

PENNSYLVANIA BULLETIN

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Agencies in this issue

The Courts
Department of Agriculture
Department of Banking and Securities
Department of Community and Economic
Development
Department of Conservation and Natural
Resources
Department of Education
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Revenue
Department of Transportation
Executive Board
Independent Regulatory Review Commission
Insurance Department
Liquor Control Board
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
State Police



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(Master Transmittal Sheet):**

No. 598, September 2024

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CONTENTS

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT
 Notice of administrative suspension..... 6110

LOCAL COURT RULES
Lancaster County
 Addition of local rules of civil procedure; CI-24-05059..... 6104

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF AGRICULTURE
Notices
 Pennsylvania Agriculture Innovation Grant Program; 2024-2025 program guidelines..... 6121

DEPARTMENT OF BANKING AND SECURITIES
Notices
 Actions on applications..... 6122

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
Notices
 Intent to apply for funding; pathways to remove obstacles to housing..... 6124

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
Notices
 Proposed exchange of property..... 6124

DEPARTMENT OF EDUCATION
Notices
 Application by Gratz College to amend articles of incorporation..... 6125

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Notices
 Aggregate Advisory Board; Regulatory, Legislative and Technical Committee meeting..... 6197
 Applications, actions and special notices..... 6125
 Bid opportunity..... 6197
 Proposed State implementation plan revision second maintenance plan for the Harrisburg/York nonattainment area for the 2006 fine particulate matter national ambient air quality standard; public hearing..... 6197

DEPARTMENT OF HEALTH
Notices
 Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; public meetings .. 6198
 Infant Hearing Screening Advisory Committee meeting..... 6199
 Long-term care nursing facilities; requests for exception..... 6199

DEPARTMENT OF HUMAN SERVICES

Notices
 Continuation of the alternative payment methodology for COVID-19 vaccine administration..... 6199

DEPARTMENT OF REVENUE

Notices
 Pennsylvania Fall Frenzy fast play game 5257..... 6200
 Pennsylvania Hedge Fun Hundreds fast play game 5259..... 6205
 Pennsylvania Sweater Weather fast play game 5258 .. 6209

DEPARTMENT OF TRANSPORTATION

Notices
 Multimodal Transportation Fund; invitation to submit applications..... 6214

EXECUTIVE BOARD

Statements of Policy
 Reorganization of the Department of Education..... 6115
 Reorganization of the Department of Human Services..... 6115
 Reorganization of the Liquor Control Board..... 6115
 Reorganization of the Office of the Budget..... 6115

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices
 Notice of filing of final rulemaking..... 6215

INSURANCE DEPARTMENT

Notices
 Alleged violation of insurance laws; Ashley Rae Bamarger; doc. No. SC24-09-020..... 6215
 Appeal of Todd Allen under the Quality Health Care Accountability and Protection Article; Keystone First Community Healthchoices; doc. No. HC24-09-005..... 6215
 Leahia Michelle McGillen; consent order; doc. No. CO21-03-003..... 6216

LIQUOR CONTROL BOARD

Rules and Regulations
 Duties and rights of licensees..... 6112

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices
 Implementation of the Alternative Energy Portfolio Standards Act of 2004: standards for the participation of demand side management resources—technical reference manual 2026 update; doc. No. M-2023-3044491..... 6216
 Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Pike County Light & Power Company..... 6216
 Service of notice of motor carrier applications..... 6227
 Water service..... 6228

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

PHILADELPHIA PARKING AUTHORITY

Notices

Petition to establish pilot program of referred taxi-
cab trips; request for public comment; doc. No.
P-24-08-01 6228

STATE POLICE

Notices

Law enforcement officer camera system data han-
dling requirements..... 6229
Mobile video recording system equipment standards
and approved mobile videorecording systems 6231

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

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

4 Pa. Code (Administration)

Adopted Rules

1	3516
6	7
7	3018

Proposed Rules

105	5107
601a	4437
602a	4437
603a	4437
604a	4437
605a	4437
606a	4437
607a	4437
608	4437
609	4437
610	4437
611	4437
612	4437
613	4437
614	4437
615	4437

Statements of Policy

1	5110
9	16, 496, 730, 1334, 2350, 3404, 4134, 5238, 5826, 6115
58	1340
68	1340

7 Pa. Code (Agriculture)

Proposed Rules

59a	3318
150	5728, 5985

10 Pa. Code (Banking and Securities)

Statements of Policy

19	2092
----	------

12 Pa. Code (Commerce, Trade and Local Government)

Adopted Rules

145	145
-----	-----

22 Pa. Code (Education)

Proposed Rules

4	3353
---	------

25 Pa. Code (Environmental Protection)

Adopted Rules

901	4117
1021	2776

Proposed Rules

250	3937
801	1953

28 Pa. Code (Health and Safety)

Statements of Policy

51	148
----	-----

31 Pa. Code (Insurance)

Proposed Rules

37	2492
37a	2492
5001	2993

37 Pa. Code (Law)

Adopted Rules

301	4122
481	3151

Statements of Policy

96a	4327
-----	------

40 Pa. Code (Liquor)

Adopted Rules

5	145, 6112
---	-----------

Proposed Rules

3	722
5	722
9	722
11	722

43 Pa. Code (Military Affairs)

Adopted Rules

9	5983
---	------

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

1	4318
5	3152
6	4322
16	2780
18	2780
23	368
31	5092
36	3157
45	375

Proposed Rules

15	4127
25	2798
27	1060
31	3618
33	4130
35	2806
36	3623
40	383

Statements of Policy

16	3162
21	148, 3163
25	3165
41	3167
47	3169
48	3169
49	3169

51 Pa. Code (Public Officers)

Adopted Rules

11	2077
13	2077
15	2077
17	2077
19	2077
21	2077
23	2077
25	2077

52 Pa. Code (Public Utilities)

Adopted Rules

59	5729
----	------

Statements of Policy

69 1670, 1675, 3036

55 Pa. Code (Human Services)

Statements of Policy

1 148
4210 1956

58 Pa. Code (Recreation)

Adopted Rules

65 5613, 5614
75 1054
97 1056
107 1057
111 1056, 1058
133 1315
135 1316
139 3021
141 1318, 1319, 3030, 3033
147 5615
617b 1537, 2923
617c 2923
623b 2923
623c 2923
627b 2923
627c 2923
629b 2923
629c 2923
631b 2923
631c 2923
633b 1537, 2923
633c 2923
635b 2923
635c 2923
639b 2923
639c 2923
641b 2923
641c 2923
643b 2923
643c 2923
645b 2923
645c 2923
647b 2923
647c 2923
649b 2923
649c 2923
653b 1537, 2923
653c 2923
655b 2923
655c 2923
657b 2923
657c 2923
659b 2923
659c 2923
670b 2923
670c 2923
674b 1537
685b 2923
685c 2923
687b 2923
687c 2923
688b 2923
688c 2923
689 2923
689a 2923
690 1537

Proposed Rules

61 5618
65 3523, 3524

95 5619
99a 5620
117 3633
133 5621
139 1321, 1668
141 1330, 1332
147 3035, 5622
603a 2085
633a 2085
687a 2085
812a 2085
819a 2085

Statements of Policy

603b 2093

61 Pa. Code (Revenue)

Proposed Rules

5 2996
153 2999

67 Pa. Code (Transportation)

Adopted Rules

171a 719
171b 719
173 5616

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules

5 3315

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

71 138, 2219, 5472
81 1946
207 1525
303a 1180

Proposed Rules

71 714, 3907
81 1041
87 1041

207 Pa. Code (Judicial Conduct)

Adopted Rules

1 1296
3 1297

210 Pa. Code (Appellate Procedure)

Adopted Rules

1 5079
9 5079
21 4426
23 4426
63 4431
65 2481

225 Pa. Code (Rules of Evidence)

Adopted Rules

Article VI 5726

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200 138
1000 5978
1915 5353
Part II 2735

Proposed Rules

1850 3780
1930 3782
1960 3785
Part II 1654

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

1 2738
 2 2743
 4 2738
 5 2738, 2743
 10 2743

Proposed Rules

4 919
 5 5221
 7 919
 10 919
 11 5221

237 Pa. Code (Juvenile Rules)

Proposed Rules

1 2061, 5082
 3 5087
 6 5087
 16 2065

246 Pa. Code (Minor Court Civil Rules)

Adopted Rules

200 2482
 300 2482, 3147
 500 2482

Proposed Rules

200 2344
 300 714, 2066, 2344
 500 714

249 Pa. Code (Philadelphia Rules)

Unclassified 617, 1181, 3520, 4113, 4313

252 Pa. Code (Allegheny County Rules)

Unclassified 1181, 2748, 4114

255 Pa. Code (Local Court Rules)

Unclassified 11, 12, 13, 14, 139, 140, 355, 361, 366,
 617, 618, 716, 717, 955, 959, 1042, 1043, 1044, 1046,
 1048, 1052, 1185, 1186, 1187, 1190, 1192, 1193, 1303,
 1304, 1307, 1311, 1312, 1313, 1525, 1526, 1528, 1529,
 1531, 1532, 1535, 1664, 1665, 1666, 1667, 1813, 1814,
 1815, 1816, 1818, 1820, 1821, 1824, 1947, 1948, 1950,
 1952, 2069, 2073, 2076, 2221, 2223, 2225, 2347, 2348,
 2487, 2488, 2489, 2490, 2753, 2755, 2756, 2757, 2758,
 2766, 2768, 2770, 2921, 3150, 3315, 3521, 3616, 3617,
 3787, 3910, 3918, 3928, 3929, 3930, 3933, 4115, 4314,
 4315, 4316, 4431, 4435, 5091, 5228, 5229, 5232, 5356,
 5371, 5472, 5608, 5609, 5980, 5981, 6104

THE COURTS

Title 255—LOCAL COURT RULES

LANCASTER COUNTY

Addition of Local Rules of Civil Procedure; CI-24-05059

Amended Administrative Order

And Now, this 23rd day of July 2024, it is hereby *Ordered* that Local Rules of Civil Procedure 205.2(c) and 205.2(d) of the Court of Common Pleas of the 2nd Judicial District of Pennsylvania, Lancaster County, are adopted as indicated, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Lancaster County District Court Administrator is *Ordered* 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) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish these Rules on the Lancaster County Court website at www.court.lancastercountypa.gov.
4. Incorporation of the local rule into the set of local rules on www.court.lancastercountypa.gov within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.
5. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

By the Court

DAVID L. ASHWORTH,
President Judge

Rule 205.2(c). Lancaster County Residential Mortgage Foreclosure Diversion Program (“Foreclosure Diversion Program”).

A. All actions filed on or after August 1, 2021, for mortgage foreclosure of residential owner-occupied properties, with four or fewer residential units, which serve as the primary residence of the defendant homeowner, for which the remaining mortgage balance is \$400,000.00 or less, and which are not the subject of bankruptcy, divorce, or estate proceedings, shall be automatically enrolled in the Foreclosure Diversion Program, unless the plaintiff and the defendant homeowner agree in writing otherwise. Certain other foreclosure cases may be referred to and entered into the Foreclosure Diversion Program at the discretion of the presiding judge.

B. All complaints for residential mortgage foreclosure actions eligible for participation in the Foreclosure Diversion Program shall be accompanied by a \$35 fee payable to the Lancaster County Prothonotary. This fee is nonrefundable.

C. On or after March 21, 2022, complaints filed for residential mortgage foreclosure actions may be paper filed or filed electronically. For purposes of this Program, the Lancaster County Prothonotary may maintain all documents in electronic format and does not need to maintain a paper file for each case.

D. *Urgent Notice*: Every complaint for residential mortgage foreclosure shall include the appropriate “Urgent

Notice” to the defendant, either the “eligible” version of the notice or the “ineligible” version of the notice as follows:

1. for actions certified as eligible for the Foreclosure Diversion Program, an “Urgent Notice,” in the form attached as Form “2” advising the defendant homeowner of the Foreclosure Diversion Program, and of the automatic stay of any further proceedings in the case until the conclusion of the conciliation process, shall be affixed to any complaint when presented for filing and shall also be affixed to the copy of the complaint to be served upon the defendant homeowner; or

2. for actions certified as ineligible for the Foreclosure Diversion Program, an “Urgent Notice,” in the form attached as Form “3” advising the defendant homeowner of the Foreclosure Diversion Program, of the lender’s ineligibility claim, and of the defendant homeowner’s right to challenge that claim, shall be affixed to any complaint when presented for filing and shall also be affixed to the copy of the complaint to be served upon the defendant homeowner.

E. *Electronic Filing*: Any electronically filed complaint shall be submitted as follows:

1. The Plaintiff shall file the complaint electronically through Teleosoft, or any other such program as utilized by the Lancaster County Prothonotary for the electronic filing of documents;

2. Such complaint shall include a “Certification Cover Sheet” regarding the status of the foreclosed premises, in the form attached as Form “1” and the appropriate Urgent Notice as specified in Paragraph 4 above.

3. The Plaintiff shall pay the appropriate civil action filing fee and any additional fees for e-filing as set forth by the Lancaster County Prothonotary;

4. Within three (3) business days of the filing of the complaint in mortgage foreclosure electronically, the Plaintiff shall provide (1) a check made payable to the Lancaster County Sheriff’s Office for the civil process fee; (2) a paper copy of the filed complaint with the Certification Cover Sheet and the appropriate Urgent Notice as specified in Paragraph 4 above; and (3) the “Sheriff Service Process Receipt and Affidavit of Return” form.

F. *Paper Filing*: If paper filed, complaints for residential mortgage foreclosure shall be accompanied by the following:

1. one copy of the complaint for the plaintiff and one copy for each defendant homeowner;

2. one check made payable to the Lancaster County Prothonotary for the applicable filing fee, and one check made payable to the Lancaster County Sheriff’s Office for the civil process fee;

3. two self-addressed, stamped envelopes;

4. the “Sheriff Service Process Receipt and Affidavit of Return” form;

5. a “Certification Cover Sheet” regarding the status of the foreclosed premises, in the form attached as Form “1”;

6. The appropriate Urgent Notice as specified in Paragraph 4 above.

G. *Notice to Non-Defendant Homeowners*: If any owner to the subject property is not also a defendant to the action, Plaintiff must also mail a copy of the complaint,

Certification Cover Sheet, and applicable Urgent Notice to any additional non-defendant homeowners.

H. *Service*: The Lancaster County Sheriff shall file a return of service which shall indicate the service of the Certification Cover Sheet and the Urgent Notice along with the service of the complaint. The return of service shall also indicate service of the initial stay Order, if applicable. The Certification Cover Sheet and the Urgent Notice shall accompany any complaint to be served by deputized service. The initial stay Order, if applicable, shall also accompany any complaint to be served by deputized service, and the return of service shall indicate that this Order was served. If service of the complaint is to be effectuated by alternate service as provided by Pa.R.C.P. No. 410 and Pa.R.C.P. No. 430, the Certification Cover Sheet and the Urgent Notice shall be posted on the property along with the initial stay Order, if applicable, and served via mail if such service of the complaint is authorized by the court order authorizing alternate service.

I. If the Certification Cover Sheet indicates that the residential foreclosure action is not eligible for the Foreclosure Diversion Program, the Court may choose to enter the case marked ineligible into the diversion program at its discretion notwithstanding Plaintiff's determination of eligibility. If the Court does not enter a case deemed ineligible into the diversion program, the remaining procedures in this Rule shall not be applicable, and the plaintiff may proceed as per the Pennsylvania Rules of Civil Procedure without any further requirement to attend conciliation. If the defendant homeowner believes that the action is eligible for the Foreclosure Diversion Program, the defendant homeowner shall have 20 days after service of the complaint to file with the Court an "Objection to Plaintiff's Certification Cover Sheet and Request for Stay," in the form attached as Form "6." The filing of the Objection shall result in a temporary stay of any further proceedings until further Order of Court. Within ten days of the filing of the defendant homeowner's Objection, the Court shall, in consideration of both the plaintiff's designation of ineligibility and the defendant homeowner's Objection, issue an order ruling on the foreclosure action's eligibility for the Foreclosure Diversion Program.

J. *Automatic Stay*: For actions deemed eligible for the Foreclosure Diversion Program, the issuance of the initial stay Order shall result in an automatic stay of any further proceedings and suspend pleading deadlines at the onset of the case to afford the parties an opportunity to participate in and complete the court-supervised conciliation process. No answer shall be required, no judgment in foreclosure may be entered by default or otherwise, and no sheriff's sale may be scheduled or held prior to the completion of the conciliation process, unless the defendant homeowner files a Notice of Homeowner Nonparticipation, or the case is removed from the Foreclosure Diversion Program by further Order of Court. Within ten days of the filing of the Notice of Homeowner Nonparticipation, the Court shall issue an order canceling the conciliation conference, lifting the stay on the action, and directing the defendant homeowner to file an answer to the mortgage foreclosure complaint.

K. *Initial Stay Order*: Upon the filing of a Foreclosure Diversion Program-eligible residential mortgage foreclosure complaint, the Court shall issue an initial stay order directing the defendant homeowner to participate in an intake process with the Court by phone, mail, email, or by other methods prescribed so that the defendant may

be assigned to an approved HUD and PFHA housing counseling agency. The foreclosure services and the assistance of the housing counseling agency through this Program are FREE OF CHARGE to the defendant homeowner. Once the defendant homeowner completes the court intake process, the Court shall issue a Case Management and Scheduling Order which shall schedule a date for conciliation, direct the Defendant to promptly contact the assigned housing counseling agency for an intake appointment, and direct the Plaintiff to complete "Mortgage Information for Housing Counselor" with supporting documentation, attached as Form "5."

L. *Housing Counseling*: The defendant homeowner is expected to participate in group and/or individual foreclosure counseling with the housing counseling agency as scheduled by the housing counseling agency. The defendant homeowner shall bring to the counseling session all requested financial and employment information to enable the housing counselor to assist in the completion of the loss mitigation package and workout proposal. If the Diversion Program Coordinator determines at the intake that a Defendant may proceed without the assistance of a housing counseling agency, Defendant will be directed to continue in good faith loss mitigation efforts with the Plaintiff in order to remain in the Residential Mortgage Foreclosure Diversion Program. Defendant may subsequently opt in for free assistance from a housing counseling agency by notifying the Diversion Program Coordinator at cddp@lancastercountypa.gov or by calling 717.209.3290.

M. Within 20 days of filing of the Case Management and Scheduling Order, the plaintiff shall submit to the Diversion Program Coordinator a completed "Mortgage Information for Housing Counselor" form with supporting documentation by secure email method, and to the assigned housing counselor, if any, using the form attached as Form "5."

N. *Conciliation Conferences*: The conciliation conference will be held before the Diversion Program Coordinator, or a court-appointed representative who will serve as the conciliation conference hearing officer, who will assist the parties in reaching an agreement. Conciliation conferences may be held utilizing Advanced Communication Technology.

O. In preparation for the conciliation conference, the Court expects that no later than 14 days prior to the scheduled conciliation conference, the defendant homeowner, with the assistance of the housing counselor, will have submitted to the Plaintiff and/or Plaintiff's attorney, a complete loss mitigation package with all supporting financial and employment documentation. If this does not occur, Defendant shall be required to provide good cause for not completing and submitting a complete loss mitigation package by the date of the first conciliation for the Court to consider allowing more time in diversion for the package to be completed and submitted.

P. The defendant homeowner and the housing counselor, or the defendant homeowner's attorney, if any, shall attempt to negotiate, prior to the conciliation conference, a resolution of the mortgage default with the plaintiff or the plaintiff's representative. If the plaintiff or the plaintiff's representative fails to participate in good-faith negotiations with the defendant homeowner and/or the housing counselor and/or the defendant homeowner's attorney, the Court will issue an order directing the plaintiff to comply with the Foreclosure Diversion Program requirements otherwise sanctions will be imposed for continued noncompliance. If the plaintiff continues to fail to comply

with Program requirements, the Court may issue an order dismissing the mortgage foreclosure complaint without prejudice and imposing sanctions, if appropriate, for noncompliance with the Foreclosure Diversion Program.

Q. If the defendant homeowner does not want to participate in the Foreclosure Diversion Program, they may file a "Notice of Defendant Nonparticipation" in the form attached hereto as Form "4." If the defendant files a "Notice of Defendant Nonparticipation" or if the defendant homeowner fails or refuses to cooperate with the Diversion Program Coordinator and/or the housing counseling agency, if the Diversion Program Coordinator is unable to contact the defendant homeowner within 30 days of the service of the mortgage foreclosure complaint, or the case is later determined to be ineligible for the Program, the Court will issue an order removing the case from the Foreclosure Diversion Program.

R. If an agreement is reached through negotiations prior to the scheduled conciliation conference, the plaintiff shall (a) prepare any documents necessary to implement the agreement, (b) immediately notify the Diversion Program Coordinator of the agreement so the conciliation conference may be cancelled, and (c) take the necessary action to ensure the record reflects the resolution of the matter. If no agreement is reached through negotiations, the case shall proceed to the scheduled conciliation conference.

S. If the defendant homeowner is represented by counsel in the mortgage foreclosure action, the defendant homeowner need not contact a housing counselor but, instead, counsel for the defendant homeowner shall notify the Diversion Program Coordinator of the legal representation and shall provide the loss mitigation package and workout proposal to the plaintiff, with a copy to the Diversion Program Coordinator, within the time deadlines set forth herein.

T. Any unrepresented defendant homeowner will be advised by the Court, the Diversion Program Coordinator, and the assigned housing counselor of the right to consult with an attorney at any time during the conciliation process and to bring an attorney to the conciliation conference. The defendant homeowner will also be advised that the defendant homeowner may apply for a pro bono attorney through the Foreclosure Diversion Program, if any help of that kind is available, or through programs run by the lawyer referral, legal services, and legal aid programs as may exist within the Second Judicial District. If the defendant homeowner obtains a volunteer pro bono attorney through the Foreclosure Diversion Program, that attorney's appearance will be limited to representation only to assist the defendant homeowner with conciliation through the Foreclosure Diversion Program. Once appointed, pro bono counsel shall file with the Prothonotary a "Praeceptum for Entry of Limited Appearance" and "Praeceptum for Withdrawal of Limited Appearance", attached as Forms "7" and "8," respectively.

The appearance by a volunteer pro bono attorney at the conciliation conference shall not be deemed to be an entry of appearance in the underlying mortgage foreclosure action. If a defendant homeowner secures the paid legal services of an attorney, counsel of record must file a notice of appearance and shall attend the conciliation conference in lieu of the assigned housing counselor.

U. At any time during the conciliation conference, the defendant homeowner may make a written request to the plaintiff for any of the following information and docu-

ments: (a) documentary evidence that the plaintiff is the owner and the holder in due course of the note and mortgage sued upon; (b) a complete history showing the application of all payments by the defendant homeowner during the life of the loan; (c) the payment dates, purpose of payment and recipient of any and all foreclosure fees and costs that have been charged to defendant homeowner's account; (d) the payment dates, purpose of payment and recipient of all escrow items charged to the defendant homeowner's account; (e) a statement of the plaintiff's position on the present net value of the mortgage loan; and (f) the most current appraisal of the property available to the plaintiff.

V. Unless an agreement is reached prior to the scheduled conciliation conference, the plaintiff's attorney, the defendant homeowner, and the defendant homeowner's housing counselor or attorney, if the defendant homeowner is represented, shall appear at the conciliation conference. A representative of the plaintiff who has actual authority to modify mortgages, and/or to enter into alternate payment agreements with the defendant homeowner, or to otherwise resolve the action, must be present at the conciliation conference by telephone or by use of advanced communication technology.

W. The right to appear via telephonic means or advanced communication technology may be terminated as to any and all plaintiffs who fail to secure participation by a representative with full authority to negotiate for any conciliation conference.

X. Failure of the plaintiff's counsel or the plaintiff's representative to attend the conciliation conference, absent good cause shown, or failure to participate in the conciliation in good faith may result in the dismissal of the action, the rescheduling of the conciliation conference, the imposition of attorney's fees and costs, or the imposition of such other sanctions as the Court deems appropriate.

Y. Failure of the defendant homeowner or defendant homeowner's counsel of record to attend the conciliation conference, absent good cause shown, may result in the removal from the Foreclosure Diversion Program, lifting of the automatic stay, and the matter proceeding to judicial disposition.

Z. At the conciliation conference, the parties and their representatives and/or counsel shall be prepared to discuss and explore all applicable loss mitigation programs offered by the plaintiff for which the defendant homeowner could be eligible, along with other potential resolution options that may allow the defendant homeowner to own the property or otherwise avoid a foreclosure judgment or sheriff's sale, including but not limited to: bringing the mortgage current through a reinstatement, paying off the mortgage, proposing a forbearance agreement or repayment plan to bring the account current over time, consenting to homeowner refinancing, agreeing to vacate in the near future in exchange for not contesting the matter, offering the lender a deed in lieu of foreclosure, entering into a loan modification or a reverse mortgage, reducing principal, agreeing to a pre-foreclosure sale/short sale, paying the mortgage default over 60 months, consenting to judgment, and instituting bankruptcy proceedings.

AA. If an agreement is reached at the conciliation conference, the plaintiff shall prepare any documents necessary to implement the agreement and shall take the necessary action to ensure the record reflects the resolution of the matter. After reaching an agreement in

principle, if either party fails to execute documents reflecting that agreement, or if the material terms of the agreement are not fully met, then either party may contact the Diversion Program Coordinator to request a new conciliation conference. The Diversion Program Coordinator will schedule a conference as soon as reasonably practicable.

