. 831, No. 164, 18 Pa.C.S. § 5720, is suspended as inconsistent with Rule 573 only insofar as the section may delay disclosure to a defendant seeking discovery under [**Rule 573(B)(1)(g)**] **Rule 573(b)(1)(vi)**; and Section 5721(b) of the Act, 18 Pa.C.S. § 5721(b), is suspended only insofar as the time frame for making a motion to suppress is concerned, as inconsistent with Rules 579 and 581.

[6] **f** Sections 9731, 9732, 9733, 9734, 9735, 9736, 9751, 9752, and 9759 of the Sentencing Code, 42 Pa.C.S. §§ 9731, 9732, 9733, 9734, 9735, 9736, 9751, 9752, and 9759 are suspended as being inconsistent with the rules of Chapter 7.

[7] **g** The Act of November 21, 1990, P.L. 588, No. 138, § 1, 42 Pa.C.S. § 8934, which authorizes the sealing of search warrant affidavits, and which is implemented by Rule 211, is suspended only insofar as the Act is inconsistent with Rules 205, 206, and 211.

Comment:

This rule is derived from former Rules 39, 159, 340, 1415, and 2020, the rules previously providing for the suspension of legislation.

[**Official Note: Former Rule 39 adopted October 1, 1997, effective October 1, 1998; rescinded March 1, 2000, effective April 1, 2001, and replaced by Rule 1101. Former Rule 159 adopted September 18, 1973, effective January 1, 1974; amended January 28, 1983, effective July 1, 1983; amended February 1, 1989, effective July 1, 1989; amended April 10, 1989, effective July 1, 1989; amended January 31, 1991, effective July 1, 1991; rescinded March 1, 2000, effective April 1, 2001, and replaced by Rule 1101. Former Rule 340 combined previous Rules 321 and 322, which were the prior suspension rules, and was adopted June 29, 1977, effective September 1, 1977; amended April 24, 1981, effective June 1, 1981; amended January 28, 1983, effective July 1, 1983; rescinded March 1, 2000, effective April 1, 2001, and replaced by Rule 1101. Former Rule 1415 adopted July 23, 1973, effective 90 days hence; paragraph (g) added March 21, 1975, effective March 31, 1975; amended August 14, 1995, effective January 1, 1996; rescinded March 1, 2000, effective April 1, 2001, and replaced by Rule 1101. Former Rule 2020 adopted**

September 3, 1993, effective January 1, 1994; rescinded March 1, 2000, effective April 1, 2001, and replaced by Rule 1101. New Rule 1101 adopted March 1, 2000, effective April 1, 2001.

Committee Explanatory Reports:

FORMER RULE 39: Final Report explaining the provisions of new Rule 39 published with the Court's Order at 27 Pa.B. 5401 (October 18, 1997).

FORMER RULE 159: Report explaining the January 31, 1991 amendments to former Rule 159 published at 20 Pa.B. 4788 (September 15, 1990); Supplemental Report published at 21 Pa.B. 621 (February 16, 1991).

FORMER RULE 1415: Final Report explaining the August 14, 1995 amendments to former Rule 1415 published with the Court's Order at 25 Pa.B. 3472 (August 26, 1995).

FORMER RULE 2020: Report explaining the provisions of former Rule 2020 published at 21 Pa.B. 3681 (August 17, 1991).

NEW RULE 1101: Final Report explaining the reorganization and renumbering of the rules and the provisions of Rule 1101 published at 30 Pa.B. 1477 (March 18, 2000).]

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

PUBLICATION REPORT

Proposed Amendments of Pa.R.Crim.P. 573 and 1101

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court the amendment of Pa.R.Crim.P. 573 to improve the mandatory disclosure of *Brady* materials, *i.e.*, information favorable to the defendant. The proposed amendment of the rule would also better define both the duties of the parties to provide information in a timely fashion and the corresponding remedies if such disclosure is not made.¹

First, the proposed amendment of the rule would include a change of terminology, replacing “evidence” with “information.” This change would reflect the broader scope of materials that are to be provided to the opposing party. To avoid confusion and the potentially inconsistent use of terminology, “material” and “item” would also be replaced by “information” throughout the rule. Second, the types of information to be disclosed to the defense would be described in more detail. Third, the requirement that discoverable information be “material,” a term of art throughout *Brady* related jurisprudence, would be removed. Fourth, the amended rule would more clearly define the duty of prosecutors to discover and disclose information favorable to the defendant. This obligation would include reasonable efforts to obtain information relating to the defendant and the offenses charged that is in the possession of investigative entities. Lastly, the Comment to the rule would be revised to cite relevant post-*Brady* jurisprudence.

Turning to specifics, subdivision (a) would be retitled “Initiation of Discovery.” While subdivision (a) currently directs the parties to make a good faith effort to provide information required or requested, the most common

¹ Stylistic amendments have also been made to conform to the Supreme Court of Pennsylvania Style and Rulemaking Guide for Procedural and Evidentiary Rules.

practice in the Commonwealth is for prosecutors to provide discovery at a fairly early stage in the proceeding, regardless of whether a request has been made. To better reflect this practice, subdivision (a) would be amended to mandate the disclosure of “all information as required by law.” This subdivision would, nevertheless, retain the requirement that the parties make a good faith effort to resolve discovery disputes.

Although the Committee previously proposed eliminating a request requirement, *see* 49 Pa.B. 7173 (Dec. 7, 2019), a commenter objected. According to the commenter, requiring a request for discovery from the defense encourages communication and aids in documenting the discovery process. To address this concern, new subdivision (a)(1) would require the discovery process to be initiated by a request in writing from the party seeking discovery. The request would be required to include the name, address, telephone number, and email address of the requester. However, failure to make a request would not be “grounds for a failure to provide information required by law to be disclosed.” Thus, even though the amended rule would require a request, information required to be disclosed must be disclosed even in the absence of a request.

To accommodate the vicissitudes of the discovery process, the Committee has chosen not to include a deadline for providing discoverable information but, instead, to allow for a “reasonable” time. If a party fails to disclose information within a reasonable time, subdivision (a)(2) would provide for the filing of a motion to compel disclosure. In the prior publication, the Committee had also proposed extending the time for filing such a motion from the current 14 days to 30 days. However, the Committee is now proposing the elimination of a deadline so as not to artificially hamper discovery. Instead, subdivision (a)(2) would be amended to prohibit the filing of a motion to compel “until at least 14 days after arraignment.” The Comment would explain,

[a]lthough the rule does not provide a deadline for when such motions must be filed, the rule contemplates that such motions will be filed promptly as soon as the dispute over discovery is determined to be irresolvable by the parties without the court’s intervention. The parties should bring such disputes to the court’s attention as soon as practicable.

The Comment would also observe that requiring a motion to compel discovery to be filed within 14 days of arraignment, as the rule currently does, was impracticable and not a reflection of actual practice. Moreover, prohibiting the filing of a motion to compel discovery prior to the 14th day after arraignment, as the proposed amendment would do, allows for informal discovery to proceed more fully before the court’s assistance is sought.

Subdivision (b)(1), which governs mandatory disclosure by the Commonwealth, would be amended to remove both the requirement that the defense must first request items of mandatory discovery and the requirement that information must be “material.” The term “material” was originally intended to restrict discoverable items to those containing information that was relevant to the case at issue. However, the term has become more narrowly defined in practice and, in some cases, used as an

impediment to disclosure. The Comment would clarify that the “removal of [the materiality] requirement. . . is not intended to alter the meaning or application of materiality in the post-conviction *Brady* context.”

Subdivision (b)(1)(i) would be amended to require disclosure of “information favorable to the accused” rather than “evidence favorable to the accused.” Among information favorable to the accused that must be disclosed would be information that “tends to exculpate the defendant, to mitigate the level of the defendant’s culpability, to mitigate punishment, or to impeach a prosecution witness’s credibility.” This subdivision would also clarify that the disclosure of favorable information is required regardless of the form of the information or whether the attorney for the Commonwealth credits the information.

Subdivision (b)(1)(iv) would be amended to require the prosecution to disclose not only the circumstances and results of any identification of the defendant but also the circumstances and results of any attempted identification of the defendant. Similar disclosure requirements would attach to the identification or attempted identification of any other person conducted during the investigation. The disclosure of notes and reports by investigative personnel concerning identifications would also be required.

Subdivision (B)(1)(f) of the current rule, which requires the disclosure of tangible objects, would be expanded and relocated to new subdivision (b)(1)(vii). The new subdivision would require disclosure of tangible objects, including: law enforcement notes or reports; photographs, audio, video, or other recordings; recordings from body and dashboard cameras; fingerprints; the names and statements of fact witnesses the Commonwealth intends to call at trial; and statements of co-defendants and co-conspirators. Subdivision (b)(1)(vii) would also take into consideration grand jury secrecy, the exclusion of work product as provided for in subdivision (g), and the redaction of privileged, protected, or other sensitive information.

The items identified in subdivisions (B)(2)(a)(ii) and (B)(2)(a)(iii) of the current rule would be relocated to subdivisions (b)(1)(vii)(D) and (b)(1)(vii)(E) of the amended rule, rendering their disclosure mandatory rather than discretionary. Additionally, with that relocation, “eyewitnesses” in subdivision (B)(2)(a)(ii) would be replaced by “fact witnesses” in subdivision (b)(1)(vii)(D). The Committee chose the broader category to, in part, limit disputes over the ambit of the term “eyewitness.”

Subdivision (b)(2), which governs discretionary disclosure by the Commonwealth, would be amended to require only a showing that a request for discretionary discovery is reasonable. The current requirement that the information requested be “material to the preparation of the defense” would be deleted. Subdivision (b)(2)(i) would be amended to include the address and criminal record of any fact witness, the name of any fact witness the Commonwealth does not intend to call at trial, and the underlying data supporting scientific tests or opinions. With respect to the address of a fact witness, the Comment would explain, “[b]ecause a witness’s address and other contact information could be misused, including for purposes of witness intimidation, disclosure of that information is discretionary under subdivision (b)(2)(i)(A).” Subdivision (b)(2)(i)(C) would be amended to provide for disclosure of “any other information specifically identified by the defendant” rather than “any other evidence specifically identified by the defendant.” A new

subdivision (b)(2)(iii) would recognize the practice of disclosure by agreement between opposing counsel.

Subdivision (c) (Disclosure by the Defendant) would remain effectively unchanged except for the deletion of the requirement of materiality in subdivision (c)(1) and the replacement of “eyewitnesses” with “fact witnesses” in subdivision (c)(1)(ii). The materiality provision in subdivision (c)(1) would be removed to create consistency within the rule.

To better define the continuing duty of the parties to disclose information, with particular emphasis on the Commonwealth’s obligations, the Committee is proposing a number of amendments to subdivision (d), including the creation of five new subdivisions. New subdivision (d)(1) would explain that the duty to disclose extends to the parties’ staff and others who report to the parties. New subdivision (d)(2) would obligate the attorney for the Commonwealth to make reasonable efforts to obtain information relating to the defendant and the offenses charged that is in the possession of the police and other investigative personnel. The Committee is not, however, proposing that an affirmative obligation be placed on the attorney for the Commonwealth to seek out favorable information in the possession of governmental agencies other than the police and investigative personnel. “Other governmental agencies” would include entities outside of the control of the attorney for the Commonwealth, such as the Department of Corrections and children and youth services agencies. Instead, as provided in new subdivision (d)(3), the attorney for the Commonwealth must advise the defense of the existence of discoverable information in the possession of other governmental agencies when the Commonwealth becomes aware of it. These duties would be further elaborated in the Comment.

To address the issue of trial delays resulting from police departments either failing to provide discoverable information or providing such information in an untimely manner, new subdivision (d)(2) would require the attorney for the Commonwealth to alert the trial judge when “the police or other investigative personnel fails to provide [] information within its possession that would be discoverable if in the possession of the attorney for the Commonwealth.” New subdivision (d)(4) would permit the attorney for the Commonwealth or the defense to file a motion to compel disclosure when “a police department, a governmental agency not reporting directly to the attorney for the Commonwealth, or other investigative personnel fails to provide information within its possession that would be discoverable if in the possession of the attorney for the Commonwealth.”

The current language of subdivision (d) would be relocated to new subdivision (d)(5). Within subdivision (d)(5), “evidence” would, as in previous subdivisions, be replaced with “information.”

New subdivision (d)(6) would require the Commonwealth to “promptly notify the defendant and the court” if,

following trial but before judgment of conviction and sentence is final, the attorney for the Commonwealth discovers additional information previously required to be disclosed, requested, or ordered to be disclosed by it, which is subject to discovery or inspection under this rule[.]

The Commonwealth would also be required to disclose the “identity of an additional witness or witnesses [that] would undermine an aspect of the Commonwealth’s case[.]”

New subdivision (e)(2) would provide for dismissal of the charges if “the attorney for the Commonwealth fails to comply with the obligations under this rule” and for a finding of contempt if the attorney for the Commonwealth or the attorney for the defendant “fails to comply with the obligations under this rule.” The Comment would explain that dismissal is an extraordinary remedy and would cite *Commonwealth v. Burke*, 781 A.2d 1136 (Pa. 2001) (“[A] trial court should consider dismissal of charges where the actions of the Commonwealth are egregious and where demonstrable prejudice will be suffered by the defendant if the charges are not dismissed.”). The Comment would also note that contempt “may be entertained when the misconduct satisfies 42 Pa.C.S. § 4132.”

“Information” would be defined in the Comment as “any evidence, document, item, or other material or data concerning the case.” The Comment would also explain that “‘to disclose’ includes, but is not limited to. . . permitting the party seeking disclosure to inspect and copy, photograph, or otherwise reproduce such items.” Requiring a party to “disclose” information would replace the current requirement that a party “allow” the opposing party “to inspect and copy or photograph” requested items. See Pa.R.Crim.P. 573(b)(2)(i) (proposed); Pa.R.Crim.P. 573(c)(1) (proposed). The change in terminology is intended to accommodate e-discovery.

Finally, the Comment would be amended to clarify that the rule “does not apply to rebuttal evidence. See, e.g., *Commonwealth v. Clary*, 226 A.3d 571 (Pa. Super. 2020).” Whether rebuttal evidence is necessary is, in most instances, contingent upon the opposing party’s presentation of its case. Because the need for rebuttal evidence cannot be anticipated, rebuttal evidence cannot be subject to pretrial discovery.

A corollary amendment would be made to Rule 1101(5) to reflect the renumbering of subdivision (B)(1)(g) of Rule 573 as (b)(1)(vi).

The Committee invites all comments, concerns, and suggestions.

[Pa.B. Doc. No. 24-1143. Filed for public inspection August 16, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Bond/Pre-Trial Protocol; AD: No. 10-2024

Administrative Order of Court

And Now, this 2nd day of August, 2024, it is hereby recommended that the Magisterial District Judges of Butler County, Pennsylvania, follow the Butler County Court of Common Pleas non-binding recommended guidance concerning the Bond/Pre-Trial Protocol, which became effective on December 1, 2023.

By the Court

S. MICHAEL YEAGER,
President Judge

[Pa.B. Doc. No. 24-1144. Filed for public inspection August 16, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

INDIANA COUNTY

Local Rule of Judicial Administration Arbitration; MD-258-2024

Order of Court

And Now, this 31st day of July, 2024, in compliance with Rule 103(d) of the Pennsylvania Rules of Judicial Administration, it is *Hereby Ordered* that the Court adopts the following Rule of Judicial Administration addressing Indiana County's arbitration system, effective October 1, 2024.

The Court Administrator shall:

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

2) Submit two paper copies of this Order to the Legislative Reference Bureau and one electronic copy in Microsoft Word format only to Bulletin@palrb.us for publication in the *Pennsylvania Bulletin*;

3) Provide one copy of this Order to the members of the Indiana County Bar Association;

4) Incorporate the Rule into the set of Local Rules within thirty (30) days of publication of the Local Rule in the *Pennsylvania Bulletin* and publish the rules on the Court's website at www.IndianaCountyPA.gov;

5) File this Order in the Prothonotary's Office of Indiana County.

Rule L1301. Scope. Certification.

(a) In all civil actions, except those civil cases involving title to real estate or actions in equity, where the amount in controversy (exclusive of interests and costs) is Fifty Thousand (\$50,000.00) dollars or less, the case shall be first submitted to compulsory arbitration pursuant to Pa.R.Civ.Pro. 1301, et. seq.

(b) The amount in controversy shall be the largest amount claimed in any single count of the pleadings by any party.

(c) The Court, upon written motion of any party or sua sponte, may require that a case for which a trial is demanded be first submitted to compulsory arbitration pursuant to these rules.

(d) When a case is appropriate, a party shall file a Praecipe for Arbitration with the Prothonotary, the form which is set forth in Form 1 appended to these Rules, and certify that the case is ready in all respects.

(e) In the event that there is a dispute between the parties as to whether a case is ripe for arbitration, any party may file, within ten (10) days from the date of service of the Praecipe, a Motion objecting to the Praecipe. The Court will then determine suitability for arbitration.

(f) A party that files a Praecipe for Arbitration shall certify that the arbitration hearing will not exceed ninety (90) minutes in length. In the event that any party believes that the arbitration hearing cannot be accomplished within ninety (90) minutes, a Motion setting forth the party's reasons shall be filed and presented to the Court. The Court will then determine whether additional time is necessary.

Rule L1302. List of Arbitrators. Appointment to the Board/Panel.

(g) A list of available arbitrators shall be maintained by the Court Administrator and provided to the Court Program Manager. The list shall consist of a sufficient number of members of the Indiana County Bar Association who express a willingness to serve and who are engaged in the practice of law primarily in Indiana County.

(h) The Court Program Manager shall assign attorneys on the list to arbitration board/panels. The composition of the board/panel shall be assigned as deemed appropriate by the Court Program Manager.

(i) Each board/panel shall consist of three (3) attorneys and the Court Program Manager shall assign from those three (3) attorneys a chairperson. Notice of the board/panel members shall be given by Order of Court.

(j) If an appointed arbitrator cannot serve at the time designated, the attorney shall, unless otherwise prevented by matters beyond his or her control, notify the Court Program Manager in writing at least ten (10) days in advance of the date which the hearing has been scheduled and a substitute arbitrator will be appointed. If any arbitrator repeatedly fails to give notice or fails to appear at a scheduled arbitration, that person may, at the discretion of the Court Program Manager and the Court, be removed from the list of available arbitrators and shall not serve as an arbitrator until reinstated upon application to the Court.

Rule L1303. Notice of Hearing. Hearing.

(c) Arbitration hearings will be held, unless otherwise directed by the Court Program Manager, on the third Friday of every month beginning at 9:00 a.m., and will take place in Courtroom No. 4, located on Floor 4M of the Indiana County Courthouse.

(d) After the filing of a Praecipe for Arbitration and no objections being filed, the Court Program Manager shall prepare an Order of Court that will set forth the specific date and time of the arbitration hearing, the location of the arbitration hearing, the members of the arbitration board/panel, and the chairperson of the arbitration board/panel.

Rule L1304. Conduct of Hearing. Generally.

(d) On the date of the arbitration hearing, counsel and/or any unrepresented parties are to check in with the Court Program Manager at the site of the arbitration. Cases in which all parties have checked in and have indicated they are ready to proceed shall be submitted by the Court Program Manager to the arbitration board/panel for disposition.

(e) The Court Program Manager will provide the arbitration board/panel with the case file and an arbitration award form.

(f) The arbitration procedure is intended to be economical for the parties and therefore, the proceedings are abbreviated and somewhat less formal; however, the Court recognizes that the consequences are still significant to the litigants. Accordingly, the parties, counsel, witnesses, and arbitrators will conduct their proceedings with appropriate dignity and decorum at all times.

(g) Arbitration boards/panels shall conduct hearings with due regard to the law and rules of evidence and

shall have the general powers of the Court, including administering oaths or affirmations, determining admissibility of evidence, permitting testimony to be offered by deposition, and deciding the law and the facts of the case submitted.

(h) Hearings shall be conducted by the chairperson of the arbitration board/panel. Witnesses shall be sworn in by the chairperson of the arbitration board/panel. Testimony shall be taken through the same procedures and decorum as used before the Court. Testimony before arbitration board/panel is not recorded unless done so by a court reporter hired by a party and at the expense of that party.

(i) If a party fails to appear for the hearing, no default judgment shall be entered. The arbitration board/panel shall proceed to hear the case and enter an appropriate award upon the conclusion of the evidence.

Rule L1305. Conduct of Hearing. Evidence.

(e) The evidentiary rules described in Pa.R.Civ.Pro. 1305 shall apply to the conduct of arbitration hearings.

(f) Initially, all rulings on objections to evidence or on other issues which arise during the hearing shall be made by the chairperson of the arbitration board/panel, and such rulings shall be final unless one of the other arbitrators disagrees with the same. In that event, the arbitrators shall consult and vote and the final ruling shall be that of the majority.

(g) Following the hearing and decision, the chairperson of the arbitration board/panel shall release to the respective parties the exhibits introduced and admitted. Neither the arbitration board/panel nor the Court Program Manager shall be tasked with maintaining or keeping the exhibits after the completion of the arbitration proceeding.

Rule L1306. Award.

(a) After the conclusion of the hearing in each case, the arbitration board/panel shall make its decision and memorialize the decision on the arbitration award form. The arbitration award form shall be signed by all or a majority of the arbitrators on the board/panel. If a member of the board/panel dissents from the majority's findings or award, that arbitrator shall so state on the award form and can do so without further comment. The Court Program Manager shall submit the form to the Prothonotary for filing, docketing, and distribution to the parties.

(b) The arbitration award form shall be substantially similar to the form set forth in Pa.R.Civ.P. No. 1312.

(c) Arbitrators may not award punitive damages.

(d) Arbitrators may award costs.

(e) Arbitrators may award possession in Landlord/Tenant matters.

(f) Arbitrators may award possession and monetary value of the property or special damages sustained in a replevin action.

(g) Monetary awards shall not exceed the jurisdictional limit of \$50,000.00, exclusive of interest and costs.

(h) Arbitrators may award delay damages when that issue is properly pending in the action. Such damages shall be subject to the procedure set forth below.

(1) After the amount of the award has been determined, the arbitration board/panel, in cases where delay damages are claimed, shall make a determination as to such damages in accordance with Pa.R.Civ.P. 238;

(2) A party requesting delay damages shall, no later than the commencement of the hearing, present to the chairperson of the arbitration board/panel in a sealed envelope with the caption and case number on it a photocopy of any written offer of settlement made by a party against whom damages are demanded or set forth in writing the fact that no written offer has been made;

(3) A party requesting delay damages shall serve a copy of the information set forth in Rule L1306(2) upon all other parties at or before the time the same is presented to the chairperson of the arbitration board/panel;

(4) Failure of a party requesting delay damages to comply with this Local Rule shall be deemed to be a waiver of any delay damages;

(5) A party that does not concur in the information set forth in Rule L1306(2) shall state a brief explanation as to the reasons for their non-concurrence and present it to the chairperson of the arbitration board/panel in a sealed envelope with the caption and case number on it no later than the commencement of the hearing. Parties that fail to state reasons for non-concurrence shall be deemed to be in concurrence with the information set forth in Rule L1306(2);

(6) No arbitrator shall open the sealed envelope(s), or, in any other manner, attempt to ascertain the contents thereof, until the arbitration board/panel has reached a decision on the merits of the case; and

(7) If damages for delay are awarded, the amount thereof shall be added to the principal amount awarded, but shall be separately stated on the arbitration award form.

Rule L1308. Appeal. Arbitrator's Compensation.

(d) Any party may appeal from the award of the arbitration board/panel to the Court. Appeals shall result in de novo proceedings before the trial court. A party appealing an award shall pay to the Prothonotary any fee required for the filing of the appeal. The cost of filing an appeal shall be established, with approval by the court, by the Prothonotary.

(e) Simultaneously with the filing of the appeal, the appellant shall also file a Certificate of Readiness for trial with the Prothonotary and shall serve all parties to the matter.

(f) Each arbitrator shall be compensated by the County at a commensurable rate to their service, which shall be established and approved by the Court.

(g) Members of the arbitration board/panel shall not be entitled to compensation until after the filing of the arbitration award form with the Prothonotary.

Rule L1315. Continuances of Hearing.

(a) More than seven (7) days prior to the hearing date, a case may be continued one (1) time by agreement of all parties. The request for continuance must be in writing, filed with the Prothonotary, and a copy provided to the Court Program Manager. The continuance must aver that all parties agree to the continuance. The Court Program Manager will reschedule the arbitration hearing to the next available date.

(b) Requests for continuance made less than seven (7) days before the scheduled hearing, in instances in which all parties do not concur in the request for continuance, or a request for a second or subsequent continuance, shall, after notice to all parties, be presented to the Court for disposition.

By the Court

THOMAS M. BIANCO,
President Judge

Form 1

IN THE COURT OF COMMON PLEAS OF INDIANA COUNTY, PENNSYLVANIA
CIVIL DIVISION

_____ ,	:	CIVIL ACTION—LAW
	:	
Plaintiff,	:	No. _____ C.D. 20 _____
	:	
vs.	:	
	:	
_____ ,	:	
	:	
Defendant.	:	

PRAECIPE FOR ARBITRATION

TO: COURT PROGRAM MANAGER

Plaintiff _____ or Defendant _____ hereby requests that the above-captioned case be scheduled for compulsory arbitration before an arbitration board/panel.

I hereby certify the following:

- (1) All pleadings have been completed;
- (2) All pretrial discovery has been completed;
- (3) The amount in controversy does not exceed \$50,000.00;
- (4) The matter does not involve title to real estate or is an action in equity; and
- (5) A hearing in this matter will not exceed ninety (90) minutes in length.

Attorney(s) for Plaintiff(s) or
Pro Se Plaintiff

Attorney(s) for Defendant(s) or
Pro Se Defendant

Name

Address

Address

Phone Number and Email

Name

Address

Address

Phone Number and Email

Respectfully submitted,

Signature

Date

Title 255—LOCAL COURT RULES

SNYDER COUNTY

Amendment of Local Rules; No. MC-58-2024

Order

And Now, this 1st day of August, 2024 it is hereby *Ordered and Directed*:

The 17th Judicial District Local Rule of Judicial Administration 17CV1308 A. is amended to reflect arbitrators compensation. Provisions as follows: Brackets and bold indicating deletions; Underline and bold indicating additions.

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

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

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

3. Incorporation of the local rule into the 17th Judicial District Local Rules and publish on the Snyder/Union County websites within thirty (30) days after the publication of the local rules in the *Pennsylvania Bulletin*.

4. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

By the Court

LORI R. HACKENBERG,
President Judge

17CV1308. Compensation of Arbitrators.

A. The chair of the board of arbitrators shall receive compensation in the amount of [~~\$150.00~~] \$250.00 per case; the other members of the board shall receive compensation in the amount of [~~\$100.00~~] \$200.00 per case.

[Pa.B. Doc. No. 24-1146. Filed for public inspection August 16, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

UNION COUNTY

Amendment of Local Rules; No. 24-443

Order

And Now, this 1st day of August, 2024 it is hereby *Ordered and Directed*:

The 17th Judicial District Local Rule of Judicial Administration 17CV1308 A. is amended to reflect arbitrators compensation. Provisions as follows: Brackets and bold indicating deletions; Underline and bold indicating additions.

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

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

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

3. Incorporation of the local rule into the 17th Judicial District Local Rules and publish on the Snyder/Union County websites within thirty (30) days after the publication of the local rules in the *Pennsylvania Bulletin*.

4. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

By the Court

LORI R. HACKENBERG,
President Judge

17CV1308. Compensation of Arbitrators.

A. The chair of the board of arbitrators shall receive compensation in the amount of [~~\$150.00~~] \$250.00 per case; the other members of the board shall receive compensation in the amount of [~~\$100.00~~] \$200.00 per case.

[Pa.B. Doc. No. 24-1147. Filed for public inspection August 16, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

Records of Children's Bureau in Criminal Cases; No. 3 of 2024

Order

And Now, this 1st day of August, 2024, *It Is Hereby Ordered* that Westmoreland County Rule of Criminal Procedure WC107.1 relating to the procedure by which counsel may request records of the Westmoreland County Children's Bureau, is adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

CHRISTOPHER A. FELICIANI,
President Judge

Rule WC107.1. Records of Westmoreland County Children's Bureau in Criminal Cases.

No records of the Westmoreland County Children's Bureau shall be produced in any criminal case, except upon issuance of a subpoena, which shall comply with Pennsylvania Rule of Criminal Procedure 107, and which shall be served upon the Westmoreland County Solicitor.

[Pa.B. Doc. No. 24-1148. Filed for public inspection August 16, 2024, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

List of Financial Institutions

Notice is hereby given that pursuant to Rule 221(b), Pa.R.D.E., the following List of Financial Institutions have been approved by the Supreme Court of Pennsylvania for the maintenance of fiduciary accounts of attorneys. Each financial institution has agreed to comply with the requirements of Rule 221, Pa.R.D.E., which provides for trust account overdraft notification.

SUZANNE E. PRICE,
Attorney Registrar

**FINANCIAL INSTITUTIONS APPROVED AS
DEPOSITORIES OF TRUST ACCOUNTS OF
ATTORNEYS**

Bank Code A.

595 Abacus Federal Savings Bank
2 ACNB Bank
613 Allegent Community Federal Credit Union
375 Altoona First Savings Bank
376 Ambler Savings Bank
532 AMERICAN BANK (PA)
615 Americhoice Federal Credit Union
116 AMERISERV FINANCIAL
648 Andover Bank (The)
377 Apollo Trust Company

Bank Code B.

558 Bancorp Bank (The)
485 Bank of America, NA
662 BANK OF BIRD-IN-HAND
415 Bank of Landisburg (The)
596 Bank of Princeton (The)
664 BankUnited, NA
501 BELCO Community Credit Union
673 BENCHMARK FEDERAL CREDIT UNION
652 Berkshire Bank
663 BHCU
5 BNY Mellon, NA
392 Brentwood Bank
495 Brown Brothers Harriman Trust Co., NA

Bank Code C.

654 CACL Federal Credit Union
618 Capital Bank, NA
**675 CENTRE 1ST BANK, A DIVISION OF OLD
DOMINION NATIONAL BANK**
394 CFS BANK
623 Chemung Canal Trust Company
599 Citibank, NA
238 Citizens & Northern Bank
561 Citizens Bank, NA
206 Citizens Savings Bank
576 Clarion County Community Bank
591 Clearview Federal Credit Union
23 CNB Bank
223 Commercial Bank & Trust of PA
21 Community Bank (PA)
371 Community Bank, NA (NY)
132 Community State Bank of Orbisonia
380 County Savings Bank
536 Customers Bank

Bank Code D.

339 Dime Bank (The)
27 Dollar Bank, FSB

Bank Code E.

500 Elderton State Bank
567 Embassy Bank for the Lehigh Valley
541 Enterprise Bank
28 Ephrata National Bank
601 Esquire Bank, NA
340 ESSA Bank & Trust

Bank Code F.

629 1st Colonial Community Bank
158 1st Summit Bank
31 F&M Trust Company—Chambersburg
658 Farmers National Bank of Canfield
34 Fidelity Deposit & Discount Bank (The)

583 Fifth Third Bank
661 First American Trust, FSB
643 First Bank
174 First Citizens Community Bank
539 First Commonwealth Bank
674 First Commonwealth Federal Credit Union
504 First Federal S & L Association of Greene
County
525 First Heritage Federal Credit Union
42 First Keystone Community Bank
51 First National Bank & Trust Company of
Newtown (The)
48 First National Bank of Pennsylvania
426 First Northern Bank & Trust Company
604 First Priority Bank, a division of Mid Penn
Bank
592 FIRST RESOURCE BANK
657 First United Bank & Trust
408 First United National Bank
151 Firstrust Savings Bank
416 Fleetwood Bank
647 FORBRIGHT BANK
291 Fox Chase Bank
241 Franklin Mint Federal Credit Union
639 Freedom Credit Union
58 Fulton Bank, NA

Bank Code G.

499 Gratz Bank (The)
498 Greenville Savings Bank

Bank Code H.

244 Hamlin Bank & Trust Company
362 Harleysville Savings Bank
363 Hatboro Federal Savings
463 Haverford Trust Company (The)
606 Hometown Bank of Pennsylvania
68 Honesdale National Bank (The)
605 Huntington National Bank (The)
608 Hyperion Bank

Bank Code I.

669 Industrial Bank
365 InFirst Bank
668 Inspire FCU
557 Investment Savings Bank
526 Iron Workers Savings Bank

Bank Code J.

70 Jersey Shore State Bank
127 Jim Thorpe Neighborhood Bank
488 Jonestown Bank & Trust Company
191 Journey Bank
659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
414 Kish Bank

Bank Code L.

78 Luzerne Bank

Bank Code M.

361 M&T Bank
510 Marion Center Bank
387 Marquette Savings Bank
367 Mauch Chunk Trust Company
511 MCS (Mifflin County Savings) Bank
641 Members 1st Federal Credit Union

555 Mercer County State Bank
 192 Merchants Bank of Bangor
 671 Merchants Bank of Indiana
 610 Meridian Bank
 294 Mid Penn Bank
 677 Middletown Valley Bank
276 MIFFLINBURG BANK & TRUST COMPANY
 457 Milton Savings Bank

Bank Code N.

433 National Bank of Malvern
 168 NBT Bank, NA
 347 Neffs National Bank (The)
434 NEW TRIPOLI BANK
 15 NextTier Bank, NA
 666 Northern Trust Co.
 439 Northumberland National Bank (The)
 93 Northwest Bank

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

598 PARKE BANK
 40 Penn Community Bank
 540 PennCrest Bank
 419 Pennian Bank
 447 Peoples Security Bank & Trust Company
 99 PeoplesBank, a Codorus Valley Company
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust
 665 Pinnacle Bank
 79 PNC Bank, NA
 449 Port Richmond Savings
 667 Premier Bank
 354 Presence Bank
 451 Progressive-Home Federal Savings & Loan
 Association
 637 Provident Bank
 491 PS Bank

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

452 Reliance Savings Bank

Bank Code S.

153 S & T Bank
 316 Santander Bank, NA
 460 Second Federal S & L Association of
 Philadelphia
 646 Service 1st Federal Credit Union
 458 Sharon Bank
 462 Slovenian Savings & Loan Association of
 Franklin-Conemaugh
486 SOMERSET TRUST COMPANY
 633 SSB Bank
 122 Susquehanna Community Bank

Bank Code T.

638 3Hill Credit Union
 143 TD Bank, NA
656 TIOGA FRANKLIN SAVINGS BANK
 182 Tompkins Community Bank
 660 Top Tier FCU
 577 Traditions Bank

609 Tristate Capital Bank
 672 Truist Bank
 640 TruMark Financial Credit Union
 467 Turbotville National Bank (The)

Bank Code U.

483 UNB Bank
 481 Union Building and Loan Savings Bank
 634 United Bank, Inc.
 472 United Bank of Philadelphia
 475 United Savings Bank
 600 Unity Bank
 232 Univest Bank & Trust Co.

Bank Code V.

611 Victory Bank (The)

Bank Code W.

119 Washington Financial Bank
 121 Wayne Bank
 676 Webster Bank
631 WELLS FARGO BANK, NA
 553 WesBanco Bank, Inc.
 494 West View Savings Bank
 473 Westmoreland Federal S & L Association
 476 William Penn Bank
 272 Woodlands Bank
 573 Woori America Bank
 630 WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.**Bank Code Y.****Bank Code Z.****PLATINUM LEADER BANKS**

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

IOLTA EXEMPTION

Exemptions are not automatic. If you believe you qualify, you must apply by sending a written request to the IOLTA Board's executive director: 601 Commonwealth Avenue, Suite 2400, P.O. Box 62445, Harrisburg, PA 17106-2445. If you have questions concerning IOLTA or exemptions from IOLTA, please visit their website at www.paiolta.org or call the IOLTA Board at (717) 238-2001 or (888) PAIOLTA.

FINANCIAL INSTITUTIONS WHO HAVE FILED AGREEMENTS TO BE APPROVED AS A DEPOSITORY OF TRUST ACCOUNTS AND TO PROVIDE DISHONORED CHECK REPORTS IN ACCORDANCE WITH RULE 221, Pa.R.D.E.

New

676 Webster Bank
 677 Middletown Valley Bank

Name Change

175 FNCB Bank—Change to 447 Peoples Security Bank & Trust Company
 584 Parkview Community Federal Credit Union—Change to 591 Clearview Federal Credit Union

Platinum Leader Change

Correction

Removal

[Pa.B. Doc. No. 24-1149. Filed for public inspection August 16, 2024, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated July 26, 2024, Nichole E. Humes, a/k/a Nichole Elizabeth Tuliszewski (# 203709), whose registered address is in Dripping Springs, TX, is suspended from the practice of law in this Commonwealth for a period of six months, effective August 25, 2024. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 24-1150. Filed for public inspection August 16, 2024, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated July 26, 2024, Mustafa David Sayid, a/k/a Mustafa D. Sayid (# 308403), whose registered address is in Haworth, NJ, is suspended from the practice of law in this Commonwealth for a period of one year, effective August 25, 2024. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 24-1151. Filed for public inspection August 16, 2024, 9:00 a.m.]

SUPREME COURT

Financial Institutions Approved as Depositories for Fiduciary Accounts; No. 247 Disciplinary Rules Docket

Order

Per Curiam

And Now, this 7th day of August, 2024, it is hereby Ordered that the financial institutions named on the attached list are approved as depositories for fiduciary accounts in accordance with Pa.R.D.E. 221.

Bank Code A.

595 Abacus Federal Savings Bank
2 ACNB Bank
613 Allegent Community Federal Credit Union
375 Altoona First Savings Bank
376 Ambler Savings Bank
532 **AMERICAN BANK (PA)**
615 Americhoice Federal Credit Union
116 **AMERISERV FINANCIAL**
648 Andover Bank (The)
377 Apollo Trust Company

Bank Code B.

558 Bancorp Bank (The)
485 Bank of America, NA
662 **BANK OF BIRD-IN-HAND**
415 Bank of Landisburg (The)
596 Bank of Princeton (The)
664 BankUnited, NA
501 BELCO Community Credit Union
673 **BENCHMARK FEDERAL CREDIT UNION**
652 Berkshire Bank
663 BHCU
5 BNY Mellon, NA
392 Brentwood Bank
495 Brown Brothers Harriman Trust Co., NA

Bank Code C.

654 CACL Federal Credit Union
618 Capital Bank, NA
675 **CENTRE 1ST BANK, A DIVISION OF OLD
DOMINION NATIONAL BANK**
394 **CFS BANK**
623 Chemung Canal Trust Company
599 Citibank, NA
238 Citizens & Northern Bank
561 Citizens Bank, NA
206 Citizens Savings Bank
576 Clarion County Community Bank
591 Clearview Federal Credit Union
23 CNB Bank
223 Commercial Bank & Trust of PA
21 Community Bank (PA)
371 Community Bank, NA (NY)
132 Community State Bank of Orbisonia
380 County Savings Bank
536 Customers Bank

Bank Code D.

339 Dime Bank (The)
27 Dollar Bank, FSB

Bank Code E.

500 Elderton State Bank
567 Embassy Bank for the Lehigh Valley
541 Enterprise Bank
28 Ephrata National Bank
601 Esquire Bank, NA
340 ESSA Bank & Trust

Bank Code F.

629 1st Colonial Community Bank
158 1st Summit Bank
31 F&M Trust Company—Chambersburg
658 Farmers National Bank of Canfield
34 Fidelity Deposit & Discount Bank (The)
583 Fifth Third Bank
661 First American Trust, FSB
643 First Bank

174 First Citizens Community Bank
 539 First Commonwealth Bank
 674 First Commonwealth Federal Credit Union
 504 First Federal S & L Association of Greene
 County
 525 First Heritage Federal Credit Union
 42 First Keystone Community Bank
 51 First National Bank & Trust Company of
 Newtown (The)
 48 First National Bank of Pennsylvania
 426 First Northern Bank & Trust Company
 604 First Priority Bank, a division of Mid Penn
 Bank
592 FIRST RESOURCE BANK
 657 First United Bank & Trust
 408 First United National Bank
 151 Firsttrust Savings Bank
 416 Fleetwood Bank
647 FORBRIGHT BANK
 291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 639 Freedom Credit Union
 58 Fulton Bank, NA

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499 Gratz Bank (The)
 498 Greenville Savings Bank

Bank Code H.

244 Hamlin Bank & Trust Company
 362 Harleysville Savings Bank
 363 Hatboro Federal Savings
 463 Haverford Trust Company (The)
 606 Hometown Bank of Pennsylvania
 68 Honesdale National Bank (The)
 605 Huntington National Bank (The)
 608 Hyperion Bank

Bank Code I.

669 Industrial Bank
 365 InFirst Bank
 668 Inspire FCU
 557 Investment Savings Bank
 526 Iron Workers Savings Bank

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 659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

78 Luzerne Bank

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361 M&T Bank
 510 Marion Center Bank
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 555 Mercer County State Bank
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 671 Merchants Bank of Indiana

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 677 Middletown Valley Bank
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434 NEW TRIPOLI BANK
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653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

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 540 PennCrest Bank
 419 Pennian Bank
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 556 Philadelphia Federal Credit Union
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 665 Pinnacle Bank
 79 PNC Bank, NA
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 667 Premier Bank
 354 Presence Bank
 451 Progressive-Home Federal Savings & Loan
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 491 PS Bank

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107 QNB Bank
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Bank Code R.

452 Reliance Savings Bank

Bank Code S.

153 S & T Bank
 316 Santander Bank, NA
 460 Second Federal S & L Association of
 Philadelphia
 646 Service 1st Federal Credit Union
 458 Sharon Bank
 462 Slovenian Savings & Loan Association of
 Franklin-Conemaugh
486 SOMERSET TRUST COMPANY
 633 SSB Bank
 122 Susquehanna Community Bank

Bank Code T.

638 3Hill Credit Union
 143 TD Bank, NA
656 TIOGA FRANKLIN SAVINGS BANK
 182 Tompkins Community Bank
 660 Top Tier FCU
 577 Traditions Bank
 609 Tristate Capital Bank
 672 Truist Bank

640 TruMark Financial Credit Union
 467 Turbotville National Bank (The)

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483 UNB Bank
 481 Union Building and Loan Savings Bank
 634 United Bank, Inc.
 472 United Bank of Philadelphia
 475 United Savings Bank
 600 Unity Bank
 232 Uninvest Bank & Trust Co.

Bank Code V.

611 Victory Bank (The)

Bank Code W.

119 Washington Financial Bank
 121 Wayne Bank
 676 Webster Bank
631 WELLS FARGO BANK, NA
 553 WesBanco Bank, Inc.
 494 West View Savings Bank
 473 Westmoreland Federal S & L Association
 476 William Penn Bank
 272 Woodlands Bank
 573 Woori America Bank
 630 WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.

Bank Code Y.

Bank Code Z.

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FINANCIAL INSTITUTIONS WHO HAVE FILED AGREEMENTS TO BE APPROVED AS A DEPOSITORY OF TRUST ACCOUNTS AND TO PROVIDE DISHONORED CHECK REPORTS IN ACCORDANCE WITH RULE 221, Pa.R.D.E.

New

676 Webster Bank
 677 Middletown Valley Bank

Name Change

175 FNCB Bank—Change to 447 Peoples Security Bank & Trust Company
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Platinum Leader Change

Correction

Removal

[Pa.B. Doc. No. 24-1152. Filed for public inspection August 16, 2024, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Environmental Protection

The Executive Board approved a reorganization of the Department of Environmental Protection effective August 5, 2024.

The organization chart at 54 Pa.B. 5239 (August 17, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 24-1153. Filed for public inspection August 16, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of General Services

The Executive Board approved a reorganization of the Department of General Services effective August 5, 2024.

The organization chart at 54 Pa.B. 5240 (August 17, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 24-1154. Filed for public inspection August 16, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Transportation

The Executive Board approved a reorganization of the Department of Transportation effective August 7, 2024.

The organization chart at 54 Pa.B. 5241 (August 17, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 24-1155. Filed for public inspection August 16, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

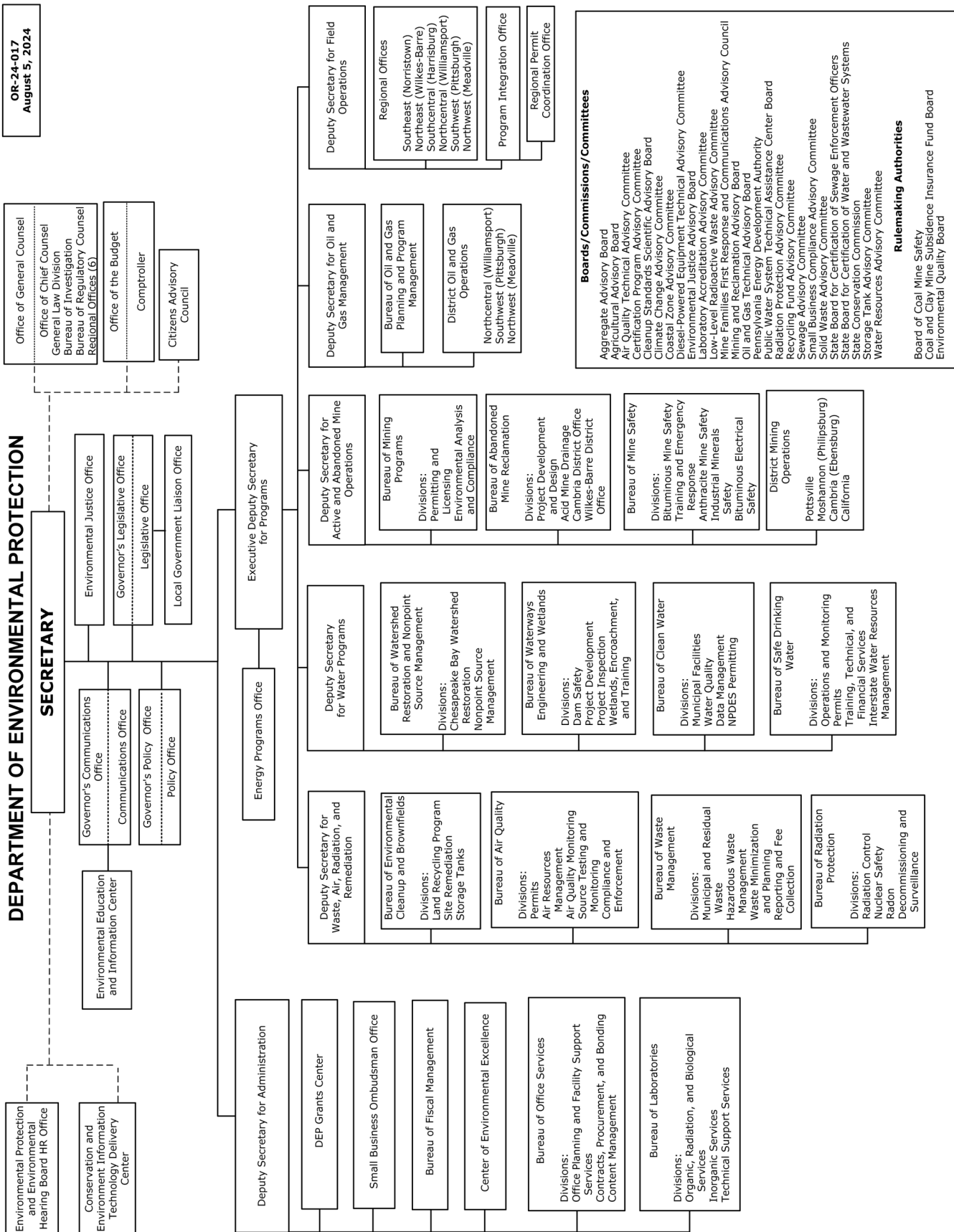
Reorganization of the Office of Administration

The Executive Board approved a reorganization of the Office of Administration effective August 5, 2024.

The organization chart at 54 Pa.B. 5242 (August 17, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

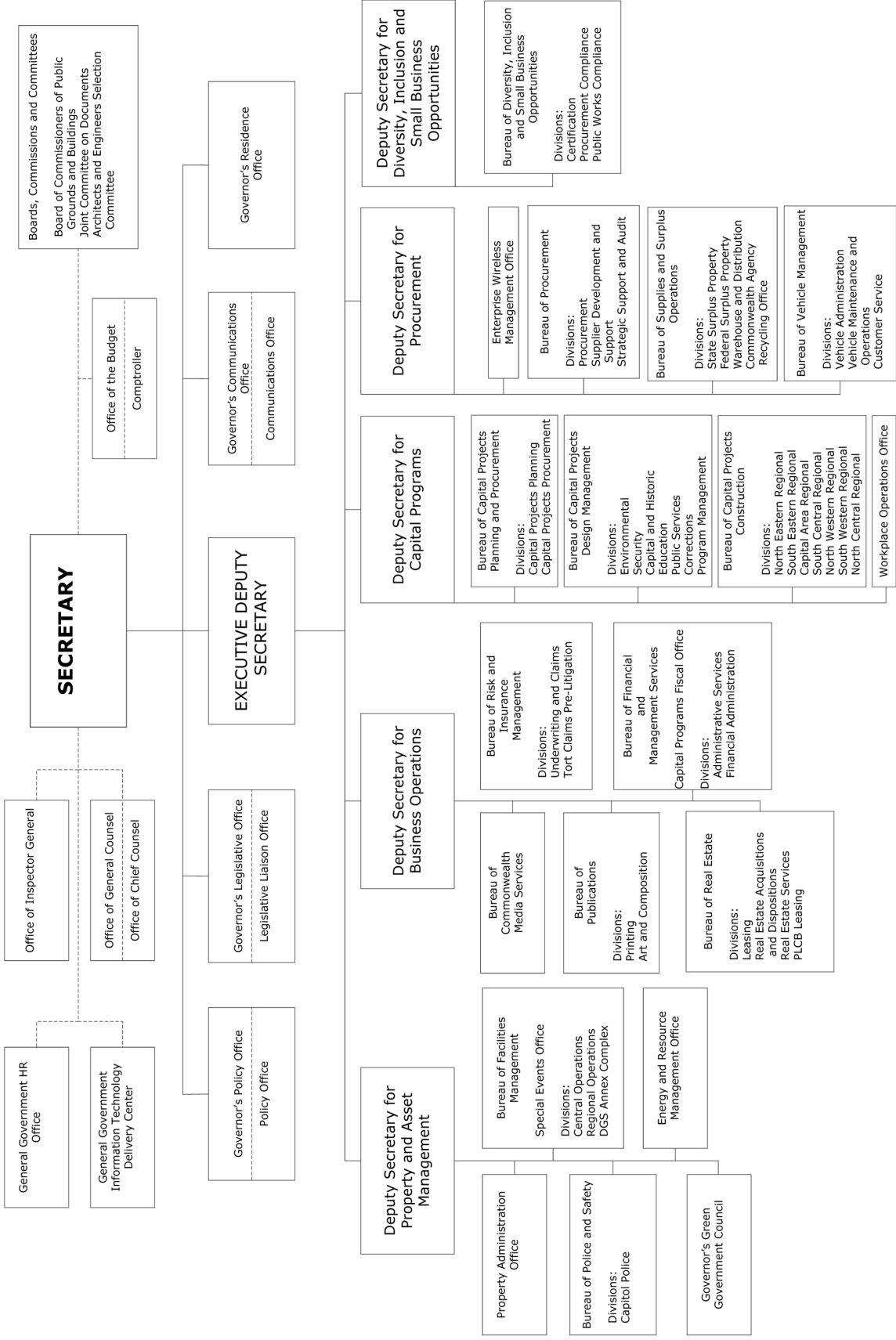
(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania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

[Pa.B. Doc. No. 24-1156. Filed for public inspection August 16, 2024, 9:00 a.m.]

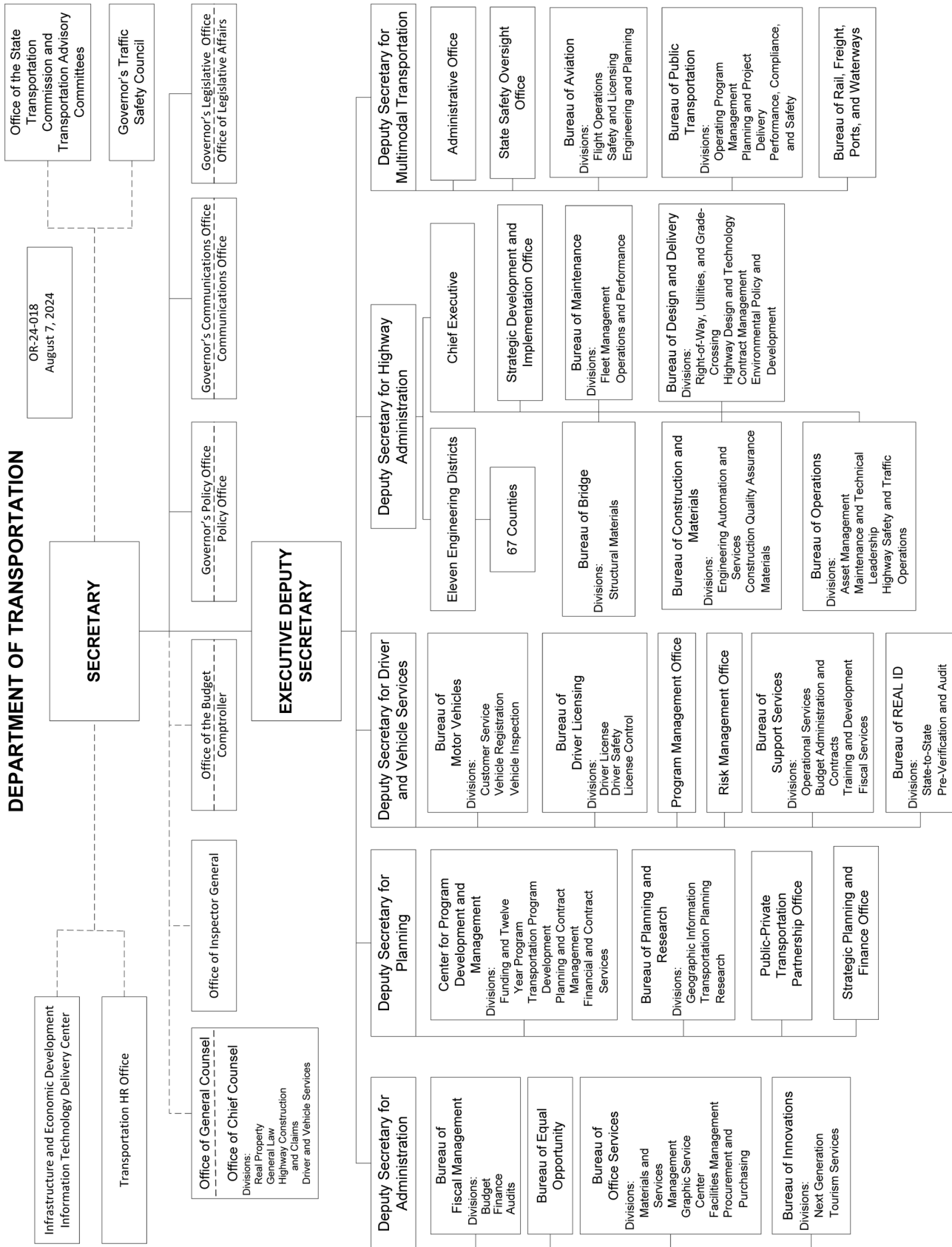


DEPARTMENT OF GENERAL SERVICES

OR-24-015
August 5, 2024

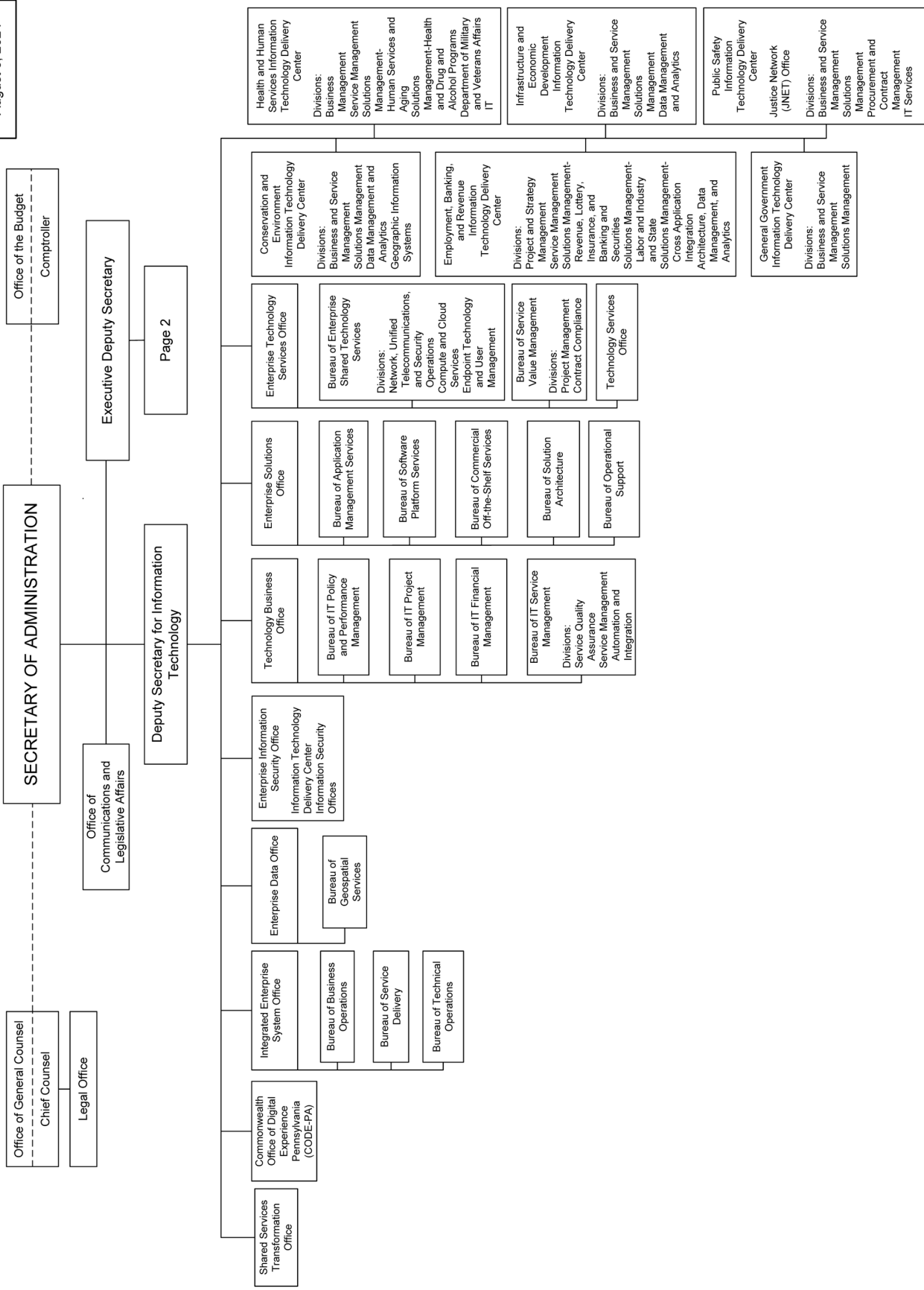


DEPARTMENT OF TRANSPORTATION



GOVERNOR'S OFFICE OF ADMINISTRATION

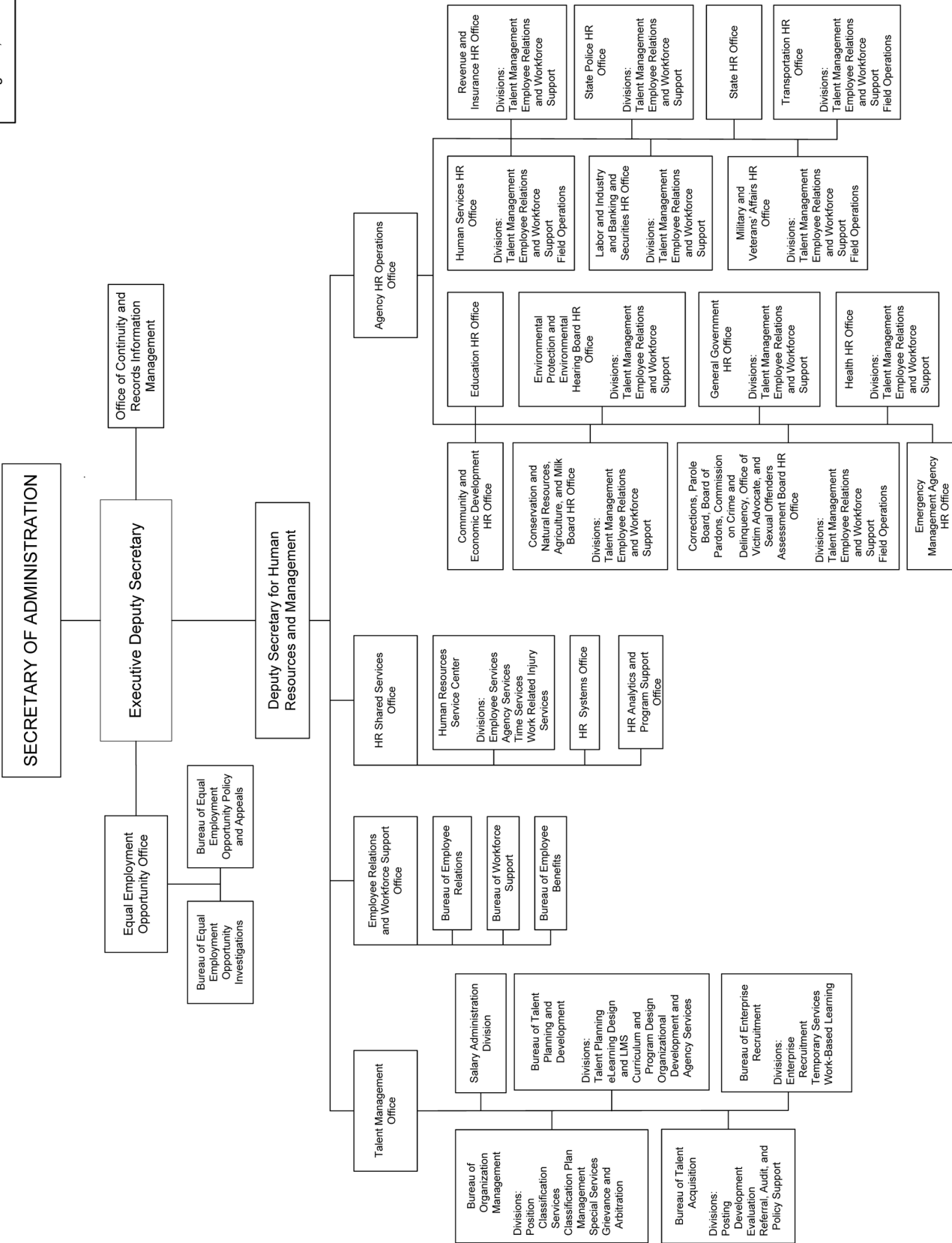
OR-24-016
August 5, 2024



Page 2

GOVERNOR'S OFFICE OF ADMINISTRATION

OR-24-016
August 5, 2024



NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending August 6, 2024.

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

APPLICATIONS FOR COMMENT

BANKING INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

OTHER APPLICATION ACTIVITY

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
08-05-2024	CNB Bank Clearfield Clearfield County	140 American Boulevard Westlake Cuyahoga County, OH	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
08-01-2024	Community Bank Carmichaels Greene County	<i>To:</i> 712 West Main Street Uniontown Fayette County <i>From:</i> 545 West Main Street Uniontown Fayette County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
06-28-2024	S & T Bank Indiana Indiana County	1516 Scalp Avenue Johnstown Cambria County	Closed

CREDIT UNIONS

No activity.

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

WENDY S. SPICHER,
Secretary

[Pa.B. Doc. No. 24-1157. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of September 2024

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of September 2024, is 7%.

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

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 4.42 to which was added 2.50 percentage points for a total of 6.92 that by law is rounded off to the nearest quarter at 7%.

WENDY S. SPICHER,
Secretary

[Pa.B. Doc. No. 24-1158. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0924808	Joint DEP/PFBC Pesticides Permit	New	Wigand James R 5541 Carversville Road Doylestown, PA 18902-1325	Buckingham Township Bucks County	SERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1524812	Joint DEP/PFBC Pesticides Permit	New	Ashlea HOA 7 Ashlea Drive Glenmoore, PA 19343-1435	Wallace Township Chester County	SERO
3524804	Joint DEP/PFBC Pesticides Permit	New	Shorten Cathie 65 Stevens Road Jefferson Township, PA 18436-3941	Jefferson Township Lackawanna County	NERO
3624805	Joint DEP/PFBC Pesticides Permit	New	Fisher Dan 550 Stonehenge Drive Lititz, PA 17543-9072	Manheim Township Lancaster County	SCRO
3924803	Joint DEP/PFBC Pesticides Permit	New	Jaindl Commercial Park Association 6144 Hamilton Boulevard Allentown, PA 18106	Lower Macungie Township Lehigh County	NERO
4024809	Joint DEP/PFBC Pesticides Permit	New	Beech Mountain Lake Association 1 Burke Drive Drums, PA 18222-1200	Butler Township Luzerne County	NERO
2824201	Manure Storage and Wastewater Impoundments Individual WQM Permit	New	Rotz Milton 1015 Heritage Avenue Shippensburg, PA 17257-9267	Greene Township Franklin County	SCRO
2824201E	Manure Storage and Wastewater Impoundments Individual WQM Permit	New	Rotz Milton 1015 Heritage Avenue Shippensburg, PA 17257-9267	Greene Township Franklin County	SCRO
PA0034185	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	PWF1 High Meadows LLC 4751 Kendor Drive New Kensington, PA 15068-9506	Allegheny Township Westmoreland County	SWRO
PA0061921	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Transfer	Brookdale Enterprises LLC 2455 Black Mountain Road Scotrun, PA 18355	Pocono Township Monroe County	NERO
1002415	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Stoneworth APT Group LLC 589 Greason Road Carlisle, PA 17015-9416	Worth Township Butler County	NWRO
1500413	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	East Brandywine Township Municipal Authority Chester County 1214 Horseshoe Pike Downingtown, PA 19335-1132	East Brandywine Township Chester County	SERO
4472401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	McVeytown Borough Authority Mifflin County P.O. Box 321 McVeytown, PA 17051-0321	McVeytown Borough Mifflin County	SCRO
6569433	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	PWF1 High Meadows LLC 4751 Kendor Drive New Kensington, PA 15068-9506	Allegheny Township Westmoreland County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6598407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Westmoreland County Municipal Authority 124 Park and Pool Road New Stanton, PA 15672	East Huntingdon Township Westmoreland County	SWRO
NOEXNW121	No Exposure Certification	Renewal	Lord Corp 2455 Robison Road W Erie, PA 16509-4675	Summit Township Erie County	NWRO
NOEXNW126	No Exposure Certification	Renewal	Combined System Inc. 388 Kinsman Road Jamestown, PA 16134-9540	Greene Township Mercer County	NWRO
NOEXNW146	No Exposure Certification	Transfer	Federal Express Corporation 3620 Hacks Cross Road Memphis, TN 38125-8800	McKean Township Erie County	NWRO
NOEXNW205	No Exposure Certification	Renewal	Heatron Inc. 8135 Nathan Circle Erie, PA 16509-4656	Summit Township Erie County	NWRO
NOEXSC430	No Exposure Certification	New	Laborie Medical Technologies 180 International Drive Portsmouth, NH 03801-6837	Upper Allen Township Cumberland County	SCRO
NOEXSC431	No Exposure Certification	New	Voith US Inc. 25 Winship Road York, PA 17406-8419	Manchester Township York County	SCRO
PAG033650	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Cargill Inc. 15407 McGinty Road W Wayzata, MN 55391-2365	Mount Joy Borough Lancaster County	SCRO
PAG033981	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Airgas USA LLC P.O. Box 13577 Reading, PA 19612-3577	Muhlenberg Township Berks County	SCRO
PAG038343	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Federal Express Corporation 3620 Hacks Cross Road Memphis, TN 38125-8800	Jackson Township Butler County	NWRO
PAG038522	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Goodfellow Distr Inc. 225 Goodfellow Street Quebec, QC J5B 1V5	Pittsfield Township Warren County	NWRO
PAG041109	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Hernandez Jay 10220 US Highway 322 Conneaut Lake, PA 16316-1813	Sadsbury Township Crawford County	NWRO
PAG041338	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Sperring Arthur Jr 1776 S Neshannock Road Hermitage, PA 16148	Hermitage City Mercer County	NWRO
PAG041365	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Hague Benaiah 3390 Portersville Road Portersville, PA 16051-3214	Perry Township Lawrence County	NWRO
PAG041370	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Sander Peter 14615 Stewart Road Corry, PA 16407-9640	Concord Township Erie County	NWRO
PAG041371	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	McBroom Michael 163 W Jamestown Road Jamestown, PA 16134-9513	Greene Township Mercer County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG041372	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Sullivan Shannan 323 Rowley Road Sugar Grove, PA 16350-5718	Sugar Grove Township Warren County	NWRO
PAG041373	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Agnew Anne 14601 Coleman Road Meadville, PA 16335-8712	Vernon Township Crawford County	NWRO
PAG041385	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Yoder Ernest 357 Kinsman Road Jamestown, PA 16134	Greene Township Mercer County	NWRO
PAG041394	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Nancy & Richard Miller 292 Donation Road Greenville, PA 16125-8008	South Shenango Township Crawford County	NWRO
PAG041395	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Hopkins Pennie 1315 Lanning Hill Road Sugar Grove, PA 16350-6105	Farmington Township Warren County	NWRO
PAG041398	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Al Dhumeen Ali 8089 Edinboro Road Erie, PA 16509-4466	Summit Township Erie County	NWRO
PAG043995	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Point View Cottage Association 173 Point View Drive Williamsburg, PA 16693-6940	Catharine Township Blair County	SCRO
PAG046163	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Murdock Mirissa & Adam 222 Beaver Hollow Road Somerset, PA 15501-6737	Somerset Township Somerset County	SWRO
PAG106233	PAG-10 NPDES General Permit for Hydrostatic Test Water	New	Equitrans LP 2200 Energy Drive Canonsburg, PA 15317-1000	Somerset Township Washington County	SWRO
PAG123767	PAG-12 NPDES General Permit for CAFOs	Renewal	Brubaker Farms LLC 490 Musser Road Mount Joy, PA 17552-9044	East Donegal Township Lancaster County	SCRO
PAG123861	PAG-12 NPDES General Permit for CAFOs	Renewal	Stoners Hijos Hill Inc. 7678 Oellig Road Mercersburg, PA 17236-9549	Peters Township Franklin County	SCRO
PAG123951	PAG-12 NPDES General Permit for CAFOs	New	McCartney Inc. 17275 Dry Run Road S Dry Run, PA 17220-9705	Fannett Township Franklin County	SCRO
6524411	Pump Stations Individual WQM Permit	Amendment	Westmoreland County Municipal Authority 124 Park and Pool Road New Stanton, PA 15672	Hempfield Township Westmoreland County	SWRO
PA0289841	Single Residence STP Individual NPDES Permit	Transfer	Juergens Mara 153 Cowden Road New Wilmington, PA 16142-1823	Wilmington Township Mercer County	NWRO
1024410	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Kunkle Vicki 317 Bicker Road Cabot, PA 16023-2505	Winfield Township Butler County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2003415	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Hernandez Jay 10220 US Highway 322 Conneaut Lake, PA 16316-1813	Sadsbury Township Crawford County	NWRO
4321411	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Juergens Mara 153 Cowden Road New Wilmington, PA 16142-1823	Wilmington Township Mercer County	NWRO
5698407	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Murdock Mirissa & Adam 222 Beaver Hollow Road Somerset, PA 15501-6737	Somerset Township Somerset County	SWRO

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

Northwest Regional Office

PA0295833, Sewage, SIC Code 8800, **Tiffany Kline**, 2983 W Washington Street, Bradford, PA 16701-2427. Facility Name: Tiffany Kline SRSTP. This proposed facility is located at 2069 W Washington Street, Bradford, PA 16701-2565 in Bradford Township, McKean County.

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

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

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0295892, Sewage, SIC Code 8800, **Vanessa Risjan**, 2660 Old Wattsburg Road, Waterford, PA 16441-9637. Facility Name: Vanessa Risjan SRSTP. This proposed facility is located in Waterford Township, **Erie County**.

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

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

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

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0081655, Industrial, SIC Code 3569, **Philadelphia Mixing Solutions Ltd**, 1221 E Main Street, Palmyra, PA 17078-9506. Facility Name: Philadelphia Mixing Solutions. This existing facility is located in Palmyra Borough, **Lebanon County**.

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

The receiving stream(s), Unnamed Tributary to Killinger Creek (TSF, MF) and Killinger Creek (TSF), is located in State Water Plan watershed 7-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 .5 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Sodium, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX

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

PA0265934, Concentrated Animal Feeding Operation (CAFO), **David S. Morrow (David S. Morrow Farm CAFO)**, 237 Briar Lane, Loysville, PA 17047-9154.

David S. Morrow has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as David S. Morrow Farm CAFO, located in Southwest Madison Township, **Perry County**.

The CAFO is situated near Cisna Run (HQ-CWF, MF) in Watershed 7-A, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 657.65 animal equivalent units (AEUs) consisting of 4,600 Swine grow finish, 15 Beef Cows, and 15 Beef Calf. Liquid swine manure is stored onsite in two concrete underbarn storages. 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 100-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

PA0057363, Sewage, SIC Code 4952, **Penns Park Master Association**, 2288 2nd Street Pike, Penns Park, PA 18943. Facility Name: ARCCA Real Estate SFSTP. This existing facility is located in Wrightstown Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Neshaminy Creek (WWF, MF), is located in State Water Plan watershed 2-F 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 0.002 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	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.3
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	20	XXX	40
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean 9.0	XXX	18
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Annual Maintenance Report (AMR) submission requirement
- Permittee shall optimize chlorine dosages used for disinfection to minimize TRC in effluent
- Proper disposal of collected screenings, slurries, sludges and other solids
- Effluent is discharged to a location with little or no assimilative capacity or dilution
- Notification of the designation of responsible operator
- Seasonal effluent limits for Fecal Coliform based on DRBC water quality regulations

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

PA0058041, Sewage, SIC Code 4952, **Aqua PA Wastewater Inc.**, 762 W Lancaster Ave., Bryn Mawr, PA 19010-3402. Facility Name: Possum Hollow Sewer System & STP. This existing facility is located in Limerick Township, **Montgomery 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), 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 0.7 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	117	175	Inst Min XXX	20	30	40
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	175	263	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light intensity (µw/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	47	XXX	XXX	8.0	XXX	16
Total Phosphorus	Report	XXX	XXX	Report	XXX	Report
Total Dissolved Solids	XXX	XXX	XXX	1,000.0	XXX	2,500
				Avg Qrtly		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		

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

I. Other Requirements

- A. No Stormwater
 - B. Property Rights
 - C. Sludges Disposal
 - D. Operator Notification
 - E. Development of O&M Plan
 - F. DRBC effluent limits
 - G. No Acceptance of the Hauled-In Wastes
 - H. Fecal Coliform
- II. Solids Management
- III. PCB Monitoring

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0027651, Sewage, SIC Code 4952, **West Newton Borough**, 112 S Water Street, West Newton, PA 15089-1364. Facility Name: West Newton Borough. This existing facility is located in West Newton Borough, **Westmoreland County**.

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

The receiving stream(s), Youghiogheny River (WWF) and Unnamed Tributary to Youghiogheny River (WWF), are located in State Water Plan watershed 19-D and are 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 0.75 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	156	238	XXX	25.0	38.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Raw Sewage Influent						
Total Suspended Solids	188	281	XXX	30.0	45.0	60

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	25.0	XXX	50

The proposed effluent limits for Outfall 001 are based on a design flow of 0.75 MGD.—Limits.

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

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

The EPA Waiver is not in effect.

Southwest Regional Office

PA0030929, Sewage, SIC Code 8063, **PA Department of Human Services**, 2525 N. 7th Street, CoPA Hub, Suite 150, Harrisburg, PA 17110-2511. Facility Name: Torrance St Hospital STP. This existing facility is located in Derry Township, **Westmoreland County**.

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

The receiving stream, Unnamed Tributary to McGee Run (CWF), is located in State Water Plan watershed 18-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .8 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Weekly Average	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 .8 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Weekly Average	Maximum	
Flow (MGD)	0.8	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	0.03	XXX	XXX	0.09
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	25.0	40.0	XXX	50.0
Total Suspended Solids	XXX	XXX	30.0	45.0	XXX	60.0
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	3.5	XXX	XXX	7.0
May 1 - Oct 31	XXX	XXX	2.0	XXX	XXX	4.0

The proposed effluent limits for Outfall 001 are based on a design flow of .8 MGD.—Limits.

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

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

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Abandon STP When Municipal Sewers Available
- E. Chlorine Optimization
- F. Operator Notification
- G. Solids Management

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

PA0038181, Sewage, SIC Code 4952, **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672. Facility Name: New Stanton STP. This existing facility is located in Hempfield Township, **Westmoreland County**.

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

The receiving stream(s), Sewickley Creek (WWF), is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 7.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 7.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.06	XXX	0.19
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	1,500.0	2,400.0	XXX	25.0	40.0	50
					Wkly Avg	

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1,800.0	2,700.0	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	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	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	510.0	XXX	XXX	8.5	XXX	17.0
May 1 - Oct 31	210.0	XXX	XXX	3.5	XXX	7.0
Copper, Total	XXX	XXX	XXX	0.026	0.04	XXX
Cyanide, Free	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 7.2 MGD.—Limits.

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

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

- Optimization of chlorine dosage
- Notification of designation of responsible operator
- Development of an O&M plan
- Hauled-in waste restriction
- POTW Pretreatment program implementation
- Solids management for non-lagoon system
- WETT without limits
- Stormwater requirements

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

PA0092487, Sewage, SIC Code 4952, **Nino Barsotti**, 546 Three Mile Hill Road, Mount Pleasant, PA 15666-8874. Facility Name: Ninos Restaurant STP. This existing facility is located in Bullskin 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, Unnamed Tributary to Jacobs Creek (CWF), is located in State Water Plan watershed 19-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .007 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .007 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	0.007	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min	XXX	Daily Max	XXX
			4.0		XXX	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	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
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean		
Nov 1 - Apr 30				20	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Phase Out When Municipal Sewers Available
- E. Chlorine Optimization
- F. Operator Notification
- G. Solids Management

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

PA0096628, Sewage, SIC Code 4952, **Hamill Manufacturing Co. Inc.**, 500 Pleasant Valley Road, Trafford, PA 15085-2701. Facility Name: Hamill Manufacturing STP. This existing facility is located in Penn Township, **Westmoreland County**.

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

The receiving stream, Lyons Run (TSF), is located in State Water Plan watershed 19-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .00196 MGD.—Limits.

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

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

- A. AMR to DEP
- B. DMR to DEP
- C. Septage and Scum Measurement
- D. Septic Tank Pumping

- E. Chlorine Minimization
- F. No Stormwater Condition
- G. Acquire Necessary Property Rights
- H. Proper Sludge Disposal
- I. Phase Out When Municipal Sewers Available

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

PA0216089, Sewage, SIC Code 4952, **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672. Facility Name: I-70 Industrial Park STP. This existing facility is located in South Huntingdon Township, **Westmoreland County**.

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

The receiving stream(s), Youghiogheny River (WWF), is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.05 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	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	10.0	XXX	XXX	25.0	XXX	50.0
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	Report
Raw Sewage Influent Total Suspended Solids	Report	XXX	XXX	Report	XXX	Report
Raw Sewage Influent Total Suspended Solids	12.0	XXX	XXX	30.0	XXX	60.0
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	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of 0.05 MGD.—Limits.

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

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

- Part C.II—POTW Pretreatment Program Implementation

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

PAI136103, MS4, **Edgeworth Borough**, 301 Beaver Road, Edgeworth, PA 15143-1001.

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 Edgeworth Borough, **Allegheny**

County. The receiving stream(s), Unnamed Tributary to Ohio River (WWF) and Little Sewickley Creek (HQ-TSF), is located in State Water Plan watershed 20-G and is classified for High Quality Waters—Trout Stocking and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

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

PAI136113, MS4, Leetsdale Borough, 373 Beaver Street, Leetsdale, PA 15056.

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 Leetsdale Borough, **Allegheny County.** The receiving stream(s), Big Sewickley Creek (TSF), Little Sewickley Creek (HQ-TSF), and Ohio River (WWF), are located in State Water Plan watershed 20-G and are classified for Trout Stocking, High Quality Waters—Trout Stocking, 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 412-442-4000.

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

Southwest Regional Office

PAI136140, MS4, Conemaugh Township, Somerset County, 1120 Tire Hill Road, Johnstown, PA 15905-7707.

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 Conemaugh Township, **Somerset County.** The receiving streams, Mill Creek (HQ-CWF), Bens Creek (CWF), Unnamed Tributary to Bens Creek (CWF), and Unnamed Tributaries to Stonycreek River (CWF), are located in State Water Plan watershed 18-E and are classified for Cold Water Fishes and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

Southwest Regional Office

PA0255441, Storm Water, SIC Code 4953, Duquesne Light Co., 2825 New Beaver Avenue # N6-Tng, Pittsburgh, PA 15233-1003. Facility Name: Kissick Landfill. This existing facility is located in Indiana Township, **Allegheny County.**

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

The receiving stream(s), Unnamed Tributary to Little Deer Creek (TSF), is located in State Water Plan watershed 18-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0 MGD.—Limits.

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

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

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

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

The EPA Waiver is in effect.

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

Southeast Regional Office

Applicant: **Alan Mancill**

Applicant Address: P.O. Box 243, Wallingford, PA 19086

Application Number: **PAD230083**

Application Type: New

Municipality/County: Edgmont Township, **Delaware County**

Project Site Name: Alan Mancill

Total Earth Disturbance Area (acres): 3.7 acres

Surface Waters Receiving Stormwater Discharges: Rocky Run (HQ-TSF, MF)

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

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

Project Description: Subdivision of the property into 3 lots and the construction of 3 single family dwellings. Stormwater management to be provided within a series of underground infiltration beds.

Special Conditions: N/A

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

Northcentral Regional Office

Applicant: **UGI Utilities, Inc.**

Applicant Address: 1 UGI Drive, Denver, PA 17517

Application Number: **PAD600017**

Application Type: New

Municipality/County: Union Township, **Union County**

Project Site Name: Hymil Section 2 Union County

Total Earth Disturbance Area (acres): 11.70 acres

Surface Waters Receiving Stormwater Discharges: Windfield Creek

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

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

Project Description: Install approx. 20,566 LF of 8" HDPE and 2,100 LF of 2" HDPE gas mains via direct bury to replace sections of wrought iron, coated steel, HDPE, and Aldyl A gas mains. The proposed gas main will run along Trutt Road from its intersection with County Line Road to intersection with Felmev Road, continue west to address 1446 Felmev Road. An additional proposed main will run along Amish Road from its intersection with Felmev Road to intersection with State Route 304, continue west to its intersection with Supplee Mill Road, continue north to its intersection with Fruit Farm Road, and continue west to address 35 Fruit Farm Road.

Special Conditions: N/A

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

Northeast Regional Office

Applicant: **Yext Enterprises, LLC, c/o Walter Yext**

Applicant Address: 3893 Tank Farm Road, Emmaus, PA 18049-1036

Application Number: **PAD390303**

Application Type: New

Municipality/County: Upper Milford Township, **Lehigh County**

Project Site Name: 4885 Raymond Court

Total Earth Disturbance Area (acres): 1.61 acres

Surface Waters Receiving Stormwater Discharges: UNT to Little Lehigh Creek (HQ-CWF, MF)

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

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

Project Description: Construction of a storage unit building with parking.

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

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

Northeast Regional Office

Applicant: **Triple Net Investments CI, LLC, c/o Joe Petrucci**

Applicant Address: 171 Route 173, Suite 201, Asbury, NJ 08802

Application Number: **PAD390301**

Application Type: New

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

Project Site Name: 1429 Eck Road Outdoor Storage

Total Earth Disturbance Area (acres): 4.99 acres

Surface Waters Receiving Stormwater Discharges: UNT to Little Lehigh Creek (HQ-CWF, MF)

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

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

Project Description: Construct an approximately 113,000 sq. ft. outdoor storage parking lot. Site improvements include internal driveways, parking areas, guard shack, utilities including public water and sanitary sewer, stormwater conveyance and management BMPs, and widening of Eck Road.

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

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

Northeast Regional Office

Applicant: **Victaulic Company**

Applicant Address: 4901 Kesslersville Road, Easton, PA 18040

Application Number: **PAD480108**

Application Type: Renewal

Municipality/County: Forks Township, **Northampton County**

Project Site Name: Victaulic Customer Experience Center

Total Earth Disturbance Area (acres): 4.66 acres

Surface Waters Receiving Stormwater Discharges: 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: Phase I involves the expansion of the existing Customer Experience Center to replace an existing parking lot along with the associated stormwater, landscaping, and utility improvements. Phase II involves expanding the parking lot to accommodate the expanded Customer Experience Center and include the associated stormwater, landscaping, and lighting.

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.

Northcentral Regional Office

Applicant: **BDC Holdings Inc.**

Applicant Address: 222 Bloomingdale Road, White Plains, NY 10605

Application Number: **PAD140111**

Application Type: New

Municipality/County: Ferguson Township, **Centre County**

Project Site Name: Proposed Stack-N-Stor

Total Earth Disturbance Area (acres): 2.96 acres

Surface Waters Receiving Stormwater Discharges: Slab Cabin Run (HQ-CWF, MF)

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

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

Project Description: The project proposes to construct an 84,608 square-foot self-storage facility with associated drives, parking areas, sidewalks, utilities, and drainage improvements.

Special Conditions: N. Off-site Discharges There will be off-site discharges (e.g., discharges to a non-surface water such as a swale, ditch, or ground surface via level spreader, that will flow through a property or properties not owned by the applicant prior to reaching a surface water), the applicant is expected to secure an easement (e.g., common law or express easement) providing legal authority for the off-site discharge, unless waived by the property owner, and to provide for adequate BMPs to prevent accelerated erosion on off-site property. Stormwater management to prevent accelerated erosion is also required for discharges to non-surface waters on property owned by the applicant. Submission of an easement for off-site discharges is not required as part of the application package. An Individual NPDES Permit does not grant property rights.

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

Southcentral Regional Office

Applicant: **PDC Northeast LPIV, LLC**

Applicant Address: 2442 Dupont Drive, Irvine, CA 92612-1523

Application Number: **PAD060113**

Application Type: New

Municipality/County: New Morgan Borough, **Berks County**

Project Site Name: Southern Berks Industrial Park

Total Earth Disturbance Area (acres): 105 acres

Surface Waters Receiving Stormwater Discharges: Grace Mine Tailings Reservoir via wetlands (other) and the Conestoga River (CWF, MF) via wetlands (other)

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: First phase of a multi-phase, large scale industrial park project. The first phase of the project consists of constructing an 890,000 square foot warehouse (Flying Eagle) as well as associated internal roads, parking and loading areas, utilities and stormwater management facilities.

Special Conditions: 1) Removal of trees within the project area may have the potential of effecting endangered Indiana bats. Tree cutting activities shall be done only from November 16 to March 31. 2) Wetland Monitoring.

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

Southcentral Regional Office

Applicant: **Orthaus Road LLC**

Applicant Address: 1470 Hendricks Road, Pennsburg, PA 18073

Application Number: **PAD060039 A-2**

Application Type: Major Amendment

Municipality/County: Hereford Township, **Berks County**

Project Site Name: Memo Farm Subdivision

Total Earth Disturbance Area (acres): 5.74 acres

Surface Waters Receiving Stormwater Discharges: Perkiomen 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 and land development for three residential lots.

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>
Tyler Snider 22357 Mountain Foot Road Neelyton, PA 17329	Huntingdon County	780.6	1516.77	Swine Beef	NA	Renewal
Tom Chiou and Allen Morton Timber Ridge Farm 9699 Timber Ridge Road Big Cove Tannery, PA 17212	Fulton County	12	1,342.60	Finishing Swine	NA	Renewal
Making Bacon LLC Gary, Darla and Timothy Kelley 650 Beers Road Granville Summit, PA 16926	Bradford County	141.1	726.9	Swine	EV	Renewal
Brock Hite Hershberger 612 Viall Hill Road Towanda, PA 18848	Bradford County	149.9	650.55	Swine Beef Sheep	NA	Renewal
Wenger Farm 25 Hale Road Shippensburg, PA 17257	Cumberland County	245.6	844.5	Dairy Swine	NA	New
Ivan Newswanger 217 Ivy Lane Woodbury, PA 16695	Bedford County	8	41.65	Duck	HQ	New

<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>
Dividing Ridge Farm 207 Dividing Ridge Road Fairhope, PA 15538	Somerset County	1,116.4	1,684.4	Dairy	HQ	Renewal
Hoffman Family Farms LLC 243 Healy Road Shinglehouse, PA 16748	Potter County	2,024.8	1,807.59	Dairy	HQ	Renewal
Rodney E Lane Estate 1550 Harrison Fox Hill Road Harrison Valley, PA 16927	Potter County	632.16	842.30	Swine Beef	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Application(s) Received 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.