BB. At the conclusion of each conciliation conference, the Diversion Program Coordinator or the conciliation conference officer shall complete a conciliation report which shall be submitted to the Court. After review by the Court of the conciliation report with recommendations, an appropriate order shall issue, which may include lifting the automatic stay if the parties are unable to come to an agreement, continuing the stay for a reasonable time to allow for further voluntary negotiations and the preparation and execution of documents to implement any agreement, scheduling an additional conciliation conference, imposing sanctions for a violation of Program requirements, or any other action the Court deems appropriate.

CC. *Continuance Requests:* If, at any time prior to a scheduled conciliation conference, the plaintiff becomes aware that it will be unable to proceed to the conference due to the need for more time to review the documents provided by the defendant homeowner or the defendant requires an additional 30 days to complete housing counseling, the plaintiff or defendant may submit to the Diversion Program Coordinator a "Request for Continuance of Conciliation Conference" in the form attached hereto at Form "9."

DD. Absent good cause, as determined by the Court, conciliation must be completed within 180 days after suit is filed. If conciliation fails to be completed within 180 days after suit is filed, and the Court makes the determination that such failure is attributable to either party, and that party is unable to show good cause as to why conciliation could not be completed within the specified time, the Court may dismiss the action without prejudice, enter an order removing the action from the Program, or impose such other sanctions as the Court deems appropriate.

EE. In any residential mortgage foreclosure action which was commenced on or before July 31, 2021, and which would be an eligible action for the Foreclosure Diversion Program if it had been filed after that date, but in which no default judgment has been entered or in which an Important Notice (the ten-day notice required by Pa.R.C.P. No. 237.1(a)(2)) has not yet been sent to the defendant homeowner, the Important Notice shall be accompanied by the Urgent Notice substantially in the form attached as Form "2." The defendant homeowner may seek participation in the Foreclosure Diversion Program by filing with the Court an "Application for Entry", substantially in the form attached as Form "10", requesting placement in the Program and a stay of proceedings.

FF. If a judgment has been entered against a defendant homeowner or if a sheriff's sale has been scheduled in a residential mortgage foreclosure action which was commenced on or before July 31, 2021, and which would be an eligible action for the Foreclosure Diversion Program if it had been filed after that date, the defendant homeowner may seek participation in the Program by filing with the Court an "Application for Entry", substantially in the form attached as Form "11", requesting placement in the Program and a stay of sheriff's sale.

GG. Any plaintiff lender who files a motion for summary judgment or a motion for judgment on the pleadings

in any residential mortgage foreclosure case which was commenced on or before July 31, 2021, and which would be an eligible action for the Foreclosure Diversion Program if it had been filed after that date, must also serve on the defendant homeowner the Urgent Notice substantially in the form attached as Form "2." The defendant homeowner may seek participation in the Foreclosure Diversion Program by filing with the Court an Application for Entry, substantially in the form attached as Form "10", requesting placement in the Program and a stay of proceedings. However, the Court may require a disposition of the motion for summary judgment or motion for judgment on the pleadings to be made prior to placing a stay on the proceedings and scheduling a conciliation conference.

HH. At the discretion of the presiding judge, a defendant homeowner who was removed from the Foreclosure Diversion Program may be granted re-entry into the Program by filing with the Court an "Application for Re-Entry," substantially in the form attached as Form "12" and by providing a courtesy copy to the Diversion Program Coordinator by email to: cddp@lancastercounty.pa.gov. If a case is granted re-entry into the foreclosure diversion program, the Court will issue a Case Management and Scheduling Order to schedule the case for conciliation and direct the Defendant to work with an assigned housing counseling agency.

II. Sanctions may be imposed by the Court at any time for lack of good faith participation and/or noncompliance with any aspect of the Foreclosure Diversion Program on any party.

JJ. All communications occurring as a result of Local Rule 205.2(c) regarding the Foreclosure Diversion Program, including information submitted to the Diversion Program Coordinator and/or the conciliation conference officer that is not filed with the Court, shall be confidential and inadmissible in any subsequent legal proceeding, unless otherwise provided by law.

KK. The Program Coordinator may assist with enforcing compliance with Local Rule 205.2(c).

LL. Local Rule 205.2(c) shall remain in effect until further order of the Court.

Rule 205.2(d). Lancaster County Consumer Credit Card Collection Diversion Program ("Program").

A. All actions filed for consumer credit card debt collection shall be automatically enrolled in the Program, subject to the "opt-out" procedure set forth below. Certain other consumer credit card cases may be referred to conciliation at the discretion of the presiding judge, as specified in the paragraphs below.

Business or commercial credit card debt collection actions, where a business or commercial entity is listed as a defendant or as a co-defendant, are not eligible for the Program and will not be automatically enrolled. For a business or commercial credit card debt collection action, on the Supreme Court of Pennsylvania Cover Sheet, Plaintiff shall check the box for Debt Collection: Credit Card and include in the lines below, "Business Credit Card." Plaintiff shall not include the "NOTICE," also known as Form 1, or make any reference to the credit card diversion program for a business or commercial credit card debt collection action in its complaint.

However, to avoid the necessity of issuing an Order for Plaintiff to amend its complaint for inadvertently including the "NOTICE," which may confuse Defendants as to whether the proceeding and pleading requirements are

paused, the Court may issue a companion order which will clearly state that there is no stay placed on the proceedings, that the pleading requirements are not suspended, and that Defendant should heed the Notice to Defend within 20 days of service of the complaint. The Plaintiff shall serve the companion order with the complaint.

If Plaintiff includes the "NOTICE" in its initial complaint where the case is not eligible for the Program because it is a business or commercial credit card debt collection action and the Court does not issue a companion order to be served with the complaint, Plaintiff shall file an Amended Complaint that includes a clear statement that the case does not qualify for the consumer credit card collection diversion program, that there is no stay placed on the proceedings, the pleading requirements are not suspended, and that Defendant should heed the Notice to Defend within 20 days of service of the Amended Complaint. The Amended Complaint shall not include the "NOTICE."

B. Plaintiffs are required to electronically file complaints for consumer credit card debt collection actions and are subject to additional e-filing fees as may be implemented by the Lancaster County Prothonotary. For purposes of this Program, the Lancaster County Prothonotary may maintain all documents in electronic format and does not need to maintain a paper file for each case.

C. In all consumer credit card collection actions, the caption of the complaint shall include the words "Consumer Credit Card Collection Action."

D. Electronically filed complaints shall be submitted as follows:

1. The Plaintiff files the complaint electronically through the Lancaster County Prothonotary Online Portal or any other such program that may be utilized by the Lancaster County Prothonotary for the electronic filing of documents;

2. The Plaintiff pays the appropriate civil action filing fee and any additional fees for e-filing as set forth by the Lancaster County Prothonotary;

3. Within three (3) business days of the filing of the complaint electronically, the Plaintiff shall provide (1) one check made payable to the Lancaster County Sheriff's Office for the civil process fee and (2) a paper copy of the filed complaint with the "Notice of Consumer Credit Card Collection Diversion Program," in the form attached hereto as Form "1," affixed to the front of the complaint to the Lancaster County Sheriff's Office.

E. Upon the filing of a consumer credit card collection complaint, the Court shall issue a "Case Management Order," substantially in the form attached hereto as Form "2". The Prothonotary shall serve a copy of the Case Management Order ("CMO") on the plaintiff's attorney and on the defendant. If there is a conflict between the local rules and the CMO, the CMO takes precedence over the local rules and is controlling.

The CMO shall:

1. schedule a conciliation conference for no sooner than 90 days and no later than 120 days from the date of the Order;

2. direct the plaintiff to electronically file with the Court, within 30 days of the date of the CMO, the "Statute of Limitations And Documentation of Debt Certification" form, identified in paragraph 6 below, along with supporting documentation ("DOCS") of the alleged debt

(i.e., credit card statements, original credit card application, credit card agreements, bill of sale, account transfer or assignment, etc.);

3. notify the defendant that the defendant may call a certified credit counseling agency directly at the telephone number provided in the CMO to assist the defendant in preparing for the conciliation conference;

4. notify the defendant that the defendant may opt out of the Consumer Credit Card Collection Diversion Program by filing with the Court "Defendant's Election of Nonparticipation," in the form attached hereto as Form "3," or such later court-approved form;

5. require the attendance at the conciliation conference of the defendant or defendant's counsel of record, and a representative of the plaintiff, or plaintiff's counsel of record;

6. provide that further proceedings in the action will be stayed pending the conclusion of the conciliation process, unless the defendant opts out of the Program, or the case is removed from the Program by further Order of Court;

7. advise the defendant of the right to consult with an attorney at any time and to bring an attorney to the conciliation conference, as well as provide contact information for local legal services and pro bono attorney programs, if any; and

8. provide such other terms as may be necessary and appropriate.

F. The sheriff shall file a return of service which shall indicate the service of the complaint. The entry of the Case Management Order ("CMO") shall result in an automatic stay of any further proceedings to afford the parties an opportunity to participate in the court-supervised conciliation process. No answer shall be required, and no judgment by default may be entered prior to the completion of the conciliation process unless the case is removed from the Program by further Order of Court.

However, a consent judgment, a judgment by agreement, or an agreed upon stipulation in lieu of judgment containing the signatures of both parties may be filed and entered prior to the completion of the conciliation process, and, if this occurs, it will cause the case to be automatically released from the program without further Order of Court.

G. Within 30 days of the date of the CMO, the plaintiff shall e-file with the Court a "Statute of Limitations and Documentation of Debt Certification" ("SOL") in substantially the same form as the form attached hereto as Form "4" and provide supporting documentation ("DOCS") of the alleged debt as defined in the SOL. Supporting documentation, i.e., credit card statements, must be filed in chronological order, preferably oldest to newest. The SOL form and DOCS shall be filed with the appropriate Confidential Document/Information forms in accordance with the Case Records Public Access Policy of the Pennsylvania Courts.

The "Statute of Limitations and Documentation of Debt Certification" and all supporting documentation must be filed electronically through the Lancaster County Prothonotary Online Portal or any other such program as utilized by the Lancaster County Prothonotary for the electronic filing of documents.

The Diversion Program Coordinator will review the SOL and DOCS submitted to the Court to determine whether the appropriate supporting documentation and

information has been filed. Any questions as to the sufficiency of documentation shall be referred to a judge of the Court of Common Pleas. If the documents are not submitted or lack the required information, the Court shall issue a non-compliance Order directing the plaintiff to supplement its documentation to conform with the pleading requirements under Pennsylvania Rules of Civil Procedure 1019. If Plaintiff fails to comply with the CMO and/or the non-compliance Order, the Court will issue a Rule upon Plaintiff to show cause why the action should not be dismissed without prejudice for failure to comply, with the Rule returnable at a hearing.

H. If the defendant elects not to participate in the Program or if the defendant fails or refuses to cooperate within the parameters of the Program, the Court shall issue an Order removing the consumer credit card debt collection action from the Program. Within ten days of the filing of Defendant's Election of Nonparticipation, see Form "3" below, the Court shall issue an Order canceling the conciliation conference, lifting the stay on the action, and directing the defendant to file a response to the plaintiff's complaint.

I. The scheduled conciliation conference will be held before the Diversion Program Coordinator, or a court-appointed representative, who will facilitate the settlement negotiations. Conciliations may be held virtually utilizing advanced communication technology.

J. Any unrepresented defendant will be advised by the Court, the Diversion Program Coordinator, and the credit counseling agency of the right to consult with an attorney at any time during the conciliation process and to bring an attorney to the conciliation conference. The defendant will also be advised that the defendant may apply for an attorney through programs run by the lawyer referral, legal services, and legal aid programs as may exist within the Second Judicial District. If a defendant secures the legal services of an attorney, counsel of record must file a Praecipe for entry of appearance.

K. If an agreement is reached through negotiations prior to the scheduled conciliation conference, the plaintiff shall (a) immediately notify the Diversion Program Coordinator of the agreement so the conciliation conference may be cancelled, (b) confirm the agreement in writing with the defendant and the Program Coordinator within five business days, and (c) prepare any documents necessary to implement the agreement.

L. If, at any time prior to the date on which a conciliation conference is scheduled, the plaintiff becomes aware that it will be unable to proceed to the conference, then the plaintiff must contact the defendant, the defendant's attorney, if any, and the Diversion Program Coordinator, in writing, to request a continuance of the conciliation conference. Any failure of the plaintiff to comply with the specific terms of this paragraph may result in the imposition of sanctions.

M. Unless an agreement is reached prior to the scheduled conciliation conference, the plaintiff's attorney of record, the defendant, or the defendant's attorney of record shall appear in person at the conciliation conference. Use of local or appearance counsel is not permitted.

N. If the conference is held virtually utilizing advanced communication technology, Plaintiffs shall appear by video, unless granted an exception by the Court to participate by telephone. Defendant's counsel shall also appear by video, unless granted an exception by the Court to participate by telephone. Unrepresented Defendants may participate by video or by telephone without

exception. All parties or attorneys who appear at the conciliation must have actual settlement authority.

O. Failure of the plaintiff's counsel or the plaintiff's representative to attend the conciliation conference, absent good cause shown, or failure to participate in the conciliation in good faith may result in the dismissal of the action without prejudice, the rescheduling of the conciliation conference and/or further postponement of any action in the matter, the award of attorney's fees and costs, and any lost wages or other related expenses for the defendant, or the imposition of such other sanctions as the Court deems appropriate.

P. Failure of the defendant or defendant's counsel of record to attend the conciliation conference, absent good cause shown, may result in the lifting of the automatic stay and in the matter proceeding to judicial disposition, and may further result in the imposition of sanctions as the Court deems appropriate, including, but not limited to, attorney's fees and costs.

Q. If an agreement is reached at the conciliation conference, the Court will issue an Order to continue the case generally in the Program pending finalization of the agreement. Plaintiff shall prepare any documents necessary to implement the agreement within five business days of the date of the conciliation conference. If no agreement is filed with the Court within 90 days from the date of the general continuance order, then Plaintiff may make a request to the Diversion Program Coordinator that the case be released from the Program to be further litigated. If an agreement is filed within 90 days from the date of the general continuance order, the case shall be automatically released from the Program on the date the agreement is filed so that Plaintiff may enforce the agreement if necessary.

R. Conciliation must be completed within 30 days of the conciliation conference, unless extended by Order of the Court or by stipulation of the parties.

S. Absent good cause, as determined by the Court, conciliation must be completed within 180 days after suit is filed. If conciliation fails to be completed within 180 days after suit is filed, and the Court makes the determination that such failure is attributable to either party, and that party is unable to show good cause as to why conciliation could not be completed within the specified time, the Court may dismiss the action with or without prejudice or impose such other sanctions as the Court deems appropriate.

T. Any plaintiff who files a motion for summary judgment or a motion for judgment on the pleadings in any consumer credit card collection case that was commenced on or before December 31, 2021, must also serve on the defendant: (a) a copy of the Notice of Consumer Credit Card Collection Diversion Program and Certification Regarding Eligibility of Action, in the form attached hereto as Form "5," giving the defendant in that pending action notice of the availability of the Program; and (b) an Application for Entry, in the form attached hereto as Form "6," allowing the defendant to request placement in the Program and a stay of proceedings. The defendant may seek participation in the Program by filing with the Court, within 20 days of receipt of the Notice, an Application for Entry.

The motion for summary judgment or motion for judgment on the pleadings shall have attached to it a "Statute of Limitations and Documentation of Debt Certification" in the form attached hereto as Form "4". The Court may deny the motion for failure to comply with the requirements of this paragraph.

U. In any consumer credit card collection case that commenced on or before December 31, 2021, in which there are outstanding preliminary objections, the Court, in its discretion, may refer the case to the Program.

V. Any plaintiff who files a Praecipe for judgment by default in any consumer credit card collection case that was commenced on or after January 1, 2022, that is governed by these rules, must attach an "Affidavit of Compliance and Entitlement to Default Judgment" in the form attached hereto as Form "7."

If the plaintiff has not complied with the requirements of the local rules, the Prothonotary shall not automatically enter a default judgment against the defendant and shall forward the filing to the Program Coordinator. No judgment by default against the defendant shall enter unless the Court determines the documentation filed by the plaintiff establishes the plaintiff's entitlement to judgment in the amount claimed by the plaintiff.

W. Any plaintiff who files a motion for summary judgment or a motion for judgment on the pleadings in any consumer credit card collection case that was commenced on or after January 1, 2022, must attach an Affidavit of Service indicating the manner and date of service of the "Notice of Consumer Credit Card Collection Diversion Program", in the form attached hereto as Form "1," upon the defendant.

X. At the discretion of the presiding judge, a defendant who has previously participated in, and been removed from, the Program may request the Court to re-admit the case to the Program for good cause shown by presenting an "Application for Re-Entry", substantially in the form attached hereto as Form "8", or such later court-approved form. If the defendant's request is granted, the Court will issue a CMO to schedule a conciliation conference.

Y. Sanctions may be imposed by the Court at any time for lack of good faith participation and/or noncompliance with any aspect of the Program.

Z. All information submitted to the Diversion Program Coordinator that is not filed with the Court shall be confidential and inadmissible in any subsequent legal proceeding, unless otherwise provided by law.

AA. The Diversion Program Coordinator may assist with enforcing compliance with these rules.

BB. These rules are effective for all consumer credit card collection actions filed on or after January 1, 2022.

CC. These local rules shall remain in effect unless and until they are rescinded by the Court.

[Pa.B. Doc. No. 24-1375. Filed for public inspection September 27, 2024, 9:00 a.m.]

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DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated August 12, 2024, pursuant to Pennsylvania Rules of Disciplinary Enforcement 219 which requires that all attorneys admitted to practice in any court of this Commonwealth must pay an annual assessment of \$275.00. The Order became effective September 11, 2024.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been administratively suspended by said Order, was published in the appropriate county legal journal.

Aguilar, Isabella
Chicago, IL

Aumenta, William Nicholas
Scotch Plains, NJ

Bazan, Priscilla
Fallbrook, CA

Blackburn, Harry R.
Melbourne Beach, FL

Bohannon, Mark
Washington, DC

Breslin, James J. III
Mount Laurel, NJ

Brower, Cody Dean
Portland, OR

Brown, Noah Herro
Wilmington, DE

Brusuelas, Kimberly Susan
Albuquerque, NM

Byrnes-Frankel, Kristyn Lynn
Hammonton, NJ

Caplow, Yonit Arona
New York, NY

Cass, Jennifer
Arlington, VA

Chambers, Phyllis M.
White Plains, NY

Coats, Ira Fitzgerald Jr.
Washington, DC

Collins, Julius Bernard
Fairburn, GA

Cooke, Corrine Evanochko
Freehold, NJ

Cruice, William P. Jr.
Emeryville, CA

Damico, Gregory Charles
Bayonne, NJ

Deal, Joseph D.
Atlantic City, NJ

Doernberg, Alan M.
Silver Spring, MD

Dougherty, Douglas Bryan
Houston, TX

Drahos, Jennifer Ann
Atco, NJ

Eisenstat, Larry F.
Ketchum, ID

Etter, Thomas C. Jr.
Arlington, VA

Flint, Cristifer Gaike
Atlanta, GA

Gamache, Eugene R.
East Rockaway, NY

Garber, Lois Seiden
Cherry Hill, NJ

Gentile, Frederick Joseph
Ventnor City, NJ

Greenberg, Allen L.
Canton, GA

Gulbranson, Mark Alan Jr.
Moorestown, NJ

Hammons, Terrence Gordon Jr.
Charlotte, NC

Hasner, Louis George
Clementon, NJ

Hof, Joseph Anthony
New York, NY

Hurst, Hunter Elizabeth
Northfield, NJ

Hutt, Nellie
Ellicott City, MD

Johnson, Robin Bridges
Lawrenceville, NJ

Korth, Arthur
Atlantic City, NJ

Lane, Michael Darryl
Fayetteville, NC

Latsko, Jamie Lee
East Brunswick, NJ

Lee, Timothy F. T.
Gibbsboro, NJ

Leeds, Christopher Nelson
Iselin, NJ

Lowry, Earle Richard
Chicago, IL

Lunon, Darryl Wayne II
Sharpsburg, GA

Maddalone, Jonathan Stuart
Arvada, CO

Martinson, Richard D.
New York, NY

Marzec, Darius Adam
Brooklyn, NY

McCann, Margaret A.
Silver Spring, MD

McDaniel, Mary-Elizabeth
Bellmawr, NJ

McDonnell, Karen D.
Princeton, NJ

McGovern, Julie S.
Washington, DC

McKeown, Scott A.
Washington, DC

McLaughlin, Charles Henry
Elkridge, MD

McNulty, Joseph P.
Flemington, NJ

Mendez, Edwin Ariel
Ruskin, FL

Mitlitzky, Steven Ross
Woodmere, NY

Mitnick, Craig R.
Margate City, NJ

Mungello, Mark D.
Sicklerville, NJ

Nevo, Itai
Newton, MA

Paik, Heather Hyejin
Brooklyn, NY

Patel, Neepa Pankaj
Jackson, NJ

Petrone, John R. II
Jupiter, FL

Prioleau, Jennifer Ann
Tenafly, NJ

Raven, Terrence J.
New Boston, MI

Ray, Sumita
Encino, CA

Riblett, Gail F.
Wilmington, DE

Riley, John Patrick
Syracuse, NY

Roazen, Matthew Daniel
Cape Coral, FL

Scheiner, Jay David
Monsey, NY

Sekely, Linda M.
Greer, SC

Sheldrick, Cristina de Hollanda
New York, NY

Shepard, Ross Stephen
Livingston, NJ

Shubert, Kimberly Ann
Princeton, NJ

St. George, Vincent III
Bronxville, NY

Stanley, James Tyrell Sr.
Durham, NC

Staplin, Benjamin Forrest
Hanover, NH

Tarlov, Edward Abe
Wilmington, DE

Weiner, Richard N.
Manhattan Beach, CA

Weissman, David M.
Moorestown, NJ

Wis, Walter A.
Gainesville, FL

Wynn, Constance Ann
Washington, DC

SUZANNE E. PRICE,
Attorney Registrar

[Pa.B. Doc. No. 24-1376. Filed for public inspection September 27, 2024, 9:00 a.m.]

RULES AND REGULATIONS

Title 40—LIQUOR

LIQUOR CONTROL BOARD

[40 PA. CODE CH. 5]

Duties and Rights of Licensees

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P.S. § 2-207(i)), amends §§ 5.30 and 5.32 (relating to definitions; and restrictions/exceptions) to read as set forth in Annex A.

Summary

This final-form rulemaking amends §§ 5.30 and 5.32 of the Board's regulations and is undertaken as part of an ongoing effort to review and update the Board's regulations. This final-form rulemaking adds definitions, updates citations and provides clarity for the regulated community. It also increases the prize limits for activity on licensed premises to be consistent with the Local Option Small Games of Chance Act (10 P.S. §§ 328.101—328.3101).

This final-form rulemaking amends § 5.30 to expand some existing definitions and add new definitions to provide clarity to the regulated community. These amendments stem from questions posed by the regulated community to the Board's Office of Chief Counsel, which provided answers through advisory opinions issued under section 211.1 of the Liquor Code (47 P.S. § 2-211.1).

This final-form rulemaking amends § 5.32 for the purpose of clarity and improved readability. The first two subsections are reserved; therefore, the amendments begin at subsection (c), which states that a licensee may not directly or indirectly hire or permit a minor under 18 years of age to act as an entertainer and does not identify any exceptions. The regulation is updated because the legislature did not grant the Board the authority to determine when a minor under 18 years of age may be employed or engaged as an entertainer. Therefore, this final-form rulemaking deletes subsection (c) and adds subsection (c.1). Subsection (c.1) provides that any employment or engagement of a minor under 18 years of age as an entertainer must be in accordance with the Child Labor Act (43 P.S. §§ 40.1—40.14).

This final-form rulemaking amends subsection (d)(1) and (4) for the purpose of legal accuracy. In paragraph (1), instead of referencing "Parts" and "Subparts" of statutes, this final-form rulemaking now references the corresponding acts (the Boxing Act and the Wrestling Act) with their corresponding statutory citations. The statutory citations were inadvertently omitted from the proposed rulemaking but have been incorporated into this final-form rulemaking. In paragraph (4)(i), the definition of "charitable organizations" is no longer available in 49 Pa. Code Part I, Subpart B, because that regulation was deleted at 27 Pa.B. 2934 (June 21, 1997). Therefore, this final-form rulemaking now cites, in paragraph (4)(ii), to the Solicitation of Funds for Charitable Purposes Act (10 P.S. §§ 162.1—162.23). In addition, the legal citation in paragraph (4)(ii) to the Local Option Small Games of Chance Act is updated.

In the proposed rulemaking, the Board deleted the language in § 5.32(e)(1), including the phrase "lewd, immoral or improper," based on the decision by the Third Circuit Court of Appeals, in *Conchatta, Inc. v. Miller*, 458 F.3d 258 (3d Cir. 2006), *cert. denied*, *Miller v.*

Conchatta, 127 S.Ct. 1330 (2007). The Third Circuit held that the word "lewd," found in section 493(10) of the Liquor Code (47 P.S. § 4-493(10)) and § 5.32(b), is unconstitutionally overbroad. The district court found the words "immoral and improper" to be void for vagueness and that issue was not raised before the Third Circuit.