Application No. 1424515, Construction, Public Water Supply.

Applicant	PA American Water— Philipsburg
Address	852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Boggs Township

County	Centre County
Responsible Official	Bruce Aiton 852 Wesley Drive Mechanicsburg, PA 17055
Consulting Engineer	Garret J Hargenrader 3121 Fairway Drive Altoona, PA 16602
Application Received	July 30, 2024
Description	Removing the existing chlorine injection system, surge relief valve and pressure reducing valve. Replacing the flow meter installing new pressure reducing valves for residential and fire demands.

Application No. 5924504, Construction, Public Water Supply.

Applicant	Watrous Water Association Inc.
Address	2430 Elk Run Road Gaines, PA 16921
Municipality	Gaines Township
County	Tioga County
Responsible Official	Tina Bennet 2430 Elk Run Road Gaines, PA 16921
Consulting Engineer	Eric Lundy 2836 Earlstown Road Centre Hall, PA 16828
Application Received	August 1, 2024
Description	Replacement of existing water lines.

Application No. 4924505, Construction, Public Water Supply.

Applicant	Milton Jellystone Park
Address	670 Hidden Paradise Road Milton, PA 17847
Municipality	Milton Borough
County	Northumberland County
Responsible Official	Kari Jones 670 Hidden Paradise Road Milton, PA 17847
Consulting Engineer	Kenneth R EStep 2049 West Market Street Lewisburg, PA 17837

Application Received July 31, 2024
 Description Modifications to disinfection and treatment to provide 4 log disinfection and adequate iron and manganese treatment. Convert treatment tanks to storage tanks, changes to pressure settings.

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

Application No. 4524508, Construction, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Address 852 Wesley Drive
Mechanicsburg, PA 17055

Municipality Stroud Township

County **Monroe County**

Responsible Official Bruce Aiton
Pennsylvania American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

Application Received July 12, 2024
 Description The application proposes the construction of a treatment system for Blue Mountain Lakes Well No. 3 to reduce elevated levels of manganese in the raw water of Well No. 3.

Application No. 5224505, Construction, Public Water Supply.

Applicant **Escape Property Owner's Association**
Anne Miller
General Manager

Address P.O. Box 282
Greentown, PA 18426

Municipality Palmyra Township

County **Pike County**

Responsible Official Anne Miller, General Manager
Escape Property Owner's Association
P.O. Box 282
Greentown, PA 18426

Consulting Engineer Eric Lundy, P.E.
Century Engineering, a
Kleinfelder Company
330 Innovation Blvd.
Suite 305
State College, PA 16803

Application Received July 16, 2024
 Description The application proposes the reconstruction of Well No. 4D as a replacement source for Well No. 4C.

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

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

Application No. 3124506, Construction, Public Water Supply.

Applicant **Thee Store**

Address 23375 Croghan Pike
Shade Gap, PA 17255

Municipality Dublin Township

County **Huntingdon County**

Responsible Official Cindy Morgan
23375 Croghan Pike
Shade Gap, PA 17255

Consulting Engineer Brian D. Shura, P.E.
Stiffler-McGraw and Associates, Inc.
1731 N Juniata Street
Hollidaysburg, PA 16648

Application Received July 31, 2024
 Description This project includes upgrades to the cation exchange, iron/manganese removal, and disinfection systems at Thee Store.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995
PREAMBLE 1

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

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

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a

newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified individual, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

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

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

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

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Driftwood Borough United States Post Office, Primary Facility ID # **876162**, 7298 Third Street, Driftwood, PA 15832, Driftwood Borough, **Cameron County**. WSP USA Inc., 10 Lake Center Drive, Suite 205, Marlton, NJ 08053 on behalf of United States Postal Service, 11 W. 4th Street, Emporium, PA 15834, submitted a Notice of Intent to Remediate. Soil contaminated with No. 2 fuel oil. The current use of the building is a US Post Office and the site will remain nonresidential. The Notice of Intent to Remediate was published in *Endeavor News* on July 13, 2024. Application received: August 5, 2024.

SWNPC GU 12 Vanorder Patrick Pad, Primary Facility ID # **874476**, 14 Goose Hill Road, Wyalusing, PA 18853, Herrick Township, **Bradford County**. Resource Environmental Management, Inc., 50 Maple Street, Montrose, PA 18801 on behalf of SWN Production Company, LLC, 917 SR 92 N, Tunkhannock, PA 18657, submitted a Notice of Intent to Remediate. Soil contaminated with production water. The applicant proposes to remediate the site to meet the residential Statewide health standard to allow for unrestricted future use. The Notice of Intent to Remediate was published in *The Daily Review* on July 25, 2024. Application received: July 31, 2024.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: C. David Brown, Professional Geologist Manager, 484-250-5792.

Emerald Transformer PPM LLC, Primary Facility ID # **877214**, 4105 Whitaker Ave, Philadelphia, PA 19124, City of Philadelphia, **Philadelphia County**. Mark Pietrucha, Woodard & Curran, 2 Executive Campus, Suite 125, Cherry Hill, NJ 08002 on behalf of John Trotto, Cascade Environmental, 122 Burrs Road East, Suite E, Westampton, NJ 08060, submitted a Notice of Intent to Remediate. Soil and groundwater have been found to be contaminated with diesel fuel. The future use of the property is nonresidential. The proposed cleanup standard for the site is the Statewide health standard.

The Notice of Intent to Remediate was published in *Metro Philadelphia* on July 8, 2024. Application received: July 3, 2024.

MUNICIPAL WASTE GENERAL PERMITS

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

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

Contact: Waste Program Manager.

WMGR144SW003, Beaver Valley Slag, Inc., 100 Bet-Tech Drive, Aliquippa, PA 15001, City of Aliquippa, Center Township, Hopewell Township, **Beaver County**. WMGR144SW003 renewal application for the Beaver Valley Slag—Aliquippa Site, located at 100 Bet-Tech Drive, Center Township, Hopewell Township, and the City of Aliquippa. Application received: February 22, 2024. Accepted: March 13, 2024.

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

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

Contact: Waste Management Program Manager.

WMGR123SW054, Range Resources—Appalachia, LLC, 3000 Town Center Blvd, Canonsburg, PA 15317, Donegal Township, **Washington County**. An application to modify coverage under General Permit No. WMGR123SW054 was received. Range Resources—Appalachia, LLC is proposing to increase capacity with one 22,000 bbl nominal capacity open-air storage tank at the Donegal 30 Tank Pad located at 106 Grimes Road, Claysville, PA 15323. Application received: June 20, 2024. Deemed administratively complete: July 5, 2024.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@pa.gov, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be sub-

mitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

WMGR163SW003, CNX Gas Company LLC, 1000 Horizon Vue Drive, Canonsburg, PA 15317, Bell Township, **Westmoreland County**. A registration application for coverage under General Permit No. WMGR163SW003 at the Bell Point Temporary Aboveground Storage Tank Facility, located at 4581 State Route 819, Apollo, PA 15613, was received. CNX Gas Company, LLC is proposing to construct the Bell Point Temporary Aboveground Storage Tank Facility to support its shale drilling operations in the area. The development of the Bell Point Temporary Aboveground Storage Tank Facility will include the construction of one aboveground storage tank and piping and support facilities. The aboveground storage tank will be located on an existing pad and will be accessed via an existing driveway. No new earth disturbance is proposed as part of the construction. Application received: July 10, 2024. Deemed administratively complete: July 26, 2024.

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

WMGR123SW072, EQT Production Company, 400 Woodcliff Drive, Canonsburg, PA 15317, Union Township, **Washington County**. A Determination of Applicability for coverage under Residual Waste General Permit No. WMGR123 was received. EQT Production Company is proposing to install one 22,000 bbl capacity aboveground storage tank and associated equipment to act as a temporary storage facility to be used to support unconventional well completions. The facility will be located at the Sarah Well Site, 4371 Finleyville Elrama Road, Finleyville, PA 15332. Application received: July 9, 2024. Deemed administratively complete: July 25, 2024.

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

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.

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

Contact: Carrie Fleming, Environmental Program Manager, 717-705-6638, cafleming@pa.gov.

100934. Blue Ridge Landfill Company, P.O. Box 399, Scotland, PA 17254, Greene Township, **Franklin County**.

Blue Ridge Landfill Company has submitted a major permit modification application to increase Blue Ridge Landfill's acceptance of quarterly average daily volume (ADV) from 2,500 tons of municipal solid waste (MSW) to 3,000 tons per day and the maximum daily volume (MDV) from 3,000 tons to 4,000 tons per day. The Landfill is located in Greene Township, Franklin County. Application received: July 10, 2024. Deemed administratively complete: July 29, 2024.

Comments or questions concerning the application should be directed to Carrie Fleming, Environmental Program Manager, 717-705-6638, cafleming@pa.gov, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Mohamad Mazid, Chief, Technical Services, RA-EPWM-SERO-PERMITS@pa.gov.

101290. Waste Management of Pennsylvania, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, City of Philadelphia, **Philadelphia County**. This application is for a ten (10) year permit renewal to continue operation at the Philadelphia Transfer Station, an existing municipal waste transfer facility located at 3605 Grays Ferry Avenue, in the City of Philadelphia, Philadelphia County. Application received: June 24, 2024. Deemed administratively complete: July 3, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, phone 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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

Contact: RA-EP-EXTUPLSWRO@pa.gov.

301268. Metchem Recycling USA, Inc., 167 Laidley's Run Road, West Alexander, PA 15376, West Finley Township, **Washington County**. Application for renewed coverage for a residual waste processing facility under individual permit 301268 for the Metchem Recycling USA Facility (formerly Hansen Engineering). Application received: July 19, 2024. Deemed administratively complete: August 1, 2024.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@pa.gov, 412-442-4000, 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.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

Contact: Waste Management Program Manager.

WMGR081SW008. Commonwealth Computer Recycling LLC, 1628 Roseytown Road, Greensburg, PA 15601, Hempfield Township, **Westmoreland County**. An application for renewed coverage under Residual Waste General Permit No. WMGR081SW008 at the CyberCrunch Greensburg Facility, located at 1628 Roseytown Road, Greensburg, PA 15601, was received. Application received: April 15, 2024. Deemed administratively complete: July 2, 2024.

Questions concerning the application should be directed to Waste Management Program Manager, 412-442-4000, 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.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

PLAN APPROVALS

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

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

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

IP22-000652: Naval Surface Warfare Center—Philadelphia Division (NSWCPD), 5001 S. Broad Street, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. Application received: December 21, 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_x), Volatile Organic Compounds (VOCs), Notice of Public Hearing, and Notice of Intent to Issue Plan Approval Permit for the Approval of a Reasonably Available Control Technology (RACT) III Plan for the Naval Surface Warfare Center—Philadelphia Division (NSWCPD). In accordance with 25 Pa. Code §§ 129.111—129.115 (relating to additional RACT requirements for major sources of NO_x and VOCs for the 2015 ozone National Ambient Air Quality Standards (NAAQS)), AMS has made a preliminary determination to approve a RACT III Plan for NSWCPD, owned and operated by the

U.S. Navy in Philadelphia, Philadelphia County. The RACT III Plan Approval incorporates provisions and requirements for the control of emissions of NO_x 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/AMS, 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_x RACT III Plan Approval IP22-000652 requirements or updates to the existing RACT II Plan Approval IP No. I6-000235 dated 3/20/2020 for this facility that are proposed to be submitted to the EPA as a revision to the Commonwealth's SIP:

- Establishes a NO_x emission limits for the following 7 air contamination sources: (1) CU-M111, 244 lbs/hr; (2) CU-M112, 263 lbs/hr; (3) CU-M113, 24.8 lbs/hr; (4) CU-M114, 30.3 lbs/hr; (5) U-M139, 29.1 lbs/hr; (6) CU-M151 (3 engines), 514.60 lbs/hr; (7) CU-M157, 150 ppm at 15% O₂ when operating at less than 75% of peak load without water injection. A stack test is required for each at one time in each 5-year calendar to demonstrate compliance with the emission limits.
- Corrects or updates the fuel burned in CU-M111, CU-M112, CU-M113, CU-M114, CU-M139, and CU-M151 from diesel to No. 2 fuel oil, diesel, JP-5, F-76, and blends.
- Corrects the heat input values in MMBtu/hr for CU-M111 and CU-M112 and removes the bhp values.
- Testing gas turbines CU-M111, CU-M112, CU-M113, CU-M114, and CU-M139 shall adhere to the standard Navy Planned Maintenance Program as defined for shipboard use.
- CU-M151, CU-M157, and CU-M157's water injection system shall be installed, maintained, and operated in accordance with manufacturer's specifications and good engineering practices.
- The Plan Approval will contain monitoring, recordkeeping, and reporting requirements to demonstrate compliance with all applicable requirements in 25 Pa. Code §§ 129.111—129.115.

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 30 days from the date of this publication. 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 September 26, 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 September 17, 2024. In the email, please write "Naval Surface Warfare Center—Philadelphia Division IP22-000652" 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-notice/Oral testimony](https://www.phila.gov/departments/air-pollution-control-board/air-management-notice/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. Accommodations. 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.

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.

09-0030B: Brightsmith LLC, 120 Enterprise Avenue, Morrisville, PA 19067, Falls Township, **Bucks County**. Application received: June 17, 2024. This action is a Plan Approval for a Title V facility. The facility is primarily involved in metal (steel, aluminum, and galvanized steel) coil coating. The coated metal is rewound and wrapped for shipment to end producers. Brightsmith operates space heaters, paint bake ovens, prime oven oxidizers, coil coating cleanup and a laminator/embosser. The plan approval is for the removal of two existing oxidizers and replacing them with two new similar oxidizers. The plan approval keeps the existing emission limits in their Title V operating permit, which include the facility wide volatile organic compound (VOC) of 49.99 tons per year (tpy), VOC limit for coil coating line during clean-up is 26.8 tpy, the combined Nitrogen Oxide (NO_x) limit for prime and finisher oxidizers during production shall not exceed 10.0 lbs/hr. The oxidizers must meet destruction removal efficiency (DRE) of 98% of Non-Methane Hydrocarbons or 20 ppmv measured as volatile organic compounds. The Prime and Finish Oxidizers combined shall meet a minimum overall control efficiency (capture and destruction) of at least 90% for VOC's. The Finish Oven Oxidizer does operate without the Prime Oven Oxidizer at times during production. The Finish Oven Oxidizer shall have a minimum overall control efficiency (capture and destruction) of at least 90% for VOC's. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64. Monitoring and recordkeeping conditions have been included in the plan approval to ensure Brightsmith is operating in accordance with the plan approval. 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

plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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

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

PA-04-00059E: IPSCO Koppel Tubulars, LLC, 6403 Sixth Avenue, Koppel, PA 16136, Koppel Borough, **Beaver County**. Application received: June 25, 2024.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Pennsylvania Department of Environmental Protection (Department) intends to issue Plan Approval PA-04-00059E to IPSCO Koppel Tubulars, LLC (6403 Sixth Avenue, Koppel, PA 16136) to replace the existing baghouse with a new unit with a higher airflow, increase production from 598,000 prime cast tons per year to 771,618 tpy, and construct a new cooling tower at the facility in Koppel Borough, Beaver County.

Potential emissions increases from the facility as result of the project are 14.50 tons of particulate matter, 10.80 tons of particulate matter less than 10 microns (PM₁₀), 9.79 tons of particulate matter less than 2.5 microns (PM_{2.5}), 39.87 tons of nitrogen oxides (NO_x), 10.13 tons of sulfur dioxide (SO₂), 61.54 tons of carbon monoxide (CO), 39.07 tons of volatile organic compounds (VOC), and 0.57 ton of lead (Pb) per year.

The Plan Approval has been conditioned to ensure compliance with all applicable rules including applicable requirements under 25 Pa. Code. This includes emission restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. The permittee shall also comply with all applicable requirements of New Source Performance Standards from 40 CFR Part 60 Subpart AAa and National Emission Standards for Hazardous Air Pollutants from 40 CFR Part 63 Subpart YYYYY.

The Plan Approval application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412-442-4000.

A person may oppose the proposed plan approval by filing a written protest with the Department through Sheri Guerrieri, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; shguerrier@pa.gov or fax 412-442-4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00059E) and a concise statement of the objections to the plan approval and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

OPERATING PERMITS

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

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

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

38-05035, NextEra Renewable Fuels LLC, 1610 Russell Road, Lebanon, PA 17046, North Annville Township, **Lebanon County**. Application received: October 13, 2023. To issue a Title V Operating Permit for the electric generating facility. The actual emissions from the facility in 2023 year are estimated at 9.9 tpy of NO_x, 44.7 tpy of CO, 3.2 tpy of PM₁₀, 1.4 tpy of SO_x, 5.0 tpy of VOC and 4.3 tpy of Formaldehyde. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

OPERATING PERMITS

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

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

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

41-00073, Simsmetal East, LLC, 2525 Trenton Avenue, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Application received: March 6, 2023. The applicant is applying for a renewal of State Only Operating Permit for their Williamsport Plant located in the City of Williamsport, Lycoming County. The facility is currently operating under State Only Operating Permit 41-00073. The facility's main sources include a metal shredding operation and a shredded material handling system. Particulate emissions from these sources are controlled by a cyclone separator and a water spray dust suppression system. The facility has potential emissions of 31.1 tons per year (tpy) of particulate matter, including PM₁₀ and PM_{2.5}, 0.1 tpy of nitrogen oxides, 37.8 tpy of volatile organic compounds, 0.1 tpy of hazardous air pollutants, and 128 tpy of greenhouse gases (carbon dioxide equivalents). The proposed renewal includes a 4,250 hours per year operational restriction on the metal shredding operation. No equipment changes are being proposed by this action. The emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

49-00005, Hoeganaes Corporation, 4330 Paradise Road, Watsonstown, PA 17777, Delaware Township, **Northumberland County**. Application received: April 4, 2024. The Department intends to issue a renewal State Only Operating Permit for their Watsonstown Plant. The facility is currently operating under NMOP 49-00005. The facility's main sources include two No. 2 fuel oil fired boilers, twenty five small No. 2 fuel oil fired space heaters, metal powder blending and bonding operations controlled by cartridge collectors and fabric collectors, metal powder manufacturing operations controlled by cartridge collectors, specialty blended metals processes controlled by cartridge collectors and fabric collector, AGM delivery system controlled by fabric collectors, distaloy screen system controlled by fabric collectors, a sample production process controlled by a cartridge collector, and a 50 kW diesel-fired emergency generator. The facility has potential emissions of 0.66 ton per year of carbon monoxide, 3.10 tons per year of nitrogen oxides, 9.31 tons per year of sulfur oxides, 17.22 tons per year of particulate matter with an aerodynamic diameter of less than 10 microns, 17.00 tons per year of particulate matter with an aerodynamic diameter of less than 2.5 microns, 0.03 ton per year of volatile organic compounds, <0.01 ton per year of total hazardous air pollutants (HAPs), and 8,742 tons per year of carbon dioxide equivalents (greenhouse gases). The emission limits and work practice standards along with testing, monitoring, record-keeping, and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

Contact: Norm Frederick, Facility Permitting Chief, 570-826-2409.

40-00038, Lion Brewing Company, 700 North Pennsylvania Ave, Wilkes-Barre, PA 18705, City of Wilkes-Barre, **Luzerne County**. Application received: July 5, 2024. The Department intends to issue a renewal State-Only Operating Permit for the operation of sources at their brewery. The proposed Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

39-00112, Trinity Glass International Inc., 8014 Industrial Blvd, Breinigsville, PA 18031-1225, Upper Macungie Township, **Lehigh County**. Application received: July 19, 2024. The Department intends to issue an initial State-Only Operating Permit (natural minor) for the Upper Macungie Township facility. Sources at this facility includes their paint spray booth. This also includes dry fiberglass filters as control devices. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

25-00918, Cosmed Group, Inc., 2205 E 33rd St, Erie, PA 16510, City of Erie, **Erie County**. Application received: December 21, 2022. The Department intends to renew the State Only Operating Permit for the Cosmed Group's Erie facility which performs sterilization of medical devices. The primary sources at the facility include 4 ethylene oxide (EtO) sterilization chambers, 2 aeration rooms, and the sterilization chamber vents. Emissions from the sterilization chambers are controlled by an acid scrubber; emissions from the aeration rooms and the sterilization chamber vents are controlled by EtO absorbent. The facility is a Natural Minor. Potential emissions of EtO are less than 1 tpy. The facility is subject to 40 CFR Part 63 Subpart O, National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Emissions Standards for Sterilization Facilities. The applicable requirements are included in this renewal. The Department has granted the facility's request for a 1-year extension for compliance to the 40 CFR Part 63 Subpart O requirements for Group 1 and Group 2 room air emissions which were newly promulgated on April 5, 2024. The permit renewal contains an EtO usage restriction of less than 30 tpy. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

OP22-000022, WuXi Advanced Therapies, 4000 S. 26th Street, Philadelphia, PA 19112-1613, City of Philadelphia, **Philadelphia County**. Application received: December 10, 2018. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal Natural Minor Operating Permit (NMOP) for the operation of a Contract Testing, Development and Manufacturing Organization (CTDMO) for cell and gene therapies. The facility's air emission sources include three (3) 2.392 MMBtu/hr boilers firing natural gas and two (2) 600 kilowatts emergency generators firing diesel fuel. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection by contacting the Source Registration Unit at 215-685-7572 or DPHAMS_Service_Requests@phila.gov. Persons wishing to file protest or comments on the previously listed operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 7801 Essington Ave., Philadelphia, PA 19153 or e-mailed to DPHAMS_Service_Requests@phila.gov with "WuXi Advanced Therapies, NMOP OP22-000022" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. 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.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or Local Government Agency or Authority to DEP at the

address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

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

Coal Applications

Effluent Limits—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunction with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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

Contact: Bonnie Herbert, Clerical Assistant 3.

Mining Permit No. 32031301. NPDES No. PA0235580. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, White and Center Townships, **Indiana County**. To renew the permit and related NPDES permit. Application received: June 13, 2024. Accepted: July 25, 2024.

Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Aleppo Township, **Greene County**. To revise the permit and related NPDES permit for underground development mining only, affecting 4,284.0 proposed underground acres and 4,284.0 proposed subsidence control plan acres. Application received: July 11, 2024. Accepted: August 1, 2024.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17980115. NPDES No. PA0238074. Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township and Woodward Township, **Clearfield County**. Permit renewal application for a bituminous surface coal mine and associated NPDES permit affecting 60.5 acres. Receiving stream(s): Unnamed Tributary to Beaver Run and Beaver Run classified for the following use(s): CWF. Application received: August 5, 2024. Accepted: August 5, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 54190201. Rausch Creek Fuel, LLC, 978 Gap Street, Valley View, PA 17983, Hegins Township, **Schuylkill County**. Renewal for reclamation activities only of an anthracite coal refuse reprocessing and preparation plant operation affecting 34.2 acres. Receiving streams: East and West Branches of Rausch Creek, classified for the following uses: CWF, MF. Application received: July 29, 2024.

Noncoal Applications

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

Parameter	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.			

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

Contact: RA-EPCAMBRIADMO@pa.gov.

Mining Permit No. 56190301. NPDES No. PA0279749. Windber Stone, LLC, 117 Marcia Street, Latrobe, PA 15650, Ogle Township, **Somerset County**. NPDES renewal of a large noncoal (industrial minerals) operation affecting 99.8 acres. Receiving streams: unnamed tributaries to Clear Shade Creek, unnamed tributary to South Fork Little Conemaugh River, classified for the following uses: CWF and HQ-CWF. Application received: August 2, 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. PA0262692. Mining Permit No. 56080108. PBS Coals, Inc., P.O. Box 260, Friedens, PA 15541, Brothersvalley Township, **Somerset County**. Permit renewal for the continued operation and restoration of a bituminous surface and auger mine affecting 377.7 acres. Receiving stream(s): unnamed tributary to Swamp Creek; unnamed tributary to Blue Lick Creek, classified for the following uses: CWF. These receiving streams are included in the Casselman River TMDL. Application received: February 23, 2024.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following treated wastewater outfall discharges to an unnamed tributary to Blue Lick Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003	N

The proposed effluent limits are instream criteria for the previously listed outfall are as follows:

<i>Outfalls: 003 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.6	3.2	4.0
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/l)		Report	
Temperature (°C)		Report	
Flow (gpm)		Report	
Osmotic Pressure (mOsm/kg)		Report	
Specific Conductivity (µmhos/cm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The following stormwater outfalls discharge to an unnamed tributary to Blue Lick Creek and an unnamed tributary to Swamp Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005	N
006	N
007	N
008A	N
012	N

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Outfalls: 005, 006, 007, 008A and 012 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.6	3.2	4.0
Manganese (mg/l)	1.0	2.0	2.5
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Aluminum (mg/l)	0.75	0.75	0.75
Sulfate (mg/l)		Report	
Temperature (°C)		Report	
Flow (gpm)		Report	
Specific Conductance (µmhos/cm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

NPDES No. PA0119400. Mining Permit No. 4473SM10. Penn Coal Land, Inc., P.O. Box 68, Boswell, PA 15531, Decatur Township, **Clearfield County**. Application received: June 6, 2024.

Renewal of an NPDES permit for discharge of treated water resulting from post mining treatment of acid mine drainage affecting 32.1 acres. Receiving stream(s): Unnamed Tributary to Little Laurel Run and Unnamed Tributary to Coal Run, both classified for the following use(s): CWF, MF. These receiving streams are included in the Laurel Run Watershed TMDL and Moshannon Creek Watershed TMDL.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following outfall discharges to an Unnamed Tributary to Little Laurel Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Ponds (D9D)	Continuous (0.057024 MGD)

The proposed effluent limits for the previously listed outfall are as follows:

<i>Outfalls: 001 (All Discharges)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	1.5	3.0	3.7
Aluminum (mg/L)	1.1	2.2	2.7
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 10.5 standard units at all times.

Alkalinity must exceed acidity at all times.

The following outfall discharges to an Unnamed Tributary to Coal Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
002	Existing	Treatment Ponds (D3D)	Continuous (0.105264 MGD)

The proposed effluent limits for the previously listed outfall are as follows:

<i>Outfalls: 002 (All Discharges)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/L)	1.5	3.0	3.7
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	0.75	0.75	0.75
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 10.5 standard units at all times.

Alkalinity must exceed acidity at all times.

NPDES No. PA0256714. Mining Permit No. 41080101. Fisher Mining Company, 40 Choate Circle, Montoursville, PA 17754, Pine Township, **Lycoming County**. Application received: February 15, 2024.

Renewal of an NPDES permit for bituminous coal surface mining affecting 254 acres. Receiving stream(s): Buckeye Run and Right Fork Otter Run, classified for the following use(s): CWF. These receiving streams are included in the Otter Run Watershed TMDL.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following outfalls discharge to Buckeye Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
002	Existing	Passive Treatment System (sampled at point 'MMSD')	Continuous Flow (0.0562 MGD average)
003	Existing	Sediment Pond Complex (SB1)	Precipitation Dependent
004	Existing	Sediment Pond (SB3)	Precipitation Dependent
005	Existing	Sediment Pond (SB4)	Precipitation Dependent

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Outfalls: 002 (MMSD) (All Discharges)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	2.0	4.0	5.0
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

Outfalls: 003 (SB1), 004 (SB3) and 005 (SB4) (All Discharges)

Parameter

Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	3.1	6.2	7.7
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

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

E4104224-005. Holly Kibbe, 544 Ridge Road, Montgomery, PA 17752, Susquehanna Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: May 7, 2024.

Renovations to a non-compliant and non-permitted 2nd floor enclosure to an existing residence. The renovations are necessary to transform the space into incidental storage use which is allowable per the township's floodplain ordinance. Latitude: 41°, 12', 34.78", Longitude: -77°, 9', 22.38".

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.

E3502224-004. EMB Enterprises, LLC, P.O. Box 97, Dunmore, PA 18512, Throop Borough, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 19, 2024.

To construct and maintain the following water obstructions and encroachments associated with the Schoolside Estates Phase III Project: 1) A stormwater outfall within the floodway of Eddy Creek (WWF, MF) consisting of a 12-inch diameter HDPE pipe, concrete endwall, and R-5 riprap apron. 2) A stormwater outfall within the floodway of Eddy Creek (WWF, MF) consisting of an emergency spillway associated with an infiltration basin comprised of a 20-foot R-4 riprap apron. 3) A fill within the floodway of Eddy Creek (WWF, MF) consisting of the southern berm associated with an infiltration basin. The project is located northeast of the intersection of Murray Street and Loftus Street (Olyphant, PA Quadrangle Latitude: 41°, 26', 59.33"; Longitude: -75°, 36', 26.58") in Throop Borough, Lackawanna County.

E3902224-004. The Fields at Indian Creek, LLC, 5930 Hamilton Boulevard, Suite 10, Allentown, PA 18106, Upper Milford Township, Emmaus Borough, **Northampton County**. U.S. Army Corps of Engineers Philadelphia District. Application received: May 13, 2024.

To construct and maintain a grading project within the floodway of Leibert Creek (HQ-CWF, MF) resulting in 19.37 cubic yards of net cut across 0.53 acre for installation of a voluntary riparian forest buffer for stormwater management associated with The Fields at Indian Creek residential subdivision project. The project is located at the end of Gentlewind Way approximately 0.4 mile after the intersection of Indian Creek Road (Allentown West, PA Quadrangle Latitude: 40°, 31', 42.23", Longitude: -75°, 30', 48.43") in Upper Milford Township and Emmaus Borough, Lehigh County.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E4306224-005. Bessemer & Lake Erie Railroad Company, 17641 South Ashland Avenue, Homewood, IL

60430, Delaware Township, **Mercer County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: June 5, 2024.

The application is proposing to remove, replace, and maintain two crossings: (1) Mile Post 80.50 an existing 36-inch elliptical pipe culvert 41.57 feet in length with an approximately effective open area of 9.42 square feet proposed to be two 5-foot diameter corrugate steel pipe culverts buried 1.5 feet below proposed grade with approximate effective open area of 19.63 square feet and (2) Mile Post 80.90 two existing 3.5 feet diameter culverts with an approximate length of 40 feet and effective open area of 19.24 square feet proposed to be five 5-foot diameters corrugated steel pipe culverts buried 2.5 feet below proposed grade providing an approximate effective open area of 58.72 square feet, both along the Bessemer and Lake Erie Railroad in Delaware Township, Mercer County permanently impacting approximately 0.02 acre of watercourse and 0.003 acre of wetlands. Latitude: 41.33865°, Longitude: -80.30291°.

E1006224-004. Buffalo Township, 109 Bear Creek Road, Sarver, PA 16055, Buffalo Township, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 23, 2024.

This streambank stabilization project along a 0.5-mile portion of the existing Butler-Freeport Community Trail proposes to place and maintain riprap streambank stabilization at various locations to address existing bank erosion, and to remove sediment deposition to restore the natural stream channel resulting in 575-ft of permanent stream impacts and 100-ft of temporary stream impacts to Little Buffalo Creek (HQ-TSF). No wetland impacts are proposed. Latitude: 40.709722°, Longitude: -79.725556°.

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

Contact: 717-705-4802.

E0603124-001. PennDOT Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101, Amity Township, **Berks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 26, 2024.

To remove existing structures and to (1) install and maintain a 60-foot x 45-foot 5 inch foot bridge over Monocacy Creek (WWF, MF) with riprap scour protection and (2) install and maintain a 39.5-linear foot 7-foot x 7-foot box culvert with 1 foot uniform depression in UNT Monocacy Creek (WWF, MF) with riprap scour protection all for the purpose upgrading the roadway drainage to maintain transportation safety and roadway standards. The project proposes to permanently impact 65 linear feet of stream change with 229 linear feet of temporary impacts. The project is located along SR 2041-01B in Amity Township, Berks County (Latitude: 40.3102, Longitude: -75.7836).

E2203224-003. Susquehanna Township Authority, 1900 Linglestown Road, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: May 24, 2024.

To 1) replace approximately 2,000 linear feet of existing 10" ductile iron pip (DIP) and polyvinyl chloride (PVC) sewer main with 12" PVC main, permanently impacting 958 square feet of PFO Wetland and 1,315 feet of the floodway of a UNT to Paxton Creek (WWF, MF); 2) replace approximately 1,475 linear feet of 10" DIP

force main, permanently impacting 459 square feet of PFO wetlands, and 720 square feet of the floodway of a UNT to Paxton Creek (WWF, MF); 3) install temporary construction access temporarily impacting 6,010 square feet of PFO wetland; 4) permanently construct site access for future maintenance permanently impacting 20,740 square feet of PFO wetland; and 5) install streambank stabilization impacting 90 square feet of a UNT to Paxton Creek (WWF, MF). The project is located on sanitary sewer right-of-way (ROW) located between the Fox Run Pump Station and Fargreen Road (Latitude 40°, 19', 32.40" N; Longitude: 76°, 53', 1.59" W) in Susquehanna Township, Dauphin County. All impacts are for the purpose of providing for adequate capacity and providing access to facilities for routine maintenance. To compensate for the conversion of forested to emergent wetlands, the applicant proposes to re-plant a portion of the right of way and to plant woody species in an emergent wetland located at Latitude: 40°, 18', 2.57" N; Longitude: 76°, 52', 21.53" W. No wetland loss is proposed.

E6703224-004. Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110, York Township, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 27, 2024.

To conduct a stream stabilization project including: 1.) the grading and maintenance of 992 linear feet of streambank (left and right banks) of Kehm Run (CWF, MF); 2.) the construction and maintenance of twelve rock steps totaling 239 feet in length; 3.) the construction and maintenance of twelve rock cascades totaling 303 feet in length; 4.) the construction and maintenance of a boulder sill totaling 19 feet in length; and 5.) the installation and maintenance of a 6.0-foot by 6.0-foot concrete spring box in an unnamed tributary to Kehm Run (CWF, MF), all impacting 0.049 acre of exceptional value palustrine emergent wetlands and all for the purpose of reducing erosion that was exacerbated by a recent dam removal. The project is located approximately 0.38 mile west southwest of the intersection of Chestnut Hill Road and Twin Lane (Latitude: 39.92228°N; Longitude: 76.66655°W) in York Township, York County. Wetland impacts are de minimus and replacement is not required.

E6703223-016. Wrightsville Borough, 601 Water Street, Wrightsville, PA 17368, Wrightsville Borough, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 27, 2023.

To place, grade, and maintain approximately 480-feet by 320-feet of fill at Waterfront Park in the floodplain of the Susquehanna River (WWF) for the purpose of promoting positive drainage to the existing outfall pipe. The project is located northwest of the intersection of Water St. and Lemon St. (Latitude: 40.02169°N; Longitude: -76.52411°W) in Wrightsville Borough, York County. No wetland impact is associated with this project.

ENVIRONMENTAL ASSESSMENTS

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.

Contact: Niamh Hays, Water Program Specialist, 717-772-5959.

EA6715224-003. HGS, LLC, 317 East Carson Street, Suite 242, Pittsburgh, PA 15219, Manchester Township, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 1, 2024.

The applicant proposes to restore an unnamed tributary to Codorus (WWF-MF) by removing approximately

5,300 cubic yards of legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 700 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 2 acres. The project proposes to restore approximately 1.5 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. The restoration project is located immediately east of I-83, south of Sinking Springs Road and north of W Locust Lane, in Emigsville, PA Latitude: 40.012222°, Longitude: -76.739167°.

EA2815224-001. Alexander Young, 4923 Fort McCord Road, Chambersburg, PA 17202, Hamilton Township, **Franklin County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 12, 2024.

The applicant proposes to restore approximately 1,800 linear feet of Back Creek (TSF-MF) by removing approximately 29,800 cubic yards of legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 1,800 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 14.5 acres. The project proposes to restore approximately 1.8 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. The project reach begins at the existing Fort McCord Road bridge and extends downstream to the Edenville Road bridge in Hamilton Township, PA Latitude: 39.962957°, Longitude: -77.730801°.

EA3615224-005. Little Conestoga Watershed Alliance, P.O. Box 6355, Lancaster, PA 17607, East Hempfield Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: May 9, 2024.

The applicant proposes to restore approximately 2,100 linear feet of Little Conestoga Creek (WWF-MF) and two

tributaries to Little Conestoga Creek by removing approximately 13,300 cubic yards of legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 2,300 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 2 acres. The project proposes to restore approximately 2.6 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; and to construct temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. The restoration project begins north of the Columbia Avenue bridge and continues upstream towards Southlawn Drive and Woodbine Drive in Lancaster, PA. Latitude: 40.040299°, Longitude: -76.342662°.

EA3615224-006. Warwick Township, 315 Clay Road, Lititz, PA 17543, Warwick Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: May 17, 2024.

The applicant proposes to restore approximately 1,900 linear feet of Lititz Run (CWF-MF) by removing approximately 28,000 cubic yards of legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 1,900 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 10 acres. The project proposes to restore approximately 8 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; and to construct temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. Additional features of the overall restoration plan include the construction of a stream crossing and the repair of four existing stormwater outfalls. The restoration project is located east of Warwick Road, beginning approximately 750 feet before Warwick Road intersects with Ballstown Road, and continuing downstream until reaching an existing dam in Warwick Township, PA Latitude: 40.139444°, Longitude: -76.261667°.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

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

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

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

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

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

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0246468	CAFO Individual NPDES Permit	Issued	Gutshall Virgil Jr 1400 Fowler Hollow Road Blain, PA 17006-6260	Jackson Township Perry County	SCRO
PA0260631	CAFO Individual NPDES Permit	Issued	Ag Ventures LLC 345 West High Street Elizabethtown, PA 17022	Dickinson Township Cumberland County	SCRO
PA360002D	Chapter 102 Individual NPDES Permit	Issued	M21 Capital LLC 3400 S Blackhorse Road Parkesburg, PA 19365-1718	Sadsbury Township Lancaster County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD060095	Chapter 102 Individual NPDES Permit	Denied	Edison VW Partners LLC 1126 Horsham Road Maple Glen, PA 19002-1178	Washington Township Berks County	SCRO
PAD060097	Chapter 102 Individual NPDES Permit	Issued	PA American Water Co. 171 W Johnson Highway Norristown, PA 19401-3030	Sinking Spring Borough Berks County	SCRO
PAD110019	Chapter 102 Individual NPDES Permit	Issued	Waste Management of PA 260 Laurel Ridge Road Johnstown, PA 15909-4032	Jackson Township Cambria County	SWRO
PAD140112	Chapter 102 Individual NPDES Permit	Issued	Geisinger 100 N Academy Avenue Danville, PA 17822-9800	Patton Township Centre County	NCRO
PAD150321	Chapter 102 Individual NPDES Permit	Issued	Grove Meadow Developers LLC 1171 Lancaster Avenue Berwyn, PA 19312-2602	East Goshen Township Chester County	SERO
PAD210120	Chapter 102 Individual NPDES Permit	Issued	HSS Investors LLC 115 Limekiln Road New Cumberland, PA 17070-2423	Silver Spring Township Cumberland County	SCRO
PAD240009	Chapter 102 Individual NPDES Permit	Issued	Elk County Conserv District 850 Washington Street St Marys, PA 15857	Saint Marys City Elk County	NWRO
PAD280015	Chapter 102 Individual NPDES Permit	Issued	PA Chambersburg Fox Point LLC 1454 Baltimore Street Hanover, PA 17331-9704	Guilford Township Franklin County	SCRO
PAD330011	Chapter 102 Individual NPDES Permit	Issued	Walden Solar PA Jefferson LLC 155 Fleet Street Portsmouth, NH 03801-4050	Pine Creek Township Jefferson County	NWRO
PAD350050	Chapter 102 Individual NPDES Permit	Issued	Pond View At Jefferson Township LLC 4136 Bethman Road Easton, PA 18045-2322	Jefferson Township Lackawanna County	NERO
PAD390290	Chapter 102 Individual NPDES Permit	Issued	Johnson Peter 5150 Hoffmansville Road Orefield, PA 18069-2340	Upper Macungie Township Lehigh County	NERO
PAD390311	Chapter 102 Individual NPDES Permit	Issued	Muhlenberg College 2400 Chew Street Allentown, PA 18104-5564	Allentown City Lehigh County	NERO
PAD480098	Chapter 102 Individual NPDES Permit	Issued	Bethlehem Manor Village LLC	Bethlehem City Northampton County	NERO
PAD590015	Chapter 102 Individual NPDES Permit	Issued	Watrous Water Association Inc. 2430 Elk Run Road Gaines, PA 16921-9540	Gaines Township Tioga County	NCRO
PAD630080	Chapter 102 Individual NPDES Permit	Issued	Peoples Natural Gas Co. LLC 375 N Shore Drive Pittsburgh, PA 15212-5866	Nottingham Township Washington County	SWRO
PABIS2204	Individual Site Permit for Beneficial Use of Biosolids by Land Application	Issued	Allentown City Lehigh County	Towamensing Township Carbon County	NERO
PA0042102	Industrial Stormwater Individual NPDES Permit	Issued	RQ Resins LLC 408 Manor Harrison City Road Harrison City, PA 15636-1102	Manor Borough Westmoreland County	SWRO
0924808	Joint DEP/PFBC Pesticides Permit	Issued	Wigand James R 5541 Carversville Road Doylestown, PA 18902-1325	Buckingham Township Bucks County	SERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1524812	Joint DEP/PFBC Pesticides Permit	Issued	Ashlea Hoa 7 Ashlea Drive Glenmoore, PA 19343-1435	Wallace Township Chester County	SERO
PAI136139	MS4 Individual NPDES Permit	Issued	Mount Lebanon Township Allegheny County 710 Washington Road Pittsburgh, PA 15228-2018	Mount Lebanon Township Allegheny County	SWRO
PA0020621	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Waynesboro Borough Authority Franklin County P.O. Box 310 57 E Main Street Waynesboro, PA 17268-0310	Waynesboro Borough Franklin County	SCRO
4909406	Major Sewage Treatment Facility Individual WQM Permit	Issued	Shamokin & Coal Township Joint Sewer Authority Northumberland County 114 Bridge Street Shamokin, PA 17872-7690	Ralpho Township Northumberland County	NCRO
PA0001759	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Surteco North American Inc. 1001 Chambers Avenue Jeannette, PA 15644-3207	Jeannette City Westmoreland County	SWRO
PA0000469	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Arconic Tech LLC 100 Technical Drive New Kensington, PA 15068-9001	Upper Burrell Township Westmoreland County	SWRO
PA0001228	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Curtiss Wright Corp 1000 Wright Way Cheswick, PA 15024-1008	Harmar Township Allegheny County	SWRO
PA0080322	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Greater Lebanon Refuse Authority 1800 Russell Road Lebanon, PA 17046-1425	North Lebanon Township Lebanon County	SCRO
PA0082244	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Susquehanna Area Region Airport Authority 1 Terminal Drive Suite 300 Middletown, PA 17057-5048	Lower Swatara Township Dauphin County	SCRO
PA0110744	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Evitts Creek Water Co. 1032 Lake Gordon Road Bedford, PA 15522-5243	Cumberland Valley Township Bedford County	SCRO
PA0204935	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Cambria Ready Mix Concrete LLC 234 Merlo Road Mineral Point, PA 15942-5703	Cambria Township Cambria County	SWRO
PA0253308	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Cleveland Cliffs Steel Corp 9227 Centre Pointe Drive West Chester, OH 45069-4822	Harmony Township Beaver County	SWRO
PA0041220	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Hershey RV Park & Lodging LLC P.O. Box 544 Glenmoore, PA 19343-0544	Conewago Township Dauphin County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0080683	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Millers Skyview Sales Inc. 200 Ridge Road Etters, PA 17319-9110	Newberry Township York County	SCRO
PA0081281	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Park Acquisition LLC 2160 Hanover Road Gettysburg, PA 17325-7719	Mount Pleasant Township Adams County	SCRO
PA0081388	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Barkas Inc. 14971 Mount Olivet Road Stewartstown, PA 17363-8506	North Hopewell Township York County	SCRO
PA0088579	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	The York Water Co. 130 E Market Street York, PA 17401-1219	Felton Borough York County	SCRO
PA0088650	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Vibrant A Christian Church 1775 Lambs Gap Road Mechanicsburg, PA 17055	Hampden Township Cumberland County	SCRO
PA0097012	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Stonebridge Gardens Inc. P.O. Box 117 Friedens, PA 15541-0117	Quemahoning Township Somerset County	SWRO
PA0111937	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Patriot Treatment Plant Inc. 6009 Columbia Boulevard Bloomsburg, PA 17815-8800	South Centre Township Columbia County	NCRO
PA0222160	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Sandy Ridge MHP LLC 3824 Trythall Street Bethlehem, PA 18020-2925	Wolf Creek Township Mercer County	NWRO
PA0024759	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Curwensville Municipal Authority Clearfield County 314 South Street Curwensville, PA 16833-1237	Curwensville Borough Clearfield County	NCRO
PA0082015	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Meadows Sewer Co. P.O. Box 604 Exton, PA 19341-0604	Middlesex Township Cumberland County	SCRO
PA0085332	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Delta Borough Municipal Authority P.O. Box 278 101 College Avenue Delta, PA 17314-0278	Delta Borough York County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0218316	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Dunbar Township Municipal Authority Fayette County P.O. Box 815 Connellsville, PA 15425-0815	Dunbar Township Fayette County	SWRO
0288204	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Pittsburgh City Allegheny County	SWRO
0420200	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Cleveland Cliffs Steel Corp 9227 Centre Pointe Drive West Chester, OH 45069-4822	Harmony Township Beaver County	SWRO
1198201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Cambria Ready Mix Concrete LLC 234 Merlo Road Mineral Point, PA 15942-5703	Cambria Township Cambria County	SWRO
46614	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Surteco North American Inc. 1001 Chambers Avenue Jeannette, PA 15644-3207	Jeannette City Westmoreland County	SWRO
1713401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Curwensville Municipal Authority Clearfield County 314 South Street Curwensville, PA 16833-1237	Curwensville Borough Clearfield County	NCRO
4397411	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Sandy Ridge MHP LLC 3824 Trythall Street Bethlehem, PA 18020-2925	Wolf Creek Township Mercer County	NWRO
6374414	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Airways MHP 110 King Air Circle Washington, PA 15301-9060	South Franklin Township Washington County	SWRO
NOEXNW082	No Exposure Certification	Issued	Essentra Plastics LLC d/b/a Essentra Components 3123 Station Road Erie, PA 16510-6501	Wesleyville Borough Erie County	NWRO
NOEXSC428	No Exposure Certification	Issued	Purecycle Prep LLC 4360 Bronte Lane Douglasville, GA 30135-4981	East Cocalico Township Lancaster County	SCRO
NOEXSE075	No Exposure Certification	Issued	Fenzi AGT USA LLC 498 Acorn Lane Downingtown, PA 19335-3075	Downingtown Borough Chester County	SERO
NOEXSW252	No Exposure Certification	Issued	Flowserve US Inc. 130 S Campus Drive Imperial, PA 15126-2401	Findlay Township Allegheny County	SWRO
PAG032431	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Energy Transfer Market & Terminal LP 2480 Main Street Whitehall, PA 18052-4607	Whitehall Township Lehigh County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG033981	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Airgas USA LLC P.O. Box 13577 Reading, PA 19612-3577	Muhlenberg Township Berks County	SCRO
PAG036263	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Dynamet Inc. 195 Museum Road Washington, PA 15301-6135	Chartiers Township Washington County	SWRO
PAG036490	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kennametal Inc. 1600 Technology Way P.O. Box 231 Latrobe, PA 15650-4647	Unity Township Westmoreland County	SWRO
PAG036491	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	FedEx Freight Inc. 2200 Forward Drive DC 2270 Harrison, AR 72601-2004	Cambria Township Cambria County	SWRO
PAG036499	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	FedEx Freight Inc. 2200 Forward Drive DC 2219 Harrison, AR 72601-2004	Richland Township Allegheny County	SWRO
PAG036501	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	FedEx Freight Inc. 2200 Forward Drive DC 2219 Harrison, AR 72601-2004	East Huntingdon Township Westmoreland County	SWRO
PAG036554	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Cynthia & Warren Chisler P.O. Box 98 107 Chrissy Lane Brave, PA 15316-0098	Wayne Township Greene County	SWRO
PAG036581	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Precision Ind 99 Berry Road Washington, PA 15301-2769	South Strabane Township Washington County	SWRO
PAG038360	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Shearers Foods LLC 821 Route 97 Waterford, PA 16441-2843	Waterford Township Erie County	NWRO
PAG038446	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Freeport Transportation Ind Inc. 1200 Butler Road P.O. Box A Freeport, PA 16229-0301	Buffalo Township Butler County	NWRO
PAG038474	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	NAC Carbon Products Inc. P.O. Box 436 Punxsutawney, PA 15767-0436	Young Township Jefferson County	NWRO
PAG038555	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Metalico Youngstown Inc. 27 Furnace Lane Girard, OH 44420-3214	Sharon City Mercer County	NWRO
PAG038559	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Owens Brockway Glass Container Inc. 3831 Route 219 Brockport, PA 15823-3811	Brockway Borough Jefferson County	NWRO
PAG038610	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sharon Coating LLC 277 N Sharpville Avenue Sharon, PA 16146-2153	Sharon City Mercer County	NWRO
PAG041279	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Corbett Cindy 781 Quaker Hill Road Warren, PA 16365-4281	Glade Township Warren County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG041282	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Field Julaine 18317 Irish Road Edinboro, PA 16412	Cussewago Township Crawford County	NWRO
PAG041284	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Gill Sean 154 Quarry Road Greenville, PA 16125	Delaware Township Mercer County	NWRO
PAG041314	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Gealy Steven 626 Wilson Mill Road New Castle, PA 16105-3914	Wilmington Township Lawrence County	NWRO
PAG041339	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Kirkwood Thomas 2606 Harlansburg Road New Castle, PA 16101-9686	Scott Township Lawrence County	NWRO
PAG041346	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Brittany Dickson and Trisden Coughlin 3417 Reichert Road Erie, PA 16509-4341	McKean Township Erie County	NWRO
PAG041353	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Supports Inc. 21635 Star Route Meadville, PA 16335	Vernon Township Crawford County	NWRO
PAG041397	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Gustin Nancy 9499 Oliver Road Waterford, PA 16441-3317	McKean Township Erie County	NWRO
PAG042241	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Smith David 7427 Songbird Court Wilmington, NC 28411-8004	Exeter Township Luzerne County	NERO
PAG043983	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Evans Blake P.O. Box 12 Roxbury, PA 17251-0012	Lurgan Township Franklin County	SCRO
PAG043995	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Point View Cottage Association 173 Point View Drive Williamsburg, PA 16693-6940	Catharine Township Blair County	SCRO
PAG123719	PAG-12 NPDES General Permit for CAFOs	Issued	Sensenig Lamar 114 Huckleberry Road Jonestown, PA 17038	Union Township Lebanon County	SCRO
PAG123893	PAG-12 NPDES General Permit for CAFOs	Issued	Fair Family Farms LLC 3949 Allegheny Road Manns Choice, PA 15550-7816	Harrison Township Bedford County	SCRO
PAG123953	PAG-12 NPDES General Permit for CAFOs	Issued	Hogeland Farms Produce LLC 202 S Kalbach Road Newmanstown, PA 17073	Millcreek Township Lebanon County	SCRO
PAG130166	PAG-13 NPDES General Permit for MS4s	Waived	Bryn Athyn Borough Montgomery County P.O. Box 917 Bryn Athyn, PA 19009-0917	Bryn Athyn Borough Montgomery County	SERO
PA0091065	Single Residence STP Individual NPDES Permit	Issued	Emily and Ryan Rekich 114 Cobham Lane Cabot, PA 16023-9726	Winfield Township Butler County	NWRO
PA0266493	Single Residence STP Individual NPDES Permit	Issued	Dryja Daniel 124 Rattlesnake Hill Road Boyertown, PA 19512-7537	Douglass Township Berks County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0271705	Single Residence STP Individual NPDES Permit	Issued	Sepan Andrew 17015 E Ithaca Circle Aurora, CO 80013-3003	Knox Township Clarion County	NWRO
PA0295761	Single Residence STP Individual NPDES Permit	Issued	Joy and Timothy Merrill 9712 Mitchell Road Union City, PA 16438-9764	Union Township Erie County	NWRO
1024402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	James R and Kimberly D Shay 403 Game Reserve Road Butler, PA 16002-9353	Clearfield Township Butler County	NWRO
PA0080501	Small Flow Treatment Facility Individual NPDES Permit	Issued	Tuscarora School District 9138 Fort Loudon Road Mercersburg, PA 17236-9207	Montgomery Township Franklin County	SCRO
WQG01372401	WQG-01 WQM General Permit	Issued	Gealy Steven 626 Wilson Mill Road New Castle, PA 16105-3914	Wilmington Township Lawrence County	NWRO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC580016	PAG-02 General Permit	Issued	Elk Lake School District 2380 Elk Lake School Road Springville, PA 18844	Dimock Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105 RA-EPWW-NERO@pa.gov
PAC380311	PAG-02 General Permit	Issued	Joshua Nolt 1813 Quarry Road Lebanon, PA 17046	Swatara Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC380304	PAG-02 General Permit	Issued	Lebanon Valley Hotels, LLC 1400 Harrisburg Pike Suite 9013 Lancaster, PA 17604	Union Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC480193	PAG-02 General Permit	Issued	East Allen Township 5344 Nor-Bath Blvd. Northampton, PA 18067	East Allen Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@pa.gov
PAC670075A-1	PAG-02 General Permit	Issued	Stone Ridge Development Corporation 330 Dubs Church Rd Hanover, PA 17331	West Manheim Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC100330	PAG-02 General Permit	Issued	C.U.E. Inc. 11 Leonberg Road Cranberry Township, PA 16066	Cranberry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100311	PAG-02 General Permit	Issued	Sienna Village 2 LLC 375 Golfside Drive Wexford, PA 15090	Adams Township Middlesex Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC350180	PAG-02 General Permit	Issued	Shaun Kazmierski 65 Grandview Drive Scott Township, PA 18447	Scott Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC090681	PAG-02 General Permit	Issued	Pereira Properties LP 2300 Big Oak Road Langhorne, PA 19047	Middletown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090663	PAG-02 General Permit	Issued	SBG Realty LLC 1352 Mink Road Perkasie, PA 18944-3977	Plumstead Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090705	PAG-02 General Permit	Issued	Elements Lawn Landscape Services Inc. 522 Stanford Road Fairless Hills, PA 19030-4020	Bristol Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090179	PAG-02 General Permit	Issued	PA Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Warrington Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090272	PAG-02 General Permit	Issued	Middletown Orchards LP 370 E Maple Ave Suite 101 Langhorne, PA 19047	Middletown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090701	PAG-02 General Permit	Issued	UGN Logistics 65 W Street Road Suite B-200 Warminster, PA 18974-3202	Falls Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090046 A1	PAG-02 General Permit	Issued	Matrix Bucks County LLC CN 4000 Forsgate Drive Cranbury, NJ 08512	Lower Makefield Township Butler County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC460763	PAG-02 General Permit	Issued	Provco Pinegood Sanatoga LLC 795 East Lancaster Ave. Suite 200 Villanova, PA 19085-1525	Lower Pottsgrove Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC460893	PAG-02 General Permit	Issued	Independent Mortgage Company 1250 Germantown Pike Suite 305 Plymouth Meeting, PA 19462-2444	Trappe Borough Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC460904	PAG-02 General Permit	Issued	Derek Sylvester GCP Prussia LP 1500 Strafford Avenue Suite 215 Wayne, PA 19087-3114	Upper Merion Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC560092	PAG-02 General Permit	Issued	McDonalds USA, LLC 110 North Carpenter Street Chicago, IL 60607	Summit Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC650122	PAG-02 General Permit	Issued	Laurel Valley Golf Club P.O. Box 435 Ligonier, PA 15658	Ligonier Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC650396	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 12 Sandstone Way Dunbar, PA 15431	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 & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC650410	PAG-02 General Permit	Issued	Municipal Authority of the City of New Kensington P.O. Box 577 920 Barnes Street New Kensington, PA 15068	City of New Kensington Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC010274	PAG-02 General Permit	Issued	John F. Zook 438 Quaker Church Road Christiana, PA 17509	Franklin Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC010215A-1	PAG-02 General Permit	Issued	James M. and Joyce A. Knefley 4652 US 6 West Ulysses, PA 16948	Cumberland Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

NUTRIENT MANAGEMENT PLAN

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Weiler Creek Farm LLC 190 Mussleman Road Bethel, PA 19507	Berks County	21.2	306.20	Poultry Broiler	NA	Approved
Windy Pine Farm 410 Barnsley Road Oxford, PA 19363	Chester County	61.8	363.09	Swine	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

SAFE DRINKING WATER

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

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

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

Construction/Operation Permit No. 2824501 MA, Public Water Supply.

Applicant	Bear Valley Joint Authority
Address	218 School House Road St. Thomas, PA 17252
Municipality	Peters Township
County	Franklin County
Consulting Engineer	Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Application Received	April 2, 2024
Permit Issued	June 25, 2024
Description	Well No. 2 pump replacement.

Construction Permit No. 2824502 MA, Public Water Supply.

Applicant	Antrim Township Municipal Authority
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Address	10655 Antrim Church Road P.O. Box 130 Greencastle, PA 17225
Municipality	Antrim Township
County	Franklin County
Consulting Engineer	JHA Companies 3705 Trindle Road Camp Hill, PA 17011
Application Received	April 10, 2024
Permit Issued	June 26, 2024
Description	Filter media replacement in all four (4) pressure filters, and replacement of the existing SCADA systems.

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.

Construction Permit No. 4624512, Major Amendment, Public Water Supply.

Applicant	Telford Borough Authority
Address	50 Penn Avenue Telford, PA 18969
Municipality	Telford Borough
County	Montgomery County
Consulting Engineer	CKS Engineers, Inc. 4259 W. Swamp Road Suite 410 Doylestown, PA 18902
Application Received	June 12, 2024
Permit Issued	August 5, 2024
Description	Installation of granular activated carbon (GAC) filtration system at Well Nos. 1, 3, 5, 6 & 7 to treat PFAS.

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

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

Emergency Permit 0624517 E. PWSID No. **3060115. Reading Area Water Authority**, 1801 Kutztown Rd, Reading, PA 19604, Jefferson and North Heidelberg Townships, **Berks County**. Application received: July 29, 2024. Permit Issued: July 30, 2024. This permit authorizes bulk water hauling from the Reading Area Water Authority's permitted bulk loading station to the North Heidelberg Water System. This is a limited duration permit that expires after August 30, 2024.

NCWSA Operation Permit 7220859. PWSID No. **7220859. East Hanover Township, Dauphin County**, 8848 Jonestown Rd, Grantville, PA 17028, East Hanover Township, **Dauphin County**. Application received: July 24, 2024. Permit Issued: August 6, 2024. This action authorizes operation of a new transient noncommunity water system including a well, pressure tanks, cartridge filtration, and ultraviolet light disinfection.

Contact: Thomas Filip, Environmental Engineer, 717-705-4708.

Operation Permit 4310001. PWSID No. **4310001.** **Guardian Health Care, LLC**, 2 Manor Boulevard, Mifflintown, PA 17059, Fermanagh Township, **Juniata County**. Application received: July 22, 2024. Permit Issued: July 25, 2024. Modifications to the existing treatment system including cation exchange softening, and replacement of the chlorine contact tanks.

Construction Permit 3824508 MA. PWSID No. **7380025.** **Myerstown Water Authority**, 601 Stracks Dam Road, Myerstown, PA 17067, Jackson Township, **Lebanon County**. Application received: May 22, 2024. Permit Issued: July 23, 2024. Replacement of the finished water transmission water main from the WTP to the distribution system.

Construction Permit 3824506 MA. PWSID No. **7380032.** **Richland Borough**, 5 Pine Street, Richland, PA 17087, Richland Borough, **Lebanon County**. Application received: May 2, 2024. Permit Issued: July 17, 2024. Construction of a new 500,000-gallon elevated finished water storage tank.

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

Operation Permit 7676612. PWSID No. **7676612.** **Clarity Bottling, LLC**, 251 Factory Street, Hanover, PA 17331, Hanover Borough, **York County**. Application received: January 12, 2024. Permit Issued: August 2, 2024. Comprehensive operation permit for a new finished water source from Temple Springs (PWSID 7226564).

Construction Permit 5024506. PWSID No. **7500377.** **MRPI Amity Hall, LLC**, 509 South Exeter Street, Suite 216, Baltimore, MD 21202, Watts Township, **Perry County**. Application received: May 16, 2024. Permit Issued: August 2, 2024. Construction permit for a new system and treatment for MRP Industrial Susquehanna Crossing.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epsdsw@pa.gov.

Construction Permit 0224537MA. PWSID No. **5020108.** **Harrison Township Water Authority**, 1705 Rear Freeport Road, Natrona Heights, PA 15065, Harrison Township, **Allegheny County**. Application received: June 26, 2024. Permit Issued: July 31, 2024. Painting of the 500,000-gallons Summit Drive and 400,000-gallons Montana Avenue No. 1 water storage tanks.

Transfer Permit 0423509-T2. PWSID No. **5040861.** **AMRMM Inc., d/b/a—One Stop Shopper**, 1120 Fox Hill Drive, Apt 112, Monroeville, PA 15146, Darlington Borough, **Beaver County**. Application received: July 23, 2024. Permit Issued: July 31, 2024. Transfer of the One Stop Shopper water supply system from Allied Convenience LLC to AMRMM Inc.

Construction Permit 3024507. PWSID No. **5300012.** **East Dunkard Water Authority**, 2790 South Eighty Eight Road, P.O. Box 241, Dilliner, PA 15327, Dunkard Township and Monongahela Township, **Greene County**.

Application received: June 12, 2024. Permit Issued: July 31, 2024. Modifications to the existing gas chlorine feed system at the water treatment plant and the replacement of two pumps at the Bald Hill Pump Station.

Emergency Interconnection Designation Permit 3024508-EI. PWSID No. **5300012.** **East Dunkard Water Authority**, 2790 South Eighty Eight Road, P.O. Box 241, Dilliner, PA 15327, Monongahela and Whiteley Township, **Greene County**. Application received: July 31, 2024. Permit Issued: August 5, 2024. Emergency Interconnection Designation for the interconnection with Southwestern Pennsylvania Water Authority (Sugar Grove Interconnection).

BIOSOLIDS INDIVIDUAL PERMITS (PABIG, SSN AND PABIS)

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

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

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

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

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

Northeast Region: Clean Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Briaunna Makar, Soil Scientist, 570-826-2359.

PABIS No. 2204, Whiteman Farm Biosolids Site, 865 Owl Creek Rd, Lehigh Township, PA 18235, Towamensing Township, **Carbon County**. Lehigh County Authority-Allentown City WWTP, 112 Union Street, Allentown, PA 18102. Whiteman Farm Biosolids Site farm in Towamensing Township, Carbon County. Individual site permit for land application of biosolids within an exceptional value watershed. Additional conditions have been added for DEP notification and site management. Application received: December 26, 2023. Permit issued: August 1, 2024.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

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

The Department has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Former Paxar Facility, Primary Facility ID # 715430, 1 Wilcox Street, Sayre, PA 18840, Sayre Borough, **Bradford County**. Vanasse Hangen Brustlin, Inc., 1805 Atlantic Avenue, Manasquan, NJ 08736, on behalf of Avery Dennison Corporation, 8080 Norton Parkway, Mentor, OH 44060, submitted a Final Report concerning remediation of soil and groundwater contaminated with chlorinated solvents. The Final Report is intended to document remediation of the site to meet the site-specific standards.

SWNPC GU 12 Vanorder Patrick Pad, Primary Facility ID # 874476, 14 Goose Hill Road, Wyalusing, PA 18853, Herrick Township, **Bradford County**. Resource Environmental Management, Inc., 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 SR 92 N, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of soil contaminated with production water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

EQT ARO LLC Mallory Pad A 05-08-24 Produced Fluid Release, Primary Facility ID # 875465, 2361 Hillbilly Hollow Lane, Trout Run, PA 17771, Plunketts Creek Township, **Lycoming County**. Penn Environmental & Remediation Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of EQT ARO LLC, 2462 Lycoming Creek Road, Williamsport, PA 17701, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

Contact: Eric Supey, Environmental Program Manager.

Your Choice (Former Barron's Service Station), Primary Facility ID # 871214, 1130 State Route 93, Drums, PA 18222, Sugarloaf Township, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of SAI Sugarloaf Realty, LLC, 1 Buckhorn Road, Bloomsburg, PA 17815, submitted a Final Report concerning remediation of soil contaminated with heating oil from an underground storage tank. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

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

Former Wilbur Chocolate Factory, Primary Facility ID # 830045, 48 North Broad Street & 100 West Kleine Lane, Lititz, PA 17543, Lititz Borough, **Lancaster County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of 48 North Broad Street, LLC, c/o Oak Tree Development Group, 1650 Manheim Pike, Suite 201, Lancaster, PA 17601, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with SVOCs and Metals. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Stumpf Field Properties, Primary Facility ID # 840231, 1350 Fruitville Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of MAC Land Company, LLC, 1350 Fruitville Pike, Lancaster, PA 17601, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with VOCs, SVOCs and Metals. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: C. David Brown, Professional Geologist Manager, 484-250-5792.

910-912 West Girard Ave-Parcel 8, Primary Facility ID # **875487**, 910-912 West Girard Ave, Philadelphia, PA 19123, City of Philadelphia, **Philadelphia County**. Lydia Work, Montrose Environmental Solutions, 1140 Valley Forge Road, Valley Forge, PA 19460, on behalf of Elise Halter, 1021 North Hancock Street, Philadelphia, PA 19123, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with Site soil and groundwater is contaminated with chlorinated solvents and No. 2 fuel oil. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Laurel Manor Apts, Primary Facility ID # **862777**, 333 North Ave, Secane, PA 19018, Upper Darby Township, **Delaware County**. Stephanie Clorety, EBI Consulting, 21 B Street, Burlington, MA 01803, on behalf of Ed Hoffman, Laurel Manor Realty LLC, 1500 Ave of the States, Suite 400, Lakewood, NJ 08701, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with Site soil and groundwater is contaminated with PCE, TCE, and cis-1,2-Dichloroethene. The Remedial Investigation Report is intended to document remediation of the site to meet the site-specific standards.

21 Wood Lane, Primary Facility ID # **838152**, 21 Wood Lane, Malvern, PA 19355, East Whiteland Township, **Chester County**. Christopher J. Ward, Synergy Environmental, Inc., 155 Railroad Plaza, Royersford, PA 19468, on behalf of The Estate of Mr. Daniel Smith, David R. Beane, Esquire, Resolution Law Group, LLC, 606 North 5th Street, Reading, PA 19601, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with Site soil is contaminated with No. 2 fuel oil. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

901 N 9th Street, Primary Facility ID # **856326**, 901 N 9th Street, Philadelphia, PA 19123, City of Philadelphia, **Philadelphia County**. Lydia Work, Montrose Environmental Solutions, 1140 Valley Forge Road, Valley Forge, PA 19482, on behalf of Elise Halter, Post Quaker Property Owner, LLC, 1021 North Hancock Street, Suite 1, Philadelphia, PA 19123, submitted a Final Report concerning remediation of soil and groundwater contaminated with Site soil and groundwater contaminated with chlorinated solvents. The Final Report is intended to document remediation of the site to meet the site-specific 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 Stan-

dards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

The DEP has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Repsol Oil & Gas USA, LLC—Miller (08-116) E Well Pad, Primary Facility ID # **874905**, 309 Thomas Road, Roaring Branch, PA 17765, Union Township, **Tioga County**. Resource Environmental Management, Inc., 50 Maple Street, Montrose, PA 17765, on behalf of Respol Oil & Gas USA LLC, 337 Daniel Zenker Drive, Horseheads, NY 14845, submitted a Final Report concerning remediation of soil contaminated with production fluid. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 24, 2024.

Chesapeake Appalachia, LLC, Indian Foot Well Pad Lease Road, Primary Facility ID # **871844**, 2170 Margies Way, New Albany, PA 18833, Monroe Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840,

submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 26, 2024.

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

Contact: Eric Supey, Environmental Program Manager.

P. Waldenberger Pad 1, Primary Facility ID # **871434**, 2121 Elk Lake Road, Montrose, PA 18801, Dimock Township, **Susquehanna 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 did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: August 1, 2024.

21 Friedenstahl Avenue, Primary Facility ID # **868726**, 21 Friedenstahl Avenue, Nazareth, PA 18064, Upper Nazareth Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Buzzi Unicem USA, 100 Broadhead Road, Suite 230, Bethlehem, PA 18017, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: August 5, 2024.

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

Contact: Barry, 814-332-6195.

SGL 244 25 OG Well, Primary Facility ID # **876302**, O'Donnell Road, Reynoldsville, PA 15851, Knox Township, **Jefferson County**. Moody & Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Diversified Production, LLC, 126 Industry Road, # 201, Waynesburg, PA 15370, submitted a Final Report concerning remediation of soil contaminated with Aluminum, Barium, Boron, Chloride, Iron, Lithium, Manganese, Selenium, Strontium, Vanadium, and Zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: August 2, 2024.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: C. David Brown, Professional Geologist Manager, 484-250-5792.

Johnson Residence, Primary Facility ID # **874541**, 1004 Thomas Road, Plymouth Meeting, PA 19462, Plymouth Township, **Montgomery County**. Environmental Maintenance Services, 1420 E. Mermaid Lane, Glenside, PA 19038, on behalf of Inter County Oil Services, 3003 Mount Carmel Avenue, Glenside, PA 19038, submitted a Final Report concerning remediation of soil contaminated with benzene, toluene, ethylbenzene, cumene, naphthalene, MTBE, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 15, 2024.

Tyburn and Cedar Phase 3, Primary Facility ID # **865169**, Tyburn and Cedar Roads, Falls Township, PA 19030, Falls Township, **Bucks County**. Christopher Reitman, Montrose Environmental, 1140 Valley Forge Road, Phoenixville, PA 19481, on behalf of Kenny Koretsky,

Hope Realty Development, LLC, 950 West Trenton Avenue, Suite 775, Morrisville, PA 19067, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with metals, PAHs, and pesticides. The Report. Approved: July 12, 2024.

HACE, Primary Facility ID # **844800**, 2739 North 5th Street, Philadelphia, PA 19133, City of Philadelphia, **Philadelphia County**. August Mack, 806 Fayette Street, Conshohocken, PA 19428, on behalf of HACE, 167 West Allegheny Avenue, Suite 200, Philadelphia, PA 19140, submitted a Final Report concerning remediation of soil contaminated with benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, bis(2-ethylhexyl)phthalate, indeno-(1,2,3-cd)pyrene, benzo(k)fluoranthene2, acenaphthene, acenaphthylene, anthracene, benzo(g,h,i)perylene, chrysene, fluoranthene, fluorene, 2-methylnaphthalene, naphthalene, phenanthrene, pyrene, and vanadium. The Final Report demonstrated attainment of the site-specific standards. Approved: July 23, 2024.

8362-8280 State Road Site, Primary Facility ID # **873683**, 8363-8280 State Road, Philadelphia, PA 19135, City of Philadelphia, **Philadelphia County**. The Vertex Companies, LLC, 2501 Seaport Drive, Suite 110, Chester, PA 19013, on behalf of JRM Developers, 9525 Frankford Ave, Philadelphia, PA 19114, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, cumene, methyl-tert-butyl-ether, naphthalene, toluene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Report. Approved: July 25, 2024.

399 Gulph Hills Rd Site, Primary Facility ID # **866569**, 399 Gulph Hills Rd, Wayne, PA 19087, Upper Merion Township, **Montgomery County**. EnviroSure, Inc., 1 North Bacton Hill Road, Suite 208, Malvern, PA 19355, on behalf of Andrew Walker, Shipley Energy, 415 Norway Street, York, PA 17403, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 25, 2024.

109 Fairview Drive, Primary Facility ID # **873130**, 109 Fairview Boulevard, Crum Lynne, PA 19022, Ridley Township, **Delaware County**. Marshall Geosciences, 170 1st Avenue, Collegeville, PA 19426, on behalf of Gary Coco, 201 Saville Avenue, Eddystone, PA 19022, submitted a Final Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, MTBE, naphthalene, cumene, 1,2,4- and 1,3,5-trimethylbenzene. The Final Report . Issued an administrative deficiency letter: July 30, 2024.

219 Lancaster Avenue, Primary Facility ID # **876582**, 219 Lancaster Avenue, Devon, PA 19333, Easttown Township, **Chester County**. Environmental Maintenance Company, Inc., 1420 E. Mermaid Lane, Glenside, PA 19038, on behalf of Joe Marshall, Rockhill Real Estate III, LP, 219 Lancaster Avenue, Devon, PA 19333, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil constituents. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 30, 2024.

Premier Window Cleaning, Primary Facility ID # **854755**, 2948-2964 East Venango Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. The Vertex Companies, LLC, 2501 Seaport Dr., Suite 110, Chester, PA 19013, on behalf of John Zurzolo, P.O. Box 8930, Turnersville, NJ 08012, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with tetra-

chloroethene, benzene, ethylbenzene, and bromomethane. The Report. Disapproved: August 1, 2024.

640 N Lewis Road and 155 S Limerick Road—Turtle Creek North Zone, Primary Facility ID # 864073, 640 N. Lewis Road and 155 S. Limerick Road, Royersford, PA 19468, Limerick Township, Montgomery County. AECOM, 625 W. Ridge Pike, Suite E100, Conshohocken, PA 19428, on behalf of Teleflex Incorporated, 3085 Old Conejo Rd., Newbury Park, CA 91320, submitted a Final Report concerning remediation of groundwater contaminated with chlorinated volatile organic compounds. The Report. Issued a technical deficiency letter: August 2, 2024.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

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

Contact: Waste Management Program Manager.

WMGM019SW007. J.A. Rutter Co., 4917 Old William Penn Highway, Monroeville, PA 15146, Monroeville Borough, **Allegheny County.** A renewal of coverage under Municipal Waste General Permit No. WMGM019SW007 at J.A. Rutter Co., located at 4917 Old William Penn Highway, Monroeville, PA 15146, was issued by the Southwest Regional Office. Coverage under General Permit No. WMGM019SW007 allows for the (1) processing of concrete and asphalt for beneficial use as roadway construction material, (2) processing of hardwood timber and uncontaminated soil for beneficial use as a landscaping mulch or topsoil, and (3) the processing of leaf and yard waste for beneficial use as compost at the J.A. Rutter Old William Penn Highway Facility. Application received: January 27, 2023. Renewal of coverage issued: July 26, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

Northeast Region: Waste Management Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Roger Bellas, Environmental Program Manager, 570-826-2201.

WMGR126-NE002. Independent Recycling Company, LLC, 99 Stevens Lane, Exeter, PA 18643, Exeter Borough, **Luzerne County.** A permit reissuance to change the permittee from Independent Refining Company, LLC to Independent Recycling Company, LLC. Application received: September 21, 2023. Permit issued: August 1, 2024.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2511 or RA-EPWM-NERO@pa.gov, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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

Contact: Waste Management Program Manager.

WMGR123SW058. Range Resources—Appalachia, LLC, 3000 Town Center Blvd, Canonsburg, PA 15317, Hanover Township, **Washington County and Beaver County.** A modification of coverage under General Permit No. WMGR123SW058, which authorizes processing and beneficial use of oil and gas liquid waste at the Hanover 32 Tank Pad reuse water storage facility for use as a water supply to develop or hydraulically fracture an oil or gas well, was issued by the Southwest Regional Office. The modification approves the replacement of twenty (20) 350-bbl aboveground storage tanks with one (1) 33,000-bbl (nominal volume) modular aboveground storage tank. The surety bond at this facility has been increased from \$302,464.00 to \$952,476.00. Application received: February 5, 2024. Permit modification issued: July 16, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGR123SW027. Range Resources—Appalachia, LLC, 3000 Town Center Blvd, Canonsburg, PA 15317, Hopewell Township, **Washington County.** A modification of coverage under General Permit No. WMGR123SW027, which authorizes processing and beneficial use of oil and gas liquid waste at the Hopewell 18 Tank Pad reuse water storage facility for use as a water supply to develop or hydraulically fracture an oil or gas well, was issued by the Southwest Regional Office. The modification approves the replacement of twenty (20) 350-bbl aboveground storage tanks with one (1) 22,000-bbl (nominal volume) modular aboveground storage tank. The surety bond at this facility has been increased from \$255,599.00 to \$799,734.00. Application received: February 5, 2024. Permit modification issued: July 16, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

**OPERATE WASTE PROCESSING OR DISPOSAL
AREA OR SITE**

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

Northeast Region: Waste Management Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Roger Bellas, Environmental Program Manager, 570-826-2201.

301288. Flaw Inc. d/b/a Recycle Oil Company, 1600 South 25th Street, Easton, PA 18042, Wilson Borough, **Northampton County**. A major permit modification for the removal of three tanks and the addition of two 20,000 gallon tanks. Application received: June 3, 2022. Issued: August 2, 2024.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2511 or RA-EPWM-NERO@pa.gov, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

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

Contact: David Balog, NSR Chief, 814-332-6328.

GP5-03-00254D: EXCO Appalachia Midstream LLC, SR 2021 (Sawmill Road), Kittanning, PA 16201, Kittanning Township, Plum Creek Township, **Armstrong County**. On 08/02/2024 The Department issued authorization for EXCO Appalachia Midstream LLC to modify and continue operating its Sawmill Natural Gas Compressor Station under the Air Quality General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5). Application received: May 31, 2024. Issued: August 2, 2024.

GP-4-25-00985D: Hensa Stmp Inc., 9 Pennsylvania Ave., Corry, PA 16407-1603, City of Corry, **Erie County**. On 07/29/2024 The Department issued authorization for Hensa Stmp Inc to modify and continue operating its Corry Burn-off Ovens under the Air Quality General Plan Approval and/or General Operating Permit for burn-off ovens (BAQ-GPA/GP-4). Application received: June 21, 2024. Issued: August 5, 2024.

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

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

GP1-67-03158: York Container Co., 138 Mt. Zion Road, York, PA 17402, Springettsbury Township, **York County**. For two existing boilers, under GP1, at the

facility. The general authorization was renewed. Application received: July 19, 2024. Issued: July 31, 2024.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

GP1-46-0256: Accupac, 1501 Ind Blvd, Mainland, PA 19451, Towamencin Township, **Montgomery County**. This action is for the issuance of a General Plan Approval and General Operating Permit for a dual fired small combustion unit. Application received: July 12, 2024. Issued: July 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.

GP5-30-00171D/AG5-30-00011B: Pin Oak Energy Partners LLC, 388 South Main Street, Suite 401, Akron, OH 44311, Greene Township, **Greene County**. With expiration on November 1, 2024, received authorization to use GP-5 via transfer due to change of ownership of the Apted Compressor Station. Application received: June 8, 2024. Authorized: July 24, 2024.

GP5A-30-00253B: CNX Gas Company LLC, 1000 Horizon Vue Drive, Canonsburg, PA 15317, Richhill Township, **Greene County**. The Department has issued GP5A-30-00253 general permit for reauthorization of ten (10) natural gas wells, ten (10) sand separators, six (6) gas processing units rated at 1.75 MMBtu/hr fired with natural gas, six (6) 400 bbl (each) produced water storage vessels, one (1) 400 bbl sand separator blowdown vessel, produced water truck loading operations, fugitives and venting/blowdowns. The Department is authorizing the use of the following new equipment: one (1) pig launcher. The applicant will modify the following existing sources: twenty-seven (27) pneumatic/process controls will be retrofitted with either a VentHawk or liquid nitrogen system to eliminate venting emissions. The applicant will no longer be authorized to operate the following emission sources that were included in the general permit issued on August 23rd, 2019: one (1) produced water storage tank, T007, four (4) gas processing units rated at 1.75 MMBtu/hr fired with natural gas and two (2) 330-gallon methanol storage vessels. Application received: July 1, 2024. Authorized: August 6, 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.

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.

20-00145D: Vitro Meadville Flat Glass, LLC, 5123 Victory Blvd, Cochranon, PA 16314, Greenwood Township, **Crawford County**. 20-00145D: Vitro Meadville Flat Glass (5123 Victory Blvd, Cochranon, PA 16314). The Department of Environmental Protection issued a plan approval to Vitro Meadville Flat Glass. The plan approval provides authorization for the reactivation and initial operation of existing glass production equipment and the construction and initial operation of control devices at their Title V facility in Greenwood Township,

Crawford County (site address: 5123 Victory Blvd, Cochran, PA 16314). This project did not trigger PSD or NSR program action. The following will be reactivated: Source 102 (Glass Melting Furnace 8-2) and the associated glass manufacturing equipment which supports it: Sources 109 (Wareroom Packers 1—3), 112 (Cullet Drop 0 Line 2), 133 (Surface Passivation 2), and 176 (W System Line 2). The plan approval was issued on 07/25/2024 and expires 12/31/2025. Application received: October 16, 2023. Issued: July 25, 2024.

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

Contact: James Beach, New Source Review Chief, 484-250-5920.

23-00035: Biamp, 333 E 5th St, Chester, PA 19013, City of Chester, **Delaware County**. This action is for the renewal of a Non-Title V Facility, State-Only, Natural Minor Permit for the manufacture of audio and video equipment (speakers) for indoor and outdoor concerts, amusement parks, stadiums and other locations. Application received: January 30, 2024. Issued: August 2, 2024.

15-0085D: Lincoln University STP, 1570 Baltimore Pike, Lincoln University, PA 19352-9141, Lower Oxford Township, **Chester County**. Plan Approval No. 15-0085D was revised through this modification to increase the fuel restrictions on Source ID 734A (Misc. No. 2 Fuel Oil-Fired Combustion Sources) and Source ID 736 (Misc. Natural Gas-Fired Combustion Sources). Lincoln University is a Synthetic Minor facility. Combined potential emissions from the two source categories after the increase in fuel restrictions is: NO_x—4.31 tons per year (TPY); VOC—0.23 TPY; CO—3.56 TPY; PM—0.33 TPY; SO_x—0.03 TPY; HAP—0.08 TPY. The facility-wide NO_x limit remains at 24.9 TPY. The amended State-Only Operating Permit contains sufficient monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. Application received: August 6, 2024. Issued: August 1, 2024.

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

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

PA-04-00699H: Gold Bond Building Product, LLC, 168 Shippingport Hill Road, P.O. Box 346, Shippingport, PA 15077, Shippingport Borough, **Beaver County**. Plan Approval Extension is issued to Gold Bond Building Product on August 5, 2024, to allow time to prepare and receive associated SOOP application for their wallboard production facility located in Shippingport Borough, Beaver County. Application received: July 25, 2024. Issued: August 5, 2024.

PA-65-00979B: Laurel Mountain Midstream Operating, LLC, 111 Enterprise Ln, Connellsville, PA 15425, West Newton Borough, **Westmoreland County**. Plan approval extension issuance date August 5, 2024, and effective August 28, 2024 to prepare and submit Operating Permit application for their Herminie Compressor Station located in West Newton Borough, Westmoreland County. Application received: July 22, 2024. Issued: August 5, 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.

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

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

14-00046A: McGhee Scrap Co., 112 Birch Street, Beech Creek, PA 16822, Liberty Township, **Centre County**. The Department issued an extension to allow for continued operation and evaluation of the Beech Creek project's shredder operation, pending the submission and issuance of an Operating Permit application. Application received: July 24, 2024. Issued: July 30, 2024. New expiration date: January 27, 2025.

55-00026A: Hummel Station LLC, 2386 N Old Trail Road, Shamokin Dam, PA 17876, Shamokin Dam Borough, **Snyder County**. The Department issued an extension to allow for the continued operation of their sources within the facility. The Hummel Station LLC electric generation facility has submitted their Title V Operating Permit to the Department, and it is currently under review by the Department. The extension incorporates all applicable Federal and State regulatory requirements, including testing, monitoring, recordkeeping, reporting, work practices and other appropriate conditions necessary to verify compliance. Application received: July 19, 2024. Issued: July 29, 2024. New expiration date: January 27, 2025.

55-00001F: Hummel Station LLC, 2386 N Old Trail Road, Shamokin Dam, PA 17876, Shamokin Dam Borough, **Snyder County**. The Department issued an extension to allow for the continued operation of their sources within the facility. The Hummel Station LLC electric generation facility has submitted their Title V Operating Permit to the Department, and it is currently under review by the Department. The extension incorporates all applicable Federal and State regulatory requirements, including testing, monitoring, recordkeeping, reporting, work practices and other appropriate conditions necessary to verify compliance. Application received: July 19, 2024. Issued: July 29, 2024. New expiration date: February 17, 2025.

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

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

67-05118B: Harley-Davidson Motor Company Operations, Inc., 1425 Eden Rd., York, PA 17402-1907, Springettsbury Township, **York County**. For the installation of a Precision Paint Cell at the facility. The cell will be located in the existing Paint System area and will utilize the same paints as the existing system. The new paint cell will be included in the facility's site-wide equivalency calculation required by the facility's State-Only Operating Permit. The plan approval was extended. Application received: July 26, 2024. Issued: August 1, 2024.

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

38-03072A: Lebanon County Department of Emergency Services, 400 South 8th Street, Room 12, Lebanon, PA 17042-6794, North Cornwall Township, **Lebanon County**. For the installation of two engines to provide mission critical electric power to their new facilities at 1805 Cornwall Road. The plan approval was extended. Application received: July 23, 2024. Issued: August 2, 2024.

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

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

PA-30-00808: Smart Sand, Inc., 212 Mine Road, Waynesburg, PA 15370, Franklin Township, **Greene County**. For plan approval modification to reflect commencement of operation of air contamination sources and controls associated with the Smart Sand Emerald Mine No. 1 silica sand transloading facility. Application received: July 3, 2024. Issued: July 29, 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.

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

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

17-00001: Shawville Power LLC, 250 Power Plant Drive, P.O. Box F, Shawville, PA 16873, Bradford Township, **Clearfield County**. The Department issued a renewed Title IV and Title V Operating Permit for continued operation of their Shawville Generating Station, including the RACT and other applicable requirements for the sources at the previously listed Shawville Power LLC facility. All applicable Federal and State regulatory requirements including appropriate restrictions, testing, monitoring, recordkeeping, reporting, work practices and other conditions to verify compliance are included in the permit. Application received: February 21, 2023. Issued: July 30, 2024. Expiration date: July 29, 2029.

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

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

42-00004: Amer Ref Group Bradford, 77 N Kendall Ave, Bradford, PA 16701-1726, City of Bradford, **McKean County**. The Department issued a renewal Title V Operating Permit for the refinery. The facility's primary emission sources include boilers, process heaters, a reformer, tanks, equipment leaks of VOC, gasoline loading rack, wastewater separators, degreasers, emergency fire water pumps, and emergency generators. The controls include the Lo-Cat Absorber unit and Chemical Oxidizer Unit, and three flares. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to its potential to emit sulfur oxides, nitrogen oxides, volatile organic compounds, and hazardous air pollutants. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The actual emissions reported by the facility for 2022 were 26.37 TPY CO, 85.91 TPY NO_x, 2.86 TPY PM₁₀, 1.04 TPY PM_{2.5}, 0.477 TPY SO_x, and 285.27 TPY VOC. The facility is subject to Standards of Performance for New Stationary Sources (NSPS) contained in 40 CFR Part 60 for storage tanks (Subpart Kb), petroleum refineries (Subpart J and Ja), bulk gasoline terminals (Subpart XX), equip-

ment leaks for petroleum refineries (Subpart GGG and VV), and new diesel reciprocating internal combustion engines (Subpart IIII). The refinery is also subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) from Petroleum Refineries contained in 40 CFR Part 63 (Subpart CC), gasoline distribution (Subpart R), catalytic reforming and sulfur recovery (Subpart UUU), process vents (Subpart G), boilers and process heaters at major HAP facilities (Subpart DDDDD), and site remediation (Subpart GGGGG). A new boiler is subject to compliance assurance monitoring (CAM) provisions under 40 CFR Part 64 as well as 40 CFR 60 Subpart Db for Industrial-Commercial-Institutional Steam Generating Units. The facility is subject to presumptive and case-by-case RACT 2 and 3 requirements under 25 Pa. Code §§ 129.96—129.100 and 129.111—129.115 for emissions of VOC and NO_x. This issuance incorporates the new RACT 3 provisions on a source-by-source basis. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: June 30, 2022. Renewal issued: July 31, 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, Facility Permitting Chief, 570-826-2409.

40-00115: Shamokin Filler Company, Inc., 1550 Crestwood Drive, Mountain Top, PA 18707, Wright Township, **Luzerne County**. The Department issued a renewal State-Only Operating Permit for their petroleum and coal products manufacturing facility. 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: April 5, 2023. Accepted: April 12, 2023. Issued: July 24, 2024.

52-00002: Eureka Stone Quarry, Inc., P.O. Box 249, Chalfont, PA 18914, Milford Borough, **Pike County**. The Department issued a renewal State-Only Operating Permit for the operation of sources at their rock crushing facility. 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: October 26, 2023. Accepted: November 2, 2023. Issued: July 12, 2024.

54-00017: Lehigh Asphalt Paving & Construction Co., P.O. Box 549, Tamaqua, PA 18252, West Penn Township, **Schuylkill County**. The Department issued a renewal State-Only Operating Permit for the operation of sources at their Andreas Quarry. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: November 13, 2023. Accepted: November 27, 2023. Issued: July 24, 2024.