The Board received comments from the Honorable Representative John Lawrence, the Independence Law Center and the Independent Regulatory Review Commission (IRRC) regarding the proposed deletion of § 5.32(e)(1). The Board's response to those comments is set forth in a separate document. In the interest of compromise, the Board amends subsection (e)(1), instead of deleting it, so that in this final-form rulemaking, the paragraph now reads, "[t]he licensee, its servants, agents, employees, patrons or event, contest or tournament participants may not engage in conduct otherwise prohibited by law." By deleting the phrase "lewd, immoral or improper," this amendment eliminates the question of unconstitutionality addressed in *Conchatta*. The Board anticipates that this language will provide clearer guidance to licensees while avoiding constitutional issues. Assuming that the law prohibits conduct for the purpose of promoting public health, safety and welfare, the language in amended subsection (e)(1) now accomplishes this goal.

This final-form rulemaking adds a sentence to subsection (e)(3), providing that no amount of liquor, alcohol or malt or brewed beverages may be offered as a prize for participating in an event, contest or tournament, whether for on-premises or off-premises consumption. Similar language exists in subsection (h), for sweepstakes prizes.

In subsection (e)(5), this final-form rulemaking replaces the word "charity" with "charitable organization," to be consistent with the language used in subsection (d)(4).

This final-form rulemaking amends subsection (e)(7) to increase the total value of prizes for any event, tournament or contest from \$1,000 to \$2,000, and to increase the total value of prizes awarded in a 7-day period from \$25,000 to \$35,000. These amendments are consistent with the limits provided in the Local Option Small Games of Chance Act. This final-form rulemaking also corrects the citation to the Local Option Small Games of Chance Act.

Lastly, this final-form rulemaking deletes subsection (g), which provides that "municipalities may petition the Board for exemption from the Board's regulations regarding the enforcement of subsection (a) for all licensees within an identifiable area in accordance with section 493.1(b) of the Liquor Code (47 P.S. § 4-493.1(b))." (Emphasis added.) Reserved subsection (a) prohibited a licensee from using or permitting to be used, inside or outside of the licensed premises, a loudspeaker or similar device whereby the sound of music or other entertainment, or the advertisement thereof, could be heard on the outside of the licensed premises. The act of December 22, 2011 (P.L. 530, No. 113) and the act of July 5, 2012 (P.L. 1007, No. 116) amended the Liquor Code (47 P.S. §§ 1-101—10-1001) to render subsection (a) obsolete, and thereafter, the Board submitted a final-omitted rulemaking to delete subsection (a) at 43 Pa.B. 7082 (December 7, 2013). That final-omitted rulemaking overlooked subsection (g), but the Board deletes it with this final-form rulemaking.

Affected Parties

As of May 1, 2024, there were approximately 15,500 licensees who may be affected by this final-form rulemaking.

Paperwork Requirements

This final-form rulemaking will not require any additional paperwork to be filed.

Fiscal Impact

This final-form rulemaking is not anticipated to have any fiscal impact.

Effective Date

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

Contact Person

Questions regarding this final-form rulemaking should be addressed to Jason Worley, Chief Counsel, or Norina Foster, Assistant Counsel, Office of Chief Counsel, Pennsylvania Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 25, 2023, the Board submitted a copy of the notice of proposed rulemaking, published at 53 Pa.B. 2735 (May 20, 2023) to IRRC and to the chairperson of the Law and Justice Committee of the Senate and to the chairperson of the Liquor Control Committee of the House of Representatives (Committees) for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board is required to provide IRRC and the Committees copies of comments received during the public comment period, as well as other documents when requested. In preparing this final-form rulemaking, the Board has considered all comments received from IRRC and the public. The Board responded to these comments in a separate document.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on August 14, 2024, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on August 15, 2024, and approved the final-form rulemaking.

Findings

The Board finds that:

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

(2) The amendments to the Board's regulations in the manner provided in this order are necessary and appropriate for the administration of the Liquor Code.

Order

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 40 Pa. Code Chapter 5, are amended by amending §§ 5.30 and 5.32 to read as set forth in Annex A.

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

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

TIM HOLDEN,
Chairperson

(Editor's Note: See 54 Pa.B. 5591 (August 31, 2024) for IRRC's approval order.)

Fiscal Note: Fiscal Note 54-104 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 40. LIQUOR

PART I. LIQUOR CONTROL BOARD

CHAPTER 5. DUTIES AND RIGHTS OF LICENSEES

Subchapter C. AMUSEMENT AND ENTERTAINMENT

§ 5.30. Definitions.

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

Audio/video playback device—A device which emits a musical recording, or in the case of a video jukebox, emits a musical recording accompanied by recorded video images on a screen that does not exceed 24 inches by 30 inches.

Dancing—Moving one's body in rhythm, usually accompanied by tonal music or percussion. Dancing may be performed by a scheduled entertainer or by customers on the licensed premises.

Event/tournament/contest—A competitive endeavor involving skill, chance, speed, strength, endurance or knowledge. The term includes a competitive endeavor involving physical attributes of contestants. The term also includes trivia contests.

Floor shows—Live entertainment involving musical, dance or comedy acts. To constitute a musical act, there must be a vocalist or singer, more than two instrumentalists or a disc jockey.

Game—A device, such as a pinball, shuffleboard, bowling, video machine or electronic tablet which provides the player with amusement and no other form of award excepting free plays.

Instrumental music—Music generated by instruments played by no more than two instrumentalists without vocal accompaniment.

Sweepstakes—A chance promotion in which tickets or game pieces are distributed and the winner or winners are selected in a random drawing.

Theatricals—The performance of a play, musical or drama. The term includes poetry readings.

§ 5.32. Restrictions/exceptions.

- (a) [Reserved].
- (b) [Reserved].
- (c) [Reserved].

(c.1) A licensee may only employ or engage a minor under 18 years of age as an entertainer if it does so in accordance with the Child Labor Act (43 P.S. §§ 40.1—40.14).

(d) A hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal

golf course, brew pub or malt beverage eating place licensee may not hold or permit to be held on the licensed premises an event, tournament or contest; nor advertise, offer, award or permit the award on the licensed premises of trophies, prizes or premiums, for any purpose except as follows:

(1) A hotel, restaurant, club or malt beverage eating place licensee may permit to be held within the licensed premises an event sanctioned by the State Athletic Commission under 5 Pa.C.S. Part I, Subpart B (relating to Boxing Act) or under 5 Pa.C.S. Part I, Subpart C (relating to Wrestling Act). Only malt or brewed beverages, as generally permitted by the class of license involved, may be sold, served or delivered on that portion of the licensed premises where the event is held, and not sooner than 1 hour before, and not later than 1 hour after the event. Service of malt or brewed beverages at these events will be conducted only with the prior written approval of the State Athletic Commission filed with the Board. Drinks shall be dispensed in that portion of the licensed premises where the event is conducted only in paper or plastic cups.

(2) A hotel, restaurant, club or malt beverage eating place licensee may hold or permit to be held within the licensed premises or in a bowling alley immediately adjacent thereto, as provided in sections 406(a)(1) and 442(b) of the Liquor Code (47 P.S. §§ 4-406(a)(1) and 4-442(b)), a bowling tournament or bowling contest. Liquor and malt or brewed beverages, as generally permitted by the class of license involved, may be served, sold or delivered at the bowling tournament or bowling contest by the licensee.

(3) A hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal golf course, brew pub or malt beverage eating place licensee may permit the conduct of events on the licensed premises by groups constituting a league. Liquor and malt or brewed beverages, as generally permitted by the class of license involved, may be sold, served or delivered at the events on the licensed premises.

(4) Hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal golf course, brew pub or malt beverage eating place licensees may permit the conduct of tournaments and contests on the licensed premises for the benefit of, and officially sponsored by, bona fide charitable organizations. The following apply:

(i) A charitable organization for the purposes of this section is defined as in the Solicitation of Funds for Charitable Purposes Act (10 P.S. §§ 162.1—162.23).

(ii) Charitable organization functions shall be operated in accordance with the Solicitation of Funds for Charitable Purposes Act and, if applicable, the Local Option Small Games of Chance Act (10 P.S. §§ 328.101—328.3101), and the Bingo Law (10 P.S. §§ 301—308.1).

(5) Hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal golf course, brew pub and malt beverage eating place licensees may conduct self-sponsored tournaments, events or contests on their own licensed premises so long as the activities are in conformance with the applicable provisions of this subchapter.

(e) For an activity conducted under this subchapter, the following apply:

(1) The licensee, its servants, agents, employees, patrons or event, contest or tournament participants may not engage in conduct otherwise prohibited by law.

(2) There may not be unlawful gambling directly or indirectly associated with an activity on the licensed premises. A licensee will be held strictly liable for unlawful gambling on the licensed premises.

(3) There may not be an event, contest or tournament which involves the consumption of alcoholic beverages by an event, tournament or contest participant. In addition, no amount of liquor, alcohol or malt or brewed beverages may be offered as a prize for participating in an event, contest or tournament, whether for on-premises or off-premises consumption.

(4) The price of a ticket or evidence of admission to an event, tournament or contest may not include a charge or assessment for alcoholic beverages or entitle the holder thereof to receive an alcoholic beverage anywhere on the licensed premises except for alcoholic beverages included in a meal package offering as provided for in Chapter 13 (relating to promotion).

(5) A licensee or sponsoring charitable organization may advertise an event, tournament or contest.

(6) Hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal golf course, brew pub and malt beverage eating place licensees, as well as governing bodies of professional golf, skiing, tennis, bowling, pocket billiards and nonlicensee sponsors as provided in subsection (e) may award prizes to contestants or participants of events, tournaments or contests.

(7) The total value of all prizes for any given event, tournament or contest may not exceed \$2,000. The total value of all prizes awarded in any 7-day period may not exceed \$35,000. An event, tournament or contest conducted under the authority of the Local Option Small Games of Chance Act or the Bingo Law is subject to the prize limits in these acts.

(8) Golf, skiing, tennis, pocket billiards or bowling events, tournaments, contests and events sanctioned by the State Athletic Commission are exempted from the prize value restrictions in this section.

(9) Licensees shall maintain on the licensed premises for 2 years, from the date of the event, an itemized list of all prizes for each event, tournament or contest indicating each prize, its value and the name and address of the recipient.

(f) The restrictions in this section apply not only to the licensee, but to partners, officers, directors, servants, agents and employees of a licensee.

(g) [Reserved].

(h) A manufacturer, manufacturer's representative or licensee may sponsor sweepstakes promotions. Permissible sweepstakes shall provide that the following conditions apply:

(i) No purchase is necessary to enter.

(ii) Entrants shall be 21 years of age or older.

(iii) Retail-licensed premises may only be involved as pick-up or drop-off points for entry forms and not for the conducting of drawings or the awarding of prizes.

(iv) Alcoholic beverages may not be part of the prize.

[Pa.B. Doc. No. 24-1377. Filed for public inspection September 27, 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 Education

The Executive Board approved a reorganization of the Department of Education effective September 4, 2024.

The organization chart at 54 Pa.B. 6116 (September 28, 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. 24-1378. Filed for public inspection September 27, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Liquor Control Board

The Executive Board approved a reorganization of the Liquor Control Board effective September 4, 2024.

The organization chart at 54 Pa.B. 6119 (September 28, 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. 24-1380. Filed for public inspection September 27, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Human Services

The Executive Board approved a reorganization of the Department of Human Services effective September 4, 2024.

The organization chart at 54 Pa.B. 6117 (September 28, 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. 24-1379. Filed for public inspection September 27, 2024, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Office of the Budget

The Executive Board approved a reorganization of the Office of the Budget effective September 4, 2024.

The organization chart at 54 Pa.B. 6120 (September 28, 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. 24-1381. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF EDUCATION

OR-24-023
September 4, 2024

Boards/Councils/Committees/Commissions
State Board of Education
State Board of Higher Education
State Board of Private Academic Schools
State Board of Private Licensed Schools
State Board of Private Postsecondary Education
State Board of Special Education
Governor's Advisory Council on Library Development
Special Education Advisory Panel
No Child Left Behind Committee of Practitioners

SECRETARY

Office of the Budget
Comptroller

Office of General
Counsel
Office of Chief
Counsel

Education HR Office

General Government
Information
Technology Delivery
Center

Governor's Policy Office

Governor's Communications
Office

Government
Relations
Office

**Executive Deputy
Secretary**

**Deputy Secretary for
Elementary/Secondary
Education**

**Bureau of
School Support**
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Planning and
Professional
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Student Services
Charter Schools

**Bureau of
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and
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Divisions:
Federal
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Assessment and
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Quality

**Bureau of
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Divisions:
Monitoring and
Improvement -
West
Monitoring and
Improvement -
East
Monitoring and
Improvement -
Philadelphia
Monitoring and
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Central
Analysis and
Financial
Reporting

**Bureau of
Career and
Technical
Education**
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Assessment and
Contracts
Program
Standards and
Quality
Assurances
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Development
and Support
Services
Adult and
Postsecondary
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**Safe Schools
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**School
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**School
Improvement
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**Program
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Accountability
Office**

**Bureau of Food
and Nutrition**
Divisions:
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Food Program
Summer Food
Service Program
School Nutrition
Programs
Child Nutrition
Program Compliance
Child Nutrition
Program Fiscal
Management
Child Nutrition
Program
Procurement and
Resource
Management
Child Nutrition
Program
Administrative and
Technical Support

**Deputy Secretary
for
Administration**

**Bureau of
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Services**
Divisions:
Procurement and
Accounts Payable
Operational and
Support Services
Grants Management
and Non-Public
Information System
(INPIS)

**Bureau of
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Operations**
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Subsidy
Administration
Central Budget
School Facilities
Fiscal Services

**Data Quality
Office**

**Compliance
Office**

**Deputy Secretary for
Commonwealth
Libraries**

**Bureau of
State Library**
**Bureau of
Library
Development**

**Deputy Secretary for
Postsecondary/Higher
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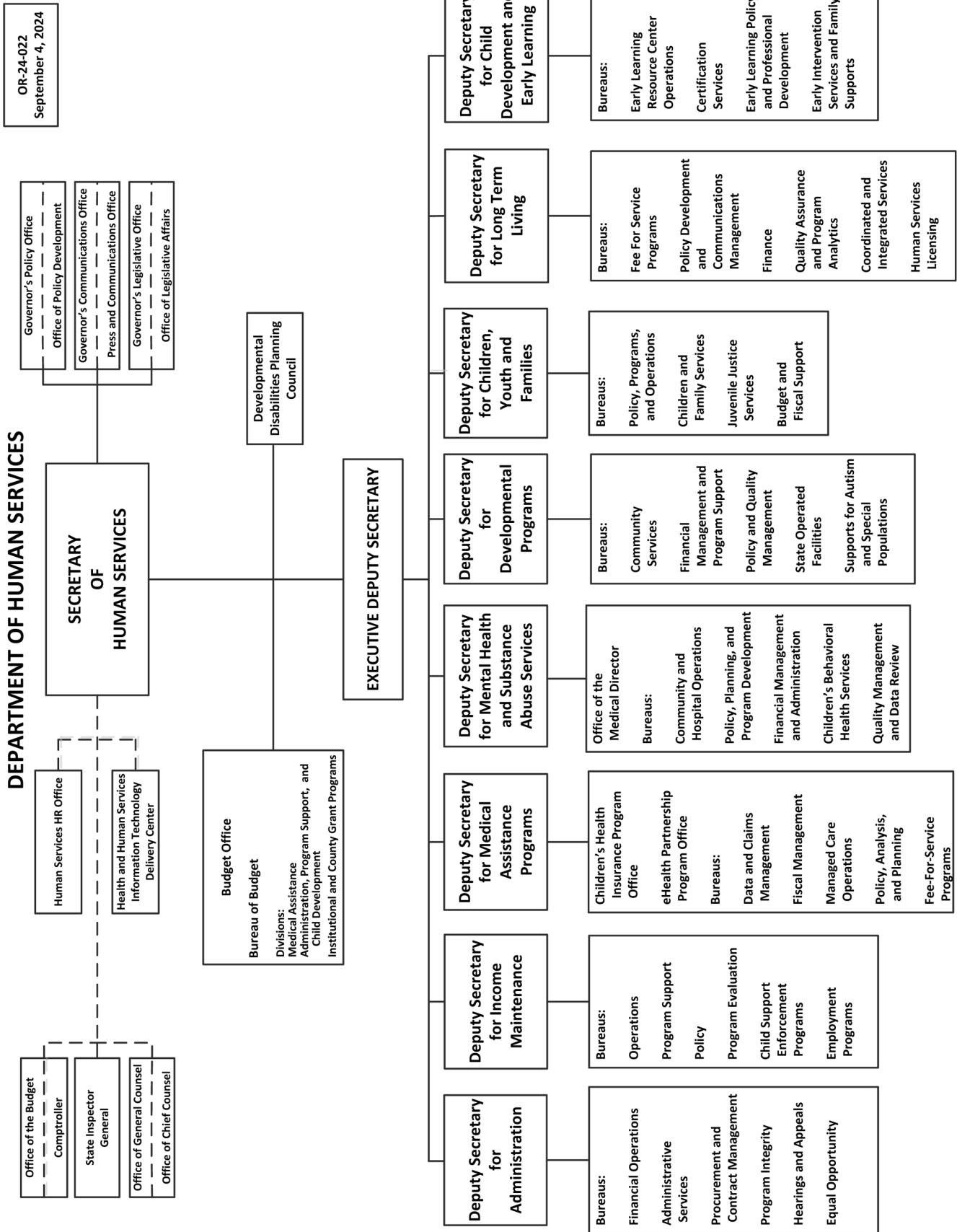
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Postsecondary
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Equity
Adult Education
Law Enforcement
Education
Postsecondary
Proprietary
Training
Veterans and
Military Education
Pittsburgh
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**Bureau of
School
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Teacher
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Education and
Teacher Quality
Certification
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**Deputy Secretary for
Child Development
and Early Learning**

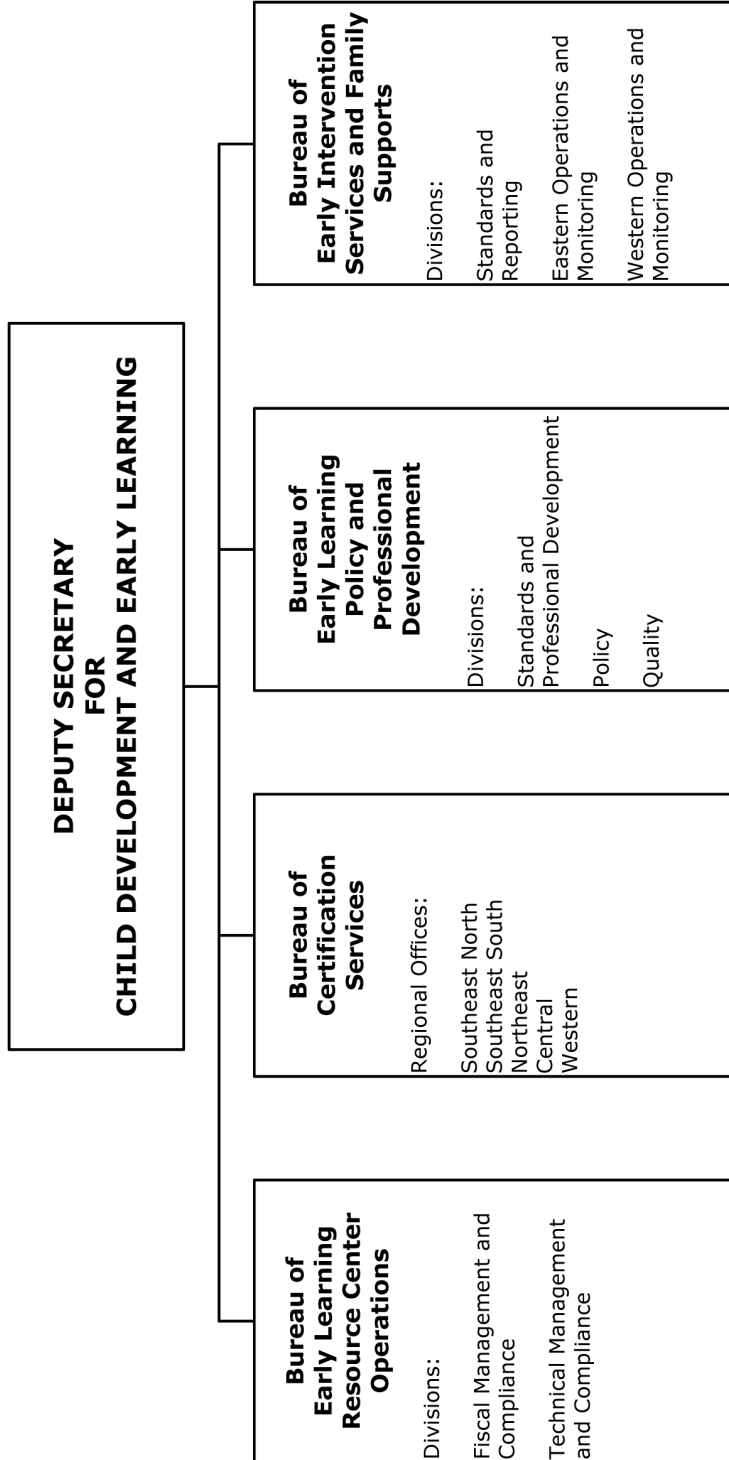
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Early Learning
Policy and
Professional
Development**
Divisions:
Standards and
Professional
Development
Policy
Quality

**Bureau of
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Family
Supports**
Divisions:
Standards and
Reporting
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Monitoring



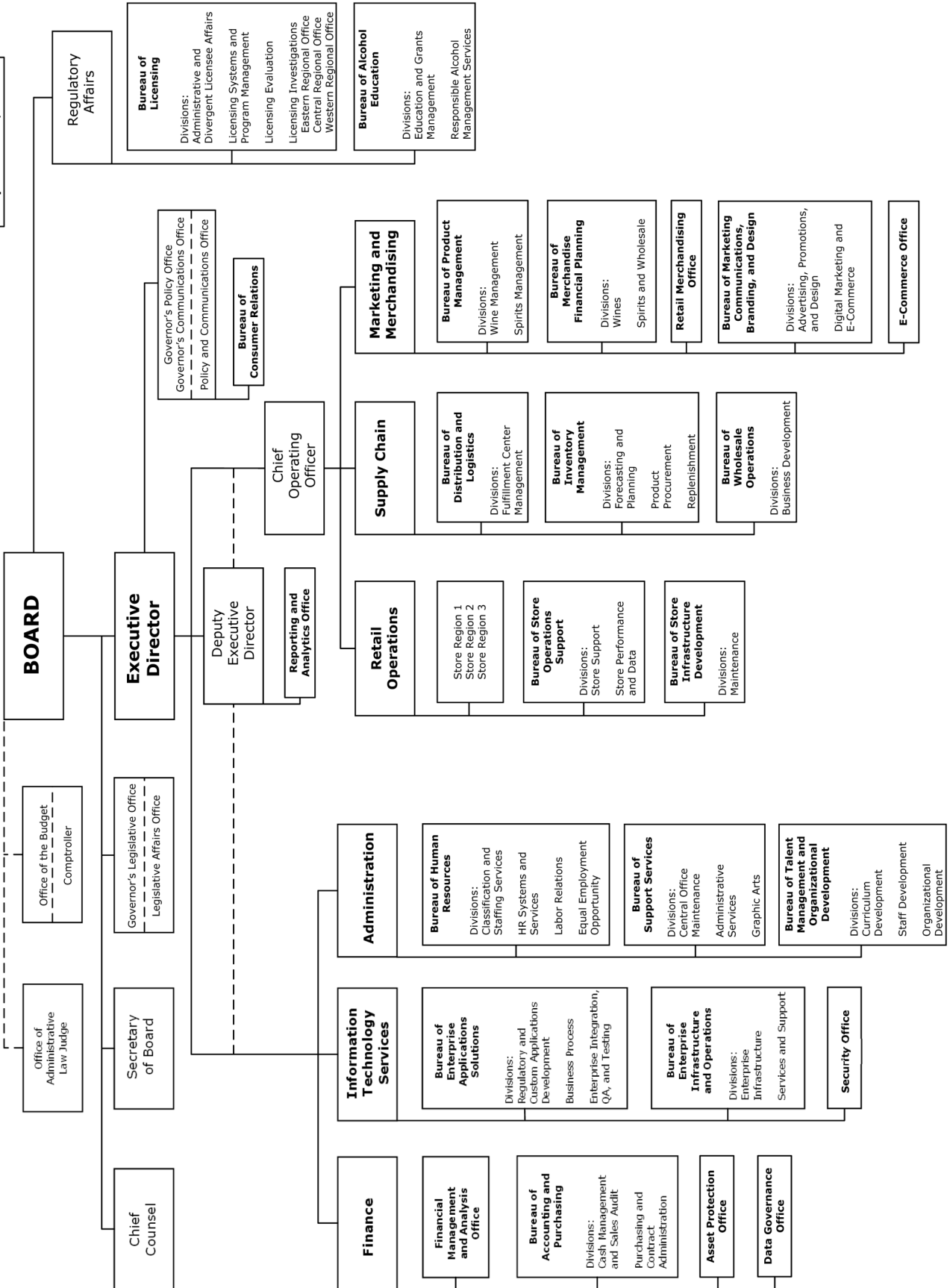
OR-24-022
September 4, 2024

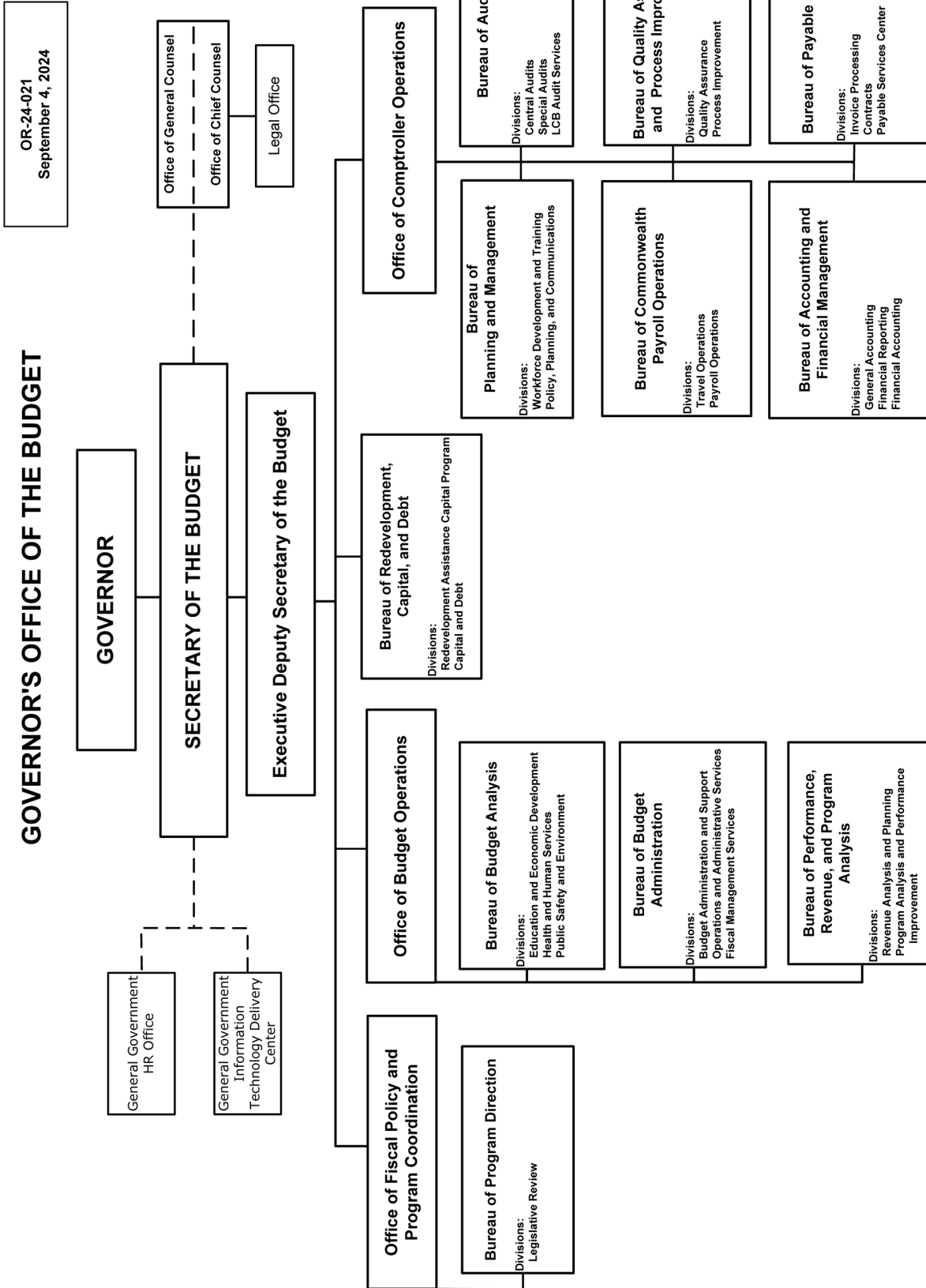
**DEPARTMENT OF HUMAN SERVICES
DEPUTY SECRETARY FOR CHILD DEVELOPMENT AND EARLY LEARNING**



LIQUOR CONTROL BOARD

OR-24-024
September 4, 2024





NOTICES

DEPARTMENT OF AGRICULTURE

Pennsylvania Agriculture Innovation Grant Program; 2024-2025 Program Guidelines

The Department of Agriculture (Department) hereby provides notice of the standards and requirements for the Pennsylvania Agriculture Innovation Grant Program (Program). This notice establishes the procedures by which grant applications will be solicited, reviewed and by which grants will be awarded, drawing on funding available in Fiscal Year (FY) 2024-2025.

As one of this Commonwealth's legacy industries, this funding aims to ensure there are opportunities for all its farms, businesses and residents in the agriculture sector to thrive. The Commonwealth's endorsement of agriculture innovation helps ensure food security and economic stability while also signifying a commitment to sustainability, offering a path to a more resilient and efficient agricultural future.

1. *Program Objective.*

It is the intent of the General Assembly to offer reimbursement grants to promote and support agricultural innovation to ensure the competitiveness, resiliency, environmental stewardship and vitality of farms, agribusinesses and agricultural support services in this Commonwealth.

2. *Definitions.*

"Agricultural commodity." As defined in the act of June 10, 1982 (P.L. 454, No. 133) (3 P.S. §§ 951—958), referred to as the Right-to-Farm Law.

"Conservation district." As defined in 3 Pa.C.S. § 503 (relating to definitions).

"Cooperative association." As defined in 3 Pa.C.S. § 4502 (relating to definitions).

"Department." The Department of Agriculture of the Commonwealth.

"Licensed doctor of veterinary medicine." A person who is currently licensed under the act of December 27, 1974 (P.L. 995, No. 326) (63 P.S. §§ 485.1—485.33), known as the Veterinary Medicine Practice Act.

"Innovation." The practical implementation of ideas that results in new products, processes or services.

"Person." An individual, partnership, association, firm, corporation or any other legal entity.

"Program." The Agriculture Innovation Grant Program established under Article XVI-Z of the act of April 9, 1929 (P.L. 343, No. 176), referred to as the Fiscal Code.

3. *Eligible Applicant.* An applicant that meets one of the following criteria:

a. A person who grows an agricultural commodity and who has anticipated sales greater than \$2,000 per year.

b. A person who processes an agricultural commodity and has anticipated sales greater than \$10,000 per year.

c. A person who provides technical assistance or services to farmers for conservation, engineering, veterinary care, animal disease management, farm management, agricultural commodity production, nutrient management or similar services.

d. A person or cooperative association that utilizes agricultural commodities to create products or energy.

4. *Eligible Projects.* A project that the Department determines does one or more of the following:

a. Utilization of innovation to improve energy efficiency, improve water quality, reduce water consumption, reduce odors or address solid waste concerns.

b. Utilization of innovation to improve production, processing, commercialization or utilization of agricultural commodities.

c. Innovation that produces energy from agricultural sources, including manure, food waste or biomass.

d. Innovation equipment that provides low-carbon or no-carbon energy sources from agricultural commodities.

e. Innovation technology that assists eligible applicants with the management of their farms, including diagnostic tools and services.

f. Innovation technology that assists a packer, processor or cooperative in more efficient sorting, grading or processing of agricultural commodities.

g. Innovation that improves biosecurity or health of plants or animals.

h. Innovation that supports cybersecurity or data analytics.

5. *Reimbursement Grant Program.* Program grants shall be reimbursement grants. The following shall apply:

a. *Innovation planning project grant.* An eligible applicant may apply for a grant to develop a strategic plan to utilize innovation to improve agricultural practices, technologies, operations or approaches within a specific business, geographic area or network. The following shall apply to a grant under this subsection:

i. The amount of a grant shall be no less than \$7,500 and no more than \$50,000.

ii. A grantee must use non-State sourced matching funds equal to at least 30% of the grant amount for the project.

b. *Onsite project grant.* An eligible applicant may apply for a grant for a project that focuses on implementing innovation practices, technologies or approaches on an individual farm or property producing or processing an agricultural commodity. The following shall apply to a grant under this subsection:

i. The amount of the grant shall be no less than \$5,000 and no more than \$200,000.

ii. A grantee must use non-State sourced matching funds equal to at least 50% of the grant amount for the project.

c. *Regional impact project grant.* An eligible applicant may apply for a grant for a project designed to address challenges, promote efficiencies or achieve specific goals for multiple eligible applicants. The following shall apply to a grant under this subsection:

i. The amount of the grant shall be no less than \$100,000 and no more than \$2 million.

ii. The grantee must use non-State sourced matching funds equal to at least 50% of the grant amount for the project.

iii. The project must impact two or more persons or businesses or be a cooperative association that grows, harvests, processes, packs or manages an agricultural commodity.

6. *Application Procedure.*

a. *Online applications only.* An application for a grant under the Program shall be submitted through the Commonwealth's Single Application for Assistance online application system at <https://grants.pa.gov>.

b. *Application window.* Applications must be submitted through the Single Application for Assistance online application system between 8 a.m. on September 28, 2024, and 11:59 p.m. on November 15, 2024. Applications received outside of that application window will not be considered or reviewed.

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

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

ii. A statement as to whether the applicant seeks an innovation planning project grant, onsite project grant or regional impact project grant.

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

A. A project narrative, including a statement of the maximum amount of grant money sought for the project.

B. A project budget.

C. An addendum that will cover:

- (1). Alignment with the intent of the Program.
- (2). Metrics for tracking success.
- (3). An itemized budget.
- (4). Letters of support.
- (5). Additional project details.

7. *Department Innovation Principles.* The Department will evaluate an application based upon the degree to which the project is:

a. *Relevant:* The innovation addresses an agricultural challenge or helps the agriculture sector deal with significant issues.

b. *Practical:* The innovation's deployment should not burden users or add more complications than business as usual.

c. *Accessible:* The innovation can be directly used by farmers or a service can be rendered at the farm level. Innovation at the processing level should enable further utilization of agricultural products to make them more readily available.

d. *Scalable:* The innovation must have applicability to small-sized and medium-sized farms in this Commonwealth. Processors should be able to expand or replicate the innovation, or increase access, or both, for small-sized and medium-sized farms.

e. *An improvement to the triple bottom line:* The innovation should be rooted in the principle of the triple bottom line (people, planet, profit). The innovation should improve society, the environment and the economy.

8. *Disposition and Review of Grant Applications.* The Department will review each application, and supporting documentation submitted therewith, for completeness and accuracy. If an application is found to be incomplete or inaccurate, the Department may request additional documentation and may discontinue further processing of the application until the requested information is received.

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

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

a. A verified statement that the eligible project has been completed or implemented including date of completion.

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

Documents submitted to the Department under this paragraph shall be directed to the Department of Agriculture, Attn: Michael Roth, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 210-1217, michroth@pa.gov.

11. *Additional Information.* Additional information may be obtained from the Department by contacting Michael Roth, (717) 210-1217, michroth@pa.gov. A webinar and additional reference materials will be made available shortly after the opening of the grant on September 28, 2024.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-1382. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

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

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

APPLICATIONS FOR COMMENT

BANKING INSTITUTIONS

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>
09-16-2024	Somerset Trust Company Somerset Somerset County	100 North Main Street Greensburg Westmoreland County	Opened
09-16-2024	Mid Penn Bank Millersburg Dauphin County	2 Cooper Street Camden Camden County, NJ	Accepted

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
09-09-2024	The Northern Trust Company Chicago Cook County, IL	<i>To:</i> Two Commerce Square 2001 Market Street Suite 1120 Philadelphia Philadelphia County <i>From:</i> 2400 Market Street Suite 239 Philadelphia Philadelphia County	Effective
09-17-2024	Peoples Security Bank and Trust Co. Dunmore Lackawanna County	<i>To:</i> 921 Drinker Turnpike Suite 18 Covington Township Lackawanna County (Temporary Relocation) <i>From:</i> 921 Drinker Turnpike Suite 26 Covington Township Lackawanna County	Accepted

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
09-06-2024	Citizens & Northern Bank Wellsboro Tioga County	100 Maple Street Port Allegany McKean County	Closed

CREDIT UNIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
09-09-2024	BHCU Ridley Park Delaware County	1 Five Points Road West Chester Chester County	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
09-16-2024	PSECU Harrisburg Dauphin County	<i>To:</i> 1249 Market Street Lemoyne Cumberland County <i>From:</i> 303 Walnut Street Harrisburg Dauphin County	Accepted

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. 24-1383. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Intent to Apply for Funding; Pathways to Remove Obstacles to Housing

It is the intention of the Department of Community and Economic Development (Department) to apply for funding through the Pathways to Remove Obstacles to Housing (PRO Housing) notice of funding opportunity through the United States Department of Housing and Urban Development (HUD). The purpose of the funding program is to support communities who are actively taking steps to remove barriers to affordable housing. The application deadline is October 15, 2024, at 11:59 p.m.

As part of the application, the Department is required to have a 15-day public comment period, which will begin on Saturday, September 28, 2024, and end on Monday, October 14, 2024. A draft version of the application will be available on the Department's web site at <https://dced.pa.gov/housing-and-development/consolidated-plan-annual-plans-reports/>. The Department reserves the right to make minor edits to the application after posting it to the web site.

A hybrid public hearing will be held on October 2, 2024, at 10 a.m. Individuals who wish to attend in person can do so at Conference Room 4 West, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225.

Individuals who want to attend virtually through Microsoft Teams may join by phone at (267) 332-8737. The conference ID is 163 458 44#.

The hearing will be shortened if there is no one to testify or there is minimal response.

Individuals who have a disability or limited English proficiency who wish to participate in the public hearing should contact David Grey at (717) 214-5341 or TDD at (717) 346-0308 to discuss how the Department can accommodate their requests.

Comments on the PRO Housing application may be electronically submitted to the Department at dcedchdpubliccomments@pa.gov. Comments will also be accepted by telephone by calling (717) 787-5327. Written comments may be submitted to David Grey, Center for Community and Housing Development, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Comments must be received by

4 p.m. on October 14, 2024, to be included as testimony in the plan that will be submitted to HUD.

RICK SIGER,
Secretary

[Pa.B. Doc. No. 24-1384. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Proposed Exchange of Property

The Department of Conservation and Natural Resources (Department), acting through the Bureau of Forestry (Bureau), and Clermont Rod and Gun Club are proposing to negotiate an exchange of property interests in Elk State Forest, McKean County and Tioga State Forest, Tioga County.

The proposed exchange involves the ownership of the Clermont Rod and Gun Club 10.01-acres tract of forested land in Tioga County that shares a boundary with the Tioga State Forest. The Clermont Rod and Gun Club is proposing to trade this 10.01-acre parcel for a 0.75-acre parcel beneath their cabin, entrance lane and infrastructure in the Elk State Forest. The 10.01 acres acquired will become part of the Tioga State Forest and its current management strategy. The 10.01-acre tract is forested with northern hardwood species and is contiguous with a northern hardwood stand in the Tioga State Forest. The tract is fairly level, has easy public access and will be an asset to both the recreation and silviculture programs. The acreage balance is strongly in favor of the Commonwealth and therefore makes this proposed transaction justified as equal or greater value for the Commonwealth. The proposed exchange will further consolidate public ownership of this forested landscape and is consistent with the Bureau's land acquisition goals.

As is the policy of the Department, the public is hereby notified of this proposed exchange. A 30-day period for public inquiry or comment will be in effect beginning September 28, 2024, and ending October 27, 2024. Oral or written comments or questions concerning this proposed exchange may be addressed to Tom Stahl, Planning Section, Bureau of Forestry, P.O. Box 8552, Harrisburg, PA 17105-8552, thstahl@pa.gov, (717) 772-0268. Oral or written comments will become part of the official document used in the final decision process. Written documents are also available regarding the proposed land exchange by request.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department may schedule a public informational meeting.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 24-1385. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Gratz College to Amend Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Gratz College to amend its articles of incorporation to change their official headquarters and postal address from 7605 Old York Road, Melrose Park, PA 19027 to 382 Bala Avenue, Bala Cynwyd, PA 19004.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher Education, Access and Equity, 607 South Drive, 3E, Harrisburg, PA 17120 on or before the due date prescribed by this notice. Persons wishing to review the application should call (717) 783-6786 or write to the previously listed address to schedule a time for a review.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact the Division of Higher Education, Access and Equity at (717) 783-6786 to discuss accommodations.

DR. KHALID N. MUMIN,
Secretary

[Pa.B. Doc. No. 24-1386. Filed for public inspection September 27, 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>
0424800	Joint DEP/PFBC Pesticides Permit	New	Quay Julie 3201 6th Avenue Beaver Falls, PA 15010-3551	Beaver Falls City Beaver County	SWRO
0924813	Joint DEP/PFBC Pesticides Permit	New	AGA Farms 1333 Elephant Road Perkasie, PA 18944-3840	Bedminster Township Bucks County	SERO
1524815	Joint DEP/PFBC Pesticides Permit	New	Chester County Parks & Recreation 601 Westtown Road Suite 160 West Chester, PA 19382-4991	West Nottingham Township Chester County	SERO
1524816	Joint DEP/PFBC Pesticides Permit	New	Chester County Water Resource Authority P.O. Box 2747 601 Westtown Road West Chester, PA 19380-0990	West Caln Township Chester County	SERO
4624808	Joint DEP/PFBC Pesticides Permit	New	Empire Management 134 Route 59 Suite 201 Suffern, NY 10901-4917	Lower Gwynedd Township Montgomery County	SERO
6524804	Joint DEP/PFBC Pesticides Permit	New	Bianca Rose HOA 5505 Fontana Court Export, PA 15632-9283	Murrysville Borough Westmoreland County	SWRO
0708404	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Allegheny Township Blair County	SCRO
0788401	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Logan Township Blair County	SCRO
4818402	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Bethlehem City Northampton County 10 East Church Street Bethlehem, PA 18018	Bethlehem City Northampton County	NERO
1320401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Bowmanstown Borough Carbon County 490 Ore Street P.O. Box 127 Bowmanstown, PA 18030	Bowmanstown Borough Carbon County	NERO
2574407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Middleboro Municipal Authority Erie County P.O. Box 189 McKean, PA 16426-0189	McKean Borough Erie County	NWRO
5807402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Hallstead & Great Bend Borough Susquehanna County JSA P.O. Box 747 Great Bend, PA 18821-0747	Great Bend Borough Susquehanna County	NERO
6183401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Aqua PA Inc. 665 S Dock Street Sharon, PA 16146-1835	Emlenton Borough Venango 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>
NOEX11902	No Exposure Certification	Renewal	Walmart Stores East LP 508 S W 8th Street Bentonville, AR 72716-0505	Bethlehem City Northampton County	NERO
NOEXNW129	No Exposure Certification	Renewal	ABF Freight System Inc. 3801 Old Greenwood Road Fort Smith, AR 72903-5937	Erie City Erie County	NWRO
NOEXSC233	No Exposure Certification	Renewal	USPS Reading 2100 N 13th Street Reading, PA 19612-7000	Muhlenberg Township Berks County	SCRO
NOEXSC342	No Exposure Certification	Renewal	Kunzler & Co. Inc. 118 Poorman Street Tyrone, PA 16686-8510	Snyder Township Blair County	SCRO
PAG030093	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	JJ Clark Inc. 31 Mount Pleasant Road Aston, PA 19014	Aston Township Delaware County	SERO
PAG036152	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Covestro LLC 1 Covestro Circle Pittsburgh, PA 15205-9723	Robinson Township Allegheny County	SWRO
PAG041289	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Maravelli Ammie 4503 US Highway 322 Jamestown, PA 16134-4611	South Shenango Township Crawford County	NWRO
PAG041416	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Michael & Roxana Carpenter 9685 State Line Road Albion, PA 16401-9105	Conneaut Township Erie County	NWRO
PAG041417	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Fortwangler Caleb 1147 Brent Road Volant, PA 16156-1601	Springfield Township Mercer County	NWRO
PAG041419	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Dillman Dan 120 Ashley Lane Slippery Rock, PA 16057-4102	Prospect Borough Butler County	NWRO
PAG041420	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Christopher & Jennifer Fox 9288 Williams Road North East, PA 16428-5614	Greenfield Township Erie County	NWRO
PAG046305	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Buck David G & Brooke A 316 Whittengale Road Oakdale, PA 15071-3604	North Fayette Township Allegheny County	SWRO
PAG046490	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Chauvenne Tasha 1336 State Route 168 Georgetown, PA 15043-1043	Greene Township Beaver County	SWRO
PAG123623	PAG-12 NPDES General Permit for CAFOs	Renewal	Future View Farm LLC 13 Radcliff Road Willow Street, PA 17584-9770	Pequea Township Lancaster County	SCRO
PAG123632	PAG-12 NPDES General Permit for CAFOs	Renewal	Shearer Robert D 806 Anderson Ferry Road Mount Joy, PA 17552-9717	East Donegal Township Lancaster County	SCRO
PAG123679	PAG-12 NPDES General Permit for CAFOs	Renewal	Terry L Hershey Farm 573 Strasburg Road Paradise, PA 17562-9703	Paradise Township Lancaster County	SCRO
PAG123700	PAG-12 NPDES General Permit for CAFOs	Renewal	Rutt Richard W 375 Nissley Road Mount Joy, PA 17552-9022	East Donegal Township Lancaster County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG123720	PAG-12 NPDES General Permit for CAFOs	Renewal	Zimmerman Clifford Z 2993 Mill Road Elizabethtown, PA 17022-8732	Conewago Township Dauphin County	SCRO
PAG123727	PAG-12 NPDES General Permit for CAFOs	Renewal	Meck Kenneth S 1503 Beaver Valley Pike Willow Street, PA 17584-9780	Strasburg Borough Lancaster County	SCRO
PAG123772	PAG-12 NPDES General Permit for CAFOs	Renewal	Shady Brae Farms Inc. 29 Engle Road Marietta, PA 17547-9322	Conoy Township Lancaster County	SCRO
PAG123799	PAG-12 NPDES General Permit for CAFOs	Renewal	Bauman Tyler C 1277 Bridgeton Road Airville, PA 17302-9210	Lower Chanceford Township York County	SCRO
PAG123873	PAG-12 NPDES General Permit for CAFOs	Renewal	Shale Rock Acres 170 Werners Road Fredericksburg, PA 17026-9115	Swatara Township Lebanon County	SCRO
PAG136355	PAG-13 NPDES General Permit for MS4s	Renewal	Export Borough Westmoreland County 6022 Kennedy Avenue Export, PA 15632-1214	Export Borough Westmoreland County	SWRO
0224406	Pump Stations Individual WQM Permit	New	Pittsburgh Water Sewer Authority 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
6324402	Pump Stations Individual WQM Permit	New	Peters Creek Sanitary Authority 1 N State Street Clairton, PA 15025-2172	Clairton City Allegheny 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.

Northeast Regional Office

PA0044270, Sewage, SIC Code 6515, **Laurys MHC LLC, dba Riverview Estates MHP**, 5230 Keystone Road, Laurys Station, PA 18059-1224. Facility Name: Riverview Estates MHP. This existing facility is located in North Whitehall Township, **Lehigh 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), Lehigh River (TSF, MF), is located in State Water Plan watershed 2-C and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0375 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0375 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.50	XXX	1.17
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	XXX	XXX	25.0	50.0	50.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
CBOD ₅ Minimum % Removal (%)	85	XXX	XXX	XXX	XXX	XXX
	Min Mo Avg					
Total Suspended Solids	Report	XXX	XXX	30.0	60.0	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	Report	XXX	XXX	Report	Report	XXX
Total Nitrogen	Report	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	Report	XXX	XXX	20.0	40.0	40.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	Report	XXX
Total Phosphorus	Report	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0375 MGD.—Limits.

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

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

- Stormwater prohibition; Necessary property rights; Residuals management; Planning; and solids conditions.

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

The EPA Waiver is in effect.

Northeast Regional Office

PA0060097, Sewage, SIC Code 4952, **PA American Water Co.**, 895 Wesley Drive, Mechanicsburg, PA 17055. Facility Name: Pocono Country Place Wastewater Treatment Plant (WWTP). This existing facility is located in Coolbaugh Township, **Monroe 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), Dresser Run (HQ-CWF, MF), is located in State Water Plan watershed 2-A and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Average Weekly</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	104.2	Report	XXX	10.0	15.0	20.0
Ammonia-Nitrogen	72.0	Report	XXX	7.0	14.0	14.0
Nov 1 - Apr 30					Daily Max	
May 1 - Oct 31	24.0	Report	XXX	2.3	4.6	4.6
					Daily Max	
Selenium, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
					Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	74.6	111.9	XXX	7.16	10.74	14.32
Ammonia-Nitrogen	54.4	108.8	XXX	5.22	10.44	10.44
Nov 1 - Apr 30						
May 1 - Oct 31	18.1	36.2	XXX	1.74	3.48	3.48
Selenium, Total (ug/L)	0.06	0.093	XXX	5.74	8.96	14.4

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
CBOD ₅ Minimum % Removal (%)	85	XXX	XXX	XXX	XXX	XXX
	Min	Mo	Avg			
Total Suspended Solids	208	Report	XXX	20.0	30.0	40.0
Total Dissolved Solids	Report	Report	XXX	1,000.0	2,000.0	2,000.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	114.6	Report	XXX	11.0	22.0	22.0
Total Nitrogen	Report	Report	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	Report	Report	XXX	Report	Report	XXX
Total Phosphorus	10.4	Report	XXX	1.0	2.0	2.0
Aluminum, Total	Report	Report	XXX	Report	Report	XXX
Antimony, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Boron, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Copper, Total (ug/L)	0.11	0.16	XXX	10.7	12.0	15.6
Cyanide, Free (ug/L)	Report	Report	XXX	Report	Report	XXX
Manganese, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Zinc, Total (ug/L)	0.9	1.44	XXX	120.0	138.0	138.0

The proposed effluent limits for stormwater Outfalls 002 and 003 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Internal Monitor Point/Outfall 101 are based on a design flow of NA MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX

In addition, the permit contains the following major special conditions: Stormwater prohibition; Necessary property rights; Proper management of residuals; Planning; Chlorine minimization; SBR discharge condition; High Flow Management Plan; Changes in stream/discharge; Annual Chapter 94 Report submittal requirement; Schedule of Compliance (Ammonia-N); Solids management; WQBELs for toxic pollutants (Selenium); Whole Effluent Toxicity (WET); Stormwater (including benchmark language).