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

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

20-00264: Salt Painting, Inc., 17918 State Highway 198, Saegertown, PA 16433, Hayfield Township, **Crawford County**. The Department issued the renewal of the State-Only Operating Permit of a facility that provides painting, cleaning, coating and sandblasting services to industrial plants and facilities. Air pollutant-emitting activities covered by this permit are those performed and located at the facility, namely abrasive blasting, surface coating, a curing oven, and a diesel compressor. With PTEs below major source thresholds, the facility has been permitted as Natural Minor. There are no significant changes to this renewal permit. Application received: May 23, 2023. Issued: July 17, 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.

06-05163: Texas Eastern Transmission LP/Bechtelsville, 915 N. Eldridge Parkway, Suite 1100, Houston, TX 77079, Washington Township, **Berks County**. For the natural gas compressor station. Application received: October 31, 2023. Issued: July 29, 2024.

36-03124: Reading Truck Equipment LLC, 825 E. Wyomissing Blvd., Reading, PA 19611, Brecknock Township, **Lancaster County**. For the custom truck assembly facility. The State-Only permit was renewed. Application received: May 16, 2023. Issued: June 6, 2024.

06-03117: Custom Processing Services, Inc., 2 Birchmont Drive, Reading, PA 19606-3266, Exeter Township, **Berks County**. For the grinding and blending facility. The State-Only permit was renewed. Application received: July 14, 2023. Issued: August 5, 2024.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

46-00094: Highway Materials Inc./Plymouth Meeting Asphalt Plant, 5100 Joshua Rd, Plymouth Meeting, PA 19462, Whitmarsh Township, **Montgomery County**. This action is for a renewal of a State Only (Synthetic Minor) Operating Permit for a combination batch/drum hot mix asphalt (HMA) plant. Application received: August 6, 2024. Issued: August 1, 2024.

09-0236: Reworld Metals LLC, Portion of KIPC Lot No. 13-51-1, Near Middle Drive, Fairless Hills, PA 19030, Falls Township, **Bucks County**. This action is for the issuance of a Natural Minor Operating Permit for Reworld Metals LLC for their non-ferrous metal recovery facility. Application received: June 3, 2024. Issued: August 2, 2024.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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.

49-00054: Meckley's Limestone Products Inc., P.O. Box 503, Herndon, PA 17830, Lower Mahanoy Township, **Northumberland County**. The Department renewed the State Only Operating Permit application (Synthetic Minor) to allow for the continued operation of their sources within the facility. The renewal permit incorporates all applicable Federal and State regulatory requirements, including testing, monitoring, recordkeeping, reporting, work practices and other appropriate conditions necessary to verify compliance. Application received: November 20, 2023. Issued: July 30, 2024. New expiration date: July 29, 2029.

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

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

10-00370: Markwest Liberty Bluestone Trillith Compressor Station, 4600 J Barry Ct, Suite 500, Canonsburg, PA 15317, Lancaster Township, **Butler County**. The permit was administratively amended to incorporate the change of responsible official into the permit. Application received: June 3, 2024. Revised: July 22, 2024.

10-00359: Markwest Liberty Bluestone Sarsen Gas Processing Plant, 4600 J Barry Ct, Suite 500, Canonsburg, PA 15317, Forward Township, **Butler County**. The permit was administratively amended to incorporate the change of responsible official into the permit. Application received: June 3, 2024. Revised: July 23, 2024.

10-00368: Markwest Liberty Bluestone Gas Processing Plant, 4600 J Barry Ct, Suite 500, Canonsburg, PA 15317, Jackson Township, **Butler County**. The permit was administratively amended to incorporate the change of responsible official into the permit. Application received: June 3, 2024. Revised: July 23, 2024.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

23-00089: Marcus Hook Energy LP/750 MW Plant, Blueball Ave and Ethylene Blvd, Marcus Hook, PA 19061, Marcus Hook Borough, **Delaware County**. An Administrative Amendment of TVOP No. 23-00089 was issued under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code § 127.450. The Title V Operating Permit was amended to reflect a change in the Responsible Official. Application received: June 28, 2024. Issued: July 30, 2024.

09-00226: Nosco ODSC Inc., 1504 Grundy Ln, Units 4-8, Bristol, PA 19007-1521, Bristol Township, **Bucks County**. An Administrative Amendment of State-Only Operating Permit No. 09-00226 was issued under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code § 127.450. The Synthetic Minor Operating Permit 09-00226 was revised to incorporate the terms and conditions of Plan Approval No. 09-0226B. The amended State-Only Operating Permit contains sufficient monitoring, recordkeeping, reporting and work practice standards

to keep the facility operating within all applicable air quality requirements. Application received: June 10, 2024. Issued: August 2, 2024.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

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

Coal Permits

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

Contact: Bonnie Herbert, Clerical Assistant 3.

Mining Permit No. 30831303. Iron Cumberland, LLC, 200 Evergreene Drive, P.O. Box 1020, Waynesburg, PA 15370, Center, Franklin, Greene, Jackson, Perry, Richhill, Wayne and Whiteley Townships, **Greene County**. To renew the permit. Application received: October 7, 2022. Accepted: December 8, 2022. Issued: July 24, 2024.

Mining Permit No. 11031301. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Jackson, Cambria, Croyle and Summerhill Townships, **Cambria County**. To renew the permit. Application received: July 28, 2023. Accepted: August 30, 2023. Issued: July 23, 2024.

Mining Permit No. 56021301. Elk Lick Energy, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Lincoln Township, **Somerset County**. To renew the permit. Application received: September 27, 2023. Accepted: October 23, 2023. Issued: July 24, 2024.

CORRECTION—previously published on August 3, 2024.

Mining Permit No. 30081601. Coresco, LLC, 966 Crafts Run Road, Maudsville, WV 26541, Dunkard Township, **Greene County**. To renew the permit. Application received: June 17, 2019. Accepted: June 19, 2019. Issued: May 3, 2024.

CORRECTION—previously published on August 3, 2024.

Mining Permit No. 56841603 and GP12-56841603-R22. PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Shade Township, **Somerset County**. To renew the permit, includes renewal of Air

Quality GPA/GP12 Authorization. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms and conditions of authorization GP12-56841603-R22. Application received: May 13, 2021. Accepted: August 11, 2021. Issued: June 6, 2024.

Mining Permit No. 56911602. NPDES No. PA0214400. Berwind Coal Sales Company, 509 15th Street, Windber, PA 15963, Shade Township, **Somerset County**. To revise the permit and related NPDES permit for land use change from forestland to industrial/commercial. Application received: March 26, 2021. Accepted: June 17, 2021. Issued: June 27, 2024.

Mining Permit No. 30831303. NPDES No. PA0013511. Iron Cumberland, LLC, 200 Evergreene Drive, P.O. Box 1020, Waynesburg, PA 15370, Center, Jackson and Whiteley Townships, **Greene County**. To revise the permit and related NPDES permit for installation of twenty-one (21) GOB ventilation boreholes, affecting 14.17 surface acres. Application received: January 11, 2023. Accepted: February 24, 2023. Issued: July 1, 2024.

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

Contact: RA-EPCAMBRIADMO@pa.gov.

Mining Permit No. 32090102. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Brush Valley Township, **Indiana County**. Permit renewal for reclamation only of a bituminous surface and auger mine affecting 274 acres. Receiving streams: unnamed tributaries to/and Yellow Creek; unnamed tributaries to/and Ferrier Run, classified for the following use: CWF. Application received: March 18, 2024. Issued: July 31, 2024.

Noncoal Permits

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

Contact: RA-EPCAMBRIADMO@pa.gov.

Mining Permit No. 21050301. NPDES No. PA0224456. 30-35 Ridge Road, LLC, 35 Ridge Road, Newville, PA 17241, North Newton Township, **Cumberland County**. Permit transfer from J.R. Zimmerman Enterprises, LLC, 82 Garden Spot Road, Ephrata, PA 17522, for continued operation and restoration of a large industrial mineral mine affecting 33.3 acres. Receiving streams: unnamed tributary to Green Spring Creek classified for the following use: CWF. Application received: December 1, 2023. Issued: July 31, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. GP105 Permit No. 58232512. PA Quarried Bluestone Co., P.O. Box 4, South Gibson, PA 18842, Middletown Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 quarry operation affecting 10.0 acres. Receiving stream: UNT to North Branch Wyalusing Creek. Application received: August 28, 2023. Coverage issued: August 1, 2024.

Mining Permit No. GP105 Permit No. 58232512. GP104 Permit No. PAM123024. PA Quarried Bluestone Co., P.O. Box 4, South Gibson, PA 18842, Middletown Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-

104). Receiving stream: UNT to North Branch Wyalusing Creek. Application received: August 28, 2023. Coverage issued: August 1, 2024.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.

Blasting Permits

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 36244126. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, Pequea Township, **Lancaster County.** Construction blasting for Chris Stoltzfus chicken house. Application received: July 30, 2024. Permit issued: July 31, 2024. Expiration date: September 30, 2024.

Permit No. 45244104. Schlouch, Inc., 132 Excelsior Drive, Blandon, PA 19510, Tunkhannock Township, **Monroe County.** Construction blasting for Catalyst SR 115. Application received: July 31, 2024. Permit issued: July 31, 2024. Expiration date: July 31, 2025.

Permit No. 54244104. Schlouch, Inc., 132 Excelsior Drive, Blandon, PA 19510, Cass Township, **Schuylkill County.** Construction blasting for Wegmans. Application received: July 30, 2024. Permit issued: July 31, 2024. Expiration date: July 30, 2025.

Permit No. 39244108. Schlouch, Inc., 132 Excelsior Drive, Blandon, PA 19510, Lower Macungie Township, **Lehigh County.** Construction blasting for Spring Creek Mertztown. Application received: July 31, 2024. Permit issued: August 1, 2024. Expiration date: July 31, 2025.

Permit No. 36244125. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Mount Joy Township, **Lancaster County.** Construction blasting for Sheaffer Road Residential Development. Application received: July 26, 2024. Permit issued: August 2, 2024. Expiration date: July 26, 2025.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg,

PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNORGPRG@pa.gov.

E0829224-005. HEP Pennsylvania Gathering LLC, 22024 Route 14, Troy, PA 16947, Stevens Township, **Bradford County.** U.S. Army Corps of Engineers Baltimore District.

Application received: March 14, 2024. Issued: July 30, 2024.

To construct, operate and maintain:

1. a 12-inch steel gas line and a timber mat bridge impacting 10,550 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41.757141°, Longitude: -76.151642°);

2. a 12-inch steel gas line and a timber mat bridge impacting 5,200 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41.756187°, Longitude: -76.150511°);

3. a 12-inch steel gas line and a timber mat bridge impacting 17,400 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41.755824°, Longitude: -76.149809°);

4. a 12-inch steel gas line impacting 53 linear feet (1,007 square feet) to Bennet Creek (WWF, MF), 6,150 square feet of floodway impacts, and 400 square feet of Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41.751237°, Longitude: -76.144053°);

The project will result in 53 linear feet (1,007 square feet) of temporary stream impacts, 6,150 square feet (0.141 acre) of temporary floodway impacts, and 33,550 square feet (0.770 acre) of temporary PEM wetland

impacts, all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Stevens Township, Bradford County.

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.

E4002123-004. PA Department of Transportation, Eng District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Ross Township, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District.

To authorize the following water obstructions and encroachments associated with the SR 4024 Section 350 Project: 1. The removal of the existing structure and to construct and maintain a 40-foot wide pre-cast box culvert and to construct and maintain appurtenant structure features. The structure will carry SR 4024 across Laurel Run (HQ-CWF, MF) and have a 10-foot normal clear span and a 5-foot minimum underclearance. (JPA 1) 2. Approximately 0.01 acre of PEM wetland will be permanently impacted by the placement of riprap for the proposed bridge construction. 3. The construction of a rock-lined outfall channel in the floodway of Laurel Run (Channel 1—JPA 5) 4. The construction of a grass-lined outfall channel in the floodway of Laurel Run. (Channel 2—JPA 6) The project is located along SR 4024 Section 350 Segment 0170, Offset 0000, approximately 0.25 mile west of the SR 4024/Dobson Road intersection (Sweet Valley, PA Quadrangle Latitude: 41.291276°, Longitude: -76.163887°) in Ross Township, Luzerne County. Application received: March 3, 2023. Issued: August 1, 2024.

F5402224-001. Orwigsburg Borough, 333 South Liberty Street, Orwigsburg, PA 17961-2109, Orwigsburg Borough, **Schuylkill County**. U.S. Army Corps of Engineers Philadelphia District.

To demolish and remove structures located on the following sites in the floodplain of an Unnamed Tributary to Mahannon Creek. Work will include demolition and removal of the residential structures, decks, landscaping, planters, and all other manmade features. Sites will then be restored and stabilized to open space. The properties were acquired by the municipality as a part of the Orwigsburg Borough Hazard Mitigation Grant Program. 1. 508 West Markey Street, Orwigsburg, PA 17961 (Orwigsburg, PA Quadrangle Latitude: 40°, 39', 21.51"; Longitude: -76°, 6', 19.10") 2. 510 West Markey Street, Orwigsburg, PA 17961 (Orwigsburg, PA Quadrangle Latitude: 40°, 39', 21.53"; Longitude: -76°, 6', 22.93"). Application received: June 20, 2024. Issued: August 6, 2024.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E2006124-001. PADOT Engineering District 1-0, 255 Elm Street, Oil City, PA 16301, Hayfield Township, Woodcock Township, **Crawford County**. U.S. Army Corps of Engineers Pittsburgh District.

To remove the existing structure and to construct and maintain a two-span composite steel plate girder bridge with spans of 154.8 feet each, an out-to-out width of 41.54 feet and a minimum underclearance of 17.5 feet across French Creek (Meadville, PA Quadrangle N: 41.70778°; W: -80.14583°) in Hayfield and Woodcock Townships, Crawford County. The project will result in 200 linear feet of temporary stream impacts and 68 linear feet of perma-

nent stream impacts to French Creek. No wetlands will be impacted by the project. Application received: May 2, 2024. Issued: July 30, 2024.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOGPRG@pa.gov.

ESCGP # 3 ESG290824015-00

Applicant Name **Chesapeake Appalachia LLC**

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

Township(s) Monroe Township

County **Bradford County**

Receiving Stream(s) and Classification(s) Millstone Creek (HQ-CWF, MF)

Application received: June 13, 2024

Issued: July 30, 2024

Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Kate Hogue Clerical Supervisor 814-332-6868.

ESCGP # 3 ESG080319003-01

Applicant Name **EXCO Resources PA, LLC**

Contact Person Philip Points

Address 12377 Merit Drive, Suite 1700

City, State, Zip Dallas, TX 75251

Township(s) Rayburn Township

County **Armstrong County**

Receiving Stream(s) and Classification(s) UNT to Cowanshannock Creek (WWF)

Application received: February 15, 2024

Approved: July 31, 2024

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

K&S Convenience, Storage Tank Facility ID # **40-50801**, 835 Exeter Avenue, Exeter, PA 18643, West Pittston Borough, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Dante Bovani, 835 Exeter Avenue, Exeter, PA 18643, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting Statewide health standards.

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

Contact: Gregor Bowman, Environmental Group Manager. 717-705-4705.

Waynesboro Bulk Plt, Storage Tank Facility ID # **28-16590**, 9823 Amsterdam Road, Waynesboro, PA 17268, Washington Township, **Franklin County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Tevis Real Estate, Inc., 82 John Street, Westminster, MD 21157-4835, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents.

The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

Contact: Gregory Bowman, Environmental Group Manager.

Sunoco Centerville, Storage Tank Facility ID # **36-24125**, 520 Centerville Road, Lancaster, PA 17601, East Hempfield Township, **Lancaster County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of 786 KTZ LLC, 13 Talbott Avenue, Timonium, MD 21093-2304, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

C & J Auto II, Storage Tank Facility ID # **23-25166**, 99 S Newtown Street Rd, Newtown Square, PA 19073, Newtown Township, **Delaware County**. Hydro-Terra Group, 7420 Derry Street, Harrisburg, PA 17111, on behalf of Crowley Enterprises Inc., 99 S Newtown Street Rd., Newtown Square, PA 19073, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Janelle Hromyak, Clerical 2, 412-442-4091.

GetGo # 3191, Storage Tank Facility ID # **02-30678**, 1675 Duncan Avenue, Allison Park, PA 15101, McCandless Township, **Allegheny County**. PVE, LLC, 2000 Georgetown Drive, Suite 101, Sewickley, PA 15143, on behalf of Giant Eagle, Inc., 700 Cranberry Woods Drive, Cranberry Township, PA 16066, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The combined plan and report is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

Former Renzie Mini Mart, Storage Tank Facility ID # **02-80598**, 2010 Eden Park Boulevard, McKeesport, PA 15132, City of McKeesport, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of 2010 Eden Park Boulevard, LLC, 2010 Eden Park Boulevard, McKeesport, PA 15132, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential site-specific standards.

7-Eleven Store No. 36153, Storage Tank Facility ID # **30-16353**, 1265 East High Street, Waynesburg, PA 15370-9555, Franklin Township, **Greene County**. AECOM Technical Services, Inc., 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7-Eleven, Inc., P.O. Box 711 (0148), Dallas, TX 75221-0711, submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline, kerosene. The combined plan and report is intended to

document the remedial actions for meeting nonresidential Statewide health and background standards.

Guttman Oil Company, Storage Tank Facility ID # **63-03119**, 98 Murtland Avenue, Washington, PA 15301, City of Washington, **Washington County**. Apex Companies, LLC, 975 Georges Station Road, Suite 100, Greensburg, PA 15601, on behalf of Guttman Oil Company, 200 Spears Street, Belle Vernon, PA 15012, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health and background standards.

BFS Brodhead Vannewkirk, Storage Tank Facility ID # **04-14079**, 3608 Brodhead Road, Monaca, PA 15061, Center Township, **Beaver County**. Letterle & Associates, Inc., 2859 Oxford Blvd., Allison Park, PA 15101, on behalf of Bruceton Farm Service, Inc., 116 Shannon Drive, Morgantown, WV 26508, submitted a Remedial Action Plan concerning remediation of soil contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

Chevron Facility # 203876, Storage Tank Facility ID # **65-82885**, 11540 Route 30, North Huntingdon, PA 15642, North Huntingdon Township, **Westmoreland County**. Arcadis U.S. Inc., 2100 Georgetown Road, Suite 402, Sewickley, PA 15143, on behalf of Chevron Environmental Management Company, 1400 Smith Street, Houston, TX 77002, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with leaded and unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health and site-specific standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Dunmore Oil Co. Former Al's Mobil, Storage Tank Facility ID # **35-01491**, 524 Penn Avenue, Scranton, PA 18503, City of Scranton, **Lackawanna County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of Dunmore Oil Co., Inc., 1031B Reeves Street, Dunmore, PA 18512, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report was not acceptable to meet the Statewide health and site-specific standards and was disapproved by DEP on August 2, 2024.

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

Contact: Chris, 724-598-2206.

PA DOT Eng Dist 110, Storage Tank Facility ID # **37-08625**, 1800 Wilmington Road, New Castle, PA 16105, Neshannock Township, **Lawrence County**. Dewberry Engineers Inc., 600 Parsippany Road, Parsippany, NJ 07054, on behalf of PA DOT, 1800 Wilmington Road, New Castle, PA 16105, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel, leaded and unleaded gasoline. The plan was acceptable to meet the nonresidential site-specific standards and was approved by DEP on August 2, 2024.

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

Contact: Cherie M. Campbell, Soils Scientist, 717-705-4705.

Waynesboro Bulk Plt, Storage Tank Facility ID # **28-16590**, 9823 Amsterdam Road, Waynesboro, PA 17268, Warrington Township, **Franklin County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Tevis Real Estate, Inc., 82 John Street, Westminster, MD 21157-4835, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan was acceptable to meet the nonresidential Statewide health standards and was approved by DEP on August 5, 2024.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

710 S Gulph Rd, Storage Tank Facility ID # **46-06937**, 710 S Gulph Rd, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. Synergy Envi-

ronmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of PALG UST, LLC, 600 W. Hamilton Street, Suite 400, Allentown, PA 18101, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report did not demonstrate attainment of the residential Statewide health and site-specific standards and was disapproved by DEP on July 31, 2024.

Budget Rent A Car Sys 4804, Storage Tank Facility ID # **51-03141**, 1 Arrival Rd, Philadelphia, PA 19468, City of Philadelphia, **Philadelphia County**. Mid-Atlantic Associates, 409 Rogers View Court, Raleigh, NC 27610, on behalf of Budget Rent A Car, 6 Sylvan Way, Parsippany, NJ 07054, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan was acceptable to meet the residential Statewide health standards and was approved by DEP on August 1, 2024.

Pintos Atlantic, Inc., Storage Tank Facility ID # **51-30404**, 1317 S. 3rd St., Philadelphia, PA 19103, City of Philadelphia, **Philadelphia County**. Mountain Research LLC, 825 25th Street, Altoona, PA 16601, on behalf of Ed Pinto, 76 Freedom Road, Sewell, NJ 08080, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the site-specific standards and was approved by DEP on August 2, 2024.

Global Montello Group 3442, Storage Tank Facility ID # **46-40408**, 220 W. Main St., Norristown, PA 19401, Norristown Borough, **Montgomery County**. Geo-Enviro Consulting & Remediation LLC, 371 Hoes Lane, Suite 200, Piscataway, NJ 08854, on behalf of Norristown Petroleum LLC, 1 Bustleton Pike, Festerville, PA 19503, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The plan was acceptable to meet the nonresidential Statewide health standards and was disapproved by DEP on July 23, 2024.

SPECIAL NOTICES

WATER PROGRAMS

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

Actions on applications 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.

Central Office: Regional Permit Coordination Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: RA-EPREGIONALPERMIT@pa.gov.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

The Department 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).

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). You should promptly consult with a lawyer on the steps to take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. You should show this document to a lawyer at once.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Kevin S. White, PE, Acting Director, 717-772-5987.

Applicant: **Eastern Gas Transmission & Storage, Inc.**, 925 White Oaks Boulevard, Bridgeport, WV 26330.

E0383224-005. Applicant is proposing the following water obstructions and encroachments:

To construct and maintain water obstructions and encroachments associated with the TL-474 Pipeline Culvert Replacement and Landslide Remediation Project. The landslide repair consists of the installation of subsurface drains and waterbars in and adjacent to a wetland. The landslide repair will result in permanent direct impact of approximately 0.39 acre of a PEM wetland (Other). Construction will also consist of the replacement of a 39-foot-long, 24-inch diameter metal culvert at an existing stream crossing with a 57 foot long, 30-inch diameter HDPE culvert with riprap inlet and outlet protection resulting in 72 feet of permanent impact to tributary to Kiskiminetas River (WWF). The proposed culvert will be depressed 6-inches below natural streambed elevation.

To compensate for the permanent wetland (Other) impacts, EGTS has purchased 0.39 wetland mitigation credits from First Pennsylvania Resource, LLC. The wetland credits are from the Laurel Hill Mitigation Bank (MB990556-001), PA State Water Plan Subbasin 19, located in Somerset County.

The project is located 0.18-mile northeast of Roaring Run Trail (Latitude: 40.550663°, Longitude: -79.529999°) in Kiskiminetas Township, **Armstrong County**.

ACTIVE AND ABANDONED MINE OPERATIONS

Moshannon District Mining Office: Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

Notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP/Department) will hold an informal public conference concerning applications for requests to change the land use on properties owned by Shannon Land & Mining Company; by Alan R. Larson, Roger L. Larson, and GeoTech Engineering, Inc.;

by Matthew A. Condon, Thomas L. Condon, and Todd L. Condon; by Robindale Energy Services, Inc.; and by RES Coal LLC. The applications were submitted by RES Coal, LLC, which is located at 51 Airport Road, Clearfield, PA 16830. The proposed mine sites are referred to as the Surveyor Run # 1 Operation (17930117) and the Shaw # 2 Operation (17090107), both located in Goshen Township, Clearfield County, PA.

The informal public conference will be held at the Goshen Township Building/Firehall, 116 Knobs Road, Shawville, PA 16873, on Tuesday September 3, 2024, starting at 5:00 p.m. and ending at 7:00 p.m. All interested parties are encouraged to attend. The conference will begin with an open house from 5:00—5:30 p.m., during which DEP staff will be available to answer questions and attendees may sign up to speak. Beginning at 5:30 p.m., brief updates on the status of the applications will be given by DEP and RES Coal LLC, and then comments and questions regarding the land use change applications will be accepted. Oral comments and questions should be limited to no more than 5 minutes per person.

Written comments of any length will be accepted and can be given to DEP staff during the hearing, or sent by 4 p.m. on Monday, September 30 by email at RA-EP-Moshannon@pa.gov or by mail to DEP's Moshannon District Mining Office at 186 Enterprise Drive, Philipsburg, PA, 16866. Copies of both applications are available for public inspection at the Moshannon District Mining Office during business hours. The phone number for the Moshannon office is 814-342-8200. Additionally, both applications will also be available at the informal public conference for review.

RES Coal LLC is requesting a land use change on the properties owned by those previously listed from Forestland, Cropland, Pastureland, Land Occasionally Cut for Hay, or Residential land to Unnamed Natural Habitat with a joint land use of Industrial/Commercial for a solar farm. These properties are located on the Surveyor Run Operation and the Shaw # 2 Operation. The total acres covered by the land use change are 431.9 acres for the Surveyor Run Operation and 415.7 acres for the Shaw # 2 Operation.

The Surveyor Run Operation (17930117) is centered one mile north of the village of Croft and is situated north of T-961 (Condon Road), west of Surveyor Run, and east of T-687 (Knobs Road). The site is located on the LeContes Mills PA 7.5 Minute USGS topographic map.

The Shaw # 2 Operation (17090107) is centered approximately 2,500 feet north of the village of Croft, on the east side of T-687 (Knobs Road) and west of Surveyor Run. The site is located on the LeContes Mills, PA, 7.5 Minute USGS topographic map.

Persons with a disability who wish to attend this conference and require accommodation should contact Megan Lehman, Regional Communications Manager, at 570-327-3659 or meglehman@pa.gov or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

WASTE, AIR, RADIATION AND REMEDIATION

Requests Proposals For Municipal Solid Waste Disposal And/Or Processing Capacity Butler County Department Of Recycling And Waste Management On Behalf Of The Butler County Board Of Commissioners Butler, Pennsylvania.

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: Teesha Truesdale, 787-7382.

In accordance with Pennsylvania Code Title 25, Environmental Protection, Chapter 272.225 Municipal Waste Planning Recycling and Waste Reduction (as amended December 22, 2000), the Butler County Board of Commissioners has determined that additional waste disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County is required for a period covering the years 2025-2037. The Butler County Department of Recycling and Waste Management, on behalf of the Butler County Board of Commissioners is hereby soliciting proposals for disposal capacity for MSW generated in Butler County Pennsylvania with contract approval and execution anticipated by December 2024.

The Request for Proposals (RFP) will be available from the Butler County Department of Recycling and Waste Management on or after August 12, 2024. There is a \$50 fee for printed copies. All proposals must be made on and inclusive of the required Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals. The Butler County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

The Butler County Department of Recycling and Waste Management will receive sealed proposals until 1:00 p.m., prevailing time on Tuesday, September 24, 2024. The Proposer is required to submit two (2) hard copies, each executed in blue ink and labeled "original," and one (1) "copy" formatted as MS Word or pdf files each on separate electronic media, Flash Drives. The proposals must be packaged, sealed, and clearly labeled to show the statement "Proposal Disposal Capacity" and the name and address of the Proposer.

Proposals should be submitted and be addressed to: the Butler County Department of Recycling and Waste Management, 124 West Diamond Street, Annex Building Level UL, P.O. Box 1208, Butler, PA 16003, Attention: Ms. Sheryl Kelly, Environmental Specialist, Recycling & Farmland Coordinator.

Notice Of Proposed Federal Consent Decree Pennsylvania Department Of Environmental Protection Pool Doctor/Beaver Alkali Products Site Rochester Borough, Beaver County, PA.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Paul Vogel, 412-442-4132.

Notice is hereby given that the Department of Environmental Protection ("Department") has entered into a proposed Federal Consent Decree with Arxada, LLC in *Commonwealth of Pennsylvania, Department of Environmental Protection v. One Brewery Place, Inc., et al.*, U.S. District Court (W.D. Pa.) Civil Action No. 2:23-cv-873. The Consent Decree memorializes the Department and Arxada, LLC's resolution of claims made by the Department for recovery of costs and applicable interest incurred

and to be incurred in the Department's investigation and cleanup of the Pool Doctor/Beaver Alkali Products Site, located at One Brewery Place, 25 New York Avenue, Rochester Borough, Beaver County, PA.

The terms of the settlement are set forth in the Consent Decree. A copy of the Consent Decree is available for inspection at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 or the Pool Doctor Community Information page on the Department's website, accessible at <https://www.dep.pa.gov/southwest>.

The Department will receive and consider comments relating to the Consent Decree for sixty (60) days from the date of this notice. The Department has reserved the right to withdraw the Consent Decree from entry by the presiding Federal Court if comments concerning the Consent Decree disclose facts or considerations which indicate that the Consent Decree is inappropriate, improper, or inadequate.

Comments may be submitted, in writing, to Paul Vogel, Manager, Hazardous Sites Cleanup, PA Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by emailing the Department at RA-EPSW-HSCA@pa.gov. Further information may be obtained by contacting Mr. Vogel at 412-442-4000.

TDD users may contact the Department through the Pennsylvania Hamilton Relay Services at 800-645-5984.

[Pa.B. Doc. No. 24-1159. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

2025 Environmental Education Grants; Grant Opportunity

The Department of Environmental Protection (Department) announces a new round of Environmental Education Grants. The project period is July 1, 2025, through June 30, 2026.

The Environmental Education Grants Program (Program) is now open and accepting applications. Applications must be submitted electronically through the Single Application for Assistance at <https://www.esa.dced.state.pa.us/Login.aspx> by 11:59 p.m. on November 15, 2024. Applications submitted by ineligible organizations, past the deadline or through mail or fax will not be considered.

Funding is provided on a reimbursement basis. Priority will be given to environmental education proposals that engage people living, working or attending school within Environmental Justice (EJ) areas in topics related to climate change or water, or both.

Projects may engage a wide range of audiences, pre-school through adult, using education methods and strategies that are appropriate to the audience. Projects may be delivered in a variety of settings such as classrooms, community centers, field sites and the like. Projects may introduce new environmental concepts or build upon the audience's existing knowledge and interests.

Three levels of funding will be offered: mini grants of up to \$5,000 may be awarded for local, school, county, municipality or other defined area environmental educa-

tion projects. General grants (level I) ranging from \$5,001 through \$30,000 may be awarded for implementation of large-scale regional or Statewide environmental education projects.

General grants (Level II) ranging from \$30,001 through \$65,000 may be awarded for nonformal education projects that engage youth and teachers from at least 60 counties in this Commonwealth at three levels: local, State and National. General grant (Level II) projects must demonstrate that at least 30% of program participants live, work or attend school within an EJ area. Individuals may use the Department's PennEnviroScreen at <https://gis.dep.pa.gov/PennEnviroScreen/> to determine if the project will engage audiences within designated EJ areas. Individuals can contact the Department's Office of EJ with questions.

The Program was established by the Environmental Education Act of 1993 (35 P.S. §§ 7521—7528), which mandates setting aside 5% of the pollution fines and penalties the Department collects annually for environmental education in this Commonwealth. In its 31-year history, the Program has awarded more than \$14 million to schools, nonprofit organizations, colleges and universities, municipalities, county conservation districts and businesses.

The 2025 Program guidelines and application instructions are available on the Department's web site at www.dep.pa.gov (select the "Grants" icon, then under Businesses, scroll to "Environmental Education—for educational projects in climate change, environmental justice, water quality, and other areas").

Questions concerning the 2025 Program should be directed to the Department's Environmental Education and Information Center at RA-epEEgrants@pa.gov.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-1160. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Request Proposals for Municipal Solid Waste Disposal and/or Processing Capacity; Butler County Department of Recycling and Waste Management on Behalf of the Butler County Board of Commissioners

In accordance with 25 Pa. Code § 272.225 (relating to estimated future capacity), the Butler County Board of Commissioners has determined that additional waste disposal or processing capacity for municipal solid waste (MSW), including construction/demolition waste and sewage sludge generated within Butler County, is required for a period covering the years 2025—2037. The Butler County Department of Recycling and Waste Management, on behalf of the Butler County Board of Commissioners, is hereby soliciting proposals for disposal capacity for MSW generated in Butler County, PA with contract approval and execution anticipated by December 2024.

The request for proposals (RFP) will be available from the Butler County Department of Recycling and Waste Management on or after August 12, 2024. There is a \$50 fee for printed copies. Proposals must be made on and

inclusive of the required proposal forms and be in accordance with the requirements for submitting proposals contained in the RFP. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals. The Butler County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of Butler County.

The Butler County Department of Recycling and Waste Management will receive sealed proposals until 1 p.m., on Tuesday, September 24, 2024. The proposer is required to submit two hard copies, each executed in blue ink and labeled original, and one copy formatted as Microsoft

Word or PDF files each on separate electronic media or flash drives. The proposals must be packaged, sealed and clearly labeled to show the statement “Proposal Disposal Capacity” and the name and address of the proposer.

Proposals should be submitted and be addressed to the Butler County Department of Recycling and Waste Management, 124 West Diamond Street, Annex Building Level UL, P.O. Box 1208, Butler, PA 16003, Attention: Sheryl Kelly, Environmental Specialist, Recycling and Farmland Coordinator.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-1161. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 29, 51 and 551—571 (relating to miscellaneous health provisions; general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Center for Same Day Surgery at Wilkes-Barre General Hospital	28 Pa. Code § 555.32(a) (relating to administration of anesthesia)
Monroe Endoscopy Center	28 Pa. Code § 551.3 (relating to definitions)
	28 Pa. Code § 555.31(a) (relating to principle)

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, 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,
Secretary

[Pa.B. Doc. No. 24-1162. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from July 1, 2024, through July 31, 2024. Future publications of decisions on exception requests will appear on a monthly basis.

Requests for additional information on the exception request and the Department’s decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelder, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg,

PA 17120, (717) 787-1816. Inquiries regarding home care agencies, home care registries and home health care agencies shall be addressed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Chapel Pointe	§ 205.20(f) (relating to resident bedrooms)	07/15/2024	Granted Temporary
Maple Winds	§ 211.12(f.2)(3)(ii) (relating to nursing services)	07/08/2024	Denied
The Pavilion at Saint Luke Village	§ 201.3 (relating to definitions)	07/01/2024	Granted

Home Care Agencies

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Bayada Home Health Care Inc. West Chester	§ 611.51(a)(1) (relating to hiring or rostering of direct care workers)	07/31/2024	Granted

Home Health Agencies

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Maxim Healthcare Services Bala Cynwyd	§ 601.35(c) (relating to home health aide services)	07/31/2024	Granted
Maxim Healthcare Services Harrisburg	§ 601.6 (relating to definitions) specifically the definition of home health care agency § 601.21(b) (relating to organization, services and administration) § 601.35(c)	07/31/2024	Granted
Maxim Healthcare Services Plains	§ 601.35(c)	07/31/2024	Granted
Maxim Healthcare Services York	§ 601.6 § 601.21(b) § 601.35(c)	07/31/2024	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care, the Division of Nursing Care Facilities, or Division of Home Health at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1163. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospital has filed a request for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following request for exceptions relates to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Grove City Hospital	28 Pa. Code § 107.62(a) and (b) (relating to oral orders)
	28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards)

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition* or the *Guidelines for Design and Construction of Hospitals—2022 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2022 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr^{1,2}</i>
Geisinger Jersey Shore Hospital	2.1-3.2.2.2(c)(i) single-patient exam/observation room	22-O
Heritage Valley Beaver	2.2-3.5.2.2(1)(b)(ii) space requirements	22

¹2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

²2022 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1164. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meeting

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C. §§ 241(a) and 247b), will hold a public meeting on Thursday, August 29, 2024, from 9 a.m. to 4:30 p.m.

Participants can also access the meeting virtually through the following options:

To join the Microsoft Teams meeting, individuals will need to connect by phone; this can be done by dialing the following number and entering the meeting ID listed as follows:

Main Meeting

Call-in Information:

Phone Number: (866) 588-4789
Phone Conference ID: 568564104#
<https://bit.ly/AugHPG2024>

Evaluation Subcommittee Time

Call-in Information:

Phone Number: (866) 588-4789
Phone Conference ID: 196857246#
<https://bit.ly/AugHPGSub>

Intersectional and Innovation Subcommittee Time

Call-in Information: (same as main meeting)

Phone Number: (866) 588-4789
Phone Conference ID: 568564104#
<https://bit.ly/AugHPG2024>

For individuals interested in participating in the meeting who do not have access to a phone or computer, accommodations have been made for a meeting location at the Health and Human Services Building, 625 Forster Street, Room 1023, Harrisburg, PA 17120.

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention Integrated HIV Surveillance and Preven-

tion Programs for Health Departments grant. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so should contact Kyle Fait, Planning Coordinator, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Health and Welfare Building, Harrisburg, PA 17120, (717) 260-8929, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department reserves the right to cancel this meeting without prior notice.

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1165. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); WIC State Advisory Board—Enactment, August 21, 2024, Regular Meeting Notice, Notice of Remaining Regular Meetings Through January 2026 and Other Pertinent Information

The WIC State Advisory Board Act (Act of June 10, 2024, P.L. 387, No. 22) (act) established an advisory board

in the Department of Health (Department) for the Pennsylvania Special Supplemental Nutrition Program for Women, Infants and Children (PA WIC). The advisory board is known as the Women, Infants and Children State Advisory Board (WIC Advisory Board).

The act takes effect on August 9, 2024.

Schedule of Regular Meetings through January 2026:

The Department is providing public notice of the WIC Advisory Board's first regular meeting as well as a schedule of its remaining regular meetings through January 2026, under the act and 65 Pa.C.S. § 709 (relating to public notice):

- August 21, 2024: 1 p.m. to 2 p.m.
- September 10, 2024: 1 p.m. to 2 p.m.
- October 22, 2024: 1 p.m. to 2 p.m.
- November 12, 2024: 1 p.m. to 2 p.m.
- December 10, 2024: 11 a.m. to 12 p.m.
- January 14, 2025: 1 p.m. to 2 p.m.
- April 22, 2025: 1 p.m. to 2 p.m.
- July 22, 2025: 1 p.m. to 2 p.m.
- October 28, 2025: 1 p.m. to 2 p.m.
- January 27, 2026: 1 p.m. to 2 p.m.

In-Person and Virtual Meeting Attendance:

WIC Advisory Board meetings will be held in person and virtually.

In-person meetings will be held in the Willow Oak Conference Room, 114A, COPA HUB Building, 2525 North 7th Street, Harrisburg, PA 17110, unless otherwise noted. Individuals should RSVP to Tracey Zeigler by close of business at 4 p.m., 1 business day prior to the meeting at tzeiglermi@pa.gov or (717) 836-3574. Upon arrival at the meeting, public attendees should sign in at the front desk in the lobby of the building and await an escort to the meeting room.

Virtual meetings will be held through Microsoft Teams or by telephonic call in. Connection information for the August 21, 2024, regular meeting is as follows:

Individuals can join at <https://bit.ly/3yea0Qh>. The meeting ID is 266 856 886 774. The passcode is FxdCYa.

Note: The previously listed link to access the meeting does not include a period; the link ends at 3yea0Qh with no period. If copying/pasting the link, do not copy any period at the end if there is one.

Individuals can join by calling (267) 332-8737. The phone conference ID is 847 944 009#. To find a local number, go to <https://dialin.teams.microsoft.com/783683fb-6d69-4e8b-aa52-814e500ad7b8?id=67183553>. To reset the PIN number, go to <https://dialin.teams.microsoft.com/usp/pstnconferencing>.

Meeting Recording:

The meeting will be recorded, so if individuals choose to attend, they are consenting to being recorded. Individuals should not attend the meeting if they do not wish to be recorded.

First Regular Meeting:

The WIC Advisory Board's first regular meeting is on August 21, 2024, from 1 p.m. to 2 p.m. The purpose of

this meeting is to collaborate to gather suggestions of strategies for increasing participation and improving the PA WIC program to better support participants.

This meeting is subject to cancellation without notice.

Meeting Agenda:

The Department will post the meeting agenda on the PA WIC web site at <https://wic.health.pa.gov/pawic/> and distribute by e-mail no later than 24 hours before the meeting. Individuals interested in receiving a copy of the agenda may send an e-mail to ra-dhwicadvisory@pa.gov requesting to be added to the distribution list.

Meeting Minutes:

The Department will post meeting minutes on the PA WIC web site at <https://wic.health.pa.gov/pawic/> and distribute by e-mail within 2 business days of the meeting. Individuals interested in receiving a copy of the meeting minutes may send an e-mail to ra-dhwicadvisory@pa.gov requesting to be added to the distribution list.

Questions:

Questions about the WIC Advisory Board may be submitted by e-mail to the Department at ra-dhwicadvisory@pa.gov.

Alternative Format Requests:

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille) should contact the Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The PA WIC program is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider.

USDA Nondiscrimination Statement:

In accordance with Federal civil rights law and the USDA civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (for example, Braille, large print, audiotope, American Sign Language), should contact the responsible State or local agency that administers the program or the USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact the USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at <https://bit.ly/3TRbubk>, from any USDA office, by calling (866) 632-9992 or by writing a letter addressed to the USDA. The letter must contain the complainant's name, address, telephone number and a written descrip-

tion of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to the USDA by mail to the United States Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, fax (833) 256-1665 or (202) 690-7442, Program.Intake@usda.gov.

This institution is an equal opportunity provider.

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1166. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P.S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P.S. § 165-11(e)), no contracts for public work shall be awarded to these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, for 3 years after the date of publication in the *Pennsylvania Bulletin*.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
B. Redmond Enterprises, LLC Bruce Redmond, individually FEIN No. 75-91413	481 Brace Road Dallas, PA 18643	August 17, 2024

NANCY WALKER,
Secretary

[Pa.B. Doc. No. 24-1167. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on Thursday, September 12, 2024, at 9 a.m.

Individuals may join the meeting by using the following information:

Dial by individual's location:

- (929) 205-6099 US (New York)
- (301) 715-8592 US (Washington DC)
- (312) 626-6799 US (Chicago)
- (669) 900-6833 US (San Jose)
- (253) 215-8782 US (Tacoma)
- (346) 248-7799 US (Houston)

Meeting ID: 361 131 6502

Passcode: 259161

Individuals who do not have the Zoom software may download the software at <https://zoom.us/downloads>. This allows use of the web cam on an individual's computer.

The Americans with Disabilities Act contact is Kristen Gardner at (717) 346-1497.

Questions concerning this meeting may be directed to Kristen Gardner at (717) 346-1497.

NANCY WALKER,
Secretary

[Pa.B. Doc. No. 24-1168. Filed for public inspection August 16, 2024, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Commission 2025 12-Year Program Development; Transportation Improvement Program and Statewide Transportation Improvement Program Comment Periods

The State Transportation Commission (Commission), the Department of Transportation (Department) and the Commonwealth's Metropolitan Planning Organization and Rural Planning Organization announce the availability of the Commonwealth's adopted 2025 12-Year Transportation Program (TYP).

The TYP is the Department's official mid-range planning tool, which lists Statewide planned projects across all modes of transportation and assigns funding over a 12-year period. Pennsylvania State Law, Act 120 of 1970, requires the Commonwealth to prepare, update and submit the Commonwealth's TYP every 2 years to the Commission.

The Commission adopted the 2025 TYP on August 14, 2024. View the program to see the transportation projects that are planned in the Commonwealth over the next 12 years.

The Commonwealth's 2025 TYP is available in a digital format and can also be viewed in PDF format at <https://talkpatransportation.com/how-it-works/typ>.

Individuals who have other questions or challenges should contact the Department's Bureau of Equal Opportunity to request help by e-mailing beodot@pa.gov or calling (717) 787-5891, TTY (711).

MICHAEL CARROLL,
Secretary

[Pa.B. Doc. No. 24-1169. Filed for public inspection August 16, 2024, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-24-017, Dated July 23, 2024. Authorizes the collective bargaining agreement between the Commonwealth of Pennsylvania and the Fraternal Order of Police, Lodge # 92. The agreement is effective July 1, 2023, through June 30, 2027.

Governor's Office

Management Directive No. 205.25—Employment-Related Disability Accommodations, Amended July 9, 2024.

Management Directive No. 205.35—Information Reporting from the Commonwealth's Enterprise Business Information Warehouse System, Amended June 12, 2024.

Management Directive No. 310.14—Capital Asset Accounting and Reporting, Amended July 5, 2024.

Management Directive No. 325.13—Service Organization Controls, Amended February 15, 2024.

AMY J. MENDELSON,
Director

Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 24-1170. Filed for public inspection August 16, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

2026 Total Resource Cost (TRC) Test

Public Meeting held
August 1, 2024

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

2026 Total Resource Cost (TRC) Test; M-2024-3048998

Tentative Order

By the Commission:

Act 129 of 2008, 66 Pa.C.S. § 2806.1, directs the Pennsylvania Public Utility Commission (Commission) to analyze the benefits and costs of the energy efficiency and conservation (EE&C) plans that certain electric distribution companies (EDCs) are required to file. Before us is the proposed guidance for implementing the Pennsylvania Total Resource Cost (TRC) Test for use in planning for and during a potential Phase V of Act 129, that, if

approved, would begin June 1, 2026.¹ As ultimately approved, this version of the TRC Test for use in the potential Phase V will be designated the 2026 TRC Test.

Background and History

Act 129 requires EDCs² with 100,000 or more customers to adopt an EE&C plan, subject to approval by the Commission, to reduce electric consumption. The initial EE&C plans, effective from June 1, 2009, to May 31, 2013, were designated Phase I of Act 129 (Phase I). For Phase I, Act 129 required that an analysis of the benefits and costs of each EDC's EE&C plan, in accordance with a TRC Test, be approved by the Commission. In particular, Act 129 required an EDC to demonstrate that its plan was cost-effective using the TRC test and required that the EDC provide a diverse cross-section of alternatives for customers of all rate classes. 66 Pa.C.S. § 2806.1(b)(1)(i)(I).

Similarly, for subsequent phases, the Commission is charged with determining whether to establish conservation and peak demand reduction requirements and, if so established, to determine if EDCs have met the requirements.³ Act 129 also addresses energy efficiency (EE) and demand reduction targets from June 1, 2013, forward. 66 Pa.C.S. §§ 2806.1(c)(3) and 2806.1(d)(2).⁴

For Phase II of Act 129 (Phase II), which covered the period from June 1, 2013, to May 31, 2016, the Commission adopted three-year consumption reduction requirements, as recommended by the Phase I Statewide Evaluator (SWE),⁵ that varied by EDC based on the specific mix of program potential, acquisition costs, and funding available under the 2% limitation stipulated by Act 129.⁶ The SWE produced an Energy Efficiency Market Potential Study⁷ to document the methodology, assumptions, inputs, and analytical methods used to arrive at the recommended consumption reduction goals for each EDC.

The Commission directed the Phase I SWE to study the cost-effectiveness of current and potential future demand response (DR)⁸ programs. On November 1, 2013, the Phase I SWE's Act 129 Demand Response Study was released.⁹ For Phase II, there were no DR requirements, however, the Commission also directed the Phase II SWE¹⁰ to study the cost-effectiveness of potential future DR programs. On February 27, 2015, the Phase II SWE's

¹ The currently assigned docket for matters relating to the Commission's consideration of a potential Phase V is Release of the Statewide Evaluator Baseline Studies Secretarial Letter, Docket No. M-2023-3044490.

² There are four EDCs affected by Act 129: Duquesne Light Company (Duquesne), FirstEnergy Pennsylvania Electric Company (FirstEnergy), Pennsylvania Power and Light (PPL Utilities), and Philadelphia Electric Company (PECO). FirstEnergy was granted approval for consolidation by the PUC, at the December 7, 2023 public meeting, of the four independent EDCs it owned: Metropolitan Edison Company (Met-Ed), Pennsylvania Electric Company (Penelec), Pennsylvania Power Company (Penn Power), and West Penn Power Company (West Penn). These former four EDCs are now Rate Districts that comprise the FirstEnergy EDC. Due to timing issues, studies performed to inform this Tentative Order, and discussed herein, were conducted as if the Rate Districts were still independent EDCs.

³ After 2013, the Commission has had the option to determine what test to use. 66 Pa.C.S. § 2806.1(m).

⁴ Section 2806.1(c)(3) states that, based on a review to be concluded by November 30, 2013, if "the Commission determines that the benefits of the program exceed the costs, the Commission shall adopt additional incremental reductions in consumption."

⁵ The SWE is a team of technical consultants. They are engaged by the Commission under contract pursuant to a request for proposal process.

⁶ Act 129 sets a limit on the cost of an EDC's EE&C plan at 2% of the EDC's annual revenue as of December 31, 2006. See 66 Pa.C.S. § 2806.1(g).

⁷ See http://www.puc.pa.gov/electric/pdf/Act129/Act129-PA_Market_Potential_Study_051012.pdf. The EE Market Potential Study is dated May 10, 2012, and was released May 11, 2012.

⁸ Demand Response is a change in electric usage by end-use customers from their normal consumption patterns in response to a signal. Usually, incentive payments are offered to customers to induce lower electric consumption at times of high wholesale market prices or when system reliability is jeopardized. Examples include turning up the temperature on the thermostat to reduce air conditioning loads or slowing down/stopping production at an industrial facility temporarily.

⁹ See GDS Associates, Inc. (Phase I SWE), Act 129 Demand Response Study (dated May 13, 2013). <http://www.puc.pa.gov/pdocs/1256728.docx>.

¹⁰ The SWE for Phase II consisted of GDS Associates, Inc., and its subcontractors.

Demand Response Potential Study¹¹ was released. In both studies, the SWE collected data and documentation from EDCs to aid in performing an analysis of the cost-effectiveness of compliance with the current legislative DR requirements and of potential improvements to the DR program design.

Act 129 also required that the Commission determine if energy efficiency and DR goals should be established beyond the Phase II goals. 66 Pa.C.S. §§ 2806.1(c)(3) and 2806.1(d)(2). Phase III goals were determined in the Phase III Implementation Order at Docket No. M-2014-2424864.¹² To support implementation and the benefit/cost (B/C) analyses for Phase III of Act 129, the Commission adopted the 2016 TRC Test Order at Docket No. M-2015-2468992 on June 22, 2015.¹³ Phase III covered June 1, 2016, to May 31, 2021.

During planning for Phase IV of Act 129 the Commission determined that energy efficiency goals would remain in place but, dispatchable DR goals would be removed from consideration in favor of peak demand reduction goals, which could be met with coincident demand reductions from EE measures. The goal of this change was to allow more focus on long-lasting everyday reductions from energy efficiency measures rather than have funds be split between EE programs and dispatchable DR programs.¹⁴ Phase IV goals were determined in the Phase IV Implementation Order at Docket No. M-2020-3015228.¹⁵ To support implementation and the benefit/cost (B/C) analyses for Phase IV of Act 129, the Commission adopted the 2021 TRC Test Order at Docket No. M-2019-3006868 on December 19, 2019.¹⁶ Phase IV covers June 1, 2021, to May 31, 2026.

If the Commission decides to proceed with Phase V of Act 129, it will be necessary to address the B/C measurements for Phase V. To allow for adequate planning for the potential Phase V, the Commission puts forth this Tentative Order regarding a 2026 TRC Test, building on the five previous Pennsylvania TRC Test Orders and industry documents such as the California Standard Practice Manual: Economic Analysis of Demand-Side Programs and Projects¹⁷ (California Manual), for the B/C analysis of EE&C plans for the potential Phase V.

Pennsylvania conducts the requisite B/C analyses using a TRC Test. The TRC Test for Phase I of Act 129 was adopted by Commission Order at Docket No. M-2009-2108601 on June 23, 2009 (2009 TRC Test Order). The TRC Test was refined at the same docket on August 2, 2011 (2011 TRC Test Order), and on August 30, 2012, at Docket No. M-2012-2300653 (2013 TRC Test Order). The TRC Test was updated for use during Phase III of Act 129 on June 22, 2015, at Docket No. M-2015-2468992 (2016 TRC Test Order). The TRC Test was most recently updated for Phase IV of Act 129 on December 19, 2019, at Docket No. M-2019-3006868 (2021 TRC Test Order).

2026 Technical Reference Manual

The 2026 Technical Reference Manual (TRM) is the guide to measure and verify applicable EE and Demand Side Management (DSM) measures used by EDCs to meet the Act 129 consumption and peak demand targets. While its use will continue to provide the necessary information

that establishes the evaluation process to monitor and verify data collection, quality assurance, and the results of each EDC's EE&C plan, it also provides information that will assist EDCs in their TRC calculations. The Commission proposed an updated 2026 TRM on May 9, 2024 at Docket No. M-2023-3044491 for use during a potential Phase V.

TRC Test Explained

Act 129 defines a TRC test as “a standard test that is met if, over the effective life of each plan not to exceed 15 years, the net present value (NPV) of the avoided monetary cost of supplying electricity is greater than the NPV of the monetary cost of energy efficiency conservation measures.” 66 Pa.C.S. § 2806.1(m). Thus, the TRC test is a critical measuring tool in determining the cost-effectiveness of an EDC's EE&C plan. Historically, the TRC test has been a regulatory test. It is not a static, one-size-fits-all tool. It can incorporate different factors and evaluate variables in different ways, as determined by the jurisdictional entity using it. Pennsylvania has tailored its TRC test over time to evaluate EDC progress in meeting the requirements of Act 129, consistent with the policy objectives of the Commonwealth within the statutory directives of Act 129.

The purpose of using a TRC test to evaluate EE&C programs is to track the relationship between the benefits to the Commonwealth and the costs incurred to obtain those benefits. Sections 2806.1(c)(3) and 2806.1(d)(2), as well as the definition of the TRC test in Section 2806.1(m) of Act 129, provide that a TRC test be used to determine whether ratepayers received more benefits (in reduced electric energy, capacity, and non-electric resources) than the total costs of the EE&C plans.

In Pennsylvania, the TRC Test considers the combined effects of an EDC's EE&C plan on both participating and non-participating customers based on the costs incurred by the EDC and participating customers. In addition, the benefits calculated for use in the TRC Test include the avoided supply costs, such as the reduction in energy production valued at marginal cost for the periods when there is a consumption reduction, and the avoided cost of generation, transmission, and distribution capacity for measures that reduce peak demand. In addition to the avoided cost of supplying electricity, the avoided cost of supplying fossil fuel and water are included in the algorithms for calculating TRC benefits. These avoided costs apply to EE&C measures that impact consumption of those resources. Avoided supply costs, depending on the mandate in each jurisdiction, can be calculated using either gross or net program savings. In Pennsylvania, we have primarily looked at avoided supply costs from the perspective of gross program savings, which is how Act 129 compliance targets are measured.

Further, the costs used in the TRC Test include the costs of the various programs paid by an EDC or its Conservation Service Provider (CSP) and the participating customers¹⁸ and reflect any net change in supply costs for the periods in which consumption is increased in the event of load shifting. Thus, for example, equipment, installation, operation and maintenance (O&M) costs, cost of removal (less salvage value), and administrative costs, are included—regardless of who pays for them.

¹⁸ In this regard, we note that the 2026 TRC Test would continue to use the incremental measure costs of services and equipment. This matter is discussed in more detail below, in the segment addressing incentive payments from an EDC.

¹¹ The DR Potential Study, dated February 25, 2015, was released February 27, 2015. See <http://www.puc.pa.gov/pdocs/1345077.docx>.

¹² See <http://www.puc.state.pa.us/pdocs/1367313.doc>.

¹³ See <http://www.puc.pa.gov/pdocs/1367195.docx>.

¹⁴ See <https://www.puc.pa.gov/pdocs/1666981.docx> at page 68.

¹⁵ See <https://www.puc.pa.gov/pdocs/1666981.docx>.

¹⁶ See <https://www.puc.pa.gov/pdocs/1648126.docx>.

¹⁷ The California Standard Practice Manual—Economic Analysis of Demand-Side Programs and Projects, July 2002, p. 18. See http://www.calmac.org/events/SPM_9_20_02.pdf.

The results of the TRC Test are expressed as both a present value of net benefits (PVNB) and a benefit-cost ratio. The PVNB is the present value of the net benefits (benefits minus costs) of this test over a specified period (i.e., the expected useful life of the EE&C measure or program). The PVNB is a measure of the change in the total resource costs due to the program. A PVNB above zero indicates that the program is a less expensive resource than the supply options upon which the marginal cost forecast is based. A discount rate must be established to calculate the NPV. In the first three phases of Act 129, the discount rate for the Pennsylvania TRC Test was the EDC's weighted average cost of capital. In Phase IV of Act 129, the Commission updated its discount guidance to reflect a 3% real discount rate for all EDCs. See 2021 TRC Test Order at 17—21.

The benefit-cost ratio (B/C ratio or TRC ratio) is the ratio of the discounted total benefits of the program to the discounted total costs over the expected useful life (up to a maximum of 15 years) of the energy efficiency measure, program, or portfolio. The B/C ratio gives an indication of the rate of return of this program to the utility and its ratepayers. A B/C ratio greater than one indicates that the program is beneficial to the utility and its ratepayers on a TRC basis.¹⁹ The explicit formulae for use in Pennsylvania are set forth in Appendix A of this order.

As discussed in prior TRC Test Orders, the California Manual was the starting point for the Pennsylvania TRC Test but does not address all issues specific to Pennsylvania. For this reason, the Commission will continue to explore how best to structure and apply the TRC Test for Pennsylvania.²⁰ In preparation of this Tentative Order, the Commission and the SWE²¹ have reviewed industry literature on benefit-cost analysis to refine the TRC Test to meet Pennsylvania policy objectives. The TRC Test for Phase V, if implemented, would be applicable throughout the course of Phase V, potentially concluding May 31, 2031. However, many issues involved in EE&C plans, program implementation, and operation of the TRC Test are ongoing in nature, and future updates may be proposed by stakeholders, or the Commission as needed. A final order at this docket regarding the 2026 TRC Test will set forth constraints that the Phase IV SWE will need to finalize the Phase V market potential study.

This Tentative Order sets out the proposed continuations and clarifications from the prior TRC Tests and the proposed changes for the 2026 TRC Test for use in a potential Phase V. The continuations, clarifications, changes, and new items are summarized in Appendix C and explained in detail in this Tentative Order.

A. General Issues

1. TRC Test Assumptions In Other Matters

The TRC Test requires EDCs to make numerous financial and technical assumptions about the costs of operating an electric power system, future market structures, and the time-value of money. Consistent with our determination in prior TRC Test Orders, the Commission proposes to maintain the provision that TRC Test assumptions are used exclusively for Act 129 related matters. TRC Test assumptions are not to be presumed to be binding in other regulatory matters such as prudence,

¹⁹ See Appendix A—TRC Definitions and Formulae of this Tentative Order for detailed methodology to calculate the PVNB and B/C ratio of the 2026 TRC Test.

²⁰ After November 30, 2013, and every five years thereafter, the Commission is to evaluate the costs and benefits of the EE&C program established under Section 2806.1(a) and of the approved EE&C plans using a TRC test or a benefit/cost analysis of the Commission's determination. 66 Pa.C.S. § 2806.1(c)(3).

²¹ The SWE for Phase IV is NMR Group, Inc. and its subcontractors. The SWE for Phase V has not been determined at the time of this Tentative Order.

cost-of-service, or other inquiries. Stakeholder comments on the proposed 2021 TRC Test Order encouraged the commission to synchronize the methodologies used for the avoided costs of natural gas with the calculation of these benefit streams in the EE&C plans filed by natural gas distribution companies (NGDCs). The Commission agreed that consistency across EE&C plans filed by different utilities that serve Pennsylvania customers is desirable, but the differing statutory requirements and goals of NGDCs ultimately make this synchronization infeasible. See 2021 TRC Test Order at 9—11. If there are significant differences between the assumptions used in the TRC Test and the assumptions or facts at issue in such other proceedings, parties may inquire into the validity and underlying rationale of the differences in EE&C plan proceedings.

2. Frequency Of Review Of The TRC Test

Consistent with our determination in past TRC Test Orders, the Commission proposes in the 2026 TRC Test Tentative Order to maintain the provision that the 2026 TRC Test apply for the entirety of Phase V. This would promote consistency across the Market Potential Studies, EE&C plan development, and annual benefit-cost reporting during the entire phase. The Commission recognizes that this 2026 TRC Test is being developed almost two years prior to the beginning of a potential Phase V, and it is possible that new issues will arise that were not considered in this Order. Consequently, we propose to reserve the right to update or modify the 2026 TRC Test during a potential Phase V or to direct the Phase V SWE to develop guidance memos on such topics to promote consistency across EDCs and TRC Test results that are in line with Act 129 and the policy objectives of the Commonwealth.

In the 2021 TRC Test Order, the Commission directed the Phase IV SWE to include in its Final Annual Reports a comparison of forecasted avoided costs of electricity to actual market conditions. See 2021 TRC Test Order at 30-31. During PY13 of Phase IV, actual avoided costs deviated substantially from the Phase IV forecasted values. The major cause of the deviations from the expected values were from increases in the prices of natural gas due to ongoing global conflicts. The Phase IV SWE team cautioned the Commission against updating its long-term avoided cost forecast based on this volatility and recommended the Commission wait to see if market conditions returned to more normal levels.²² This forbearance turned out well as PY14 market conditions returned to levels that were closely aligned with the Phase IV avoided cost forecast.²³ As was the case in the Phase IV of Act 129, the Commission continues to see value in annual comparisons between avoided cost projections and actual market prices for informational purposes, but cautions against any over reactions to short-term market volatility from year to year.

3. Level At Which To Calculate And Report TRC Test Results

Prior TRC Test Orders provided that “compliance will be measured separately going forward in any phase for which there will be DR or EE goals.” The Commission proposes to maintain this requirement for Phase V if separate goals are established for dispatchable DR programs. However, the Phase V Tentative Implementation Order may include a more integrated EE/DR program

²² See https://www.puc.pa.gov/media/2152/py13_swe_annual_report120522final.pdf at page 106.

²³ See https://www.puc.pa.gov/media/2688/swe_py14_final_annual_report120123.pdf at page 101.

design that includes “daily load shifting” rather than an event-based DR program design. Peak demand impacts from a daily load shifting style of DR are much like coincident demand reductions from energy efficiency, and it may be possible to have a single peak demand reduction goal that could be satisfied by either coincident demand reductions from EE or daily load shifting DR programs (see Section G.2). If Phase V goals follow this more integrated structure, the Commission proposes to determine cost-effectiveness at the EE&C plan level rather than separately for EE and DR.

EDCs are required to develop and implement a portfolio of programs wherein the benefits of the portfolio are greater than the costs. Conducting TRC testing at the plan level gives new programs and technologies adequate opportunity to establish whether they can contribute to the EE and DR goals of Act 129. Comments on past TRC Orders suggested conducting TRC Tests at the measure level but were rejected. Screening cost-effectiveness at the measure level could lead to adverse outcomes where EDCs are forced to limit the scope of efficiency projects within homes and businesses based on assumptions about avoided costs and incremental measure costs (IMCs) that each carry a degree of uncertainty.

As in prior phases, the Commission proposes in the 2026 TRC Test Tentative Order to continue applying the TRC Test at the plan level and to continue to reserve the right to reject any program with a low TRC ratio. EDCs are required to estimate and report program-level TRC ratios in their EE&C plans and in each final annual report. TRC ratios should also be reported for the EE and dispatchable DR portfolios, if applicable, as well as the entire EE&C plan (inclusive of both EE and DR).

4. Discount Rate

A discount rate is the percentage used to calculate the present value of future costs and benefits. Discounting reflects the reality that, all else equal, people prefer benefits now rather than later, and vice versa for costs. When choosing a discount rate, it is important to consider whose preferences are reflected by the discount rate. In the case of energy efficiency programs and other public policy, the discount rate is typically selected to reflect the preferences of the public at large. Because Act 129 is an energy efficiency and conservation program, we are proposing to continue using a discount rate that reflects the preferences of the public at large. Act 129 did not set discount rates, but the 2021 TRC Test Order set a discount rate of 3% in real terms or 5% in nominal terms.

The Commission proposes to continue using a discount rate of 3% in real terms or 5% in nominal terms for Pennsylvania’s EE&C programs in Phase V, the same discount rates as Phase IV. The difference between the real discount rate and nominal discount rate is the assumed rate of inflation. We further propose a standard 2% inflation assumption be used by all EDCs for Phase V, based on the projections of the United States (US) Congressional Budget Office’s 2024 to 2034 Budget and Economic Outlook.²⁴ A 3% real discount rate for the 2026 TRC Test is supported by economic theory of benefit-cost analysis that indicates that long-term gross domestic product (GDP) growth rates can be used as a rough proxy for the public’s preference for tradeoffs over time. In the US, real GDP growth has averaged 3.15% since 1948, according to the US Bureau of Economic Analysis.²⁵

²⁴ See <https://www.cbo.gov/system/files/2024-02/59710-Outlook-2024.pdf> at page 5.

²⁵ See <https://tradingeconomics.com/united-states/gdp-growth>.

5. Effective Useful Life

As established in Act 129 and as discussed in prior TRC Test Orders, any given measure is limited to a maximum of 15 years of savings benefits. 66 Pa.C.S. § 2806.1(m). Measures that require recurring expenditures, such as increased natural gas consumption for combined heat and power (CHP) projects, are also limited to 15 years of negative benefits. Typically, the costs of energy efficiency are front-loaded, and the benefits accrue over many years. This can result in a situation where benefits for a subset of the measure’s technical life are compared to its full lifetime costs, since costs are incurred up front. In previous TRC Test Orders stakeholders have suggested various methodologies whereby costs are reduced proportionately to truncated lifetime benefits. The position of the Commission is unchanged on this issue, and considers such end effects adjustments not acceptable for use in a potential Phase V. While certain technologies may have an expected useful life (EUL) greater than 15 years, Act 129 is clear about the 15-year limit, and any adjustment to the cost ledger would circumvent the legislative directive.

For some EE&C measures, a single baseline may not be appropriate for the duration of the mechanical life of the equipment. Although compliance with Act 129 goals has historically been based on “first-year” savings, lifetime savings are required for the calculation of TRC benefits. Dual baselines are appropriate when a known change in codes and standards lowers the savings opportunity in future years or the equipment that served as the baseline initially reaches the end of its useful life and a code-minimum baseline needs to be assumed for the remainder of the measure life. The latter situation is often appropriate for early replacement measures where it is not reasonable to assume the replaced equipment would continue to operate for the full EUL of the program-supported efficient equipment. In this situation, the remaining useful life (RUL) of the baseline equipment should be less than the EUL of the efficient equipment.

For the 2026 TRC Test, the Commission proposes that EDCs and their evaluation contractors continue to use dual baselines where appropriate and practical. Specifically, when an early replacement measure characterization is used to estimate first-year savings or a known change to codes and standards calls for a second savings level during the EUL. There are multiple ways to implement a dual baseline calculation within a benefit-cost model. The EDCs and their evaluation contractors should use professional judgement when selecting an implementation method based on the structure of their program tracking data, impact evaluation results, and TRC model.

6. Low-Income Programs

The Commission is proposing a modification to the avoided costs for low-income programs by incorporating into Phase V avoided cost forecasts of the benefit of EDC’s financial savings from their Act 129 low-income EE programs (see Section B.12). The Commission is not proposing any special reporting requirements for low-income programs. Like any other EE&C program, low-income programs are not required to have a TRC ratio greater than 1.0. If an EDC has multiple low-income programs, there is no need to aggregate the cost-effectiveness results across low-income programs for reporting purposes.

7. Basis Of TRC Test Impacts

The Commission proposes no changes and would continue the process established in Phases III and IV, under which EDCs are required to report verified gross savings, verified net savings, and actual costs in their final annual reports. See 2021 TRC Test Order at 26-27. Compliance will be based on verified gross kWh and kW electric savings, and costs will be based on actual costs. Because EDCs use net savings for planning purposes, they shall also continue to report net savings for each program and the total portfolio of programs and describe how such net savings are calculated. In addition, EDCs shall continue to report TRC ratios in EE&C plans in two ways: (1) based on projected gross savings and (2) based on projected net savings. Actual costs are not known at the time of EE&C plan submission, so all cost values will also be projected.

8. Measures Supported By Both Act 129 Programs And Other Funding Streams

The Commission is not proposing any changes regarding this issue from its position established in prior TRC Test Orders. Outside incentives, whether they are rebates or tax credits, reduce the participating customers' costs; therefore, the reduction must be reflected in lower IMCs and be factored into an EDC's TRC Test calculation. The Commission recognizes that tracking non-Act 129 incentives paid to EDC customers may be difficult as some customers may not be inclined to provide the requested information or may not have access to it. Consistent with prior TRC Test Orders, the Commission proposes that EDCs only need to factor in, as reductions to cost, the non-Act 129 incentives that are reasonably quantifiable by the EDC at the time the Act 129 transaction is recorded. Examples of reasonably quantifiable non-Act 129 incentives include energy efficiency rebate programs administered by the Pennsylvania Department of Environmental Protection and grants from the Alternative and Clean Energy Program jointly administered by the Pennsylvania Department of Community and Economic Development and the Pennsylvania Department of Environmental Protection. EDCs can continue to include the full benefits determined by the gross verified calculations of the TRC Test for measures that include incentives from non-Act 129 funding sources if any portion of the measure is attributable to Act 129. The availability of non-Act 129 funding streams for a measure may increase the estimates of free-ridership, which would reduce benefits in the net verified calculations for the measure. See 2013 TRC Test Order at 21.

B. Avoided Costs Of Supplying Electricity

The Commission proposes continued use of the status quo Act 129 methodology to develop forecasted avoided costs of electricity. In the 2021 TRC Order, the commission proposed the use of a single Avoided Cost Calculator²⁶ (ACC), developed by the Phase III SWE, that implemented the methodologies outlined within the 2021 TRC Test Order. The intention was that more detailed instructions would improve consistency across EDCs and lead to better alignment with market conditions. The Commission proposes the use of an updated ACC, developed by the Phase IV SWE, for use in Phase V and that EDCs must utilize this standard tool when developing avoided costs for Phase V. The ACC is Exhibit 1 of this Tentative Order and is located on the Commission's website at: http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/total_resource_cost_test.aspx.

²⁶ See <https://www.puc.pa.gov/pdocs/1648144.xlsx>.

The following paragraphs are the topics of proposed changes and topics of continuation from prior TRC Test Orders as they relate to avoided costs of supplying electricity.

1. Vintage Of Avoided Cost Forecasts

The Commission proposes that EDCs continue to develop a single forecast of avoided costs for use in Phase V EE&C plans and all cost-effectiveness reporting in the Phase V annual reports. For simplicity in compliance, EDCs are not expected to update avoided costs mid-phase. However, the Commission plans to direct the Phase V SWE to include in its Final Annual Reports a comparison of forecasted avoided costs of electricity to actual market conditions for each EDC/Rate District service area. The Commission reserves the right to require updating, and the EDCs may request updating depending on market changes.

2. Avoided Cost Of Electric Energy

The proposed methodology entails the use of a 20-year period for calculating avoided electricity energy costs and is dissected into three segments. Forecasted avoided energy costs should be calculated in a time-differentiated format with a minimum of six distinct seasonal periods per annum, as defined by the proposed 2026 TRM, Volume 1, Table 1-3.²⁷

a. *The first segment, years one through four:* The proposed methodology for segment one (calendar years 2026 through 2029) should utilize NYMEX PJM electricity futures prices for on-peak and off-peak periods as a basis. It is the Commission's recommendation to utilize market-based electricity prices whenever possible. NYMEX futures prices should be obtained at the PJM Interconnection Western Hub location with an EDC/Rate District zonal basis adjustment based on the 2024 PJM State of the Market Report, Chapter 11. The zonal adjustment factor shall be defined as the ratio of zone-specific real-time load-weighted average locational marginal price (LMP) against the Western Hub real-time load-weighted average LMP for the prior 5-years (2020 through 2024). The same zonal adjustment shall be used for both on-peak and off-peak price periods. The prompt month for NYMEX PJM electricity futures is established as three months prior to the EE&C plan filing date.²⁸

b. *The second segment, years five through ten:* The methodology for segment two (calendar years 2030 through 2035) should be based on NYMEX natural gas futures converted into electricity costs. Medium-term NYMEX natural gas futures shall be blended with the longer-term US Energy Information Administration (EIA) Annual Energy Outlook (AEO) projected natural gas costs across the segment two period to shift from market-based conditions to a more stable model that is public and transparent. Natural gas costs shall be converted into an electric energy price, with an additional spark price spread²⁹ using the following calculation steps:

i. Collect monthly NYMEX natural gas futures at Henry Hub for years one through ten. The prompt month for NYMEX futures is established as three months prior to the EE&C plan filing date.

²⁷ On-peak is defined as 7 a.m. to 11 p.m. on weekdays. Off-peak is defined as 11 p.m. to 7 a.m. on weekdays and all weekend and holiday hours. Summer includes May–September. Winter includes December–February. The shoulder period includes March, April, October, and November.

²⁸ For instance, if the EDC EE&C plan is due in November 2025, the prompt month will be August 2025.

²⁹ "Spark price spread" refers to the difference between the price of electricity sold by a generator and the price of the fuel used to generate it, adjusted for equivalent units. See https://en.wikipedia.org/wiki/Spark_spread.

ii. Use the differential between the Henry Hub as the source and TETCO M-3 as the destination for the locational basis adjustment to the natural gas prices for EDCs/Rate Districts west of the Susquehanna River. The locational basis adjustment to the natural gas prices for EDCs/Rate Districts east of the Susquehanna River is the basis differential between the Henry Hub as the source and Transco Zone 6 non-New York as the destination. For EDCs that have service territory on both sides of the river, such as PPL Utilities and FirstEnergy, the location shall be based where the majority of the electric load is present. Adjustments shall be based on the average of adjustment prices in years one and two and applied to NYMEX natural gas futures at Henry Hub for years one through ten.

iii. Gather annual forecasted natural gas costs from the 2025 US EIA AEO projected costs for Electric Power Users in the Mid-Atlantic region using nominal dollars. Annual AEO natural gas costs shall be converted into monthly or seasonal periods that align with the TRM utilizing adjustment factors derived from zone location adjusted NYMEX natural gas futures prices years one and two.

iv. Derive final natural gas costs by blending NYMEX natural gas futures and EIA AEO projected natural gas costs over the segment two horizon. This shall be executed by adding one-seventh of the differential between EIA AEO natural gas costs and locational adjusted NYMEX natural gas futures for each segment year starting in year five to the zone location adjusted NYMEX natural gas futures.

v. Convert final natural gas costs into electricity costs utilizing assumed heat rates for the average existing natural gas generating station. Heat rates of a gas turbine shall be utilized for on-peak periods and the heat rate of a combined cycle unit shall be utilized for off-peak periods. The proposed heat rate for on-peak shall be 11,030 BTU/kWh, and off-peak shall be 7,596 BTU/kWh.³⁰

vi. Add a spark spread cost to the avoided energy costs for segment two. The spark spread shall be determined as the average difference between the zone location adjusted NYMEX PJM electricity futures and zone locational adjusted electricity costs based on NYMEX natural gas futures for years one through three.

c. The third segment, years eleven through twenty: The methodology for segment three (calendar years 2036 through 2045) shall be a similar methodology as for the second segment but based solely on long-term EIA AEO projected natural gas costs. Natural gas projected costs shall be converted into an electric energy price using a spark price spread calculation, with the following calculation steps:

i. Gather annual forecasted natural gas costs from the 2025 US EIA AEO projected costs for Electric Power Users in the Mid-Atlantic region using nominal dollars. Annual AEO natural gas costs shall be converted into monthly or seasonal periods that align with the TRM utilizing adjustment factors derived from zone location adjusted NYMEX natural gas futures prices years one and two.

ii. Convert final natural gas costs into electricity costs utilizing the same heat rates for on-peak and off-peak periods as the second segment.

iii. Add the spark spread cost to the avoided energy costs for segment three. The spark spread shall be the same as determined in the second segment.

3. Nominal Vs. Real Dollars

The Commission proposes that for Phase V, EDC avoided cost forecasts should continue to be developed in nominal dollars (e.g., the avoided cost of supplying electricity in 2040 should be expressed in 2040 dollars). A nominal discount rate is used to calculate the NPV of benefits in the base year (2026). Assumed inflation rate would be 2.0%, consistent with the US Congressional Budget Office assumptions.³¹

4. Line Losses

The algorithms and assumptions in the TRM calculate energy and demand savings at the customer meter. Similarly, EDC CSPs and evaluation contractors produce savings estimates for custom projects at the meter level. When calculating TRC benefits, these resource savings must be scaled to the system level to account for losses during transmission and distribution (T&D). Volume 1 of the proposed 2026 TRM³² provides line loss factors by EDC and customer class. The Commission proposes that EDCs/Rate Districts continue to use these values to calculate system-level electric energy and peak demand impacts and to determine TRC benefits.

5. Escalation Rate

The Commission proposes that any avoided electricity costs that require escalation from a given year shall utilize the Bureau of Labor Statistics' (BLS) Electric Power Generation Transmission Distribution (GTD) sector price index³³ (BLS factor: NAICS 221110) as a proxy rate. The electric escalation statistic would be derived from the compound average growth rate (CAGR) of the average annual values of the prior five years with data for all twelve months.

The electric escalation rate should not be confused with the rate of inflation. The escalation rate deals with the rate of increase in costs in real dollars. The escalation rate plus the inflation rate captures the increase in cost projections in nominal dollars. Because the GTD BLS price index is inclusive of inflation, historical inflation across the same five-year period should be removed to isolate the electric escalation rate.

Because of recent inflationary volatility, if in the event the calculated escalation rate is less than zero, the Commission proposes that the escalation rate shall be set to zero percent.

6. Allocation Of Avoided Capacity Costs Between Summer And Winter Peak

Act 129 reporting of peak demand impacts and the associated capacity benefits have historically relied exclusively on reductions in summer peak demand. In the 2026 TRM Tentative Order³⁴ the Commission proposed to bifurcate the Act 129 peak demand definition to include both summer peak and winter peak. To support this transition, the proposed 2026 TRM provides the algorithms and assumptions needed to estimate winter peak demand impacts as well as summer peak demand impacts. The transition to a seasonal peak demand defini-

³¹ See <https://www.cbo.gov/publication/60419>.

³² See Proposed 2026 Technical Reference Manual, Volume 1 at Docket No. M-2023-3044491, entered May 9, 2024. Page 13. <https://www.puc.pa.gov/pdocs/1829634.docx>

³³ See <https://data.bls.gov/timeseries/PCU221110221110>.

³⁴ See 2026 TRM Tentative Order, at Docket No. M-2023-3044491, entered May 9, 2024 (2026 TRM Tentative Order). Page 8-9. <https://www.puc.pa.gov/pdocs/1828766.pdf>.

³⁰ 2023 EIA AEO source for the average existing natural gas prime mover in the US.

tion raises a critical question for the estimation of capacity benefits within the TRC Test. Specifically, how should annual capacity value (\$/kW-year) be prorated across the two seasons?

For the avoided cost of generation capacity, the Commission proposes a 50/50 allocation between summer and winter demand. The same 50/50 allocation would apply to the generation capacity Demand Reduction Induced Price Effects (DRIPE) discussed in Section B.10 of this Tentative Order. If the avoided cost of generation capacity for an EDC zone in PY18 is \$60/kW-year, EDCs and their evaluation contractors would value each kW of summer peak demand reduction at \$30/kW-year and each kW of winter peak demand reduction at \$30/kW-year. Alternatively, the EDCs could average the summer and winter kW reductions from a program or measure and multiply the average by \$60/kW-year.

The proposed 50/50 allocation method is simple and avoids taking a strong position on long-term trajectories of load growth and generation mix in the region. Jurisdictions like New York with aggressive policies to electrify space heating and water heating end uses might consider the transition to a winter-peaking system a foregone conclusion. PJM's 2024 Load Forecast Report³⁵ projects winter peak demand to grow more rapidly than summer demand over the next 15 years, bringing the seasonal peaks closer together in magnitude, but the system is still forecast to be summer peaking in 2039. However, recent modeling by PJM shows higher risk of unserved energy and loss of load in the winter season.³⁶ The extent to which PJM States adopt electrification policies, and the success of those initiatives, is still very uncertain. Thus, the Commission believes a neutral position on this issue is prudent. Additionally, current valuation procedures for energy efficiency resources recognized in the Forward Capacity Market require that resources deliver both summer and winter capacity or get "matched up" with a complementary resource. When resources match up, the value is split by days (\$/MW-day) with an effective 50/50 split between the summer and winter resource.

In comments³⁷ to FERC in response to PJM's October 2023 Capacity Market Reforms to Accommodate the Energy Transition While Maintaining Resource Adequacy filing, the Commission expressed support for a seasonal capacity construct with separate accreditation and price signals for summer and winter capacity. The Commission recognized the administrative complexities of a seasonal design but encouraged PJM to move toward a seasonal structure. To date, PJM has not adopted a seasonal construct for its scheduled auctions. However, if PJM elects to formally bifurcate the capacity market, resulting in separate resource clearing prices for summer capacity resources and winter capacity resources, our proposed 50/50 allocation would be unnecessary. If market rules change, and separate resource clearing prices exist by season in time for EDCs to reflect those values in potential Phase V EE&C Plans, we propose the EDCs use those values rather than allocate the annual value across seasons using assumed shares.

For the avoided cost of transmission and distribution values (see Section B.8), the Commission proposes EDC/Rate District-specific values split by season based on historic and projected peaking conditions. If the proposed

specific allocations are utilized, a top-down allocation of annual value is not necessary for transmission capacity or distribution capacity.

7. *Avoided Cost Of Generation Capacity*

Generation capacity for the region is procured through PJM's forward capacity auction process—the Reliability Pricing Model. The Base Residual Auctions (BRAs) happen approximately three years prior to the beginning of the delivery year, so the actual generation capacity values for the first years of the forecast horizon are known. When available, the actual zonal BRA clearing prices should be used as the values for the avoided cost of generation capacity. When projecting further into the future than the known values, the Commission proposes the following methodology:

i. Take a simple average of the five most recent BRA clearing prices for the zone. The Commission's position is that taking a five-year average is prudent because clearing prices vary from year-to-year, and an average will dampen this volatility. For Phase V EE&C plans, EDC/Rate Districts are expected to have actual BRA clearing price values for the 2026/2027 and 2027/2028 delivery years (Act 129 PY18 and PY19).

ii. Use the averaged value as the avoided cost of capacity for the first year that BRA clearing pricing prices are not available.

iii. Escalate using a compound annual growth rate of the BLS index for the power sector to calculate the avoided cost of generation capacity in real dollars for the remainder of the forecast horizon.

iv. Apply the electric escalation and inflation rates to convert real dollars to nominal dollars.

8. *Avoided Cost Of Transmission And Distribution Capacity*

Beginning in Phase III of Act 129, the avoided cost of transmission and distribution capacity has been valued on a \$/kW-year rather than a \$/kWh basis. See 2016 TRC Test Order at 34-35. The Commission maintains that investments in T&D infrastructure are driven by the need to accommodate peak demand rather than the volume of energy sales and proposes that EDCs continue to calculate the avoided T&D benefits of Act 129 EE&C plans using the gross and net verified peak demand reductions.

As discussed in previous TRC Test Orders, the Commission proposes that no avoided cost of distribution capacity be calculated for EE or DR peak demand reductions from participants in the Large Commercial and Industrial (C&I) class that receive service at high voltage. Peak demand reductions achieved by these facilities are presumed unlikely to avoid or defer load growth-related investments in an EDC distribution system because these accounts take service directly from the sub-transmission network. We recognize that EDC/Rate District tariffs vary, so the Large C&I customers will possibly map more cleanly to the rate codes of some EDCs/Rate Districts than to the rate codes of other EDCs/Rate Districts. As a rule, we propose EDCs apply the avoided cost of distribution capacity to residential customers and non-residential customers who take service at secondary voltage and omit the distribution capacity benefit stream for Large C&I customers that take service at primary voltage (13 kV and above).

The methodology used to estimate avoided T&D costs has been the subject of much discussion in comments and reply comments to prior TRC Test Orders. For Phases III

³⁵ See <https://www.pjm.com/-/media/library/reports-notices/load-forecast/2024-load-report.ashx>.

³⁶ See <https://www.pjm.com/-/media/committees-groups/committees/pc/2024/20240216-special/elcc-education.ashx>.

³⁷ See https://www.puc.pa.gov/media/2655/ferc_comments-pjm_er24-99-110923.pdf, Section A.

and IV of Act 129, the Commission proposed a simplified system wide value wherein the cost of growth-related capital investments is divided by system-level load growth. Challenges were identified with this approach in the face of flat or declining load growth. See 2021 TRC Test Order at 46. We also agreed with stakeholder comments that expressed concerns regarding the amount of variation in avoided distribution capacity costs and directed the Phase IV SWE, in collaboration with EDC system planners, to develop a more granular alternative methodology that is not predicated on load growth at the zonal level. See 2021 TRC Test Order at 49.

Listed in Section H, Exhibit 4, to this Tentative Order is the SWE's Avoided Cost of Transmission and Distribution (T&D) Capacity Study. The Commission appreciates the efforts of the EDC's planners to assemble the large volume of data required for this study and the collaborative work to help the SWE understand the nuances of their distribution systems. The Commission believes the SWE's T&D study represents a methodological improvement over the status quo approach and propose the EDCs use the avoided T&D values presented in Table 1 of Exhibit 4 to calculate avoided T&D benefits for a potential Phase V of Act 129. The proposed 2026 ACC (Exhibit 1 to this Tentative Order) contains a full 20-year forecast with adjustments for inflation and escalation by EDC/Rate District and season. As described in Section B.6 of this Tentative Order, the SWE study recommends separate values for summer and winter demand impacts, so no assumed split is required.

In addition to presenting forecasts of avoided T&D benefits by EDC/Rate District, the SWE T&D study raises several methodological topics that could potentially influence the application of avoided T&D costs and Phase V planning. Specifically, the Commission invites comments on the following observations by the SWE:

- The heat maps of deferral value for each EDC/Rate District clearly show that avoided T&D benefits are concentrated in specific locations that are highly loaded and or expected to grow. Other locations have little or no deferral value. Taking a load-weighted average across an EDC/Rate District territory simplifies the accounting but may mute important price signals regarding where load relief would be most beneficial. In the Conclusions and Recommendations section of its report, the SWE describes a low-medium-high value location taxonomy that could preserve some of the locational value. This suggestion would add a spatial component to EE&C program tracking or require EDCs to map participants to distribution circuit after the fact.

- Similarly, the SWE study notes that individual locations tend to be summer-peaking or winter-peaking, but rarely both. A load-weighted average at the EDC/Rate District territory level assigns a mix of summer and winter value to all demand reductions. Like the low-medium-high suggestion above, a seasonal classification scheme would help match EE&C plan measures with system need. A seasonal classification could justify more aggressive marketing or incentives on cooling equipment in summer-peaking areas and focus outreach for electric heating conservation or load shifting measures in winter-peaking areas.

- The SWE also raises the possibility of a non-wires alternative (NWA) demonstration project for the EDCs. We see this as a logical conclusion based on the concentration of deferral value in certain pockets of a territory. The goal of an NWA would be to assess if EE&C resources in combination with other resources can be

used to modify the load shapes, bend the growth, and avoid or defer likely upgrades.

9. Compliance with Alternative Energy Portfolio Standards Act (AEPS)

In Phases I and II, the Commission required that the costs of compliance with the AEPS Act³⁸ that are known and knowable be included in the TRC Test calculation. The cost was applicable to all the power "avoided." Further, for Phase II, it was noted that a reduction in electric consumption would reduce an EDC's costs of complying with the AEPS Act requirements. See 2013 TRC Test Order at 44-45.

Because no EDCs had included AEPS Act costs through Phase III, beginning in Phase IV, the Commission provided the EDCs with Alternative Energy Credit (AEC) pricing to ensure uniform valuation of AECs (and hence avoided cost estimates) by EDCs in their EE&C plans and their cost-effectiveness calculations. The Commission has access to several subscription-based services that forecast AEC pricing, including Marex.³⁹ Using forecast data from May 1, 2024, for the year 2026, the Commission proposes that the AEPS Act avoided costs shall be \$6.88 MWh for the first year of Phase V and escalated by the BLS escalation factor and the 2% inflation rate every year thereafter.⁴⁰

In addition, the Commission directs the Phase V SWE to include a summary of the AEPS costs with its Phase V annual reports for comparison purposes. If this comparison reveals significant differences between the assumed forecasted AEPS costs and the actual future AEPS costs, the Commission reserves the right to require a mid-phase update to avoided cost forecasts should the variance become large enough to fundamentally alter the benefit/cost results at the portfolio level.

10. Price Suppression Effects

In organized markets, such as the capacity, energy, and ancillary services markets operated by PJM, reductions in demand tend to place downward pressure on the supply side of the market and can potentially lower the market equilibrium price. These wholesale price suppression effects are also known as Demand Reduction Induced Price Effects (DRIFE).⁴¹ The Commission directed the Phase IV SWE to conduct an updated study to quantify the value of DRIFE under current market conditions. The Phase IV SWE used similar methodologies to nearby jurisdictions such as Maryland and New England.⁴² Evidence of price suppression effects were found for both avoided electric energy and avoided generation capacity.