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

The EPA Waiver is not in effect.

Northeast Regional Office

PA0063592, Sewage, SIC Code 4952, **Gilberton Borough, Schuylkill County**, 2710 Main Street, Mahanoy Plane, PA 17949-8023. Facility Name: Gilberton Borough POTW. This existing facility is located in Gilberton Borough, **Schuylkill County**.

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

The receiving stream(s), Mahanoy Creek (WWF, MF), is located in State Water Plan watershed 6-B 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 0.100 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.50	1.63 Daily Max	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	20.8	33.4	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
BOD ₅ Minimum % Removal (%)	85 Min Mo Avg	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Total Suspended Solids	25.0	37.5	XXX	30.0	45.0	60.0
Total Suspended Solids Minimum % Removal (%)	85 Min Mo Avg	XXX	XXX	XXX	XXX	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	20.8	33.4	XXX	25.0	40.0	50.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.100 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.100 MGD.—Limits.

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

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

- Stormwater prohibition; Necessary property rights; Residuals management; Chlorine minimization; Notification of responsible operator; Operations & Maintenance (O&M) Plan; High Flow Management Plan (HFMP); Solids management.

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

The EPA Waiver is in effect.

Northeast Regional Office

PA0065544, Storm Water, SIC Code 2033, **Ocean Spray Cranberries Inc.**, 1 Ocean Spray Drive, Lakeville, MA 02347-1339. Facility Name: Ocean Spray Cranberries Inc., Lehigh Valley Facility. This existing facility is located in Upper Macungie Township, **Lehigh County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

Northeast Regional Office

PA5212202, Storm Water, SIC Code 3273, 4212, **New Enterprise Stone & Lime Co. Inc.**, 3912 Brumbaugh Road, New Enterprise, PA 16664-9137. Facility Name: Allentown R-M. This existing facility is located in South Whitehall Township, **Lehigh County**.

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

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

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

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

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

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0027197, Sewage, SIC Code 4952, **Capital Region Water**, 3003 N Front Street, Harrisburg, PA 17110-1224. Facility Name: Harrisburg Advanced WWTP. This existing facility is located in Harrisburg City, **Dauphin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 37.7 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 37.7 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	7,860	12,577	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	Wkly Avg XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	9,433	1,4149	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	XXX	XXX	Report
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30	3,458	XXX	XXX	11.0	XXX	22
May 1 - Oct 31	629	XXX	XXX	2.0	XXX	4
Total Phosphorus	Report	Report Daily Max	XXX	Report	Report	XXX
Aluminum, Total	Report	Report Daily Max	XXX	Report	Report	XXX
Zinc, Total	Report	Report Daily Max	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs)	XXX	688,575	XXX	XXX	XXX	XXX
(lbs) Effluent Net		Total Annual				
Total Nitrogen (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
(lbs) Ammonia-Nitrogen (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
(lbs) Total Phosphorus (Total Load, lbs)	XXX	91,810 Total Annual	XXX	XXX	XXX	XXX
(lbs) Effluent Net		Report Total Annual				
Total Phosphorus (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
(lbs)						

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

This draft permit contains special conditions for Combined Sewer Overflow (CSO) outfalls in Part C.

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

The EPA Waiver is not in effect.

Southcentral Regional Office

PA0088781, Industrial, SIC Code 4911, **Calpine Mid Merit LLC**, 6 Hillman Drive, Chadds Ford, PA 19317-9713. Facility Name: York Energy Center. This existing facility is located in Peach Bottom Township, **York 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 Susquehanna River (WWF) and Unnamed Tributary to Susquehanna River (WWF, MF), is located in State Water Plan watershed 7-K and 7-I 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 6.01 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report Avg Mo	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Free Available Chlorine	XXX	XXX	XXX	XXX	0.2	0.5
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	Report	110
Total Suspended Solids Effluent Net	XXX	XXX	XXX	30.0	60.0	75.0
Oil and Grease Effluent Net	XXX	XXX	XXX	15.0	20.0	30.0
Total Dissolved Solids Aluminum, Total	XXX Report Avg Qrtly	XXX Report Daily Max	XXX XXX	XXX Report Avg Qrtly	Report Report	XXX XXX
Copper, Total	Report Avg Qrtly	Report Daily Max	XXX	Report Avg Qrtly	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 0.0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 100 are based on a design flow of 0.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Total Suspended Solids Effluent Net	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease Effluent Net	XXX	XXX	XXX	15.0	20.0	30.0

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

- Chlorine use at power plant
- No net addition of pollutants for NCCW
- NO PCBs may be discharged
- Cooling tower maintenance chemicals
- Chemical additives
- 316(b) New Facility cooling water intakes
- Industrial stormwater requirements

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

The EPA Waiver is not in effect.

Southcentral Regional Office

PAI133546, MS4, **Maidencreek Township, Berks County**, P.O. Box 319, Blandon, PA 19510-0319.

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 Maidencreek Township, **Berks County**. The receiving stream(s), Maiden Creek (WWF, MF), Willow Creek (CWF, MF), and Unnamed Tributary to Willow Creek (CWF, MF), is located in State Water Plan watershed 3-B and is classified for Warm Water Fishes, Migratory Fishes, and Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

Southeast Regional Office

PA0244295, Sewage, SIC Code 1623, 4952, **Franconia Township Sewer Authority, Montgomery County**, 671 Allentown Road, Telford, PA 18969-2205. Facility Name: Franconia WWTP. This existing facility is located in Franconia 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), Skippack Creek (TSF, MF), is located in State Water Plan watershed 3-E and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .15 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	12.5	19.0	XXX	10	15	20
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	12.5	19.0	XXX	10	15	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean		
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	1,000.0	XXX	2,500
E. Coli (No./100 ml)	XXX	XXX	XXX	Avg Qrtly XXX	XXX	Report
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	7.5	XXX	XXX	Avg Qrtly 6.0	XXX	12
Ammonia-Nitrogen	4.0	XXX	XXX	3.0	XXX	6
Nov 1 - Apr 30						
May 1 - Oct 31	1.9	XXX	XXX	1.5	XXX	3
Total Phosphorus	0.12	XXX	XXX	0.1	XXX	0.2

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

I. Other Requirements

A. No Stormwater

B. Property Rights

C. Sludge Renewal

D. TRC Minimization

E. Small Stream Discharge

F. CAP and WQM amendment

G. Operator Notification

- H. O&M Plan Development
- I. DRBC Fecal Coliform
- J. TDS Determination
- II. Solids Management

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

PA0245704, Sewage, NAIC Code: 2213320, **John & Caroline Dimascio**, 27 Sylvan Drive, Pottstown, PA 19465-8321. Facility Name: 27 Sylvan Dr SRSTP. This proposed facility is located in East Coventry Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Pigeon Creek (HQ-TSF, MF), is located in State Water Plan watershed 3-D and is classified for Migratory Fishes and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 500 gpd.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Daily Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	40
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

Major Special Conditions:

- AMR to DEP
- DMR to DEP if Attached
- 1/year Measure Depth of Septage and Scum
- Septic Tanks Pumped Out Every Three Years
- No Stormwater
- Necessary Property Rights
- Proper Sludge Disposal
- Abandon STP when Municipal Sewers Available

The EPA Waiver is in effect.

Southeast Regional Office

PA0244406, Storm Water, SIC Code 3273, **Nyce Crete Co. Inc.**, 711 North County Line Road, Souderton, PA 18964. Facility Name: Nyce Crete Co. Inc. This existing facility is located in Lansdale Borough, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary to West Branch Neshaminy Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for 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 MGD (stormwater only).—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD (Stormwater only).—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	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 484-250-5910.

The EPA Waiver is in effect.

Southwest Regional Office

PA0043729, Sewage, SIC Code 4952, **Hampton Township**, 3101 McCully Road, Allison Park, PA 15101-1331. Facility Name: Allison Park STP. This existing facility is located in Hampton Township, **Allegheny 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), Pine 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 3.2 MGD.—Interim Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 3.2 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Copper, Total (ug/L)	XXX	XXX	XXX	24.3	38.0 Daily Max	60.8

The proposed effluent limits for Outfall 001 are based on a design flow of 3.2 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.4	XXX	1.11
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	667.6	1,014.8	XXX	25	38	50
Nov 1 - Apr 30						
May 1 - Oct 31	400.6	614.2	XXX	15	23	30
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	800.6	1,201.0	XXX	30.0	45.0	60

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report	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
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report Daily Max
Ammonia-Nitrogen Dec 1 - Feb 29	120.2	181.5	XXX	4.5	6.8	9
Mar 1 - Nov 30	40.1	61.4	XXX	1.5	2.3	3

The proposed effluent limits for Outfall 001 are based on a design flow of 3.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Cyanide, Free (ug/L)	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Zinc, Total (ug/L)	XXX	XXX	XXX	XXX	Report Daily Max	XXX
PFOA (ug/L)	XXX	XXX	XXX	XXX	Report Daily Max	XXX
PFOS (ug/L)	XXX	XXX	XXX	XXX	Report Daily Max	XXX
PFBS (ug/L)	XXX	XXX	XXX	XXX	Report Daily Max	XXX
HFPO-DA (ug/L)	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

- Optimization of chlorine dosage
- Notification of designation of responsible operator
- Hauled-in waste restriction
- Schedule of compliance
- Solids management for non-lagoon system
- WQBEL for toxic pollutants including TRE
- Corrosion Control Feasibility Study
- Whole Effluent Toxicity without limits
- Requirements applicable for stormwater outfalls

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.

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

Southcentral Regional Office

Applicant: **Gettysburg Road Investors, LLC**

Applicant Address: 4732 Gettysburg Road, Mechanicsburg, PA 17055

Application Number: **PAD210112**

Application Type: New

Municipality/County: Lower Allen Township, **Cumberland County**

Project Site Name: Cedar Run Business Center

Total Earth Disturbance Area (acres): 14.67 acres

Surface Waters Receiving Stormwater Discharges: Cedar Run via Wetlands, (EV, MF)

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

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

Project Description: Construct two buildings with site improvements.

Special Conditions: Wetland Monitoring

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

Northeast Regional Office

Applicant: **Overlook at Nazareth, LLC**

Applicant Address: 4511 Falmer Drive, Bethlehem, PA 18020-9796

Application Number: **PAD480216**

Application Type: New

Municipality/County: Upper Nazareth Township, **Northampton County**

Project Site Name: Overlook Estates—West

Total Earth Disturbance Area (acres): 28.28 acres

Surface Waters Receiving Stormwater Discharges: UNTs to East Branch Monocacy Creek (HQ-CWF, MF) and East Branch Monocacy Creek (HQ-CWF, MF)

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

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

Project Description: The project involves the construction of 13 single family homes with associated roads, utilities and stormwater management facilities.

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

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

Northwest Regional Office

Applicant: **RC Realty LLC**

Applicant Address: 1067 Trout Run, Saint Marys, PA 15857

Application Number: **PAD240011**

Application Type: Major Amendment

Municipality/County: Fox Township, **Elk County**

Project Site Name: Autumn Court Subdivision

Total Earth Disturbance Area (acres): 38.16 acres

Surface Waters Receiving Stormwater Discharges: Byrnes Run EV

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

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

Project Description: Major modification of permitted residential subdivision. Initial permit covered stormwater management associated with initial site grading and roadway construction. This modification is to address full stormwater management for individual lot development.

Special Conditions: Standard Part C IX—L and the following site-specific conditions from the original permit involving future development: M. Future Development. 1. Any future lot development on any portion, part, or during any stage of construction on the permitted site, regardless of the amount of earth disturbance, shall implement erosion and sedimentation controls that comply with 25 Pa. Code § 102.11(a)(1). 2. Any corresponding stormwater management best management practices (BMPs) that may be required for any future lot development will also need to comply with 25 Pa. Code § 102.11(a)(2). 3. In the case of future earth disturbance, whether for E&S BMP or PCSM BMP installation, the applicant or a coapplicant shall submit a Major Modification to the individual NPDES Permit for Stormwater Discharges Associated With Construction Activities prior to commencing the earth disturbance activity. 4. All approved PCSM BMPs as shown on the original PCSM plan drawings and in the Individual Application documents shall be maintained and the existing wetlands shall be preserved and protected to the best extent possible.

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

Southeast Regional Office

Applicant: **Chad Byers**

Applicant Address: 35 Wyndemere Lake Drive, Chester Springs, PA 19425-3608

Application Number: **PAD150104 A-1**

Application Type: Major Amendment

Municipality/County: West Vincent Township, **Chester County**

Project Site Name: 21 & 35 Wyndemere Lake Drive

Total Earth Disturbance Area (acres): 5.0 acres

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

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

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

Project Description: The project proposes to amend an existing NPDES permit originally consisting of site grading and stormwater management. This revision accounts for adding the construction of a single family residence with associated impervious areas. A proposed subsurface stormwater management system is to be constructed for the entire project scope.

Special Conditions: N/A

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

Southeast Regional Office

Applicant: **The Hankin Group**

Applicant Address: 707 Eagleview Boulevard, Exton, PA 19341-1159

Application Number: **PAD150350**

Application Type: New

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

Project Site Name: Eagleview Market at Town Center

Total Earth Disturbance Area (acres): 3.48 acres

Surface Waters Receiving Stormwater Discharges: Shamona Creek (HQ-TSF, MF)

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

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

Project Description: The Applicant proposes to construct a multi-use building with a 14,000 sf market on the ground floor and apartments on the upper floors, associated parking spaces, sidewalks and landscaping. Runoff will be controlled by proposed Stormwater Management Facilities.

Special Conditions: N/A

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

Northeast Regional Office

Applicant: **One More Tumble Creek, LLC**

Applicant Address: 4511 Falmer Drive, Bethlehem, PA 18020-9796

Application Number: **PAD480213**

Application Type: New

Municipality/County: Bushkill Township, Moore Township, **Northampton County**

Project Site Name: The Enclave at Bushkill

Total Earth Disturbance Area (acres): 27.44 acres

Surface Waters Receiving Stormwater Discharges: Bushkill Creek (HQ-CWF, MF) and EV Wetlands

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

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

Project Description: The project involves the construction of a 14-lot residential subdivision with associated roads, utilities and stormwater management facilities.

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

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

Southeast Regional Office

Applicant: **Moser Construction Management, LLC**

Applicant Address: 1171 Lancaster Avenue, Suite 201, Berwyn, PA 19312-2602

Application Number: **PAD150345**

Application Type: New

Municipality/County: London Grove Township, **Chester County**

Project Site Name: Yeatman Tract

Total Earth Disturbance Area (acres): 74.63 acres

Surface Waters Receiving Stormwater Discharges: UNT to E Branch White Clay Creek (EV, MF)

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

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

Project Description: The project proposes the construction of 286 dwellings in a mix of single family attached and detached residential units with associated amenities and road/utility infrastructure.

Special Conditions: N/A

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

Northeast Regional Office

Applicant: **NorthPoint Development, LLC**

Applicant Address: 3315 North Oak Trafficway, Kansas City, MO 64116

Application Number: **PAD540013**

Application Type: Renewal

Municipality/County: Mahanoy Township, Ryan Township, **Schuylkill County**

Project Site Name: Mahanoy Business Park/Mountain Valley Logistics

Total Earth Disturbance Area (acres): 259.9 acres

Surface Waters Receiving Stormwater Discharges: 1. Hosensock Creek (CWF, MF) 2. Codorus Creek (CWF, MF) 3. UNT to Mill Creek (CWF, MF) 4. EV Wetlands

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

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

Project Description: The renewal of PAD540013, which involves the construction of a warehouse/distribution center consisting of two buildings with access from SR 54 and SR 1006.

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

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

Southwest Regional Office

Applicant: **Esplanade Partners, LP**

Applicant Address: 380 Southpointe Boulevard, Suite 400, Canonsburg, PA 15317

Application Number: **PAD020077**

Application Type: New

Municipality/County: City of Pittsburgh, **Allegheny County**

Project Site Name: Esplanade

Total Earth Disturbance Area (acres): 16 acres

Surface Waters Receiving Stormwater Discharges: Ohio River (WWF)

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

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

Project Description: Mixed-use redevelopment of existing URA Brown-field and private industrial parcels for new retail and restaurants, rental and for-sale housing, and office or life science building.

Special Conditions: 1. Earth disturbance may not commence until all Act 537 authorizations have been obtained. 2. All limitations, conditions, procedures, testing, and monitoring which is in the Soil Management Plan (SMP) and/or any Act 2 remediation plan or site characterization provided with this application are to be followed. No deviation from the SMP is permitted without written authorization from the Department (DEP). a). If contaminants or conditions with the potential to cause pollution are found during construction which are beyond the scope of the SMP or Act 2 considerations, DEP and the County Conservation District shall be notified and measures implemented to contain potential pollution sources immediately upon discovery. b). Any contaminated material to be transported and disposed of off-site including but not limited to pumped groundwater may require permitting with DEP's Waste Management or Clean Water programs. These permits should be anticipated and shall be secured prior to earth disturbance. 3. This permit does not authorize any obstructions or encroachments to any regulated watercourse or floodway. All permitting required for impacts to regulated watercourses or their floodway are subject to 25 Pa. Code Chapter 105. Appropriate authorization for impacts which require permitting under Chapter 105 must be obtained prior to beginning earth disturbance.

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southwest Regional Office

Applicant: **PennDOT District 11-0**

Applicant Address: 45 Thoms Run Road, Bridgeville, PA 15017

Application Number: **PAD040117**

Application Type: New

Municipality/County: Potter Township, **Beaver County**

Project Site Name: SR 18-B61 Frankfort Road

Total Earth Disturbance Area (acres): 7.61 acres

Surface Waters Receiving Stormwater Discharges: Raccoon Creek (WWF)

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

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

Project Description: The Pennsylvania Department of Transportation (PennDOT) District 11-0 proposing to replace a bridge in Potter Township, Beaver County. The project involves replacing the existing single span through truss bridge on SR 0018 (Frankfort Road) over Raccoon Creek. This bridge, constructed in the early 1930s, is in poor condition and needs to be replaced. The new bridge will be built on a new alignment approximately 67 feet downstream from the current structure. Key changes include raising the profile across the new structure to improve sight distance, eliminating the existing sidewalk along the southbound lane, and adding a new 5-foot sidewalk along the northbound lane. The intersection of SR 0018 with Nova Chemicals, Inc. and SR 3019 (Raccoon Creek Road) will be relocated approximately 60 feet west to accommodate the new alignment. Additional work will involve pavement markings, sign upgrades, stormwater management, and full-depth pavement activities.

Special Conditions: 1. This permit does not authorize any obstructions or encroachments to any regulated watercourse or floodway. All permitting required for impacts to regulated watercourses or their floodway are subject to 25 Pa. Code Chapter 105. Appropriate authorization for impacts which require permitting under Chapter 105 must be obtained prior to beginning earth disturbance. 2. All limitations, conditions, procedures, testing, and monitoring which is in the Soil Management Plan (SMP) and/or any Act 2 approved remediation plan or site characterization provided with this application are to be followed. No deviation from the SMP is permitted without written authorization from the Department (DEP). a). If contaminants or conditions with the potential to cause pollution are found during construction which are beyond the scope of the SMP or Act 2 considerations, DEP and the County Conservation District shall be notified and measures implemented to contain potential pollution sources immediately upon discovery. b). Any contaminated material to be transported and disposed of off-site including but not limited to pumped groundwater may require permitting with DEP's Waste Management or Clean Water programs. These permits should be anticipated and shall be secured prior to earth disturbance. c). The contractor shall develop a written SMP using the SMP guidelines provided with this application prior to beginning earth disturbance. The plan shall be submitted to the Department prior to conducting earth disturbance. Should this plan cause any alterations to the approved E&S/PCSM Plans, an amendment application shall be submitted immediately. 3. Infiltration testing shall be performed after construction of PCSM BMPs to verify the accuracy of the assumed infiltration rates used in the design of PCSM BMPs. Any deviation

from the designed rates used in the calculations included with the approved permit application must be presented to the Department and demonstrated to not negatively impact the basins functions prior to submission of the Notice of Termination (NOT) for the permit. If a deviation from the design rates occurs which will cause Volume and Water Quality provided by the BMPs to no longer meet the regulations and/or guidance (SWM Manual or other DEP guidance) or otherwise negatively impact the function of these BMPs, a plan amendment must be submitted with calculations demonstrating regulatory compliance prior to submission of the Notice of Termination (NOT) for the permit.

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Northeast Regional Office

Applicant: **Slater Holdings, LLC**

Applicant Address: 1900 N. Atlantic Avenue, Daytona Beach, FL 32118

Application Number: **PAD450092**

Application Type: Renewal

Municipality/County: Smithfield Township, **Monroe County**

Project Site Name: Vigon International, Inc., New Warehouse & Manufacturing Facility

Total Earth Disturbance Area (acres): 16.87 acres

Surface Waters Receiving Stormwater Discharges: EV Wetlands to UNT to Sambo Creek (EV/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: 260,000 SF Warehouse/manufacturing facility with associated access drive, parking lots and aboveground infiltration basin.

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

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

Southeast Regional Office

Applicant: **Tel Hai Retirement Community**

Applicant Address: 1200 Tel Hai Circle, Honey Brook, PA 19344

Application Number: **PAD150221 A-1**

Application Type: Major Amendment

Municipality/County: Honey Brook Township, **Chester County**

Project Site Name: Tel Hai Retirement Community—NPDES Phase 5

Total Earth Disturbance Area (acres): 74.27 acres

Surface Waters Receiving Stormwater Discharges: UNT to West Branch Brandywine Creek (HQ-TSF, MF), Two Log 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: NPDES Phases 2—4 have been completed. Phase 5 represents a major amendment to the existing permit and includes the construction of 36 hybrid garden apartment units, 42 HUD apartments, 44 cottages, 32 additional skilled nursing beds, and a 5,600 sf ambulance building. The project will also include associated storm, utility, and vehicular infrastructure.

Special Conditions: N/A

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

**ACT 38
NUTRIENT MANAGEMENT PLANS
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Shady Rill Farm, LLC 252 Tharp Road Mt. Pleasant Mills, PA 17853	Snyder County	725.5	1,033.58	Swine	NA	Renewal
Bortnick Dairy, LLC 21820 Palmer Road Conneautville, PA 16406	Crawford County	4,450.50	3,185.20	Dairy Cows Heifers Calves	NA	Renewal
Willow Behrer Farms 3288 Behrer Lane Spruce Creek, PA 16683	Huntingdon County	1,300	1,856.90	Dairy	HQ	Renewal

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at

(800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

SAFE DRINKING WATER

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

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

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

Application No. 3624525, Construction, Public Water Supply.

Applicant	East Cocalico Township Authority
Address	102 Hill Road Denver, PA 17517
Municipality	East Cocalico Township
County	Lancaster County
Responsible Official	Scott M. Carl, Sr. 102 Hill Road Denver, PA 17517
Consulting Engineer	Watek Engineering 604 South Frederick Avenue Suite 309 Gaithersburg, MD 20877
Application Received	August 21, 2024

Description	Construction of membrane filtration and ultraviolet disinfection for Well F.
	<i>Southwest District: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i>
	<i>Contact: Renee Diehl, Program Manager; ra-epswsdw@pa.gov.</i>
	Application No. 0224552-EI , Construction, Public Water Supply.
Applicant	Municipal Authority of the Township of Robinson
Address	4200 Campbells Run Road Pittsburgh, PA 15205
Municipality	Kennedy Township
County	Allegheny County
Responsible Official	Leo Gismondi Director of Operations 4200 Campbells Run Road Pittsburgh, PA 15205
Consulting Engineer	NIRA Consulting Engineers, Inc. 950 Fifth Avenue Coraopolis, PA 15108
Application Received	September 4, 2024
Description	Construction of an emergency water supply connection with West View Water Authority, including a pump station for when emergency interconnection is in use.

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.

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

Contact: Eric Supey, Environmental Program Manager.

1047 Union Boulevard, Primary Facility ID # **878248**, 1047 Union Boulevard, Allentown, PA 18109, City of Allentown, **Lehigh County**. Pennoni Associates, 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of A-Town, Inc., 901 Union Boulevard, Allentown, PA 18109, submitted a Notice of Intent to Remediate. Soil was contaminated with heating oil from an underground storage tank. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *Lehigh Valley Press* on September 11, 2024. Application received: September 11, 2024.

Slatebelt Industrial Center (Former Lehigh New England Railroad Property), Primary Facility ID # **671383**, 991 West Pennsylvania Avenue, Pen Argyl, PA 18072, Plainfield Township, Wind Gap Borough, **Northampton County**. Geo-Technology Associates, 2405 John Fries Highway, Quakertown, PA 18951 on behalf of Jandl Land Company, 3150 Coffeetown Road, Orefield, PA 18069, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated with metals from historic railroad operations. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *Lehigh Valley Press* on September 11, 2024. Application received: September 11, 2024.

422 Second Street, Primary Facility ID # **878307**, 422 Second Street, Weatherly, PA 18255, Weatherly Borough, **Carbon County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of Fegley Oil, Inc., 551 West Penn Pike, Tamaqua, PA 18252, submitted a Notice of Intent to Remediate. Soil was contaminated with heating oil from an aboveground storage tank. Future use of the site will be residential. The

Notice of Intent to Remediate was published in *The Journal Herald* on August 1, 2024. Application received: September 11, 2024.

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

Contact: Chris, 724-598-2206.

ABC Supply Company, Primary Facility ID # **878367**, 401 South Jefferson Street, New Castle, PA 16101, City of New Castle, **Lawrence County**. Terracon, 3280 William Pitt Way, Pittsburgh, PA 15238 on behalf of ABC Supply Company, Inc., 1 ABC Parkway, Beloit, WI 53511, submitted a Notice of Intent to Remediate. Based on a review of historical resources, portions of the site have been developed with railroad tracks since at least 1888. From at least 1894 to 1910, a casting house (associated with a north adjoining steel mill) was located on the north portion of the site; dwellings and commercial buildings were located on the west portion of the site from at least 1894 to 1910. By 1939, the buildings had been razed and the site was vacant. By 1949 the site was redeveloped with the Pennsylvania (PA) Power Co. service building and garage. Operations continued through at least the late 1980s. The site was vacant until approximately 2014, when ABC Supply Co. took occupancy of the site. Since that time the site features have remained relatively unchanged. The site is approximately 5.86 acres of land located at 401 South Jefferson Street, New Castle, PA. The site consists of one multi-story office/warehouse building containing approximately 23,000 square feet of unfinished office space, 9,400 square feet of showroom space, and 19,450 square feet of warehouse area. The two-story office area (approximately 23,000 square feet) on the west and north sides of the building has been unoccupied and is in a severe state of disrepair. On the east side of the main building there is a small 2,950 square foot steel building on the south and east sides of the steel building. The building was reportedly constructed in 1970. The building is occupied by ABC Supply and predominantly used for a warehouse or commercial activities. The intended future use of the property will remain nonresidential. The Notice of Intent to Remediate was published in *New Castle News* on September 14, 2024. Application received: September 13, 2024.

Contact: Nick, 814-332-6978.

East Butler Holdings Ltd Site, Primary Facility ID # **878347**, 2328 Evans City Road, Zelienople, PA 16063, Jackson Township, **Butler County**. Ecotune Environmental, 215 Executive Drive, Suite 204, Cranberry Township, PA 16066 on behalf of East Butler Holdings, Ltd, 2328 Evans City Road, Zelienople, PA 16063, submitted a Notice of Intent to Remediate. East Butler Holdings, Ltd owns the property located at 2328 Evans City Road, Zelienople, PA 16063 (Tax Parcel 180-4F102-10) and operates MHF, Inc. (a transport facility) on the Site. A small portion of the Site was once used as a greenhouse facility. A previous study found levels of arsenic in the soils of the greenhouse area that exceeded the residential MSC. A subsequent investigation determined that the levels of arsenic in the soils within the portion of the Site previously used for greenhouses were not higher than the levels of arsenic in the soils from a background area. The future use of the Site is residential. The Notice of Intent to Remediate was published in *Butler Eagle* on September 8, 2024. Application received: September 12, 2024.

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.

WMGR148SW001. Triumvirate Environmental of Pittsburgh Inc., 200 Inner Belt Road, Somerville, MA 02143, Penn Township, **Westmoreland County**. An application for renewed coverage under Residual Waste General Permit No. WMGR148SW001 at Triumvirate Environmental of Pittsburgh Inc., located at 1092 Claridge Elliot Road, Jeannette, PA 15644, was received. WMGR148 authorizes the processing of waste plastic, including processed regulated medical waste, non-halogenated plastic and halogenated plastic and the beneficial use of the resulting plastic lumber-like material. Application received: August 22, 2024. Deemed administratively complete: September 11, 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.

HAZARDOUS WASTE TRANSPORTER LICENSE

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

Renewal Applications Received

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

Contact: Jonathan Adams.

STAT, Inc., dba Sparks Transportation and Tank Cleaning, Inc., P.O. Box 1443, Lenoir, NC 28645. **License No. PA-AH 0532.** Accepted: August 13, 2024.

Transervice Logistics, Inc., 5 Dakota Drive, Lake Success, NY 11042. **License No. PA-AH 0702.** Accepted: August 19, 2024.

Cemco-Custom Environmental Management Co., Inc., P.O. Box 212, Hainesport, NJ 08036. **License No. PA-AH 0776.** Accepted: September 3, 2024.

Kalyani Environmental Solutions, LLC, 1201 Bernard Drive, Baltimore, MD 21223. **License No. PA-AH 0928.** Accepted: August 29, 2024.

**REGULATED MEDICAL AND
CHEMOTHERAPEUTIC WASTE TRANSPORTER
LICENSE**

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

Renewal Applications Received

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

Contact: Jonathan Adams.

Environmental Transport Group, Inc., P.O. Box 296, Flanders, NJ 07836. **License No. PA-HC 0023.** Accepted: August 6, 2024.

Clym Environmental Services, LLC, 1539 Tilco Drive, Frederick, MD 21704. **License No. PA-HC0253.** Accepted: August 28, 2024.

Environmental Maintenance Services, Inc, 10 Gramar Ave, Prospect, CT 06712. **License No. PA-HC 0259.** Accepted: August 27, 2024.

CYNTOX, LLC, 64 Beaver Street, New York, NY 10004. **License No. PA-HC 0260.** Accepted: August 22, 2024.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

PLAN APPROVALS

Application(s) Received for Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B That May Have Special Public Interest. These Plan Approval Applications are in Review and No Decision on Disposition Has Been Reached.

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

Contact: Dave Balog, New Source Review Chief, 814-332-6328.

61-00235A: Allam PGM, 846 Valley Road, Polk, PA 16342, Frenchcreek Township, **Venango County**. Application received: August 27, 2024.

The Department received a Plan Approval application from Nova Energy, LLC to construct three natural gas-fired engines.

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

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

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

59-00006C: Eastern Gas Transmission & Storage, Inc., 10700 Energy Way, Glen Allen, VA 23060, Lawrence Township, **Tioga County**. Application received: May 7,

2024. The Department intends to issue a plan approval for the upgrade of Source 108 to improve combustion stability and performance of the engine at their Boom Compressor Station. The Department's review of the information indicates that the proposed source will meet all applicable air quality regulatory requirements. Based on these findings, the Department intends to issue plan approval for the upgrade of the proposed source. The following is a brief description of the conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements: Pursuant to 25 Pa. Code § 127.443: 1. The nitrogen oxide emissions from Source 108 shall not exceed 1.5 grams per brake horsepower-hour, 2. Source 108 shall be equipped with Pre-Combustion Chamber ePPCTM, Electronic Port Fuel Injection (EPFI) and HyperBalanceTM Systems along with the installation of a turbocharger and an aftercooler. The plan approval will include all regulatory requirements, including monitoring, recordkeeping, and reporting requirements. The facility is a State Only facility. If the Department determines that the upgrades are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 59-00006C, the requirements established in the plan approval will be incorporated into State Only (Synthetic Minor) Operating Permit 59-00006 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. All documentation used in the evaluation of the application is available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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.

23-0024F: Heidelberg Materials/Glen Mills Quarry, Forge Rd and Stoney Bank Rd, Glen Mills, PA 19432, Thornbury Township, **Delaware County.** Application received: July 23, 2024. This action is for a plan approval to use of an existing wet suppression system to control particulate matter emissions in lieu of replacing two existing baghouses on Source ID 250 (Secondary Crushing Equipment) and Source ID 300 (Tertiary Crushing equipment) that have reached the end of their useful lives. The removal of the baghouses will have a Total PM (Filterable) emission increase on Source ID 250 of 3.5 tpy and a Total PM (Filterable) emission decrease on Source ID 300 of 0.64 tpy. Emission limits, hour restrictions, throughput restrictions along with monitoring, recordkeeping and reporting requirements are included in the plan approval to address applicable limitations. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person previously listed in the header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-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.

56-00323A: Rockwood Manufacturing Company, 300 Main St, Rockwood, PA 15557, Somerset Borough, **Somerset County.** Application received: October 31, 2023. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 56-00323A modification for the aluminum anodizing line comprised of five (5) 2,513 gallon process vessels, four (4) 3,111 gallon process vessels, and one (1) 2,513 gallon process vessel routed to a 44,000 cfm vertical wet packed scrubber equipped with mist eliminators. The line is also comprised of one (1) 2,752 gallon process vessel and one (1) 2,585 gallon process vessel routed to a 18,000 cfm vertical wet packed scrubber and one (1) 6.3 MMBtu/hr natural gas-fired boiler. The facility is located in the Somerset Borough, Somerset County. The modification proposed consists of the following changes: 1.) Remove the condition about continuous monitoring of the make up of the scrubbing liquid flow rate when the scrubber is in operation; 2.) Change the condition that continuous monitoring of the pH of the scrubbing liquid to maintain the pH of the scrubbing liquid at a range between 3—6 (while the control device is operating) to at a range between 4—9; 3.) Remove the condition that at least once per shift when the sources are operating, make up flow for each C101 and C102. This modification does not include any physical changes to the anodizing line or change in the potential to emit. The proposed project and facility-wide potential to emit will not equal or exceed 3.0 tons of nitrogen oxides (NO_x), 3.0 tons of carbon monoxide (CO), 1.0 ton of particulate matter (PM₁₀), 1.0 ton of particulate matter (PM_{2.5}), 1.0 ton of sulfur dioxide (SO₂), 1.0 ton of volatile organic compounds (VOC), or 1.0 ton of total hazardous air pollutants (HAPs). All new sources were evaluated for compliance with best available technology (BAT) requirements. The authorization is subject to State as well as Federal National Emission Standards. This Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to submit a State Only Operating Permit application in accordance with 25 Pa. Code Subchapter F. The Plan Approval Application, the Department's Air Quality Review Memorandum, the proposed Air Quality Plan Approval, and other relevant information for this project are available for review by any interested party at the Department's 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 Yan Geng, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; ygeng@pa.gov; or fax 412.442.4155. 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-56-00323A), and a concise statement of the objections to the plan approval issuance 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.

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.

41-00082, NextEra Renewable Fuels LLC, 1605 North Cedar Crest Blvd., Allentown, PA 18104, Brady Township, **Lycoming County**. Application received: September 21, 2023. NextEra Renewable Fuels LLC is applying for a renewal of their Title V Operating Permit for their landfill gas to energy plant located at the Lycoming County Landfill. The facility is currently operating under TVOP 41-00082. The facility's sources include Four (4) 1,600 kW CAT model G3520C landfill gas fired internal combustion engines. The facility has potential annual emissions of 249.00 tons per year of carbon monoxide, 86.24 tons per year of nitrogen oxides, 67.96 tons per year of sulfur oxides, 90.84 tons per year of particulate matter, 46.52 tons per year of volatile organic compounds, and 31.08 tons per year of formaldehyde. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 40 CFR Parts 60 and 63 and 25 Pa. Code Article III, 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.

48-00095, Ecopax LLC, 3600 Glover Road, Easton, PA 18040, Forks Township, **Northampton County**. Application received: February 22, 2024. The Department intends to issue a renewal Title V Operating Permit for the operation of sources at their Forks Township facility. Ecopax manufactures a wide range of polystyrene foam products, such as single-use takeout containers and consumer tabletop ware. The proposed Title V 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.

Contact: Shailesh Patel, EEM, 570-826-2341.

48-00011, Martins Creek LLC, 6605 Foul Rift Rd, Bangor, PA 18013, Lower Mount Bethel Township, **Northampton County**. Application received: December 28, 2022.

Intent to Issue TV OP:

48-00011: Approval of a Reasonably Available Control Technology (RACT) 3 plan for the MC Project Company, LLC—Martins Creek SES, located in Lower Mount Bethel

Township, Northampton County, as a significant modification to its Title V operating permit (48-00011).

In accordance with 25 Pa. Code §§ 129.111—129.115 (relating to additional RACT requirements for major sources of NO_x and VOCs for the 2015 ozone NAAQS), the Pennsylvania Department of Environmental Protection (Department, DEP) has made a preliminary determination to approve a RACT 3 plan for the MC Project Company, LLC—Martins Creek SES. The RACT 3 plan approval, if approved by the Department, will be issued as a significant modification to the facility's Title V operating permit (48-00011).

The RACT 3 plan approval incorporates provisions and requirements for the control of emissions of nitrogen oxides (NO_x) and/or volatile organic compounds (VOCs). These provisions and requirements are intended to address the Commonwealth's RACT obligations under section 184 of the Clean Air Act for the 1997, 2008 and 2015 8-hour ozone National Ambient Air Quality Standards. The RACT 3 plan approval does not adopt any new regulations. If approved by the Department, this RACT 3 plan approval will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the Commonwealth's State Implementation Plan (SIP). Requirements that are not part of the RACT 3 plan approval will be excluded from the SIP revision submittal.

MC Project Company, LLC (Martins Creek) owns and operates the Martins Creek electric power plant (Martins Creek Facility). The facility is a major NO_x and VOC emitting facility under 25 Pa. Code § 121.1.

Martins Creek has submitted this application to satisfy all notification and reporting requirements required for the Martins Creek Facility per 25 Pa. Code Chapter 129: Additional RACT Requirements for Major Sources of NO_x and VOCs for the 2015 Ozone NAAQS (the "RACT 3 Rule"). Martin Creek has submitted alternative RACT analyses and proposed compliance strategies for the control of NO_x emissions for sources which are unable to meet presumptive RACT limits. The C-E Boiler Units # 3 and # 4 at the facility are subject to case-by-case NO_x RACT determinations. The boilers are subject to the presumptive NO_x limits specified in 25 Pa. Code § 129.112(g)(1). Under RACT 3, Units 3 and 4 are subject to the following presumptive limits:

When firing Natural Gas: 0.10 lb NO_x/million Btu heat input.

When firing Distillate Oil: 0.12 lb NO_x/million Btu heat input.

When firing Residual Oil: 0.20 lb NO_x/million Btu heat input.

These units are already subject to these limitations per Section E, Group 01 Condition # 003 of the Plan Approval 48-00011A where Martins Creek would calculate their NO_x emission limits based on a 30-day rolling average. With the updates from RACT 3, the compliance period as part of the compliance demonstration has been updated to be on a daily average per 25 Pa. Code § 129.115(b)(4).

The change in compliance period provides the units significantly less compliance margin for RACT 3 when compared to RACT 2. In evaluating daily averages, it has been determined that compliance with the presumptive limit while burning 100% residual oil cannot be verified for operation following the June 2018 and May 2019

installation and refurbishment of controls for the Low NO_x project. Units 3 and 4 have co-fired residual oil with natural gas and have been able to meet the heat input weighted presumptive RACT 2 limits in those scenarios. However, since the FGR and SOFA systems were installed, Units 3 and 4 have not run solely on residual oil. Typically, the units fire residual oil solely during severe weather events. The last time this operation occurred was during the polar vortex in 2018 when the units were dispatched by PJM under emergency during an emergency event. Thus, Martins Creek has not had the opportunity to evaluate NO_x emissions nor tune combustion during this operating scenario, and as such, does not believe the units can meet the daily average presumptive RACT NO_x limit for residual oil when/if that scenario occurs. As such, Martins Creek is submitting a Case-by-Case analysis in order to request an alternative RACT limit for residual oil.

The following is a summary of the RACT 3 requirements for this facility that are proposed to be submitted to the EPA as a revision to the Commonwealth's SIP:

1. In accordance with 25 Pa. Code §§ 129.112(g)(1)(i) and 129.114(d), the average NO_x emissions from the Unit # 3 and # 4 shall not exceed the following.

NO_x:

a. 0.10 lb/MMBtu while firing natural gas (Daily Average)

b. 0.12 lb/MMBtu while firing distillate oil (Daily Average)

c. 0.25 lb/MMBtu while firing residual oil (Daily Average) While burning multiple fuels, the NO_x emission limits shall be calculated in accordance with the equation provided in 25 Pa. Code § 129.112(g)(4) on a daily average."

2. In accordance with 25 Pa. Code § 129.112(d) for VOC RACT for Combustion Units # 3 and # 4 shall be the maintenance and operation of the sources according to applicable manufacturer's specifications and in accordance with good air pollution control and engineering practices.

3. The company shall demonstrate compliance with the NO_x emission limitations performing the following monitoring in accordance with 25 Pa. Code § 129.115(b)(4)(i) and (ii):

(a) For an air contamination source with a CEMS, monitoring and testing in accordance with the requirements of Chapter 139, Subchapter C (relating to requirements for source monitoring for stationary sources) using a daily average.

(i) The daily average shall be calculated by summing the total pounds of pollutant emitted for the calendar day and dividing that value by the total heat input to the source for the same calendar day.

(ii) The daily average for the source shall include all emissions that occur during the entire day.

In accordance with 25 Pa. Code § 129.115, Martin Creek will keep sufficient records for demonstrating compliance with the RACT 3 Rule. Sufficient records include, but are not limited to:

- Sufficient data and calculations to demonstrate that the requirements of 25 Pa. Code §§ 129.112—129.114 are met.

- Data or information required to determine compliance shall be recorded and maintained in a time frame consistent with the averaging period of the requirement.

- Records necessary to determine compliance will be reported to PA DEP on a schedule specified in the applicable regulation or as otherwise specified in the operating permit.

Public Comment Details:

A 30-day public comment period is provided for persons wishing to file a written protest, objection, comments or additional information, which they believe should be considered prior to the issuance of a permit. The written comments, information, protests or objections may be submitted to Shailesh Patel, Environmental Engineering Manager, Air Quality Program, at 2 Public Square, Wilkes-Barre, PA 18701-1915, or at spatel@pa.gov on or before the closing date of this 30-day public comment period. The 30-day public comment period closes on date 30 days from publication date of this *Pennsylvania Bulletin*.

Each written submission must contain the name, address and telephone number of the person submitting the comments, identification of the RACT 3 plan approval, including the permit number, and a concise statement regarding the RACT 3 plan approval provision or requirement that the person is commenting on and the relevancy of the information or objections to issuance of the RACT 3 plan approval.

Public hearing. A public hearing will be held on November 13, 2024, at 10:00 a.m. at the DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915, to accept oral comments on the proposed RACT 3 plan approval action and the proposed SIP revision. To register to speak at the hearing, please contact Shailesh Patel at 570.826.2511. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be the Friday before the hearing.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing may submit a written statement and exhibits within 10 days thereafter to Shailesh Patel, EEM, Air Quality Program at 2 Public Square, Wilkes-Barre, PA 18701-1915, or at spatel@pa.gov.

All pertinent documents are available electronically for public review and copies can be requested by contacting Shailesh Patel, EEM, Air Quality Program at 570.826.2511 or at spatel@pa.gov.

39-00006, American Craft Brewery LLC, 7880 Penn Dr, Breinigsville, PA 18031, Upper Macungie Township, **Lehigh County**. Application received: December 20, 2022.

Intent to Issue Title V Operating Permit:

39-00006: Approval of a Reasonably Available Control Technology (RACT) 3 plan for the American Craft Brewery LLC (ACB), located in Upper Macungie Township, Lehigh County, as a significant modification to its Title V operating permit (39-00006).

In accordance with 25 Pa. Code §§ 129.111—129.115 (relating to additional RACT requirements for major sources of NO_x and VOCs for the 2015 ozone NAAQS), the Pennsylvania Department of Environmental Protec-

tion (Department, DEP) has made a preliminary determination to approve a RACT 3 plan for the American Craft Brewery LLC. The RACT 3 plan approval, if approved by the Department, will be issued as a significant modification to the facility's Title V operating permit (39-00006).

The RACT 3 plan approval incorporates provisions and requirements for the control of emissions of nitrogen oxides (NO_x) and/or volatile organic compounds (VOCs). These provisions and requirements are intended to address the Commonwealth's RACT obligations under section 184 of the Clean Air Act for the 1997, 2008 and 2015 8-hour ozone National Ambient Air Quality Standards. The RACT 3 plan approval does not adopt any new regulations. If approved by the Department, this RACT 3 plan approval will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the Commonwealth's State Implementation Plan (SIP). Requirements that are not part of the RACT 3 plan approval will be excluded from the SIP revision submittal.

ACB is a beer, flavored malt beverage (FMB), and hard cider manufacturing and packaging facility. The facility's

current operations include a brewhouse, storage/aging, and a packaging area. The facility is not a major NO_x emitting facility under 25 Pa. Code § 121.1 and has therefore, not included NO_x emitting sources as part of this application.

ACB has submitted alternative RACT analyses and proposed compliance strategies for the control of VOC emissions from certain emissions sources at the facility. As detailed in 25 Pa. Code § 129.114(c), for each VOC air contamination source with a PTE equal to or greater than 2.7 tpy, which is not subject to 25 Pa. Code § 129.112 (i.e., presumptive RACT 3 Rule requirements and/or emissions limitations), the facility proposed a VOC RACT requirement and/or emissions limitation, or both in accordance with 25 Pa. Code § 129.114(d). ACB has proposed alternative RACT requirements or emissions limitations, or both under 25 Pa. Code § 129.114(c) for the following emissions sources listed in the following table.

The following is a summary of the RACT 3 requirements for this facility that are proposed to be submitted to the EPA as a revision to the Commonwealth's SIP:

Sources Subject to Alternative RACT Analysis

<i>Source ID</i>	<i>Source Description</i>	<i>RACT III Citation</i>
121	Fermentation	25 Pa. Code § 129.114(c) and (i)
127	Off Spec Product Destruction—Bottle Crusher	25 Pa. Code § 129.114(c) and (i)
131	Yeast Storage	25 Pa. Code § 129.114(c) and (i)
143	Packaging—Bottle Filler	25 Pa. Code § 129.114(c) and (i)
154	Can Line—Two (2) Can Fillers	25 Pa. Code § 129.114(c)
158	Packaging-Bottle Filler No. 2	25 Pa. Code § 129.114(c)
159	Casking Operation (Cask House)	25 Pa. Code § 129.114(c)
160	pH Adjustment Tank	25 Pa. Code § 129.114(c) and (i)
161	Off Spec Product Destruction—Can Crusher	25 Pa. Code § 129.114(c)

Source IDs 121, 127, 131, 143, and 160 commenced operation between the July 20, 2012 applicability date of 25 Pa. Code §§ 129.97—129.100 (i.e., the RACT 2 Rule) and the August 3, 2018 applicability date for the RACT 3 Rule. Therefore, these sources would have been exempt from the RACT 2 Rule and are not currently subject to an alternative RACT requirement or emissions limitation approved by PA DEP under 25 Pa. Code § 129.99. In accordance with 25 Pa. Code § 129.114(i), an alternative RACT proposal, as required per 25 Pa. Code § 129.114(d), is not necessary if the source in question was in operation prior to October 24, 2016, has not been modified or changed since October 24, 2016, and does not fall into one of the presumptive source categories subject to 25 Pa. Code § 129.112(c)(11) or § 129.112(i)—(k) and the owner/operator submits an analysis in accordance with § 129.114(i)(1)(i) that demonstrates compliance with the alternative RACT requirement or RACT emissions limitation previously approved by the Department § 129.99(e). Source IDs 121, 127, 131, 143, and 160 meet the stated criteria; and therefore, ACB can maintain compliance with the alternative RACT requirements and/or emissions limitations previously approved as RACT 2 by PA DEP for those sources. ACB has determined that there are no new pollutant-specific air cleaning devices, air pollution control technologies, or techniques available at the time of submittal of this analysis. The annual cost for each technically feasible air cleaning device, air pollution control technology, or technique approved under 25 Pa. Code § 129.99(e) was greater than \$12,000 per ton of VOC emissions reduced. There were no alternative RACT requirements approved for ACB under 25 Pa. Code § 129.99(e) that were below the economic feasibility benchmark value; and therefore, 25 Pa. Code § 129.114(i)(1)(ii) does not apply. In addition, because ACB did not identify any new or upgraded pollutant-specific air cleaning devices, air pollution control technologies, or techniques, a new technical and economic feasibility analysis per 25 Pa. Code § 129.114(i)(2) is not required.

For Source IDs 154, 158, 159, and 161, ACB submitted an Alternative RACT and Compliance Proposal in accordance with 25 Pa. Code § 129.114(d).

Source ID	Source Description	VOC Emissions TPY		Proposed RACT for VOC Emissions
		Actual	Potential	
154	Can Line—Two (2) Can Fillers	10.98	26.70	Maintain and operate the source in accordance with the manufacturer's specifications and with good operating practices.
158	Packaging—Bottle Filler No. 2	6.73	16.21	
159	Casking Operation (Cask House)	1.79	6.12	
161	Off Spec Product Destruction—Can Crusher	-	11.00	

1. The company shall maintain and operate the sources in accordance with the manufacturer's specifications and with good operating practices.

2. The company shall operate the sources in accordance with the following good operating and maintenance practices of the associated equipment, which constitutes RACT for the Can and Bottle Fillers, Casking Operations, and Can Crushers equipment.

SOURCE IDS 154: CAN LINE—TWO (2) CAN FILLERS

1. Source ID 154 shall use automated equipment to provide consistent and expected results during normal filling operations.

2. Source ID 154 shall be equipped with automated alert systems that trigger an alert when shutdowns occur from filling activities that are not within proper specifications.

3. The company shall perform periodic checks on the equipment to ensure no leaks are present. If any leaks are discovered, they are recorded and serviced, which prevents fugitive emissions from the source.

SOURCE IDS 158: PACKAGING BOTTLE FILLER NO. 2

1. Source ID 158 shall use automated equipment to provide consistent and expected results during normal filling operations.

2. Source ID 158 shall be equipped with automated alert systems that trigger an alert when shutdowns occur from filling activities that are not within proper specifications.

3. The company shall perform periodic checks on the equipment to ensure no leaks are present. If any leaks are discovered, they are recorded and serviced, which prevents fugitive emissions from the source.