This issue has been investigated previously by the SWE and discussed in prior Commission Orders. In a Secretarial Letter, dated May 17, 2013, the Commission released the Act 129 Demand Response Study—Final Report at Docket No. M-2012-2289411.⁴³ The Commission held a DR Study Stakeholder Meeting on Tuesday, June

³⁸ See 73 P.S. §§ 1648.1–1648.8 and 66 Pa.C.S. § 2814. See also 52 Pa. Code §§ 75.1–75.72.

³⁹ Marex is a United Kingdom-based broker of financial instruments and provider of market data services across the metals, agricultural and energy markets. See <https://www.marex.com/about-us/>.

⁴⁰ The AEPS Act avoided cost is established using a price of \$37.25 for solar photovoltaic sources at 0.5% of retail sales; \$34.20 for Tier I sources at 8% of retail sales; and \$39.63 for Tier II sources at 10% of retail sales. Obligations are set in <https://www.pabulletin.com/secure/data/vol38/38-51/2286.html>.

⁴¹ For a detailed explanation of the economics and benefits of DRIFE, see Industrial Energy Efficiency & Combined Heat and Power Working Groups, State Approaches to Demand Reduction Induced Price Effects: Examining How Energy Efficiency Can Lower Prices for All, (December 2015), https://www.eere.energy.gov/seeaction/system/files/documents/DRIFE-finalv3_0.pdf, at page 5.

⁴² <https://www.synapse-energy.com/sites/default/files/AECS%202024.pdf>. See page 22⁴³

⁴³ See Release of the Act 129 Demand Response Study—Final Report and Stakeholder Meeting Announcement, at <http://www.puc.pa.gov/pdocs/1230512.docx>.

11, 2013. At the suggestion of stakeholders, the Commission directed the Phase II SWE to conduct a Preliminary Wholesale Price Suppression and Prospective TRC Test Analysis of the DR program. The Phase II SWE's Act 129 Demand Response Study—Final Report; Amended November 1, 2013⁴⁴ was released for comment on November 14, 2013.⁴⁵ Following a review of comments, the Commission issued its Peak Demand Reduction Cost Effectiveness Determination Final Order, which directed the Phase II SWE to perform a DR Potential Study.⁴⁶ In the Peak Demand Reduction Cost Effectiveness Determination Final Order, the Commission was persuaded by stakeholder comments opposing further price suppression research and directed the Phase II SWE to perform a DR Potential Study for Phase III without inclusion of price suppression benefits. Therefore, no price suppression benefits were included in the 2016 TRC Test Order for energy efficiency or DR.

The 2021 TRC Test Order stated that avoided costs for Phase IV of Act 129 would not include any DRIPE but directed the Phase IV SWE to monitor the issue and provide recommendations regarding a study to re-examine capacity and/or energy DRIPE in the Commonwealth. See 2021 TRC Test Order at 55. In preparation for this Tentative Order and Phase V planning, the SWE completed an analysis of price suppression effects and developed a recommended set of DRIPE values. The SWE's Pennsylvania Demand Reduction Induced Price Effects Study is included in Section H, Exhibit 3.

Based on review of the SWE's DRIPE study, the Commission proposes to include price suppression effects in the TRC benefit calculations for Phase V of Act 129. The SWE's analysis shows that these benefits exist in the wholesale capacity and energy markets operated by PJM and are a real avoided cost of supplying electricity. While there is uncertainty in the DRIPE benefits estimated by the SWE, every component of the avoided cost forecast is based on estimates which contain uncertainty. The Natural Gas Distribution Companies of Pennsylvania include the value of DRIPE in their set of avoided costs used in benefit cost analysis.⁴⁷ Inclusion of DRIPE in the avoided cost of supplying electricity will promote alignment between electric and natural gas conservation programs.

As discussed in Exhibit 3, the Commission directed the SWE to only include price suppression benefits that accrue to Pennsylvania ratepayers and exclude effects on neighboring states. The proposed 2026 ACC (Exhibit 1) reflects the specific price suppression effects values recommended in Chapter 4 of the SWE's DRIPE study. Consistent with the proposal for generation capacity in Section B.6 of this Tentative Order, the Commission directed the SWE to split the annual generation capacity DRIPE value from its study evenly between summer and winter. The Commission proposes that these values be used by each EDC/Rate District for TRC Benefit calculations in Phase V of Act 129.

11. *End-Use Adjustments*

In Section B.2 of this Tentative Order, the Commission lays out a time-differentiated approach to valuing the

⁴⁴ The May 2013 and November 2013 versions of the SWE's Act 129 Demand Response Study—Final Report are available on the Commission's website at http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/act_129_statewide_evaluator_swe.aspx.

⁴⁵ See Energy Efficiency and Conservation Program Tentative Order, Docket Nos. M-2012-2289411 and M-2008-2069887 (entered November 14, 2013).

⁴⁶ See Energy Efficiency and Conservation Program Final Order, Docket Nos. M-2012-2289411 and M-2008-2069887 (entered Feb. 20, 2014) (PDR Cost Effectiveness Determination Final Order).

⁴⁷ See Philadelphia Gas Works (PGW) ENERGYSense DSM Portfolio Implementation Plan FY 2024–2026 at Docket No. 2014-2459362 (Entered June 16, 2023) <https://www.puc.pa.gov/pedocs/1790192.pdf>. Page 13.

avoided cost of electric energy. That valuation approach aligns with Table 1-3 (Periods for Energy Savings) in the proposed 2026 TRM in defining six mutually exclusive costing periods.⁴⁸ The six periods are summer on-peak, summer off-peak, winter on-peak, winter off-peak, shoulder on-peak, and shoulder off-peak. The Commission proposes continued use of end-use profiles, when available, for EE&C technologies or programs using a time-differentiated format consistent with the avoided energy costs. EDCs and their evaluation CSPs can use end-use profiles to partition the annual kWh savings from EE&C measures into the six energy savings periods. EDCs can then apply period-specific avoided energy cost projections or compute a weighted average avoided cost of energy specific to the measure type when estimating TRC benefits.

To support the EDCs and their CSPs in applying end-use profiles, the proposed Phase V ACC includes a tab named "Six Period Load Shapes" containing profiles organized by sector, building type, and end use. Each profile contains six values that sum to 100%. Profiles for the lighting end use come from the Act 129 SWE Commercial and Residential Light Metering Study.⁴⁹ Other end use profiles were developed using load shape data produced by the National Renewable Energy Laboratory (NREL) and organized in its ResStock and ComStock datasets.⁵⁰ The Commission leveraged the NREL load shapes in development of summer and winter demand savings assumptions for the proposed 2026 TRM so the application of end-use profiles in the TRC Test promotes consistency between the TRM and TRC Test.

The NREL ComStock dataset has a slightly different roster of commercial building types from the proposed 2026 TRM. For ease of use, the SWE mapped the NREL building types to the business types in the TRM. The Commission proposes to include a "Composite Commercial" building type that is a floorspace-weighted average of all commercial building types for use when building type is unknown or for planning purposes when the distribution of business types is unknown. Similarly, the NREL ResStock dataset includes load shapes for five distinct residential building types. The Commission proposes to simplify this in the ACC and include profiles for Single Family, Multi Family, and a "Composite Residential" building type that is a floorspace-weighted average of the five underlying residential building types.

The Commission proposes the end-use load shapes in the ACC be considered optional resources for the EDCs and their evaluation CSPs. EDCs and their CSPs should exercise professional judgement in cases where they believe alternative end-use profiles are more relevant or accurate. Where primary data collection from impact evaluations returns project or measure-specific profiles, that data is clearly preferred. When end-use profiles are not available or the EE&C measure savings are not expected to follow an end-use profile, the use of class average premise loads will continue to be acceptable.

12. *Reductions In Arrearages And Collection Costs*

In the 2021 TRC Test Order, stakeholders pointed out that the arrearages and uncollected debt were a cost of supplying electricity and suggested the Commission quan-

⁴⁸ See the Proposed 2026 Technical Reference Manual, Volume 1, Docket No. M-2023-3044491 (Entered May 9, 2024) <https://www.puc.pa.gov/pedocs/1829634.docx>, Page 10.

⁴⁹ See Act 129 SWE Commercial and Residential Light Metering Study, at Docket M-2014-2424864, entered February 4, 2015. Appendix A and Appendix B display 8760 load shapes for the residential and commercial sectors, respectively.

⁵⁰ See <https://www.nrel.gov/buildings/end-use-load-profiles.html>.

tify potential reductions of these costs as benefits in the TRC Test for low-income programs. In its disposition, the Commission stated:

Therefore, we determined that PA-EEFA’s comments regarding reduced arrearages and uncollected debt merit further investigation, particularly for programs offered to the low-income sector, and will direct the Phase IV SWE to study the impacts of EDC low-income programs on collections. We will make, at a later time, recommendations regarding the appropriateness and magnitude of such a benefit for consideration in future TRC Test Orders.⁵¹

Utilities can realize financial savings from their low-income EE programs. Energy-efficient technologies installed by EE programs often result in reduced energy bills for participants, which can decrease the likelihood that customers will experience difficulties paying their utility bills. In turn, utilities may realize reduced costs associated with arrearages and late payments, uncollectible bills and bad debt write-offs, service terminations and reconnections, bill-related customer calls, and the bill collections process.

The SWE conducted a study to quantify and monetize EDC financial savings through an analysis of EDC data on customer arrearages, shutoffs, and collections actions for Act 129 low-income program participants. The Commission proposes to incorporate the benefit of EDC’s financial savings from their Act 129 low-income EE programs, quantified in the SWE’s study, into Phase V avoided cost forecasts. The SWE recommends adopting EDC-specific results for PECO, PPL Utilities, and Duquesne and the statewide average values for the FirstEnergy (FE) rate districts (Met-Ed, Penelec, Penn Power and West Penn Power). The benefits apply for the EUL of the installed measures.

The SWE’s recommendation, shown in Table 1, presents the per MWh values in 2026 dollars, adjusted for line losses and inflation, for each EDC/Rate District.

Table 1: EDC/Rate District Financial Savings From Their Low-Income EE Programs

<i>EDC/Rate District</i>	<i>Total Annual Benefit Per MWh, \$2026</i>
PECO	\$58.14
PPL	\$44.87
Duquesne	\$18.67
FE: Met-Ed	\$18.10
FE: Penelec	\$18.10
FE: Penn Power	\$18.10
FE: West Penn Power	\$18.10

C. Other TRC Benefits

While the focus of Act 129 programming is the reduction of electric consumption and peak demand, EE&C measures often impact homes and businesses in other ways as well. One way is fossil fuels or water usage. Fossil fuel and water impacts can be both positive and negative. For example, attic insulation upgrades to a home with central air conditioning and a natural gas furnace will conserve natural gas during the winter heating season in addition to the reduced electric consumption during the summer cooling season. Conversely, a combined heat and power project will reduce electricity

use on-site, but it will increase the amount of fossil fuel consumed on-site by a business. EE&C measures can also reduce or increase the operation and maintenance costs for a participating customer. Lastly, EE&C measures can create societal benefits such as reduced greenhouse gas emissions.

This section addresses each category of potential non-electric TRC benefits. Previous Act 129 TRC Test Orders limited inclusion of non-electric benefits to reasonably quantifiable impacts. Guidance and clarification regarding impacts that are reasonably quantifiable or not are provided below. In each area, the Commission proposes symmetric handling of increases and decreases in other resource types.

1. Quantifying Water Impacts

Several common EE&C measures achieve reductions in electricity consumption from the domestic hot water end use by reducing the volume of hot water used for various tasks. For a potential Phase V TRC Test, the Commission proposes that any measure whose TRM algorithm relies on a calculated change in gallons has reasonably quantifiable water savings that EDCs should include in their calculation of TRC benefits. The algorithms for measures 2.3.6 (Low-Flow Faucet Aerators), 2.3.7 (Low-Flow Showerheads), and 2.3.8 (Thermostatic Shower Restriction Valves) of the proposed 2026 TRM include estimation of water volume savings as an intermediate step in the energy savings calculations. Other TRM measures that provide enough information for an EDC or its evaluation contractor to estimate annual water savings with some basic secondary assumptions include 2.4.8 (ENERGY STAR Clothes Washers), 2.4.10 (ENERGY STAR Dishwashers), and 3.4.2 (Low-Flow Pre-Rinse Sprayers for Retrofit Programs and Time of Sale Programs). If a custom project scope includes annual water impacts developed by the participant or contractor, the Commission proposes that it is reasonable for EDCs to include those estimates in the calculation of TRC benefits.

2. Monetizing Water Impacts

In the first two years of Phase IV (PY13 and PY14), water benefits accounted for approximately \$80 million of the \$972 million (8.2%) in TRC benefits statewide.^{52,53} Based on the relative importance of water savings in the Phase IV TRC Test results, it is important that EDCs continue to monetize changes in water consumption in the TRC Test for a potential Phase V of Act 129.

In the 2021 TRC Test Final Order, the Commission directed EDCs to monetize water impacts at a rate of \$0.01 per gallon (2021 dollars) with a loss factor of 24.5% (1.32 multiplier). The value of \$0.01 per gallon was based on an estimated marginal cost to treat and pump an extra gallon of water. Adjusted for inflation, this translates to approximately \$0.011 per gallon (2026 dollars).

In preparation for this Tentative Order, Commission Staff conducted an analysis of the retail rates of the Class A water utilities over which the PUC has jurisdiction. These include Aqua PA, Pennsylvania American Water, Audubon Water, Columbia Water, Community Utilities, Newtown Artesian, York Water Company and Pittsburgh Water and Sewer Authority. The analysis also included some water utilities that the PUC does not have jurisdiction over.

⁵² See Act 129 SWE Phase IV Program Year 13 Final Annual Report. Submitted to the Commission on December 5, 2022, https://www.puc.pa.gov/media/2152/py13_swe_annual_report120522final.pdf, Table 21 on page 48.

⁵³ See Act 129 SWE Phase IV Program Year 14 Final Annual Report. Submitted to the Commission on December 1, 2023, https://www.puc.pa.gov/media/2688/swe_py14_final_annual_report120123.pdf, Table 21 on page 46.

⁵¹ See 2021 TRC Test Final Order, at Docket No. M-2019-3006868, entered December 19, 2019. Page 73.

tion over, specifically Philadelphia Water Department, Lancaster City Water Authority, and Lehigh County Authority.

Many of the water utilities included in the analysis offer declining block rates where the cost per gallon is lower for billing cycles that exceed a specific volume. The Commission’s analysis uses the second block in such cases, assuming that it better approximates the marginal cost of an additional gallon to the system. Once compiled, the price per gallon was averaged across the residential, commercial, and industrial classes for each water utility. After assigning an approximate number of customers to each utility, Commission Staff computed a weighted average for the Commonwealth of 1.057 cents per gallon. Adjusted for inflation, this exercise also returns an estimate of \$0.011 per gallon in 2026 dollars.

Based on the consistency of these results with prior orders and Phase IV TRC testing, the Commission proposes that EDCs monetize water savings at a rate of 1.1 cents per gallon for Phase V of Act 129. Under the proposal, this rate would be increased yearly with the same inflation rate assumed throughout the TRC model and adjusted by a loss factor of 24.5% (1.32 multiplier).

3. *Quantifying Fossil Fuel Impacts*

In the 2021 TRC Test Order, the Commission directed the EDCs to quantify the fossil fuel impacts of EE&C measures for inclusion in the calculation of TRC benefits. This was consistent with the 2016 TRC Test Order and a 2018 SWE guidance memo. The Commission noted that specific instructions regarding fossil fuel impact calculations for all Act 129 EE&C measures is not practical given the diversity of measures, program delivery models, and data collection practices. Accordingly, the EDC evaluation contractors are expected to use professional judgment when developing estimates. Considering this, the Commission proposes the following general guidance be used in a potential Phase V for certain measure categories.

- For building shell, whole home, or heating, ventilation, and air conditioning (HVAC) measures that reduce space heating consumption in homes with fossil fuel heat, the proposed 2026 TRM generally provides adequate information to estimate fossil fuel savings for homes with non-electric space heating. EDCs should assume a natural gas furnace with thermal efficiency of 88% and capacity of 78,000 BTU/hour in the calculations based on the results of the 2023 Residential Baseline Study.⁵⁴
- Faucet aerators, low-flow showerheads, and thermostatic shower restriction valves reduce fossil fuel use when they are implemented in homes with non-electric water heating. The proposed 2026 TRM assumes 47% of homes have electric water heat, indicating the remaining 53% have natural gas, propane, or fuel oil. Consistent with prior TRC Test Orders, the Commission proposes a simplified assumption that all non-electric domestic hot water savings be monetized using natural gas avoided costs for a potential Phase V at an assumed 80% recovery efficiency.

4. *Interactive Effects*

Lighting interactive effects are a specific form of fossil fuel impacts that the TRC Test must consider. Installation of light emitting diode (LED) lighting reduces the amount of waste heat produced by the lighting end-use.

⁵⁴ See NMR Group for the Pennsylvania Public Utility Commission. 2023 Pennsylvania Statewide Act 129 Residential Baseline Study. Submitted March 25, 2024, at Docket No: M-2023-304490. https://www.puc.pa.gov/media/2883/2023_pa_residential_baseline_study.pdf.

TRM protocols quantify the impacts on electric HVAC systems, so the electric interactive effects are reflected in the calculation of TRC benefits. In the case of homes or businesses with fossil fuel heating systems, the increased heating fuel consumption should continue to be treated as a negative benefit in the TRC.

As part of the proposed 2026 TRM, the SWE developed residential and non-residential lighting interactive effects calculators. The outputs of these Microsoft Excel tools were the basis of the proposed electric interactive effects in the 2026 TRM Tentative Order.⁵⁵ That modeling effort also included estimates of fossil fuel heating penalties on a MMBtu per kWh of lighting savings basis. Table 2 shows proposed default residential lighting interactive effects by EDC/Rate District, considering the weather patterns of each service territory and the heating fuel saturations from the 2023 Residential Baseline Study.

Table 2: Residential Interactive Effects By EDC/Rate District

<i>EDC / Rate District</i>	<i>IF_{fossil fuel}</i>
PECO	-0.0009
PPL	-0.0006
Duquesne	-0.0012
FE: Met-Ed	-0.0007
FE: Penelec	-0.0009
FE: Penn Power	-0.0010
FE: West Penn Power	-0.0007

The Act 129 Lighting Audit & Design Tool for Commercial and Industrial Projects (proposed 2026 TRM Appendix C) collects HVAC configuration so heating fuel is known for most retrofit lighting projects. Table 3 shows proposed default non-residential lighting interactive effects by HVAC configuration based on the SWE’s modeling efforts.

Table 3: Non-Residential Interactive Effects By HVAC Configuration

<i>HVAC Scenario</i>	<i>IF_{fossil fuel}</i>
AC with Fossil Fuel Heat	-0.0010
AC with Electric Heat	0.0000
Fossil Fuel Heat Only	-0.0010
Electric Heat Only	0.0000
Unknown—Use Market Average	-0.0008

The Commission proposes to simplify the approach of monetizing all fossil fuel impacts. As discussed in the following section and consistent with prior TRC Test Orders, the Commission proposes using the avoided cost of natural gas rather than requiring a separate avoided cost forecast for fuel oil and propane and tracking heating fuel distributions among EE&C plan participants with fossil fuel heat.

5. *Monetizing Fossil Fuel Impacts*

The Commission proposes that all resources be monetized using a marginal cost to reflect what is reduced (or increased) by an EE&C measure. Other fixed costs embedded in retail rates will still be recovered. The marginal cost of natural gas is used as an input to the avoided cost of electricity forecast, as described in section

⁵⁵ See 2026 TRM Tentative Order, Docket No. M-2023-304491 (entered May 9, 2024), Page 15, <https://www.puc.pa.gov/pdocs/1828766.pdf>.

B.2 of this Tentative Order. The Commission proposes that EDCs use the natural gas values in this forecast, collapsed to a single annual value, to monetize changes in fossil fuel consumption due to installation of EE&C measures.

The proposed methodology entails the use of a 20-year period for calculating avoided natural gas costs and is dissected into three segments.

a. *The first segment, years one through four:* The methodology for segment one should utilize short-term market-based NYMEX natural gas futures prices.

i. Use NYMEX natural gas futures prices at Henry Hub for years one through four. The prompt month for NYMEX futures is established as three months prior to the filing date.

ii. Use the differential between the Henry Hub as the source and TETCO M-3 as the destination for the locational basis adjustment to the natural gas prices for EDC/Rate Districts west of the Susquehanna River. The locational basis adjustment to the natural gas prices for EDC/Rate Districts east of the Susquehanna River uses the basis differential between the Henry Hub as the source and Transco Zone 6 non-New York as the destination.

iii. Average monthly NYMEX natural gas prices to create a single annual value.

b. *The second segment, years five through ten:* The methodology for segment two should be based on NYMEX natural gas futures. Medium-term NYMEX natural gas futures should be blended with the longer-term US EIA AEO projected natural gas costs across the segment two period to shift from market-based conditions to a more stable model that is public and transparent.

i. Gather NYMEX natural gas futures at Henry Hub for years five through ten. The prompt month for NYMEX futures is established as three months prior to the filing date. Monthly NYMEX natural gas prices shall be averaged to create a single annual value.

ii. Use the differential between the Henry Hub as the source and TETCO M-3 as the destination for the locational basis adjustment to the natural gas prices for EDC/Rate Districts west of the Susquehanna River. The locational basis adjustment to the natural gas prices for EDC/Rate Districts east of the Susquehanna River uses the differential between the Henry Hub as the source and Transco Zone 6 non-New York as the destination. For EDCs that have service territory on both sides of the river, such as PPL Utilities and FirstEnergy, the location shall be based where the majority of the electric load is present.

iii. Gather annual forecasted natural gas costs from the 2025 EIA AEO projected costs for Electric Power Users in the Mid-Atlantic region using real dollars.

iv. Derive final natural gas costs by blending NYMEX natural gas futures and EIA AEO projected natural costs over the segment two horizon. The Commission proposes that this shall be calculated by adding one-seventh of the differential between EIA AEO natural gas costs and locational adjusted NYMEX natural gas futures for each segment year starting in year five to the zone location adjusted NYMEX natural gas futures.

c. *The third segment, years eleven through twenty:* The methodology for segment three should utilize long-term market-based EIA AEO projected natural gas costs.

The proposed 2026 TRM does not include loss rates for natural gas; however, natural gas companies also experience losses in their distribution networks. The Commission proposes EDCs use a natural gas loss factor of 4% (1.04167) based on the SWE's calculations from data provided by the Pipeline and Hazardous Materials Safety Administration.

6. O&M Benefits

The Commission's position on operation and maintenance (O&M) benefits has been largely unchanged since Phase I. O&M benefits, including avoided future replacement costs and labor, should be included as TRC benefits where such benefits are quantifiable and material. In cases where such costs were challenging to quantify, or unquantifiable, the Commission permitted EDCs to omit such costs from TRC calculations.

O&M benefits can be positive or negative. Combined Heat and Power (CHP) and solar photovoltaic (PV) systems, for example, will often have negative O&M benefits. If a project has ongoing maintenance costs relative to the baseline equipment, those costs should continue to be included as negative O&M benefits. For some measures, the SWE provides default O&M assumptions in its incremental cost database (Exhibit 5 to this Tentative Order). In previous versions of the incremental cost database, the SWE proposed default O&M assumptions for LED lighting measures to reflect the longer rated lifetime of LED products compared to inefficient lighting equipment. Based on the rapid transformation of lighting markets and uncertainty in the availability of non-LED products for certain equipment categories, the SWE did not provide default O&M values for LED lighting measures in the proposed incremental cost database. EDCs may still assign O&M benefits to LED lighting measures if market conditions suggest that avoided future replacement costs are appropriate to include in the TRC benefits ledger.

7. Societal Benefits

In the 2021 TRC Test Order, the Commission concluded, consistent with prior TRC Test Orders, that the TRC Test would not include societal benefits such as greenhouse gas emissions reductions, other environmental benefits, or any other non-energy impacts (NEIs) beyond the quantifiable fossil fuel, water, and O&M impacts detailed elsewhere in this section.

Pennsylvania's participation in the Regional Greenhouse Gas Initiative (RGGI) is currently on hold. The Commonwealth Court declared Pennsylvania's involvement in RGGI to be unconstitutional in a decision issued on November 1, 2023.⁵⁶ While there are still ongoing appeals in the state judicial system on the matter, it is not likely that the Commonwealth will become involved with the initiative absent new legislation. If, in the future, the state legislature moves towards enacting legislation that would allow for involvement in RGGI or a similar initiative focused on greenhouse gas emissions reductions, or other environmental goals, the Commission reserves the right to revisit the position of societal benefits and their inclusion in cost effectiveness testing in Phase V of Act 129.

The TRC test, traditionally, does not include explicit accounting of general societal benefits. Where societal benefits are embedded in the cost of supplying energy, such as compliance with the AEPS Act or reduced arrearages and collection costs, those benefits are included in the TRC calculations. The Commission proposes to con-

⁵⁶ See https://www.pacourts.us/assets/opinions/Commonwealth/out/247MD22_11-1-23.pdf?cb=1 at page 2-10.

tinue to omit the explicit accounting of additional societal benefits in the TRC Test in Phase V of Act 129.

D. TRC Costs

As shown in Appendix A of this Tentative Order, there are fewer categories of TRC costs than TRC benefits. Almost all TRC costs can be classified as either program administration and overhead or IMCs. However, complications arise with respect to classification of different cost components based on EE&C program delivery mechanism and which party incurs the costs. In this section, guidance is proposed for the calculation and the reporting of TRC costs that largely align with the 2021 TRC Test Order.

1. Program Administration and Overhead

The administration and overhead costs of delivering an EE&C plan are costs in the TRC Test, on both a net and gross basis, as the costs would not occur absent the program. These costs should be carefully tracked for cost recovery purposes and straightforward to report. The Commission proposes that all program administration and overhead costs continue to be treated as a TRC cost regardless of whether they are incurred by EDCs, CSPs, or the evaluation contractor. Common categories of administration cost are program design, management, technical assistance, marketing, program delivery, and evaluation. The SWE audit costs should also be considered program administration and overhead cost. CSP contracts and EDC cost tracking should be structured in a way to provide maximum stakeholder visibility into non-incentive cost elements.

Some administrative costs, like a program tracking system or legal counsel, are challenging to allocate to specific programs. EDCs will continue to have the flexibility to incorporate these cross-cutting costs at the portfolio level or allocate them across programs using energy savings, budget, or some other logical allocation method. The treatment of cross-cutting costs, as well as a break-

down of cross-cutting cost components, will continue to be included in the EDC EE&C plans and final annual reports.

In the 2021 TRC Test Order, the Commission reconsidered its perspective on the categorization of equipment costs for direct installation programs relative to previous phases. The Commission directly addressed the handling of kit measures in the 2021 TRC Test Order. While the treatment of kit and directly installed equipment costs does not affect the TRC calculation because the incremental cost is unaffected, the Commission recognized that categorization of costs is a common area of interest for stakeholders. The share of costs used for administration rather than incentives was so important that the Commission required at least 50% of Phase IV EE&C plan spending to come from incentives and less than 50% to be attributed to non-incentive cost categories. See Phase IV Implementation Order at 126-127. For Phase IV of Act 129, kit and directly installed equipment costs were to be treated as IMCs and incentives rather than program administration costs. See 2021 TRC Test Order at 75. To maintain the requested visibility into the share of program expenses devoted to administration versus incentives, the Commission proposes to continue this handling of kit and directly installed equipment costs for a potential Phase V of Act 129. The shipping cost of the kits would still be treated as a non-incentive program delivery cost. The labor cost to directly install equipment would be included in the IMC and categorized as a participant incentive.

2. Incremental Costs

The IMC of an EE&C plan measure varies by measure type and the assumptions about the baseline—or what costs the participant would have incurred absent program participation. Table 4, below, is adapted from the Pennsylvania Evaluation Framework⁵⁷ and provides a useful summary of common measure types. It is important that the methodology EDCs use to compute incremental costs continues to be aligned with the methodology used to calculate energy savings.

Table 4: Incremental Cost By Measure Type

<i>Type of Measure</i>	<i>IMC (\$/Unit)</i>	<i>Impact Measurement (kWh/yr/Unit)</i>
New Construction	Cost of efficient device minus cost of baseline device.	Consumption of baseline device minus consumption of efficient device.
Replace on Burnout (ROB)	Cost of efficient device minus cost of baseline device.	Consumption of baseline device minus consumption of efficient device.
Retrofit: An additional piece of equipment or process is retrofit to an existing system. (e.g., additional insulation or duct sealing)	Cost of efficient device plus installation costs.	Consumption of old device minus consumption of efficient device.
*Early Replacement: Replacement of existing functional equipment with new efficient equipment	Present value of efficient device (plus installation costs). If a dual baseline is used, subtract the present value of baseline device assumed to be installed in at the end of remaining useful life of the existing equipment (plus installation costs).	<i>During remaining life of old device:</i> Consumption of old device minus consumption of efficient device. <i>After remaining life of old device:</i> Consumption of baseline device minus consumption of efficient device.
Early Retirement (No Replacement)	Cost of removing old device.	Consumption of old device

⁵⁷ See https://www.puc.pa.gov/media/1584/swe-phaseiv_evaluation_framework_071621.pdf at page 86.

Type of Measure	IMC (\$/Unit)	Impact Measurement (kWh/yr/Unit)
*The early replacement case is essentially a combination of the simple retrofit treatment (for the time period during which the existing measure would have otherwise remained in service) and the failure replacement treatment for the years after the existing device would have been replaced.		

In preparation for Phase II, the Commission directed the Phase I SWE to complete an incremental cost database by December 31, 2012, to support EE&C plan development and uniform calculation of TRC costs across EDCs. See 2013 TRC Test Order at 25. The Commission also recognized that an EDC's EE&C plan may include measures that are not adequately addressed by the SWE incremental cost database or other industry resources. Since the initial development of the SWE's incremental cost database, the SWE has conducted research to update cost assumptions for various measures.

The Phase IV SWE is currently working on the EE Market Potential Study (MPS) for a potential Phase V of Act 129. IMC assumptions for EE&C measures are a key part of the economic screening step of the EE MPS. Since the timing of this Tentative Order falls at approximately the same time that the SWE plans to begin economic screening, the Commission directed the SWE to complete its updates to the incremental cost database for inclusion as an exhibit. As listed in Section H, Exhibit 5, is version 5.0 of the incremental cost database. Measure information is organized to align with the proposed 2026 TRM. The Commission invites stakeholders to present recommendations for alternative measure cost assumptions via comments if they have better data on equipment and labor costs in the Commonwealth.

As in prior phases, the Commission proposes that the SWE incremental cost database remain an optional resource for EDCs and their evaluation contractors. EDCs may elect to use the cost assumptions in the incremental cost database or other reputable industry sources in their EE&C plans and annual TRC reporting. The source of all IMC assumptions should be documented. EDCs should use actual project costs where available and practical (e.g., retrofit projects).

3. Act 129 Incentives

Incentives to program participants are a transfer payment intended to offset the IMC of efficient equipment. They are a cost to the EDC and a benefit to the participant, so they are neither a cost nor a benefit in the TRC Test. An exception to this rule occurs when the incentive amount is greater than the IMC. If the incentive amount is greater than the IMC, the incentive amount should be used as the TRC cost instead of the IMC. Incentives may be greater than the IMC when an EDC elects to make the efficient option the lowest cost option for participants. Incentives can also exceed incremental cost when there is no clear measure cost, such as for Appliance Recycling programs.

Consistent with the 2021 TRC Test Order, the Commission proposes to categorize the cost of kits and directly installed equipment as an incentive to program participants. The labor cost to directly install equipment in homes and businesses should also be categorized as an incentive. Prior to the 2021 TRC Test Order, the Commission defined an incentive as "a payment made to a program participant by an EDC to encourage the customer to participate in an energy efficiency program and to help offset some, or all, of the participant's costs to purchase and install an energy efficiency measure." See

2013 TRC Test Order at 16. It is the Commission's position that kits and directly installed equipment encourage customers to participate in programs and offset some or all the cost to install energy efficiency equipment. Kits and direct install programs do not require the participant to pay the upfront cost and then recover a portion of that cost via a second financial transaction with the EDC. This does not affect the underlying program mechanism whereby an EDC program reduces the participant cost for measure installation.

In summary, the Commission proposes that the EDCs continue to treat incentive costs as neither a cost nor a benefit in the TRC Test, except when the incentive amount is greater than the IMC, in which case the incentive amount should be used as the TRC cost instead of the IMC. In addition, the Commission proposes that EDCs continue to categorize the cost of kits and directly installed equipment as an incentive to program participants.

4. Incentives From Outside Of Act 129

In the TRC Test formulae for Phases I, II, and III, outside incentives appeared as the factor " TC_t " or tax credits in year t . This term was counted towards the program benefits. In Phase IV, the Commission proposed treating incentives from outside of Act 129 as a reduction in costs, not as a benefit of the program, and proposed using the term " OI_t " or outside incentives in year t in the formulae. The Commission proposes to continue to treat incentives from outside of Act 129 as a reduction in costs.

As noted in Section A.8 above, EDCs only needed to factor in, as reductions to cost, the non-Act 129 incentives that are reasonably quantifiable by the EDC. The Commission interprets "reasonably quantifiable" to include any non-Act 129 incentive, such as a rebate, tax credit, or grant, where the EDC has direct data on the amount of the incentive and the fact that the customer made use of the funds. For example, if a participant completes a \$500,000 retrofit project and receives a \$100,000 grant from outside funding sources, the EDC should include the \$100,000 as a cost reduction and use \$400,000 as the IMC. Another example of reasonably quantifiable non-Act 129 incentives are energy efficiency rebates from programs administered by the Pennsylvania Department of Environmental Protection. Federal tax credits to individuals for energy-efficient equipment also supported by Act 129 incentives would be an example of an incentive that the Commission would consider not reasonably quantifiable. The EDC would not have a way of knowing if a customer claimed the credit and what the actual impact was on their ultimate tax liability.

E. Fuel Switching

1. ENERGY STAR Requirement

In Phases I, II, III, and IV EDCs have been allowed to support fuel switching measures that convert equipment from electricity to fossil fuel, but the fossil fuel equipment must meet or exceed the current US Environmental Protection Agency (EPA) minimum ENERGY STAR performance standard. The ENERGY STAR status of some fossil fuel equipment, such as gas furnaces, are in a state

of uncertainty as they were being considered for removal from the ENERGY STAR specification for furnaces, but the EPA recently announced a proposal to update rather than sunset the ENERGY STAR specification for furnaces. The proposed new specifications are still in development.⁵⁸

If an EDC wishes to incentivize a fuel switching measure in Phase V, the Commission proposes that the EE&C plan should state a proposed minimum standard and provide justification for the threshold. For example, if an EE&C plan includes CHP systems as a measure, the EE&C plan should specify the minimum system efficiency to receive program support.

2. Increased Fuel Consumption

For Phase IV of Act 129, the Commission directed the EDCs to treat increased fuel consumption from fuel switching as a negative TRC benefit. See 2021 TRC Test Order at 82. In previous phases increased fuel consumption from fuel switching was considered a TRC cost. Positive costs and negative benefits lead to identical PVNB results, but different TRC ratios. Since the increased fuel consumption is an output of program efforts, the Commission believes the benefits ledger is more appropriate. Monetizing increased fuel consumption from fuel switching measures as TRC benefits alongside reductions in fossil fuel consumption from measures that reduce fossil fuel consumption promotes symmetry in TRC Tests and allows EDCs to report overall impacts on fuel consumption. For a potential Phase V of Act 129, the Commission proposes that EDCs treat any increased fuel consumption from fuel switching measures as a negative TRC benefit.

CHP projects both increase fuel consumption to power the electricity generation equipment and offset fuel consumption by recovering useful heat from the generation process. The fuel consumption offset by CHP should be estimated to calculate the net change in fuel consumption from fuel switching.

The Commission proposes to continue using the marginal system cost of the fuel to monetize the projected fuel consumption over time if the fuel consumed is natural gas. The forecast methodology for natural gas is outlined in Section C.5, above. A forecast of projected retail cost from the US EIA, or similar reputable industry source, should be used for delivered fuels such as gasoline or propane. For on-site fuels, such as biogas, the Commission proposes that EDCs use the estimated production cost over the EUL of the measure.

F. Net-To-Gross (NTG) Issues

1. Use Of NTG Research

In the 2016 TRC Test Order, the Commission required that EDCs report TRC ratios in EE&C plans in two ways: (1) based on projected gross savings and (2) based on projected net savings. See 2016 TRC Test Order at 46-47. The Commission proposed no changes to this requirement for Phase IV, and the Commission proposes no changes to this requirement for Phase V. EDC evaluation contractors shall continue to conduct NTG research, use the results for program planning purposes, report net verified savings, and calculate the TRC Test results on a net basis.

2. Treatment Of Incentives To Free-Riders

The Commission proposes to maintain the current Phase IV position on the treatment of incentives for

free-riders for Phase V, which is that free-rider incentives shall not be included as an additional program cost when considering a net TRC Test perspective. NTG research shall be applied to the TRC Test only for the purposes of program planning. Free-rider participant costs would have occurred even in the absence of a program and are not part of net program costs. Spillover, the opposite of the free-rider effect, occurs when customers adopt measures because they are influenced by program-related information and marketing efforts, but they do not actually participate in the program. Consequently, the participant costs shall be reduced by the NTG value.

The Commission is aware that the inclusion of costs for incentives for free-riders in the calculation of a TRC test was addressed by the California Public Utilities Commission in the 2007 Clarification Memo. However, in prior TRC Test Orders, this clarification to include free-rider incentives as a program cost was rejected as it was determined to overstate TRC costs and contradict the underlying rationale of the TRC test perspective, which ignores incentive payments as they are a transfer between the program administrator and participant.

3. Treatment of NTG for TRC Benefits

The Commission proposes no changes to the treatment of NTG for TRC benefits for a potential Phase V, but reminds EDCs that NTG ratios shall be applied to all benefits in the TRC Test. The benefits include, but are not limited to, avoided energy and capacity costs, O&M, interactive effects, and secondary resource impacts such as fossil fuel and water. NTG research shall only be applied to the TRC Test for the purposes of reporting and program planning. EE&C plans are not required to be cost-effective on a net basis.

G. Demand Response

1. DR Testing If DR Is Included In Phase V

The Commission has not yet determined DR (or EE) targets for a potential Phase V of Act 129. Currently, the Commission expects to release the Phase IV SWE's DR MPS in early 2025. The results of that analysis will inform the decision relative to a potential Phase V. If it is determined to proceed with a Phase V, the Commission anticipates a Phase V Implementation Tentative Order in spring 2025 and a Final Implementation Order in summer 2025. Additionally, the Commission has made no determination regarding the frequency, duration, or notification time of DR events. The Commission expects the SWE's DR MPS to include a recommendation on these issues as these parameters have significant impacts on the amount of DR potential in an EDC service territory and the cost to acquire it.

This docket will not address issues related to whether DR should be included in or excluded from a potential Phase V. Stakeholders are invited to comment on the proposed cost-effectiveness methodology for DR in this proceeding. Our discussion and proposal herein, as well as any stakeholder comments at this docket, merely presumes for discussion and comment purposes that a potential Phase V will include DR. The Commission proposes guidance on how to calculate the TRC costs and benefits for DR in this Tentative Order if Phase V EE&C plans include DR programming.

2. Calculation Of TRC Benefits

DR programs are designed to reduce peak demand, so the dominant benefit streams are the avoided cost of generation, transmission, and distribution capacity on a \$/kW-year basis. For the 2026 TRC Test, the Commission

⁵⁸ US EPA. (2023, May 18). ENERGY STAR Furnaces and Central Air Conditioners: Sunset Proposal Memo, Weblink US EPA (2024, April 16), ENERGY STAR Version 5.0 Furnaces Draft 1 Cover Letter. Weblink.

proposes that EDCs average the gross verified demand reductions over each hour of performance and apply a line loss adjustment factor to estimate the magnitude of the peak demand reduced. The calculation should be performed separately for summer and winter peak given the proposed transition to seasonal capacity values described in Sections B.7 and B.8 of this Tentative Order. The seasonal demand reduction value(s) would be multiplied by either two or three avoided cost of capacity values, depending on the participating customer sector. The notable exception, consistent with our proposal in Section B.8 of this Tentative Order, is that no avoided distribution capacity benefits should be calculated for peak demand reductions at facilities that take electric service directly from the transmission or sub-transmission system (generally, Large C&I accounts that take service at primary voltage). These sites are not served by the EDCs' distribution systems so reductions in their peak loads should not avoid or defer investments to distribution system infrastructure. See 2016 TRC Test Order at 53.

In Phase III, peak demand reductions from dispatchable DR programs were monetized in the TRC Test using the full avoided cost of capacity. For Phase IV of Act 129, the Commission revisited the assumption that dispatchable DR programs create a 1:1 reduction in generation capacity requirements and directed the EDCs to use a set of derate factors when calculating TRC benefits. See 2021 TRC Test Order at 96-97. The Commission based the derate factors on modeling results from PJM for a hypothetical program design that the Phase III SWE expected to result in approximately 24 event hours per summer. See 2021 TRC Test Order at 94-95. The average derate factor statewide was approximately 60% so the Commission directed the EDCs to use a 60% derate factor for T&D benefits along with the EDC-specific derate values for avoided generation capacity. Ultimately, the Commission set no dispatchable DR targets for Phase IV or Act 129, and no EDC EE&C plans included dispatchable DR programs so the guidance in the 2021 TRC Test Order has been unused to date in Phase IV TRC modeling.

The Commission maintains its position from the 2021 TRC Test Order that dispatchable DR programs that are only activated on a limited number of days merit a derate factor unless they are formally recognized as capacity resources at the wholesale level. The Phase V DR MPS is currently underway, and the Commission expects any event-based DR programs identified by the SWE will have a derate factor based on the expected frequency and duration of calls associated with the event trigger. If the Commission chooses to propose dispatchable DR targets based on one or more program designs identified by the SWE in the DR MPS, the Commission will specify the associated derate factor(s) in the Tentative Implementation Order.

In its work plan for the Phase V DR MPS, the SWE presented a "daily load shifting" DR program design (rather than event-based) that the Commission believes has promise for Act 129. One of the historic policy challenges with Act 129 DR is the interaction with DR options at PJM and concerns about dual enrollment or "double-dipping." A daily load shifting program that is active each weekday during the summer and/or winter peak season is fundamentally different from the event-based DR options at PJM. This type of DR program design could complement existing PJM DR offerings rather than compete with them by targeting solutions capable of more frequent, but likely less aggressive, curtailment methods. The SWE plans to model electric

vehicle managed charging, daily water heater control, thermostat optimization, behind-the-meter battery storage, and select commercial auto-DR options under a daily load shifting design.

Peak demand impacts from a daily load shifting program are much like coincident demand reductions from energy efficiency because they are in place each day of the Act 129 peak demand definition. In fact, it may be possible to have a single peak demand reduction goal that could be satisfied by either coincident demand reductions from EE or daily load shifting DR programs. Given the similarity of a daily load shifting program to coincident demand reductions from EE, the Commission proposes no derate factor be applied to peak demand reductions from daily load shifting programs. Rather, the guidance presented in Sections B.6 through B.8 for calculation of capacity benefits from coincident demand reductions from EE apply to any daily load shifting programs offered by the EDCs in a potential Phase V of Act 129. The verified demand reduction scaled for losses from the daily load shifting program during the summer season would be applied to summer avoided capacity costs and the verified demand reduction scaled for losses from the daily load shifting program during the winter season would be applied to winter avoided capacity costs.

3. Participant Cost Assumption

As established in Phase I, customer incentives in a DR program are intended to compensate participants for the sacrifices they make to consume less electricity during peak periods. Such sacrifices can take the form of being less comfortable in the case of a residential Direct Load Control (DLC) program or a disruption in production for a business that shuts down a manufacturing process. In recognition of these sacrifices, the Commission directed EDCs in Phase I to include the full incentive payment amount as a cost to the participant as a monetary proxy for participant costs. See 2011 TRC Test Order at 13-14. There were no DR requirements in Phase II.

In the 2016 TRC Test Order, the Commission revisited the participant cost issue. Setting participant cost equal to the incentive amount implies a break-even arrangement for the participant, where the benefits are identical to the costs. The Commission rejected the break-even assumption, instead adopting the perspective that customers are generally rational and would likely only participate in a DR program if they felt the benefits of participation outweighed the costs. As a result, for Phase III, the Commission adopted the 75% participant cost assumption set forth in California's 2016 DR Cost-Effectiveness Protocols⁵⁹ as a solution. Under this protocol, 75% of the customer incentive payment is used as a proxy for the participant cost when calculating the TRC ratio for DR programs. The Commission recognizes that many EDCs would elect to use CSPs to implement DR programs and that the exact incentive payment from the CSP to the participant might therefore be unknown. The Commission, therefore, directed EDCs to use 75% of the payment amount to the CSPs as a cost in the 2016 TRC Test for Phase III.