SOURCE ID 159: CASKING OPERATION (CASK HOUSE)

1. Source ID 159 shall comply with the existing throughput limit of 1,750 barrels. ACB records their annual throughput in a 12-month rolling period, to demonstrate that the throughput limit is not being exceeded.

2. The company shall perform periodic checks on the equipment to ensure no leaks are present. If any leaks are discovered, they are recorded and serviced, which prevents fugitive emissions from the source.

SOURCE ID 161: OFF-SPEC PRODUCT DESTRUCTION—CAN CRUSHER

1. The Source ID 161 shall use an enclosed system, which minimizes the fugitive emissions from the crushing of products that do not meet quality specifications (off-spec) products. After crushing, the enclosed system shall collect spilled and evaporated off-spec product and routes it to wastewater treatment operations.

2. The company shall perform monthly inspections and annual routine maintenance on the can crusher to reduce the likelihood of operational failure and prevents leaks.

3. The company shall perform periodic checks on the equipment to ensure no leaks are present. If any leaks are discovered, they are recorded and serviced, which prevents fugitive emissions from the source.

In accordance with 25 Pa. Code § 129.115(f), ACB will keep sufficient records for demonstrating compliance with the RACT 3 Rule. Sufficient records include, but are not limited to:

- Sufficient data and calculations to demonstrate that the requirements of 25 Pa. Code §§ 129.112—129.114 are met.
- Data or information required to determine compliance shall be recorded and maintained in a time frame consistent with the averaging period of the requirement.
- Records necessary to determine compliance will be reported to PA DEP on a schedule specified in the applicable regulation or as otherwise specified in the operating permit.

Public Comment Details:

A 30-day public comment period is provided for persons wishing to file a written protest, objection, comments or additional information, which they believe should be considered prior to the issuance of a permit. The written comments, information, protests or objections may be submitted to Shailesh Patel, Environmental Engineering Manager, Air Quality Program, at 2 Public Square, Wilkes-Barre, PA 18701-1915, or at spatel@pa.gov on or before the closing date of this 30-day public comment period. The 30-day public comment period closes on date 30 days from publication date of this *Pennsylvania Bulletin*.

Each written submission must contain the name, address and telephone number of the person submitting the comments, identification of the RACT 3 plan approval, including the permit number, and a concise statement regarding the RACT 3 plan approval provision or requirement that the person is commenting on and the relevancy of the information or objections to issuance of the RACT 3 plan approval.

Public hearing. A public hearing will be held on November 13, 2024, at 10:00 a.m. at the DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915, to accept oral comments on the proposed RACT 3 plan approval action and the proposed SIP revision. To register to speak at the hearing, please contact Shailesh Patel at 570.826.2511. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be the Friday before the hearing.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing may submit a written statement and exhibits within 10 days thereafter to Shailesh Patel, EEM, Air Quality Program at 2 Public Square, Wilkes-Barre, PA 18701-1915, or at spatel@pa.gov.

All pertinent documents are available electronically for public review and copies can be requested by contacting Shailesh Patel, EEM, Air Quality Program at 570.826.2511 or at spatel@pa.gov.

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

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

16-00133, Clarion Bathware Mfg, 16273 Route 208, Marble, PA 16334-1515, Elk Township, **Clarion County**. Application received: April 17, 2023. The Department intends to issue the renewal Title V Operating Permit for the bath product and unit production facility. The facility's primary emission sources include miscellaneous natural gas usage, the open molding processes (production resin, gelcoat, and acrylic resin), and saws and grinders. 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 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 potential emissions, after permit limitations, of the primary pollutants from the facility are as follows: 2.01 TPY (tons per year) NO_x, 1.21 TPY CO, 150.00 TPY VOC, 141.97 TPY total HAPs (hazardous air pollutants), 127.66 TPY Styrene, 14.28 TPY methyl methacrylate, 10.07 TPY PM₁₀ and PM_{2.5}, and 0.01 TPY SO_x. The open molding processes are subject to 40 CFR 63 Subpart WWWW NESHAP for Reinforced Plastic Composites Production. The facility is subject to case-by-case RACT 2 and 3 requirements under 25 Pa. Codes §§ 129.96—129.100 and 129.111—129.115 for emissions of VOC. This issuance incorporates the new RACT 3 provisions on a facility and source-by-source basis. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

56-00181, Southern Alleghenies Landfill, Inc., 843 Miller Picking Road, Davidsville, PA 15928, Conemaugh Township, **Somerset County**. Application received: November 6, 2023.

Intent to issue: 05_05_NOI to Issue Title V Oper Pmts Subchapter G:

56-00181: Southern Alleghenies Landfill, Inc., Davidsville, PA 15928. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a Title V Operating Permit (TVOP-56-000181) renewal to Southern Alleghenies Landfill, Inc. for the operation of a municipal solid waste landfill in Conemaugh Township, Somerset County, PA.

The Southern Alleghenies landfill accepts municipal solid wastes, construction/demolition wastes, and approved residual and special handling wastes. The disposal capacity of the landfill is estimated at 23.9 million tons of waste. Sources and emissions at this facility consist of the landfill itself (consisting of disposal areas being constructed, disposal areas actively accepting waste, and closed disposal areas), roads, and earthmoving equipment. This facility has the potential emissions per year of the following type and quantity of air contaminants: 42.62 tons of nitrogen oxides, 94.80 tons of carbon monoxide, 25.53 tons of particulate matter, 19.04 tons of sulfur oxides, 8.16 tons of volatile organic compounds and 5.68 tons of HAPs.

The proposed TVOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145, 40 CFR Part 62 Subpart OOO, 40 CFR Part 63 Subpart AAAA, 40 CFR Part 60 Subpart Cf, 40 CFR Part 60 Subpart OOO and 40 CFR Part 63 Subpart ZZZZ.

A person may oppose the proposed Title V Operating Permit renewal, by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to nnaharr@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. 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 Title V Operating Permit (TV-56-00181) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

All comments must be received prior to the close of business 30 days after the date of this publication.

OPERATING PERMITS

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

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

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

17-00063, Pennsylvania Grain Processing, LLC, 250 Technology Drive, Clearfield, PA 16830-2663, Clearfield Borough, **Clearfield County**. Application received: September 8, 2023. The Department is reviewing an application for the renewal of their Clearfield ethanol plant's State Only Synthetic Minor Operating Permit authorization SMOP 17-00063, to permit continued operation of the existing source operations to manufacture ethanol and other product. The facility's sources are comprised of the Source IDs 041 and 042 boilers, the Source ID P189 grain storage silos, the Source ID P201 corn receiving and storage operation, the Source ID P202

corn milling operations, the Source ID P203 ethanol manufacturing source, the Source ID P204 fermentation system, the Source ID P205 dried distiller grain and soluble (DDGS) storage areas and equipment, the Source ID P206 above ground storage tanks, the Source ID P207 ethanol load operation, the Source ID P209 fire pump, the Source ID P210 cooling towers, and the other existing source equipment onsite, such as the baghouse and thermal oxidation equipment in place and used to control the previously listed processes. The Department of Environmental Protection's (Department) review of the renewal application information submitted by the company indicates that the air contamination sources in operation will comply with all regulatory requirements pertaining to them and the emission of air contaminants including the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the work practices established pursuant to 25 Pa. Code § 127.444 and other applicable regulatory requirements including 40 CFR Part 60, Subparts Db and VVa. Based on this finding, the Department intends to issue the renewal of SMOP 17-00063 and incorporate the minor changes that were submitted within the renewal State Only Synthetic Minor Permit application. Moreover, the previously listed facility's type and quantity of pollutants that are estimated to be emitted are following: 80.0 tons/year (tpy) NO_x; 86.0 tpy CO; 48.4 tpy VOC; 80.6 tpy PM₁₀; 31.9 tpy SO_x (as SO₂); and 12.5 tpy HAPs. Additionally, the renewal authorization's applicable requirements were derived from 25 Pa. Code Article III, Chapters 121 and 145, relating to Air Resources. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

41-00062, Wheeland Lumber Company, Inc., 3558 Williamson Trail, Liberty, PA 16930-9065, Jackson Township, **Lycoming County**. Application received: June 20, 2024. Wheeland Lumber Company, Inc. has submitted for the renewal of their Lycoming lumber plant's State Only Natural Minor Operating Permit authorization NMOP 41-00062, to permit the continued operation of the existing source operations to manufacture lumber and other product. The facility's sources are comprised of Source IDs 031 and 034 wood fired boilers, the Source ID 033 oil fired furnace, the Source ID P101 solvent degreasing station, the Source ID P102 diesel fired emergency generators, the Source ID P103 Dimensional lumber processing area, the Source ID P104 twelve (12) lumber drying kilns, and the other existing source equipment onsite, such as the Multi-Cyclone collectors and the various diesel and gasoline fuel tanks. The Department of Environmental Protection's (Department) review of the renewal application information submitted by the company indicates that the air contamination sources in operation will comply with all regulatory requirements pertaining to them and the emission of air contaminants including the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the work practices established pursuant to 25 Pa. Code § 127.444 and other applicable regulatory requirements including 40 CFR Part 63 Subpart ZZZZ and Subpart JJJJJ as well as 40 CFR Part 60 Subpart Dc. Based on this finding, the Department intends to issue the renewal of NMOP 41-00062 and incorporate the minor changes that were submitted within the renewal State Only Natural Minor permit application. Moreover, the previously listed facility's type and quantity of pollutants that are estimated to be

emitted are following: 25.4 tons/year (tpy) NO_x; 36.1 tpy of CO; 4.8 tpy of VOC; 25.3 tpy of PM₁₀; 2.1 tpy of SO_x; and 1.8 tpy of Haps. Additionally, the renewal authorization's applicable requirements were derived from 25 Pa. Code Article III, Chapters 121 and 145, relating to Air Resources. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

47-00003, PA DPW Danville State Hospital, 50 Kirkbride Drive, Danville, PA 17821-8360, Mahoning Township, **Montour County**. Application received: January 18, 2024. The Department plans to issue a renewal of a State Only Operating Permit for their Danville State Hospital facility. The facility is currently operating under Title V Operating Permit 47-00003. The facility's main sources include The E. Keeler Boiler, dual fired 25.6 MMBtu/hr English boiler and tube, Natural gas fired Vs-2 boiler, Propane fired emergency, generator six (6) diesel fired emergency generators, Distillate No. 2 storage tanks, and one (1) diesel fired emergency fire pump. The E. Keeler boiler is accompanied by a multicyclone control device. The facility has actual emissions 3.3 tpy of CO, 5.9 tpy NO_x, 0.4 tpy of PM₁₀, 03 tpy VOC and 0.1 tpy HAPs as of the 2023 inspection. The E. Keeler boiler (Source ID 031) is subject to 40 CFR Part 63 Subpart JJJJJ. The facility must achieve compliance with CO and Hg standards for existing affected coal units prior to the compliance date and show compliance, within 180 days of the compliance date, by conducting EPA reference method stack testing for CO emissions and Hg emissions (unless fuel analysis for Hg was elected). The dual fired English boiler and tube (Source ID 035) is subject to SO₂ standard from Subpart Dc which requires the SO₂ emissions from the unit to be less than 0.50 lb/MMBtu of heat input or restricts the sulfur content of oil fired in the unit to no more than 0.0015% by weight. The facility will be required to, for each distillate No. 2 fuel oil delivery, obtain fuel certifications that satisfy Subpart Dc and 25 Pa. Code Chapter 139 from the fuel supplier(s) and submit these records on a six-month basis. Therefore, the applicable reporting schedule requirement from Subpart Dc was included in the SOOP, as specified in 40 CFR 60.48c(j). The emergency engines, except as provided as follows, incorporated into Source IDs P101 and P102 are subject to the requirements in 40 CFR Part 63 Subpart ZZZZ because they are defined to be existing emergency stationary RICE and do not meet the criteria specified in 40 CFR 63.6585(f)(3). To avoid being defined otherwise and potentially subject to emission restrictions and/or requirements to install controls from Subpart ZZZZ, the emergency engines can only be operated for purposes of readiness testing and non-emergency demand response as defined by 40 CFR 63.6640(f)(4)(ii), or during emergency situations, e.g. grid power loss to the facility due to events beyond the control of the facility. Operation for readiness testing is limited to 100 hours per year in accordance with 40 CFR 63.6640(f)(2). The operation for non-emergency demand response purposes is limited to 50 hours per year and this counts toward the 100 hours per year allowed by 40 CFR 63.6640(f)(2), as specified in 40 CFR 63.6640(f)(2) and (f)(4). The emergency fire pump denoted as Source ID P106 is subject to the requirements in 40 CFR Part 60 Subpart IIII because they are defined to be a new emergency stationary RICE and do not meet the criteria specified in 40 CFR 60.4200. To avoid being defined otherwise and potentially subject to emission

restrictions and/or requirements to install controls from Subpart III, the emergency engines can only be operated for purposes of readiness testing and non-emergency demand response as defined by 40 CFR 60.4214, or during emergency situations, e.g. grid power loss to the facility due to events beyond the control of the facility. Operation for readiness testing is limited to 100 hours per year in accordance with 40 CFR 60.4211. The operation for non-emergency demand response purposes is limited to 50 hours per year and this counts toward the 100 hours per year allowed by 40 CFR 60.4209. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121–145 as well as 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

08-00010T, Global Tungsten & Powders LLC, 1 Hawes Street, Towanda, PA 18848, North Towanda Township, **Bradford County**. Application received: April 22, 2024. Global Tungsten & Powders LLC plans for the construction of a natural gas/propane-fired Harper 30" diameter tungsten scrap calciner, to be controlled by a dust collector followed by a HEPA filter in series, at the Towanda Facility. The Department of Environmental Protection's (Department) review of the information submitted by Global Tungsten & Powders Corp. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction. The emissions from the proposed tungsten scrap calciner and associated material handling activities will not exceed 1.7 tons per year (tpy) of particulate matter, 1.3 tpy of nitrogen oxides, 0.7 tpy of carbon monoxide, 0.1 tpy of volatile organic compounds, and 1,019 tpy of greenhouse gases (CO₂ equivalents). In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements. Calciner # 9 shall only be fired on natural gas or propane. No more than 1,200 lbs/hr of tungsten-containing material may be processed in Calciner # 9. The dust collector and HEPA filter shall each be equipped with instrumentation to continuously monitor the pressure drop across the control device. The permittee shall record the pressure drop across the dust collector and HEPA filter at least once per operating day. The permittee shall maintain records, including supporting calculations, as necessary to demonstrate compliance with the particulate matter emissions and hourly throughput limitations. These records shall be kept on site for a minimum of five years and shall be presented to the Department upon request. The permittee shall keep on hand sufficient quantity of spare fabric collector bags and filters for all collectors and filters at the facility in order to be able to immediately replace any bag or filter requiring replacement. Any air compressor used to provide compressed air to any of the collectors or filters shall

be equipped with an air dryer and an oil trap. The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 08-00010T, the requirements established in the plan approval will be incorporated into State Only Operating Permit 08-00010 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

08-00010U, Global Tungsten & Powders LLC, 1 Hawes Street, Towanda, PA 18848, North Towanda Township, **Bradford County**. Application received: April 22, 2024. Global Tungsten & Powders LLC plans for the construction of a natural gas/propane-fired Harper 30" diameter tungsten scrap calciner, to be controlled by a dust collector followed by a HEPA filter in series. The Department of Environmental Protection's (Department) review of the information submitted by Global Tungsten & Powders Corp. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction. The emissions from the proposed tungsten scrap calciner and associated material handling activities will not exceed 1.7 tons per year (tpy) of particulate matter, 1.3 tpy of nitrogen oxides, 0.7 tpy of carbon monoxide, 0.1 tpy of volatile organic compounds, and 1,019 tpy of greenhouse gases (CO₂ equivalents). In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements. Calciner # 10 shall only be fired on natural gas or propane. No more than 1,200 lbs/hr of tungsten-containing material may be processed in Calciner # 10. The dust collector and HEPA filter shall each be equipped with instrumentation to continuously monitor the pressure drop across the control device. The permittee shall record the pressure drop across the dust collector and HEPA filter at least once per operating day. The permittee shall maintain records, including supporting calculations, as necessary to demonstrate compliance with the particulate matter emissions and hourly throughput limitations. These records shall be kept on site for a minimum of five years and shall be presented to the Department upon request. The permittee shall keep on hand sufficient quantity of spare fabric collector bags and filters for all collectors and filters at the facility in order to be able to immediately replace any bag or filter requiring replacement. Any air compressor used to provide compressed air to any of the collectors or filters shall

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.

14-00020, Heidelberg Materials NE, LLC, 7600 Imperial Way, Suite 103, Allentown, PA 18195, College Township, **Centre County**. Application received: May 10, 2024. DEP plans to issue a renewal State Only Operating Permit for their Oak Hall Quarry Plant 141. The facility is currently operating under State Only Operating Permit 14-00020. The facility's sources include a non-metallic mineral crushing plant consisting of multiple crushers, conveyors and screens, one cold cleaning degreaser, onsite unpaved haul roads and miscellaneous heaters, engines and storage tanks. Particulate emissions from the stone screening and crushing operation are controlled by a water spray dust suppression system. The facility has potential emissions of 25.3 tons per year (tpy) of particulate matter, 15.7 tpy of nitrogen oxides, 3.4 tpy of carbon monoxide, 1.1 TPY of volatile organic compounds, 0.03 tpy of hazardous air pollutants, and 765 tpy of greenhouse gases. No emission or equipment changes are being proposed by this action. Seven screens at this plant are subject to 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Part 60. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

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

48-00122, II-VI Advanced Materials LLC, 5000 Ericsson Dr, Suite 300, Warrendale, PA 15086, Palmer Township, **Northampton County**. Application received: July 19, 2024. The Department intends to issue an initial State-Only Operating Permit (synthetic minor) for the Palmer Township facility. Sources at this facility includes their reactors and HCl tanks. This also includes EPI reactor scrubbers and an emergency HCl scrubber 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.

40-00084, Lacey Memorial, 1000 S Church St. Rear, Hazleton, PA 18201-7667, City of Hazleton, **Luzerne County**. Application received: August 23, 2024. The Department intends to issue a renewal State-Only Operating Permit (natural minor) for the Hazleton facility. Sources at this facility includes their pet crematories. Sources also include afterburners 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.

40-00128, Intermetro Industries Corp., 1101 N Washington St, Wilkes-Barre, PA 18705-1817, City of Wilkes-Barre, **Luzerne County**. Application received: August 26, 2024. The Department intends to issue a renewal State-Only Operating Permit (natural minor) for the Wilkes-Barre facility. Sources at this facility includes their burn-off oven, cleaning tanks, plating tanks, coat tanks, polish tanks, arc welding fab area, silicone sealant application booth, and two emergency generators. This also includes scrubbers 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.

39-00094, Blend Pro Inc., 601 S 10th St., Allentown, PA 18103-3689, City of Allentown, **Lehigh County**. Application received: August 14, 2024. The Department intends to issue a renewal State-Only Operating Permit (natural minor) for the Allentown facility. Sources at this facility includes their storage silos and raw material receivers. This also includes baghouses for silos and bin vents 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.

42-00223, Kinder Morgan Inc., Tennessee Gas Pipeline Company LLC, Station 310, 1001 Louisiana St, Suite 1000, Houston, TX 77002-5089, Sergeant Township, **McKean County**. Application received: May 4, 2023. The Department intends to issue a renewal of the Natural Minor Operating Permit for the natural gas transmission station. The facility's primary emission sources include a 16,000 hp combustion turbine, a 570 hp emergency natural gas engine, miscellaneous natural gas fired sources and minor fugitive emissions. The turbine is subject to 40 CFR 60 Subpart KKKK pertaining to the NSPS for Stationary Combustion Turbines. The emergency engine is subject to 40 CFR 60 Subpart JJJJ pertaining to the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The potential emissions from the facility are 31 TPY NO_x; 67 TPY CO; 5 TPY VOC; 2 TPY SO_x; 4 TPY PM₁₀; 2 TPY formaldehyde; 2 TPY HAPs; and 73,167 TPY GHG CO_{2e}.

61-00218, Kinder Morgan Inc., Tennessee Gas Pipeline Company LLC, Station 303, 1001 Louisiana St, Suite 1000, Houston, TX 77002-5089, Cranberry Township, **Venango County**. Application received: May 4, 2023. The Department intends to issue a renewal of the Natural Minor Operating Permit for the natural gas transmission station. The facility's primary emission sources include a 14,721 hp natural gas compressor turbine, a 578 hp emergency generator fueled by a natural gas engine, miscellaneous natural gas fired sources and minor fugitive emissions. The turbine is subject to 40 CFR 60 Subpart KKKK pertaining to the NSPS for Stationary Combustion Turbines. The emergency engine is subject to 40 CFR 60 Subpart JJJJ pertaining to the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The potential emissions from the facility are 31 TPY NO_x; 68 TPY CO; 5 TPY VOC; 2 TPY SO_x; 4 TPY PM₁₀; 2 TPY

formaldehyde; 2TPY HAPs; and 65,910 TPY GHG CO₂e. The conditions of the plan approval were incorporated into the operating permit.

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.

46-00301, PECO Energy Co/Flint Hill Site, 253 Flint Hill Rd, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. Application received: February 28, 2024. This action is for the renewal of a Natural Minor Operating Permit for a portable non-metallic processing plant and supporting engine. Fugitive particulate matter emissions are controlled by a wet suppression system. The potential to emit all criteria pollutants, including Volatile Organic Compound (VOC), Nitrogen Oxide (NO_x), Carbon Monoxide (CO), Particulate Matter (PM), and Hazardous Air Pollutant (HAP) emissions is less than major source thresholds; the facility is classified as a Natural Minor Facility. The requirements of 40 CFR Part 60 Subpart OOO (NSPS) apply to the new unit. The permit will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

PLAN APPROVALS

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

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

Contact: Shailesh R Patel, P.E., New Source Review Chief, 570-826-2357.

40-00125C, Sunlight Crematory of Wilkes-Barre, LLC, 628 Nanticoke Street, Hanover Township, PA 18706, Hanover Township, **Luzerne County**. Application received: May 2, 2024. In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Sunlight Crematory of Wilkes-Barre, LLC, 628 Nanticoke Street, Hanover Township, PA 18706, for their facility in Hanover Township, Luzerne County. This Plan Approval No. 40-00125C will be incorporated into a Natural Minor Permit at a later date.

Plan Approval No.40-00125C is for the installation and operation of one (1) animal remains incinerator fired by natural gas. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and shall be required to maintain the temperature at the exit of the secondary (or last) chamber at 1800° F or higher and be maintained throughout the cremation cycle. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Permit No. 40-00125C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Shailesh R Patel, P.E., Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

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

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity

permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

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

Coal Applications

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

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l

pH must always be greater than 6.0; less than 9.0.
Alkalinity must always be greater than acidity.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 49970203. Admiral Carbon, LLC, 10 Gilberton Road, Gilberton, PA 17934, Coal Township, **Northumberland County**. Transfer of an existing anthracite coal refuse reprocessing operation from Mallard Contracting Co., Inc. and correction to update the post-mining land use to unmanaged natural habitat affecting 509.0 acres. Receiving stream: Shamokin Creek, classified for the following use: WWF. Application received: August 20, 2024.

Mining Permit No. 54850104. Bell Corp., P.O. Box 131, Tuscarora, PA 17982, Schuylkill Township, **Schuylkill County**. Renewal of an anthracite surface mine operation affecting 102.5 acres. Receiving stream: Schuylkill River, classified for the following uses: CWF, MF. Application received: August 23, 2024.

Mining Permit No. 49870201. Susquehanna Coal Co., P.O. Box 27, Nanticoke, PA 18634, Mt. Carmel Township and Kulpmont Borough, **Northumberland County**. Renewal of an anthracite coal refuse reprocessing operation and correction to delete 14.0 acres from the permit affecting 170.7 acres. Receiving stream: North Branch Shamokin Creek, classified for the following uses: CWF, MF. Application received: August 23, 2024.

Mining Permit No. 13940201. Rossi Excavating Company, 10 Centtown Road, Beaver Meadows, PA 18216, Banks Township, **Carbon County**. Renewal of an anthracite coal refuse reprocessing and preparation plant operation affecting 11.5 acres. Receiving stream: Wetzel Creek, classified for the following uses: CWF, MF. Application received: August 30, 2024.

Noncoal Applications

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

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l

Alkalinity must always exceed acidity.
pH must always be greater than 6.0; less than 9.0.

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

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

Mining Permit No. 37160301. NPDES No. PA0280682. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Slippery Rock Township, **Lawrence County**. Renewal of an NPDES permit associated with a Large Industrial Minerals mining site affecting 601.5 acres. Receiving stream(s): Slippery Rock Creek classified for the following use(s): CWF. Application received: September 3, 2024.

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

Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8101.

Mining Permit No. 17020801. Michael Buhler, 204 Grand Slam Rd., Ridgway, PA 15853, Huston Township, **Clearfield County**. Final bond release for a small noncoal surface mining operation. Restoration of 1.0 acre was completed. Application received: June 4, 2024. Accepted: June 5, 2024. Approved: September 11, 2024.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

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

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

Effluent Limits for Noncoal Mining Activities

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

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

Coal NPDES Draft Permits

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

Contact: Bonnie Herbert, Clerical Assistant 3.

NPDES No. PA0215171. Mining Permit No. 63981301. Ohio County Coal Resources, Inc., 46226 National Road, St. Clairsville, OH 43950, West Finley Township, **Washington County.** Application received: November 27, 2023. Accepted: January 23, 2024.