The Commission proposed no changes in the 2021 TRC Test Tentative Order regarding the use of DR incentive amounts to estimate participant costs for Phase IV and received no stakeholder comments on the issue. Given the lack of dissenting perspectives or alternative suggestions in that docket, the Commission proposes that EDCs

⁵⁹ See <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/energy-division/documents/demand-response/cost-effectiveness/2016-dr-cost-effectiveness-protocols---clean.docx>. California refers to this component as the "value of service lost."

continue to use the 75% participant cost assumption for any potential Phase V DR programming.

4. *Measure Life*

DR is a broad category of programs and measures that may or may not involve equipment installed at the participating customer's location. For load curtailment programs, participation involves a financial incentive between the EDC, or its CSP, and the program participant. As specified in the proposed 2026 TRM, the measure life for load curtailment programs is one year. The proposed 2026 TRM provides that the measure life of behavioral DR programs, which include neither incentives nor equipment, will be assumed to be one year.

For DR programs where the utility pays some or all the cost of DR equipment, the proposed 2026 TRM provides an 11-year default measure life.⁶⁰ Examples of DR equipment include a Wi-Fi-connected "smart" thermostat, a water heater or air conditioner cycling switch, a battery, an electric vehicle charger that the EDC can control, and other similar equipment that the EDC (or CSP) can control. For this class of DR programs, the Commission proposes an adjusted measure life shorter than the mechanical life of the equipment equivalent to the remaining years of Phase V. This approach is consistent with our disposition on the issue in the 2021 TRC Test Order and recognizes that DR equipment typically won't generate load reductions without program incentives or administration and there is no guarantee the Commission will establish DR targets for future phases of Act 129.

When a multi-year measure life is assumed for DR, consistent with prior TRC Test requirements, the Commission proposes that EDCs also account for expected incentive costs over the remainder of the phase. For example, in a traditional air conditioner cycling program, where the EDC (1) purchases and installs the DLC equipment and (2) pays the participant \$50 per summer in exchange for continued participation in the program, the recurring annual \$50 incentive cost must be factored in. To realize the multi-year benefits of the equipment, annual costs are incurred. If a measure life equal to the five-year phase length is applied to the load control equipment when calculating benefits, five years of assumed incentive costs should also be factored in.

The Commission reminds the EDCs that any DR equipment purchased in a previous phase cannot be included in the TRC Test for a potential Phase V. Those expenses were accounted for as costs in a previous TRC Test and to consider them as TRC costs again would be "double-counting."

H. *Exhibits*

1. *Avoided Cost Calculator (ACC)*

The proposed Avoided Costs Calculator is available at the Public Utility Commission's website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

2. *Arrearages*

The Impact of Act 129 Low-income Programs on Arrearages and Collections Study is available at the Public Utility Commission's website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

3. *DRIPE*

The Pennsylvania Demand Reduction Induced Price Effects Study is available at the Public Utility Commission's website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

4. *T&D Study*

The Avoided Cost of Transmission and Distribution Capacity Study is available at the Public Utility Commission's website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

5. *Incremental Cost Database*

The proposed incremental cost database is available at the Public Utility Commission's website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

Conclusion

With this Tentative Order, the Commission seeks comments and reply comments on the proposed 2026 TRC Test intended for use in the potential Phase V of Act 129. This Tentative Order represents the Commission's continuing efforts to establish a comprehensive TRC Test, with the purpose of evaluating the EE&C programs pursuant to Act 129 during the potential Phase V.

Comments and reply comments to this Tentative Order should reflect the topical numbering references as used herein. If your comments or reply comments do not address each specific topic from this Tentative Order, please include the notation that you are not commenting on a particular topic. If you are raising new topics, please do so after you have addressed the topics raised in this Tentative Order.

This Tentative Order and all filed comments and reply comments related to this Tentative Order will be made available to the public on the Commission's Act 129 Information web page⁶¹; *Therefore,*

It Is Ordered That:

1. A copy of this Tentative Order be served on the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, the jurisdictional electric distribution companies subject to the Energy Efficiency and Conservation Program requirements, all parties who commented on the 2021 TRC Test Order at Docket No. M-2019-3006868, all parties to Implementation of the AEPS Act of 2004: Standards for the Participation of DSM Resources—TRM 2026 Update at Docket No. M-2023-3044491, and Release of the Act 129 [Phase IV SWE] Energy Efficiency Baseline Studies, Docket No. M-2023-3044490 (potential Phase V docket).

2. The Secretary shall deposit a notice of this Tentative Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Interested parties shall have twenty (20) days from the date notice of this Tentative Order is published in the *Pennsylvania Bulletin* to file comments and thirty (30) days from the date notice of this Tentative Order is published in the *Pennsylvania Bulletin* to file reply comments at Docket No. M-2024-3048998.

4. Comments and reply comments may be filed either electronically or in hard copy with the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary

⁶⁰ See Proposed 2026 TRM Volume 2, Docket No. M-2023-304491 (entered May 9, 2024), Page 227. <https://www.puc.pa.gov/pdcdocs/1829635.docx>.

⁶¹ See http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/total_resource_cost_test.aspx.

Chiavetta, Commonwealth Keystone Building, Second Floor, 400 North Street, Harrisburg, Pennsylvania 17120.⁶²

5. This Tentative Order and all filed comments and reply comments related to this Tentative Order be published on the Commission’s website at http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/total_resource_cost_test.aspx.

6. A Word-formatted copy of all comments and reply comments shall be electronically mailed to David Edinger at dedinger@pa.gov and to Tiffany Tran at tiftran@pa.gov. Attachments may not exceed three (3) megabytes.

7. The contact person for technical issues related to

this Tentative Order and the proposed 2026 Total Resource Cost Test for a potential Phase V of Act 129 is David Edinger, Bureau of Technical Utility Services, 717-787-3512 or dedinger@pa.gov. The contact person for legal and process issues related to this Tentative Order and the proposed 2026 Total Resource Cost Test for a potential Phase V of Act 129 is Tiffany Tran, Law Bureau, 717-772-7777 or tiftran@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: August 5, 2024

ORDER ENTERED: August 5, 2024

Appendix A

The definitions and formulae to be used for the Pennsylvania-specific 2026 TRC Test, consistent with Act 129 of 2008, are set forth in this Appendix A.

TRC Formulae, Calculations, and their Definitions

Table 5 below lists electricity supply avoided costs, other TRC benefits, TRC costs, and other assumptions, and it summarizes TRC guidance for each TRC element. Formulae are detailed for each TRC element in the algorithms section. These are split into primary and supporting algorithms, where the supporting algorithms assist with the calculation of input values required for implementing the primary algorithms.

Table 5: Definition of Terms

<i>TRC Category</i>	<i>TRC Element</i>	<i>Units</i>	<i>Symbol</i>	<i>Guidance Summary</i>
Avoided Costs of Supplying Electricity	Line losses	Unitless	<i>LLF</i>	Table 1-5 of the proposed 2026 TRM Volume 1 provides line loss factors by EDC/Rate District and customer class.
	Electric energy (quantity)	kWh/year	<i>E</i>	Gross verified annual kWh.
	Electric energy (price)	\$/kWh (nominal)	<i>MCE</i>	Twenty-year forecast divided into years 1–4, 5–10, 11–20. See supporting MS-Excel spreadsheet calculation model. Inclusive of 4 years of energy DRIPE.
	Compliance with RPS/AEPS	\$/kWh (nominal)	<i>AEPS</i>	Electricity cost adder to reflect avoided compliance costs.
	Reduction in Arrearages and Collection Costs	\$/kWh (nominal)	<i>RACC</i>	Electricity cost adder for low-income customers to reflect avoided arrearages and collection costs
	G, T, D capacity (quantity)	kW/year	<i>D</i>	Gross or net verified peak demand savings (kW). Calculated separately for summer and winter.
	Generation capacity (price)			Actual and escalated PJM BRA clearing prices. Apply a derate factor for dispatchable DR programs. Inclusive of 4 years of capacity DRIPE. Separate values for summer and winter.
	Transmission capacity (price)	\$/kW-year	<i>MCD</i>	See supporting MS-Excel spreadsheet calculation model. Apply a derate factor for DR programs. Separate values for summer and winter.
	Distribution capacity (price)			See supporting MS-Excel spreadsheet calculation model. Apply a derate factor for DR programs. Does not apply to Large C&I. Separate values for summer and winter.

⁶² See http://www.puc.pa.gov/filing_resources.aspx for filing instructions.

<i>TRC Category</i>	<i>TRC Element</i>	<i>Units</i>	<i>Symbol</i>	<i>Guidance Summary</i>
Other TRC Benefits	Water impacts (quantity)	Gallons	$H2O$	Savings are positive. Increased water consumption is negative.
	Marginal cost of water (price)	\$/gallon (nominal)	$MCH20$	\$0.011/gal (2026 dollars), adjusted for inflation over forecast horizon.
	Fossil Fuel Impacts (quantity)	MMBTU/year	F_{impact}	Direct changes in fuel usage. Savings are positive, increases in fuel usage are negative.
	Marginal cost of fuel (price)	\$/MMBTU (nominal)	MCF	Twenty-year forecast divided into years 1—4, 5—10, 11—20. See supporting MS-Excel spreadsheet calculation model. Apply natural gas loss factor.
	Interactive Fuel Effects (Waste Heat)	MMBTU/year	F_{waste}	Secondary fuel impacts due to reduced waste heat from efficient lighting. Increased fuel usage recorded as a positive value.
	Societal Benefits			Do not include.
	O&M Benefits	\$ or \$/year (nominal)	$O\&M$	Incremental relative to baseline equipment. Note some measures (CHP) can produce negative O&M benefits.
TRC Costs	Program Admin & Overhead	\$(nominal)	PA	Allocated to specific programs where applicable. Common costs can be allocated to programs or incorporated at the portfolio level.
	Incremental costs	\$(nominal)	IMC	Maximum of IMC (relative to baseline) and incentive. IMC for DR programs assumed to be 75% of incentives.
	Incentives from Outside Act 129	\$(nominal)	OI	Incentives from outside of Act 129 considered as a reduction in costs, not as a benefit of the program.

<i>TRC Category</i>	<i>TRC Element</i>	<i>Units</i>	<i>Symbol</i>	<i>Guidance Summary</i>
Other Assumptions	Real discount rate	Unitless	r	3%
	Nominal discount rate	Unitless	d	5%
	Inflation rate	Unitless	inf	2%
	Escalation rate	Unitless		Growth in real dollars. Based on CAGR of BLS GTD sector price index (NAICS 221110).
	Electric Line Loss Factor	Unitless	LLF_{elec}	Varies by EDC/Rate District and sector. See Table 1-5 of the proposed 2026 TRM Volume 1
	Gas Loss Factor	Unitless	LLF_{gas}	1.04167
	Water Loss Factor	Unitless	LLF_{H2O}	1.32
	Measure life	Years	N	Maximum 15 years. For DR programs, lifetime of hardware. One-year lifetime for behavioral DR and load curtailment.
	Free-ridership	Unitless	FR	Determined by evaluation contractor.
	Spillover	Unitless	SO	Determined by evaluation contractor.
	Market Effects (ME)	Unitless	ME	Determined by evaluation contractor.
	Low-Income Indicator	Unitless	LI	Indicator for low-income programs. Used to include the added value of reduction in arrearages and collection costs only for low-income program savings.
Calculated Inputs	NTG Ratio	Unitless	$NTGR$	See Table 7.
	Gross TRC benefits	\$	$\frac{TRC}{Benefits_{gross}}$	See Table 7.
	Gross TRC costs		$\frac{TRC}{Costs_{gross}}$	See Table 7.
	Net TRC benefits		$\frac{TRC}{Benefits_{net}}$	See Table 7.
	Net TRC costs		$\frac{TRC}{Costs_{net}}$	See Table 7.
	Electric energy benefits		EB_t	See Table 7.
	Capacity benefits		DB_t	See Table 7.
	Fuel benefits		FB_t	See Table 7.
	Water benefits		$H2OB_t$	See Table 7.

Algorithms

TRC ratios, net benefits, and levelized costs are detailed in Table 6. While some of the inputs are available in Table 5, other inputs must be calculated. These input formulae are provided in Table 7.

Table 6: Primary Algorithms

$TRC\ Ratio_{gross}$	$= \frac{TRC\ Benefits_{gross}}{TRC\ Costs_{gross}}$
$TRC\ Ratio_{net}$	$= \frac{TRC\ Benefits_{net}}{TRC\ Costs_{net}}$
$PV\ Net\ Benefits_{gross}$	$= TRC\ Benefits_{gross} - TRC\ Costs_{gross}$
$PV\ Net\ Benefits_{net}$	$= TRC\ Benefits_{net} - TRC\ Costs_{net}$
$Levelized\ Cost\ per\ kWh_{gross}$	$= \frac{TRC\ Costs_{gross}}{\left[\sum_{t=1}^N \frac{\sum_{t=1}^n EB_t}{(1+d)^{t-1}} \right]}$
$Levelized\ Cost\ per\ kW_{gross}$	$= \frac{TRC\ Costs_{gross}}{\left[\sum_{t=1}^N \frac{\sum_{t=1}^n DB_t}{(1+d)^{t-1}} \right]}$
$Levelized\ Cost\ per\ kWh_{net}$	$= \frac{TRC\ Costs_{net}}{\left[\sum_{t=1}^N \frac{\sum_{t=1}^n EB_t * NTGR}{(1+d)^{t-1}} \right]}$
$Levelized\ Cost\ per\ kW_{net}$	$= \frac{TRC\ Costs_{net}}{\left[\sum_{t=1}^N \frac{\sum_{t=1}^n DB_t * NTGR}{(1+d)^{t-1}} \right]}$

.Table 7: Supporting Algorithms

$NTGR$	$= 1 - FR + SO + ME$
$TRC\ Benefits_{gross}$	$= \sum_{t=1}^N \frac{EB_t + FB_t + H2OB_t + O\&M_t}{(1 + d)^{t-1}}$
$TRC\ Costs_{gross}$	$= \sum_{t=1}^N \frac{PA_t + IMC_t - OI_t}{(1 + d)^{t-1}}$
$TRC\ Benefits_{net}$	$= NTGR * (TRC\ Benefits_{gross})$
$TRC\ Costs_{net}$	$= \sum_{t=1}^N \frac{PA_t + (IMC_t - OI_t) * (NTGR)}{(1 + d)^{t-1}}$
EB_t (Electric energy benefits in year t summed across p costing periods)	$= E_{t,p} * LLF_{elec} * (MCE_{t,p} + AEPS + (RACC * LI))$
DB_t (Capacity benefits in year t)	$= D_t * LLF_{elec} * MCD_t$
FB_t (Fuel benefits in year t)	$= (F_{impact_t} - F_{waste_t}) * LLF_{gas} * MCF_t$
$H2OB_t$ (Water benefits in year t)	$= H2O_t * LLF_{H2O} * MCH2O_t$

Appendix B**List of Acronyms and Definitions**

ACC: Avoided Costs Calculator MS-Excel spreadsheet calculation model
AEC: Alternative Energy Credit
AEO: Annual Energy Outlook
AEPS: Alternative Energy Portfolio Standards
B/C: Benefit/Cost
BLS: Bureau of Labor Statistics
BRA: Base Residual Auction
BTU: British Thermal Unit
CAGR: Compound Annual Growth Rate
California Manual: 2002 California Standard Practice Manual
CHP: Combined Heat and Power
C&I: Commercial and Industrial
CSP: Conservation Service Provider
DLC: Direct Load Control
DR: Demand Response
DRIPE: Demand Reduction Induced Price Effects
DSM: Demand Side Management
EDC: Electric Distribution Company
EE: Energy Efficiency
EE&C: Energy Efficiency and Conservation
EIA: Energy Information Administration
EPA: Environmental Protection Agency
EUL: Expected Useful Life
FR: Free-Ridership, Free Rider
GTD: Generation, Transmission, and Distribution
IE: Low-income
IMC: Incremental Measure Cost
LED: Light Emitting Diode
LMP: Locational Marginal Price
ME: Market Effects
NAICS: North American Industry Classification System
NEI: Non-Energy Impact
NGDC: Natural Gas Distribution Company
NPV: Net Present Value
NREL: National Renewable Energy Laboratory
NTG: Net-to-Gross
NYMEX: New York Mercantile Exchange
O&M: Operation and Maintenance
Phase I: Act 129 requirements from June 1, 2009, through May 31, 2013
Phase II: Act 129 requirements from June 1, 2013, through May 31, 2016
Phase III: Act 129 requirements from June 1, 2016, through May 31, 2021
Phase IV: Act 129 requirements from June 1, 2021, through May 31, 2026
Phase V: Potential Act 129 requirements beginning June 1, 2026
PJM: The regional transmission organization (RTO) covering, inter alia, Pennsylvania, New Jersey, and Maryland
PUC: Public Utility Commission
PVNB: Present value of net benefits
RGGI: Regional Greenhouse Gas Initiative

RPS: Renewable Portfolio Standard
RTO: Regional Transmission Organization
RUL: Remaining Useful Life
SO: Spillover
SWE: Statewide Evaluator
T&D: Transmission and Distribution
TRC: Total Resource Cost
TRM: Technical Reference Manual
US: United States
WACC: Weighted Average Cost of Capital

Appendix C
Summary of Proposed Continuations/Changes/Clarifications/New Items

<i>Sub-section</i>	<i>Subsection Name</i>	<i>Summary of Proposed Continuation / Change / Clarification / New Item</i>
A—General Issues		
1	TRC Test Assumptions in Other Matters	TRC Test assumptions are used exclusively for Act 129 related matters. TRC Test assumptions are not presumed binding in other regulatory matters such as prudence, cost-of-service, etc.
2	Frequency of Review of TRC Test	TRC Test applies for entirety of Phase V. Commission reserves right to update or modify during Phase V. Commission continues to direct the Phase V SWE to review avoided cost forecast annually.
3	Level at Which to Calculate and Report TRC Test Results	Continue cost-effectiveness reporting at plan level, not program level. EDCs are required to estimate and report program level TRC ratios in each annual report.
4	Discount Rate	Continue to use discount rate of 5% nominal (3% in real terms).
5	Effective Useful Life	Continue using statutorily mandated 15-year maximum even if the mechanical life of the technology exceeds that. Continue to develop dual baselines for technologies where appropriate.
6	Low-Income Programs	Continue reporting low-income programs as previously done.
7	Basis of TRC Test Impacts	Continue reporting net savings and describe how calculated. Continue reporting retrospective TRC test ratios based on actual savings and costs.
8	Measures Supported by Act 129 Programs and Other Funding Streams	Continue tracking non-Act 129 incentives that are reasonably quantifiable.
B—Avoided Costs of Supplying Electricity		
n/a		Use Avoided Cost Calculator (ACC) to aid in implementation of proposed methodology.
1	Vintage of Avoided Costs Forecasts	Continue to develop single forecast of avoided costs for use in Phase V EE&C plans and cost-effectiveness reporting in annual reports.
2	Avoided Cost of Electric Energy	Continue forecasting avoided energy costs in a seasonal- and time-differentiated format. Continue to use 20-year period but propose that period is broken into three segments.
3	Nominal vs. Real Dollars	Continue to develop avoided costs forecasts in nominal dollars. Nominal discount rate to be used to calculate NPV.
4	Line Losses	Align assumptions with proposed 2026 TRM values.
5	Escalation Rate	Use BLS Electric Power GTD sector price index, compounded by average growth rate of average annual values of prior 5 years.
6	Allocation of Avoided Capacity Costs Between Summer and Winter Peak	Instead of allocating 100% of avoided capacity to summer, the Commission proposes to allocate avoided capacity on Phase V 50/50 between summer and winter.
7	Avoided Cost of Generation Capacity	Use actual values from Base Residual Auctions (BRA) for the years that the auctions have been completed. For all future years, use a simple average of the five most recently completed BRAs escalated using the escalation rate. This is a change from the three-year average used in the prior TRC Test Orders.

<i>Sub-section</i>	<i>Subsection Name</i>	<i>Summary of Proposed Continuation / Change / Clarification / New Item</i>
8	Avoided Cost of Transmission and Distribution Capacity	Clarify avoided costs in distribution should not be applied to EE measures for Large C&I customers taking service at primary voltage. The Commission proposes using the avoided T&D values calculated by the Phase IV SWE's T&D study.
9	Compliance with AEPS	Propose \$6.88 cents per MWh for first year of Phase V and increase yearly by BLS escalation factor and inflation.
10	Price Suppression Effects	Commission proposes to include the effects of Price Suppression effects for both energy and capacity in TRC calculations in Phase V.
11	End Use Adjustments	Continue use of end-use profiles, when available.
12	Reductions in Arrearages and Collection Costs	The Commission proposes to include the value of reductions in arrearages and collection costs in the avoided costs of supplying electricity for low-income programs only.
C—Other TRC Benefits		
1	Quantifying Water Impacts	Continue to account for water impacts from EE&C measures where the impacts are reasonably quantifiable.
2	Monetizing Water Impacts	Continue to monetize water impacts from Phase V EE&C measures.
3	Quantifying Fossil Fuel Impacts	The Commission proposes continued use of the TRM to inform fossil fuel savings by EE&C measure. Where the TRM does not provide guidance on fossil fuel savings, EDCs and their evaluation contractors should use professional judgement when estimating impacts.
4	Interactive Effects	Propose use of new default assumptions developed by the SWE for both residential and non-residential lighting measures.
5	Monetizing Fossil Fuel Impacts	Continue using natural gas values in Section B.2 (Avoided Cost of Electric Energy), collapsed into a single value. Continue to use 20-year period but propose that period is broken into three segments. Propose that EDCs use natural gas loss factor of 4%.
6	O & M Benefits	Continue to include avoided replacement costs and labor in TRC benefits.
7	Societal Benefits	Continue to exclude societal benefits from TRC.
D—TRC Costs		
1	Program Administration and Overhead	Continue to treat all program administration and overhead expenses as a TRC cost. Continue to exclude kit and direct install costs from administrative costs and classify as incentives and IMC.
2	Incremental Costs	Continue to use SWE-developed incremental cost database as an optional resource for EDCs and evaluation contractors when actual project costs are not available or appropriate.
3	Act 129 Incentives	Continue to treat kits and directly installed equipment costs as an incentive to the customer.
4	Incentives from Outside of Act 129	Continue to treat incentives from outside Act 129 as reduction in costs, not as benefit to program.
E—Fuel Switching		
1	ENERGY STAR Requirement	EDCs must propose and justify the minimum efficiency standard for any fuel switching measure they wish to include in a Phase V EE&C plan given the uncertainty in ENERGY STAR specifications for fossil fuel equipment.
2	Increased Fuel Consumption	Continue to treat increased fuel consumption as a negative TRC benefit.
F—Net-to-Gross (NTG) Issues		
1	Use of NTG Research	Continue NTG research, use results for program planning purposes, and report TRC Test ratios based on gross and net savings.
2	Treatment of Incentives to Free-Riders	Continue excluding free-rider incentives as a TRC cost when considering the net TRC perspective.
3	Treatment of NTG for TRC Benefits	Continue to apply NTG ratios to all benefits in 2026 TRC Test.

Sub-section	Subsection Name	Summary of Proposed Continuation / Change / Clarification / New Item
G—Demand Response (DR)		
1	Testing if DR is Included in Phase V	DR has not yet been determined, but proposed guidance to calculate TRC benefits and costs for DR is included. Stakeholders should comment on proposed cost-effective methodology for DR.
2	Calculation of DR Benefits	Propose that EDCs average gross verified demand reductions over each hour of performance and apply line loss adjustment factor. Propose separate calculations for summer and winter peak demand. Propose that EDCs use a derate factor based on the frequency of dispatch to monetize DR impacts.
3	Participant Cost Assumption	Continue to use 75% participant cost assumption.
4	Measure Life	Continue to apply measure life for DR equipment capped at the remaining number of years in the Phase. Clarify that DR equipment purchased in prior phase should not be counted in Phase V.

[Pa.B. Doc. No. 24-1171. Filed for public inspection August 16, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cancelation of Certificates of Public Convenience for Motor Carriers; Failure to Maintain Evidence of Insurance

Public Meeting held
August 1, 2024

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

Cancelation of Certificates of Public Convenience for Motor Carriers; Failure to Maintain Evidence of Insurance; M-2024-3050036

Tentative Order

By the Commission:

Pursuant to Section 512 of the Public Utility Code (Code), 66 Pa.C.S. § 512, the Pennsylvania Public Utility Commission (Commission) is authorized to prescribe appropriate insurance requirements for motor carriers. Section 512 of the Code provides, in relevant part:

The commission may, as to motor carriers, prescribe, by regulation or order, such requirements as it may deem necessary for the protection of persons or property of their patrons and the public, including the filing of surety bonds, the carrying of insurance, or the qualifications and conditions under which such carriers may act as self-insurers with respect to such matters. All motor carriers of passengers. . . shall cover each and every vehicle, transporting such passengers, with a public liability insurance policy or a surety bond issued by an insurance carrier, or a bonding company authorized to do business in this Commonwealth, in such amounts as the commission may prescribe. . . .

66 Pa.C.S. § 512.

Consistent with this broad statutory charge, the Commission has promulgated regulations governing motor carrier insurance requirements at Chapter 32 of title 52

Pa. Code.¹ Those regulations provide, inter alia, that a motor carrier may not operate, and a certificate of public convenience will not be issued or remain in force, until there has been filed with and approved by the Commission a certificate of insurance by an insurer authorized to do business in Pennsylvania for the payment of claims resulting from the operation, maintenance, or use of a motor vehicle in the carrier’s authorized service. See 52 Pa. Code §§ 32.11, 32.12. The certificate of insurance, commonly known as a Form E, is in a form prescribed and approved by the Commission and provides protection for bodily injury, death, or property damage. 52 Pa. Code § 32.2(a). Additionally, the Commission regulations require that certain carriers maintain evidence of cargo insurance via a certificate of insurance commonly known as a Form H. Further, the Commission’s regulations require that evidence of insurance be maintained at all times with the Commission to ensure the protection of the public:

(h) *Compliance.* Failure to maintain evidence of insurance on file with the Commission in accordance with this chapter shall cause the immediate suspension of the rights and privileges conferred by a certificate of public convenience or permit held by the motor carrier. The Commission may establish rules under which suspended rights and privileges may be temporarily reinstated pending compliance with this chapter.

52 Pa. Code § 32.2(h).

The Commission has been notified that the motor carriers listed in Appendix A, attached hereto, no longer have acceptable evidence of insurance on file with the Commission. As such, the Commission sent all carriers a letter notifying them that their operating authority was suspended. Since the date of the suspensions, these motor carriers have failed to cure the deficiency and maintain acceptable evidence of insurance with the Commission, notwithstanding notification by the Commission of the suspension and the necessity to provide acceptable evidence of insurance.

Under these circumstances, we tentatively conclude that the motor carriers listed in Appendix A are not in compliance with the insurance requirements of 66 Pa.C.S. § 512 and our regulations at 52 Pa. Code Chapter 32. As

¹52 Pa. Code §§ 32.11—32.16.

such, it is appropriate to initiate the process to cancel their certificates of public convenience as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A is hereby tentatively approved as being in the public interest.

2. The Secretary's Bureau shall publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.

3. The Secretary shall serve a copy of this Tentative Order upon all motor carriers listed in Appendix A.

4. The Secretary shall file this Tentative Order at each motor carrier's assigned docket number.

5. To the extent that any of the motor carriers listed on Appendix A challenge cancellation of their Certificates of Public Convenience, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Comments shall be sent to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.

6. Alternatively, acceptable evidence of insurance may be filed with the Commission on behalf of the motor carriers listed in Appendix A, within thirty (30) days after publication of this order in the *Pennsylvania Bulletin*.

Motor carriers listed in Appendix A who desire to continue operations should immediately contact their insurance agents to secure compliance with Commission

insurance requirements. It is the motor carrier's responsibility to ensure compliance. Motor carriers can verify their insurance status at our Web Site at <https://www.puc.pa.gov/search/utility-authority-search/>.

Additionally, motor carriers may call our insurance hotline at (717) 787-1227 for more information.

7. Absent the timely filing of comments challenging the cancellation of the Certificate of Public Convenience or the timely filing of acceptable evidence of insurance, the Bureau of Technical Utility Services shall prepare a Secretarial Letter for issuance by the Secretary's Bureau canceling the carrier's applicable Certificate of Public Convenience. The Secretarial Letter shall direct the Department of Transportation to suspend the carrier's vehicle registration(s) consistent with 75 Pa.C.S. § 1375.

8. Upon issuance of the Secretarial Letter described in Ordering Paragraph No. 7 above, the applicable Certificate of Public Convenience of each non-compliant carrier shall be cancelled.

9. The Secretary serve a copy of the Secretarial Letter upon the Commission's Bureau of Investigation and Enforcement, Bureau of Technical Utility Services, Bureau of Administration, the Pennsylvania Department of Revenue—Bureau of Corporation Taxes, and the Pennsylvania Department of Transportation.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: August 1, 2024

ORDER ENTERED: August 7, 2024

Appendix A
Carriers Without Acceptable Evidence of Insurance

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authorities</i>	<i>Insurance Type Not on File</i>
631723	PLYMOUTH TAXI, INC.	Taxi	Liability
631871	NORTHEASTERN TRANSIT, INC.	Paratransit, Limousine, GP16+	Liability
6319482	SILVER TRANSPORTATION, LLC	Limousine	Liability
6320756	GRAB A CAB, INC.	Taxi	Liability
633859	J & J LEASING & RENTALS, INC.	Taxi, Limousine, GP11—15, GP16+	Liability
640923	LIMO 2000, INC.	Limousine	Liability
640988	PARK PLACE LIMOUSINE SERVICE, LLC	Limousine	Liability
6418177	JORDAN ABROMOVITZ	Limousine	Liability
6418544	BLACK CAR SERVICE OF BUCKS COUNTY, LLC	Limousine	Liability
6419602	MEDIC TRANSIT, INC.	Paratransit	Liability
6419705	WISA ENTERPRISES, LLC	Paratransit	Liability
6421286	ON CALL TRANS, LLC	Paratransit	Liability
6422033	SECURE CHOICE TRANSPORTATION, LLC	Paratransit	Liability
6423636	NASTECH, LLC	Paratransit	Liability
6423970	LIBERTY LIMO SERVICE, LLC	Limousine	Liability
6424955	GOLDMARK TRANSPORTATION, LLC	Limousine	Liability
6425754	ONE TRANSPORTATION SERVICES, LLC	Paratransit	Liability
6426253	IA TRANSPORTATION, LLC	Paratransit	Liability
6426324	ALPHA ELITE SERVICES, LLC	GP11—15, GP16+	Liability
6426387	ENROUTE TRANSPORTATION, LLC	Paratransit	Liability

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authorities</i>	<i>Insurance Type Not on File</i>
6426551	MAABCARCARE, INC.	Paratransit	Liability
6426688	ADVANCED EXECUTIVE TRANSPORTATION, LLC	Limousine	Liability
6426907	BOOK A CAR PA, INC.	Limousine	Liability
643332	HUBBARD BUS SERVICE, INC.	GP16+	Liability
700445	ENGLES TRUCKING SERVICES, INC.	Truck	Liability, Cargo
701239	J. F. BALATGEK TRUCKING, INC.	Truck	Liability, Cargo
702059	DIEHL TRUCKING, INC.	Truck	Liability
702359	KREVEL TRUCKING CO., INC.	Truck	Liability
702939	R.S. SNYDER ENTERPRISES, INC.	Truck	Cargo
703677	D. L. MARTIN TRUCKING, LLC	Truck	Liability, Cargo
704417	MOIST, DONALD J., TRUCKING, INC.	Truck	Liability
705393	M. BYLER TRANSPORTATION, LLC	Truck	Cargo
705483	MCNATT, WARREN D., JR.	Truck	Liability
705519	ECKROTH TRUCKING, INC.	Truck	Liability, Cargo
705525	W.D. DUMP TRUCK SERVICE, LLC	Truck	Cargo
706431	PHILLIPS, MELVIN, E.	Truck	Liability, Cargo
706592	ROBERT C. & RUTH L. KLINGER TENANTS BY ENTIRETY	Truck	Liability
707057	KJB TRANSPORTATION, INC.	Truck	Liability
707751	PAUL SAYERS	Truck	Liability, Cargo
707803	BROCK SCHMECKENBECHER	Truck	Liability, Cargo
708301	SHAMASKI, MICHAEL	Truck	Liability, Cargo
708432	FRANCIS MARIO TINSLEY	Truck	Cargo
708669	SPRENKEL, DAVID R.	Truck	Liability, Cargo
708804	ECKMAN, RICHARD	Truck	Liability
772780	HOY TRANSFER, INC.	Truck, HHG	Liability, Cargo
806320	MILLER BROS TRUCKING, INC.	Truck	Liability
8910136	B&G LEASING, INC.	Truck	Liability, Cargo
8910675	GUY DAYTON	Truck	Liability
8911343	CASKEY TRUCKING, LLC	Truck	Liability, Cargo
8911533	SLOVIKOSKY LANDSCAPING, LLC	Truck	Liability, Cargo
8912292	JACK L. WOOD	Truck	Cargo
8912487	S & K STONE, INC.	Truck	Liability, Cargo
8913147	R. N. MOYER HAULING, LLC	Truck	Liability
8913795	RICH MASSEY AND SONS, LLC	Truck	Cargo
8914370	DAVID W. SHAMBAUGH	Truck	Liability, Cargo
8914670	LAMAR M. HUBER	Truck	Liability, Cargo
8915104	BARRY STURTZ	Truck	Liability, Cargo
8915891	KIRK TRUCKING SYSTEMS, INC.	Truck	Liability
8916005	HAMMERS TOWING, INC.	Truck	Cargo
8916250	NEW COVENANT FARM, LLC	Truck	Cargo
8916734	DAVID R. BROWN, LINCOLN P. BROWN	Truck	Liability
8916906	MAK MOVERS & STORAGE, LLC	HHG	Cargo
8916963	GARY HOLDREN	Truck	Liability
8917231	PHILAGORILLA MOVERS, LLC	HHG	Liability
8917241	RICHARD W. MACKNAIR	Truck	Liability, Cargo
8917356	KRC TRANSPORTATION AND LOGISTICS, LLC	Truck	Liability, Cargo

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authorities</i>	<i>Insurance Type Not on File</i>
8917473	SIMPLE TRANSPORT, LLC	Truck	Liability
8917541	BWH FARM & TRUCKING, LLC	Truck	Liability, Cargo
8918530	JDS HAULING, LLC	Truck	Liability, Cargo
8918622	VICATO ENTERPRISES, LLC	Truck	Liability
8918712	CHAD KLAUGER	Truck	Liability
8918901	LAUGHERY TRUCKING, LLC	Truck	Liability
8919209	RICK N. SNYDER TRUCKING, LLC	Truck	Cargo
8919266	JOHN D. SAAM	Truck	Liability, Cargo
8919477	KNS TRANSPORT, LLC	Truck	Liability
8919486	PAUL FREMER LUMBER, INC.	Truck	Liability
8919692	C. MINTON TRUCKING, INC.	Truck	Liability
8919832	PATRICIA L. STANCZYK, DEREK A. STANCZYK	Truck	Liability
8919892	RUSH 24/7 COURIER, LLC	Truck	Liability
8920362	MRJW TRUCKING, INC.	Truck	Liability, Cargo
8920382	DREAM CARGO TRANSPORT, LLC	Truck	Liability, Cargo
8920560	LUKWARO & COMPANY INCORPORATED	Truck	Liability, Cargo
8920583	MARTIN & SONS TRUCKING INCORPORATED	Truck	Liability
8920641	TROY E. KOLLER	Truck	Liability, Cargo
8920722	SPATZ MOTOR CARGO, LLC	Truck	Liability, Cargo
8920854	GALUR EXPRESS, LLC	Truck	Liability, Cargo
8920871	S & S CONSTRUCTION, LLC	Truck	Liability, Cargo
8921045	MAYAS MOVERS, LLC	HHG	Liability
8921203	JASANDY TRUCK COMPANY	Truck	Liability, Cargo
8921281	HD & HD TRUCKING, LLC	Truck	Liability, Cargo
8921531	LT TRUCKING, INC.	Truck	Liability
8921566	HOLE IN THE WALL TRANSPORT, LLC	Truck, Paratransit	Liability
8921771	DEKORTE EXCAVATING, INC.	Truck	Cargo
8921958	BRAD SCHMADER TRUCKING, LLC	Truck	Liability
8922041	BEILERS SHELLING, LLC	Truck	Liability, Cargo
8922129	NOAH HOSTETLER	Truck	Liability
8922207	ZENEX, LLC	Truck	Liability
8922391	IRON LADY CONTRACTING, LLC	Truck	Liability
8922429	KR PERRY TRUCKING, LLC	Truck	Cargo
8922681	CALVIN R. DAVIE	Truck	Liability, Cargo
8922924	SKY POINT CRANE, LLC	Truck	Cargo
8923047	BROWNS TOWING & REPAIR, INC.	Truck	Liability, Cargo
8923186	ANTHONY R. GULOTTA	HHG	Liability
8923254	GS TRUCKING, INC.	Truck	Liability, Cargo
8923578	PETE TRUDICH TRUCKING, LLC	Truck	Liability, Cargo
8923656	MCCONNELL LOGISTICS, LLC	Truck	Cargo
8924022	KTM ENTERPRISES, LLC	Truck	Liability, Cargo
8924101	CRYSTAL SPRINGS TRANSPORT, LLC	Truck	Liability, Cargo
8924107	E. COOK TRUCKING, LLC	Truck	Liability
8924140	MEDHAT DANIAL SERVICES, LLC	Truck	Liability
8924167	SPRAGUE ENTERPRISE, LLC	Truck	Liability, Cargo
8924259	TODD BRIAN MELLOTT	Truck	Liability
8924276	BLUE OAK MOTOR COMPANY, LLC	Truck	Liability, Cargo

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authorities</i>	<i>Insurance Type Not on File</i>
8924282	ALPHA LOGISTICS, LLC	Truck	Liability, Cargo
8924457	CROSSING THE RUBICON TRUCKING, LLC	Truck	Liability, Cargo
8924459	CROSS KEYS ENTERPRISE, LLC	Truck	Liability, Cargo
8924515	J. COPE TRUCKING, LLC	Truck	Liability, Cargo
8924535	EM HAULING, LLC	Truck	Liability, Cargo
8924594	WILMER L. NOLT	Truck	Liability, Cargo
8924818	STILL MAKING MOVES, LLC	Truck	Cargo
8925095	ATLANTIC UTILITY GROUP, LLC	Truck	Liability, Cargo
8925203	HILTON TRANSPORTATION, LLC	Truck	Cargo
8925212	VITE MOVING, LLC	HHG	Liability
8925274	JRS TRANSPORT, LLC	Truck	Liability, Cargo
8925307	COURIERSTAT365, LLC	Truck	Liability, Cargo
8925515	GOOD EXPRESS, LLC	Truck	Liability, Cargo
8925524	TZ TRUCKING SERVICES, LLC	Truck	Liability
8925545	C. REMINGTON TRUCKING, LLC	Truck	Liability, Cargo
8925682	DMS DELIVERY SERVICES, LLC	Truck	Liability, Cargo
8925813	ANDREW GRAYBILL	Truck	Liability, Cargo
8925849	DLVR LOGISTICS, LLC	Truck	Cargo
8925926	MJOLNIR TRUCKING, LLC	Truck	Cargo
8925952	3 LYNS TRUCKING, LLC	Truck	Liability, Cargo
8926007	CHOPA TOWING, LLC	Truck	Liability, Cargo
8926023	DICKERSON TRANSPORT, LLC	Truck	Liability
8926142	MP CUSTOM SERVICES, LLC	Truck	Liability
8926151	MSH TRANSPORTATION, LLC	Truck	Liability, Cargo
8926156	FLYING E CARTAGE, LLC	Truck	Liability, Cargo
8926193	YOUNG'S TOWING, LLC	Truck	Liability, Cargo
8926204	VERNON L. ROUSE, JR.	Truck	Liability, Cargo
8926211	JL LOGISTIC SOLUTIONS, INC.	Truck	Liability, Cargo
8926217	CLK TRANSPORT, LLC	Truck	Liability, Cargo
8926237	WNA TRUCKING, LLC	Truck	Cargo
8926246	FRONTLINE TRANSPORTATION, LLC	Truck	Liability, Cargo
8926295	3RDWHEEL ENTERPRISES, LLC	Truck	Liability, Cargo
8926301	REPPERT TRANSPORT, LLC	Truck	Liability, Cargo
8926315	SHARP LOGISTICS, LLC	Truck	Liability, Cargo
8926368	MCS AUTOMOTIVE SERVICES, LLC	Truck	Liability, Cargo
8926404	K & W TRANSPORT, LLC	Truck	Liability, Cargo
8926419	SOUTHSIDE TRUCKING, LLC	Truck	Liability, Cargo
8926430	A TO Z DELIVERY & LOGISTICS, LLC	Truck	Liability, Cargo
8926537	CRAZY COOTERS TRUCKING, LLC	Truck	Liability, Cargo
8926609	SAMUEL RIVERA	Truck	Cargo
8926756	LANGWORTHY SERVICES, LLC	Truck	Liability, Cargo
8926948	START HAULING LIMITED LIABILITY COMPANY	Truck	Liability, Cargo
8926984	ERG TRANSPORTATION CO.	Truck	Liability, Cargo
8926985	SAWYER TRANSPORT, LLC	Truck	Liability, Cargo
8927035	JAB HAULING, LLC	Truck	Liability, Cargo
8927044	ARROWTRACK TRANSPORT, LLC	Truck	Liability, Cargo

[Pa.B. Doc. No. 24-1172. Filed for public inspection August 16, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before September 3, 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 September 3, 2024. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the docket number as follows or by searching the applicant's web site.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2024-3049811. Rita Car Care, LLC (1144 Alton Place, Philadelphia, PA 19115) persons, in paratransit service, limited to nonemergency medical transportation, between points in the City and County of Philadelphia.

A-2024-3050124. Best Shuttle Services, LLC (800 West Olney Avenue, Philadelphia, Philadelphia County, PA 19120) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Bucks and Montgomery. *Attorney:* John F. Povilaitis, Esquire, Buchanan, Ingersoll, & Rooney, 409 North Second Street, Suite 500, Harrisburg, PA 17101-1357.

A-2024-3050277. Tri State EMS, LLC (831 Brower Road, Wayne, Montgomery County, PA 19087) in paratransit service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David P. Temple, 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

A-2024-3050333. Medical Transport Systems, LLC (2427 Susquehanna Avenue, Roslyn, Montgomery County, PA 19001) for the right to begin transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Chester County, to points in Pennsylvania, and return (A-00122163, F.1) and between points in the City and County of Philadelphia, and from the City and County, to points in Pennsylvania, and return (A-00122163 F.1 AM-A) which is to be a transfer of all rights authorized under the certificate issued at A-00122163 to Lifestar, Inc., subject to the same limitations and conditions. *Attorney:* David Temple, 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2024-3049985. Tomkat Movers, LLC (2430 Butler Street, Unit 411, Easton, Northampton County, PA 18042) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2024-3049380. On Call Trans, LLC (1006 Sorrel Horse Road, Huntingdon Valley, Montgomery County, PA 19006) discontinuance of service and cancellation of its certificate to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Delaware County, and the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2024-3050527. Park Place Limousine Service, LLC (4588 Louise Saint Claire Drive, Doylestown, Bucks County, PA 18901) discontinuance of service and cancellation of certificate to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania.

A-2024-3050539. Fragile Moving, Inc. (194 Passaic Street, Suite 2D, Hackensack, Bergen County, NJ 07601) for the discontinuance and cancellation of its right, to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania, as originally Docketed at A-2019-3013769.

A-2024-3050561. Black Car Service of Bucks County, LLC (3773 Coldspring Creamery Road, Doylestown, Bucks County, PA 18902) for the discontinuance and cancellation of its right, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Bucks County, and from the county, to points in Northampton County, excluding service that is under the jurisdiction of the Philadelphia Parking Authority, as originally Docketed at A-2016-2530638.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-1173. Filed for public inspection August 16, 2024, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than September 3, 2024. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The

applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Peter Carnival at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-24-08-01. Eliza Trans, Inc. (1276 Appalachian Road, Ambler, PA 19002): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Shintia Zaman Riva, Esq., 1914 Chandler Street, Philadelphia, PA 19111.

Doc. No. A-24-08-02. Jennifer Transportation, Inc. (1276 Appalachian Road, Ambler, PA 19002): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Shintia Zaman Riva, Esq., 1914 Chandler Street, Philadelphia, PA 19111.

RICH LAZER,
Executive Director

[Pa.B. Doc. No. 24-1174. Filed for public inspection August 16, 2024, 9:00 a.m.]

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