A renewal to the NPDES permit, affecting 6.0 surface acres and 497.39 underground acres. Receiving stream(s): Enlow Fork of Wheeling Creek, classified for the following use: TSF.

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

The proposed effluent limits for Outfall 001 discharging to Enlow Fork of Wheeling Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	Report
Iron	(mg/l)	-	3.0	7.0
Suspended Solids	(mg/l)	-	35	90
Manganese	(mg/l)	-	2.0	5.0
Aluminum	(mg/l)	-	0.75	0.75
Sulfate	(mg/l)	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	Report
Chloride	(mg/l)	-	-	Report

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-

The EPA Waiver is not in effect.

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

Contact: Cassie Stanton, Clerical Assistant 2.

NPDES No. PA0219801. Mining Permit No. 17940107. River Hill Coal Company, Inc., P.O. Box 141, Kylertown, PA 16847, Karthaus Township, **Clearfield County.** Application received: June 28, 2024.

Renewal of an NPDES permit for bituminous surface coal mining operation, affecting 531 acres. Receiving stream(s): Unnamed Tributaries to Saltlick Run and Unnamed Tributaries to Upper Three Runs classified as HQ-CWF, and Unnamed Tributaries to the West Branch Susquehanna River and the West Branch Susquehanna River classified as CWF.

The following outfalls require a non-discharge alternative:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
032	Existing	TB-CC1	No Discharge
033	Existing	TB-CC2	No Discharge
034	Existing	TB-NNDA	No Discharge

There is no proposed surface discharge from the previously listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of perforated pipes to spread water over a large area to facilitate infiltration for 032 and 033 and an infiltration gallery (trenches with perforated pipe laterals) for 034. Instantaneous maximum BAT limits will be applied to the outfall effluent entering the non-discharging systems for the protection of the groundwater.

For treatment facility TB-NNDA (034), the permittee must also analyze for nickel ($\mu\text{g/L}$) and selenium ($\mu\text{g/L}$) as report only.

The following outfalls discharge to an unnamed tributary to the West Branch Susquehanna River (monitored at sampling point P58):

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
013	Existing	SP-A	Precipitation Dependent
014	Existing	SP-B	Precipitation Dependent

The following outfalls discharge to an unnamed tributary to Upper Three Runs (monitored at sampling point 220):

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
015	Existing	SP-C	Precipitation Dependent
016	Existing	SP-D	Precipitation Dependent
017	Existing	SP-E	Precipitation Dependent

The following outfalls discharge to an unnamed tributary to Saltlick Run (monitored at sampling point T4):

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
020	Existing	SP-H	Precipitation Dependent
021	Existing	SP-I	Precipitation Dependent

The following outfall discharges to an unnamed tributary to the West Branch Susquehanna River:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
030	Existing	SP-R	Precipitation Dependent

The proposed effluent limits for the following outfalls are as follows:

Outfalls: 013 and 014 (All Weather Conditions)

<i>Parameters</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.7	3.4	4.2
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature ($^{\circ}\text{C}$)		Monitor & Report	
Specific Conductivity ($\mu\text{mhos/cm}$)		Monitor & Report	

Outfalls: 013 and 014 (All Weather Conditions)
Parameters

	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Nitrate (mg/L)		Monitor & Report	
Nitrite (mg/L)		Monitor & Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The proposed effluent limits for the following outfalls are as follows:

Outfalls: 015—017 (All Weather Conditions)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.4	4.8	6.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & Report	
Nitrate (mg/L)		Monitor & Report	
Nitrite (mg/L)		Monitor & Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The proposed effluent limits for the following outfalls are as follows:

Outfalls: 020 and 021 (Dry Weather Conditions)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)		Monitor & Report	
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & Report	
Nitrate (mg/L)		Monitor & Report	
Nitrite (mg/L)		Monitor & 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: 020 and 021 (≤10-yr/24-hr Precip. Event)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & 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: 020 and 021 (>10-yr/24-hr Precip. Event)

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

The proposed effluent limits for the following outfalls are as follows:

Outfalls: 030 (Dry Weather Conditions)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)		Monitor & Report	
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	

Outfalls: 030 (Dry Weather Conditions)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & Report	
Nitrate (mg/L)		Monitor & Report	
Nitrite (mg/L)		Monitor & 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: 030 (≤10-yr/24-hr Precip. Event)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & 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: 030 (>10-yr/24-hr Precip. Event)

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

Noncoal 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. PA0269255. Mining Permit No. 11130301. New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Jackson Township, **Cambria County**. Renewal of an NPDES permit affecting 206 acres related to a noncoal mining activity permit. Receiving stream: unnamed tributaries to Bracken Run, classified for the following use: CWF. The receiving streams are included in the Kiski-Conemaugh TMDL. Application received: September 15, 2023.

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

This permit employs non-discharge alternatives for some outfalls. There will be no point source discharges from outfalls 001, 009, or 010. Point source discharges from the emergency spillways of stormwater facilities 004 and 008 will occur for precipitation events in excess of the 10-year 24-hour event. Outfalls 003, 006, and 007 represent point source discharges.

The following treated wastewater outfalls discharge to unnamed tributaries to Bracken Run:

<i>Outfall Number</i>	<i>New or existing</i>	<i>Type</i>	<i>Discharge Rate</i>
003 (TF-03)	Existing	Pit Water	Precipitation Induced

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

Outfalls 003 (ALL Discharges)

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Suspended Solids (ml/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	10.0
Total Iron (mg/L)	XXX	1.5	3.0	3.7
Total Manganese (mg/L)	XXX	1.0	2.0	2.5
Total Aluminum (mg/L)	XXX	0.75	0.75	0.75
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report

The following treatment facility outfalls discharge infiltration galleries:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001 (TF-01)	Existing	Pit Water	0.007 MGD
009 (TP-1)	Existing	Pit Water	0.007 MGD

The proposed effluent limits for discharge to infiltration galleries from the treatment facility outfalls are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	XXX	XXX	7.0

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Manganese (mg/L)	XXX	XXX	XXX	5.0
Total Aluminum (mg/L)	XXX	XXX	XXX	5.0
Total Suspended Solids (mg/L)	XXX	XXX	XXX	90.0
pH (S.U.)	6.0	XXX	XXX	10.0
Flow (gpm)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

The following stormwater outfalls discharge to unnamed tributaries to Bracken Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
004 (Pond 2)	Existing	Stormwater	Precipitation Induced
006 (Pond 4)	Existing	Stormwater	Precipitation Induced
007 (Pond 5)	Existing	Stormwater	Precipitation Induced
008 (Pond 1)	Existing	Stormwater	Precipitation Induced

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

Outfalls 004 and 006—008 (All Discharges)

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Suspended Solids (ml/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	10.0
Total Iron (mg/L)	XXX	1.5	3.0	3.7
Total Manganese (mg/L)	XXX	1.0	2.0	2.5
Total Aluminum (mg/L)	XXX	0.75	0.75	0.75
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report

The following stormwater facility outfalls discharge to infiltration galleries:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
009 (Pond 1)	Existing	Stormwater	Precipitation Induced
010 (Pond 2)	Existing	Stormwater	Precipitation Induced

The proposed effluent limits for discharge to infiltration galleries from the treatment facility outfalls are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	XXX	XXX	7.0
Total Manganese (mg/L)	XXX	XXX	XXX	5.0
Total Aluminum (mg/L)	XXX	XXX	XXX	5.0
Total Suspended Solids (mg/L)	XXX	XXX	XXX	90.0
pH (S.U.)	6.0	XXX	XXX	10.0
Flow (gpm)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

NPDES No. PA0279579. Mining Permit No. 11190801. Hite Coal & Stone Supply, LLC, P.O. Box 350, Carrolltown, PA 15722, East Carroll Township, **Cambria County**. NPDES renewal of small noncoal (industrial minerals) operation affecting 5.0 acres. Receiving stream: Laurel Lick Run, classified for the following use: HQ-CWF. Application received: July 25, 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 noncoal mining activities.

No treatment ponds, sediment ponds, or outfalls exist onsite because all water is contained within the permit and infiltrates through the shale material.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

NPDES Permit No. PA0224693. Mining Permit No. 64080301. H & K Group, Inc., P.O. Box 196, Skippack, PA 19474, Palmyra Township, **Wayne County**. Application received: September 11, 2023.

Renew an NPDES permit affecting 79.2 acres. Receiving stream: UNT to Wallenpaupack Creek, classified for the following use: HQ-CWF.

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

The following treated wastewater outfalls discharge to UNT to Wallenpaupack Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
002	Existing	Treatment Facility Outfall	0.5 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Turbidity (NTU)		40.0	80.0	100.0
Discharge (MGD)		0.5		

ⁱThis Parameter is applicable at all times.

NPDES Permit No. PA0594369. Mining Permit No. 7973SM3. Naceville Materials Joint Venture, 350 South Main Street, Doylestown, PA 18901, Wrightstown Township, **Bucks County**. Application received: October 12, 2023.

Renew NPDES permit affecting 60.0 acres. Receiving stream: Mill Creek, classified for the following use: WWF.

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

The following treated wastewater outfalls discharge to Mill Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Facility Outfall	1.0 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)		1.0		

ⁱThis Parameter is applicable at all times.

NPDES Permit No. PA0224931. Mining Permit No. 6475SM10 & 40970302. Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, Jenkins Township, **Luzerne County**. Application received: May 23, 2024.

Renew an NPDES permit affecting 181.74 acres. Receiving stream: Lampblack Creek, classified for the following use: CWF; Susquehanna River Final TMDL, Gardiner Creek Segment applies.

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

The following treated wastewater outfalls discharge to Lampblack Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Pitwater/Stormwater	0.30 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>	<i>Allowable Load Lbs./day</i>
pH ⁱ (S.U.)	6.0			9.0	
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report		
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report		
Net Alkalinity (mg/L)	0.0				
Total Suspended Solids (mg/L)		35.0	70.0	90.0	
Discharge (MGD)		0.3	1.0		
Total Iron (mg/L)		1.5	3.0	4.0	17.83
Total Manganese (mg/L)		1.0	2.0	2.5	9.71
Total Aluminum (mg/L)		0.75	0.75	0.75	6.77
Oil and Grease (mg/L)			Monitor And Report		

ⁱThis Parameter is applicable at all times.

NPDES Permit No. PA0594563. Mining Permit No. 7775SM4 & 06960301. Heidelberg Materials US Cement, LLC, 7660 Imperial Way, Allentown, PA 18195, Oley Township, **Berks County**. Application received: June 4, 2024.

Renew an NPDES permit affecting 303.0 acres. Receiving stream: UNT to Manatawny Creek, classified for the following use: CWF. Application received: June 4, 2024.

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

The following treated wastewater outfalls discharge to UNT to Manatawny:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Pitwater/Stormwater	4.3 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)		4.3	6.5	

ⁱThis Parameter is applicable at all times

NPDES Permit No. PA0223948. Mining Permit No. 22880301. Byler Quarries, LLC, 118 Springwood Drive, Suite 300, Lebanon, PA 17042, Lower Swatara Township, **Dauphin County**. Application received: June 3, 2024.

Transfer of an NPDES Permit affecting 60.10 acres. Receiving stream: Swatara Creek, classified for the following use: WWF.

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

The following treated wastewater outfall discharge to Swatara Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	TFO	8.34 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)		8.34	17.28	
Oil and Grease (mg/L)			Monitor And Report	

ⁱThis Parameter is applicable at all times

NPDES Permit No. PA0118433. Mining Permit No. 8074SM3. Harleysville Materials, LLC, P.O. Box 587, Berlin, NJ 08009, Lower Salford Township, **Montgomery County**. Application received: May 8, 2024.

Renew an NPDES permit affecting 43.8 acres. Receiving stream: East Branch Perkiomen Creek, classified for the following uses: TSF, MF.

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

The following treated wastewater outfalls discharge to East Branch Perkiomen Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Facility Outfall	0.3 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Oil and Grease (mg/L)			Monitor And Report	
Discharge (MGD)		0.3	0.6	

ⁱThis Parameter is applicable at all times.

NPDES Permit No. PA0226424. Mining Permit No. 58242502. Thomas J. Kazmierczak, Sr., 1000 Union Street, Taylor, PA 18517, New Milford Township, **Susquehanna County**. New NPDES permit affecting 11.3 acres. Receiving stream: Wellmans Creek, classified for the following uses: HQ-CWF, MF. Non-Discharging Best Management Practices will be in effect. Application received: January 29, 2024.

NPDES Permit No. PA0226459. Mining Permit No. 58242507. Thomas J. Kazmierczak, Sr., 1000 Union Street, Taylor, PA 18517, New Milford Township, **Susquehanna County**. New NPDES permit affecting 10.5 acres. Receiving stream: Salt Lick Creek, classified for the following uses: HQ-CWF, MF. Non-Discharging Best Management Practices will be in effect. Application received: April 17, 2024.

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)).

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.

E3502224-005. Dickson City Borough, 901 Enterprise Street, Dickson City, PA 18519, Dickson City Bor-

ough, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 22, 2024.

To construct and maintain the following water obstructions/encroachments associated with the Bernard Seminski Memorial Park Project: 1. A 111-foot long by 8-foot wide at-grade paved boat launch access drive with a 20-foot long by 8-foot wide precast boat ramp within the floodway of the Lackawanna River (CWF, MF). 2. To construct and maintain multiple obstructions/encroachments within the 100-year floodplain of the Lackawanna River (CWF, MF). These activities include the construction of a paved boat access drive, park signs, split rail fencing, paved parking areas, 5.5-foot wide and 8.0-foot wide walking trails, concrete picnic areas, basketball and tennis/pickleball courts, chain link fence, bocce ball court, horseshoe pits, volleyball court, two rain gardens resulting in removal of fill, a pavilion replacement and replacement ballfield dugouts. The proposed activities will be either replaced in kind, or newly constructed at or below existing grade. The activities will result in no additional fill within the floodplain. The project is located on the left of Elm Street approximately 0.1 mile after the intersection with Boulevard Ave. (Olyphant, PA Quadrangle, Latitude: 41° 27', 7", Longitude: -75° 37', 46") in Dickson City Borough, Lackawanna County.

E3502124-007. PA Department of Transportation, Eng District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Roaring Brook Township, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: August 8, 2024.

To authorize the following water obstructions and encroachments associated with the SR 0307 Section D53 Project: 1. To remove an existing stream crossing and to construct and maintain a new 63.4' wide single span bridge that will carry SR 0307 over Stafford Meadow Brook (HQ-CWF, MF) and Williams Bridge Reservoir having a normal clear span of 54' and a minimum underclearance of 11.9' and to construct and maintain appurtenant structure features. 2. Approximately 103-LF of a Tributary to Safford Meadow Brook (watercourse R2) will need to be permanently relocated due to the relocation of the PA-American Water Company access road relocation. 3. Approximately 138-LF of a Tributary to Safford Meadow Brook (watercourse R3) will need to be permanently relocated due to the relocation of the PA-American Water Company access road relocation. 4. To remove an existing stream crossing and to construct and maintain a new 20" high by 28" wide corrugated metal pipe arch culvert, depressed 6", carrying the PA American Water Company access road across combined flows from Tributaries (R2 and R3) to Stafford Meadow Brook (HQ-CWF, MF) and to construct and maintain appurtenant structure features. 5. To construct and maintain an outfall in the floodway of Stafford Meadow Brook (HQ-CWF, MF) consisting of an outfall pipe, endwall and riprap apron protection. 6. To construct and maintain a vegetated outfall channel (CH-200B) in the floodway of Stafford Meadow Brook (HQ-CWF-MF). 7. To permanently impact 0.02 acre of EV wetlands for the SR 307 bridge construction. The proposed project is located along SR 0307 approximately 2.5 miles southeast of the SR 0307/SR 0081 intersection (Olyphant, PA Quadrangle, Latitude: 41.380000°, Longitude: -75.616389°) in Roaring Brook Township, Lackawanna County.

E1302124-001. PA Department of Transportation, Eng District 5-0, 1002 Hamilton Street, Allentown, PA 18101, Penn Forest Township, Kidder Township, **Carbon**

County. U.S. Army Corps of Engineers Philadelphia District. Application received: July 11, 2024.

To authorize the following water obstructions and encroachments associated with the SR 0903 Section 04B Project: 1. To remove an existing stream crossing and to construct and maintain a new 62' wide single span bridge that will carry SR 0903 over Mud Run (HQ-CWF, MF) and having a normal clear span of 58.75' and a minimum underclearance of 6.7' and to construct and maintain appurtenant structure features. 2. To remove an existing stream crossing and to construct and maintain a new 25' wide 38" by 60" single span elliptical culvert that will carry Jordan Road over a tributary to Mud Run (HQ-CWF, MF) and to construct and maintain appurtenant structure features. 3. Approximately 0.02 acre of PEM wetland will be permanently filled from roadway improvements and scour protection. The proposed project is located along SR 0903 starting approximately 0.10 mile southwest of the SR 0903 and the SR 534 intersection (Blakeslee, PA Quadrangle, Latitude: 41.016669°, Longitude: -75.591349°) in Penn Forest and Kidders Townships, Carbon County.

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

Contact: 717-705-4802.

E0603224-004. Pennsylvania Historic and Museums Commission, 400 North Street—Keystone Building, Room N118, Harrisburg, PA 17120-0053, Exeter Township, **Berks County.** U.S. Army Corps of Engineers Philadelphia District. Application received: April 3, 2024.

To 1) replace and maintain a structurally deficient pedestrian bridge with a 6' x 50' wooden pedestrian bridge permanently impacting 300 square feet of Owatin Creek (WWF, MF) and permanently impacting approximately 40 square feet of wetlands. To 2) install a sediment forebay permanently impacting approximately 2,239 square feet of Daniel Boone Lake. All impacts are for the purpose of providing a safe crossing of Owatin Creek and ensuring the storage capacity of Daniel Boone Lake. The project is located at Daniel Boone Lake (Longitude: 40.29485, Latitude: -75.79865). Permanent wetland loss is less than 0.05 acre and replacement is not required.

E0103224-002. Pennsylvania Department of Conservation and Natural Resources, 400 Market Street,

Harrisburg, PA 17101, Menallen Township, **Adams County.** U.S. Army Corps of Engineers Baltimore District. Application received: July 12, 2024.

To install and maintain a 35-foot span, 9-foot wide fiberglass reinforced polymer trusses bridge across Mountain Creek (HQ-CWF, MF) and 31-linear feet of 18-inch HDPE pipe across a palustrine emergent wetland. Impacting 32-linear feet of stream and 0.01 acre of wetlands, all for the purpose of improving the Grave Ridge ATV trail. The project is located 0.76 mile from the intersection of Pine Grove Road and Woodrow Road (Latitude: 40.002089, Longitude: -77.353504) in Menallen Township, Adams County.

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

Contact: D. J. Stevenson, 412-442-4281, RA-EPSW-OGSUBMISSION@pa.gov.

E6307224-014. Columbia Gas Transmission, LLC, 1700 MacCorkle Avenue SE, Charleston, WV 24314, Donegal Township, **Washington County.** U.S. Army Corps of Engineers Pittsburgh District. Application received: August 20, 2024. Latitude: 40.141884°, Longitude: -80.456245°.

The project proposes to construct improvements to the existing access road for Donegal Well 4757 to reestablish the ability to regularly maintain, operate, and complete surveillance logging activities at the well site. Project proposes replacement of culverts at three (3) stream crossings which have degraded and/or washed out, restoration of existing gravel access road, and construction of one permanent gravel pad at well 4757. Project was previously permitted but authorized work has not yet been conducted and aquatic resource impacts have changed since previous permitting was authorized. Project proposes temporary and permanent impacts to three (3) existing wetlands and ten (10) existing streams (UNTs to Dutch Fork, a High Quality Warm Waters Fisheries) and their associated floodways. Proposed project impacts include replacement and/or installation of culverts at three (3) stream crossings, improvement of existing gravel access road and well 4757 gravel pad, stockpiling of soils, installation of temporary flume pipes and riprap outlet protection, installation of timber mat bridges over streams and wetlands for equipment crossing, and site restoration post-construction.

Stream Impacts								
Resource Name	Aquatic Resource Type	Activity	Chapter 93	Latitude/ Longitude	Impact Area Temp. (SF)	Impact Area Perm. (SF)	Impact Area Temp. (LF)	Impact Area Perm. (LF)
3839-S1 (UNT to Dutch Fork)	Intermittent	Fill	HQ-WWF	40.138199 -80.450181	0	0	0	0
3839-S2 (UNT to Dutch Fork)	Perennial	Culvert Replacement	HQ-WWF	40.138969 -80.449821	73	176	42	59
3839-S3 (UNT to Dutch Fork)	Perennial	Culvert Replacement	HQ-WWF	40.13946 -80.451343	126	464	25	116
3839-S4 (UNT to Dutch Fork)	Perennial	Fill	HQ-WWF	40.138275 -80.450464	0	0	0	0
4757-S1 (UNT to Dutch Fork)	Perennial	Fill	HQ-WWF	40.140158 -80.453516	0	0	0	0

<i>Stream Impacts</i>								
<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Latitude/ Longitude</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Area Temp. (LF)</i>	<i>Impact Area Perm. (LF)</i>
4757-S2 (UNT to Dutch Fork)	Perennial	Culvert Replacement	HQ-WWF	40.141253 -80.454853	206	394	34	66
4757-S2A (UNT to Dutch Fork)	Perennial	Fill; Timber mat; Equipment Access	HQ-WWF	40.141853 -80.456288	0	0	0	0
4757-S3 (UNT to Dutch Fork)	Intermittent	Fill	HQ-WWF	40.141684 -80.455443	0	0	0	0
4757-S4 (UNT to Dutch Fork)	Intermittent	RipRap Apron	HQ-WWF	40.141206 -80.454868	55	958	18	19
4757-S5 (UNT to Dutch Fork)	Intermittent	Mat— Equipment Access	HQ-WWF	40.142097 -80.456304	0	0	0	0

<i>Floodway Impacts</i>								
<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Latitude/ Longitude</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>
3839-S1 Floodway (UNT to Dutch Fork)	Intermittent	Fill	HQ-WWF	40.138199 -80.450181	272	1319	0.01	0.03
3839-S2 Floodway (UNT to Dutch Fork)	Perennial	Culvert Replacement	HQ-WWF	40.138969 -80.449821	1928	3319	0.04	0.08
3839-S3 Floodway (UNT to Dutch Fork)	Perennial	Culvert Replacement	HQ-WWF	40.13946 -80.451343	3607	4339	0.08	0.1
3839-S4 Floodway (UNT to Dutch Fork)	Perennial	Fill	HQ-WWF	40.138275 -80.450464	924	28	0.02	-
4757-S1 Floodway (UNT to Dutch Fork)	Perennial	Fill	HQ-WWF	40.140158 -80.453516	1604	1530	0.04	0.03
4757-S2 Floodway (UNT to Dutch Fork)	Perennial	Culvert Replacement	HQ-WWF	40.141253 -80.454853	2965	2305	0.07	0.05
4757-S2A Floodway (UNT to Dutch Fork)	Perennial	Fill; Mat— Equipment Access	HQ-WWF	40.141853 -80.456288	9612	5312	0.22	0.12
4757-S3 Floodway (UNT to Dutch Fork)	Intermittent	Fill	HQ-WWF	40.141684 -80.455443	319	933	0.01	0.02
4757-S4 Floodway (UNT to Dutch Fork)	Intermittent	Fill	HQ-WWF	40.141206 -80.454868	958	2491	0.02	0.06
4757-S5 Floodway (UNT to Dutch Fork)	Intermittent	Mat— Equipment Access	HQ-WWF	40.142097 -80.456304	7726	0	-	-

Wetland Impacts								
Resource Name	Aquatic Resource Type	Activity	EV/OW	Latitude/ Longitude	Impact Area Temp. (SF)	Impact Area Perm. (SF)	Impact Area Temp. (Ac)	Impact Area Perm. (Ac)
3839-W2A	Palustrine Emergent	Fill; Grading	OW	40.13897 -80.449874	307	346		
4757-W2	Palustrine Emergent	Fill; Grading	OW	40.140391 -80.453581	21	0		
4757-W3 (PEM portion)	Palustrine Emergent	Fill; Grading	OW	40.141152 -80.454668	2767	4835		
4757-W3 (PSS portion)	Palustrine Shrub/Scrub	Fill; Culvert Replacement; Wetland conversion	OW	40.141341 -80.454814	866	461		
4757-W3 (PFO portion)	Palustrine Forested	Fill; Culvert Replacement; Wetland Conversion	OW	40.141243 -80.454938	817	205		

ENVIRONMENTAL ASSESSMENTS

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-772-5321.

Contact: Josh Fair, Water Program Specialist, 717-772-5988.

D13-058EA. John Hallas, DCNR, Rachel Carson State Office Building, P.O. Box 8551, Harrisburg, PA 17105, Lehigh Township, **Carbon County**. U.S. Army Corps of Engineers Philadelphia District. Application received: September 10, 2024.

Project proposes to remove Indian Run Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The proposed restoration project consists of breaching the earthen dam by removing the concrete spillway to reestablish a stream channel. The project is located across Indian Run (HQ-CWF). Latitude: 40.9627°, Longitude: -75.7738°.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@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 QM 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>
PA550001D	Chapter 102 Individual NPDES Permit	Issued	Spring Solar 1 LLC 55 Technology Drive Suite 102 Lowell, MA 01851	Spring Township Snyder County	NCRO
PAD150152	Chapter 102 Individual NPDES Permit	Issued	Fieldstone Tri Corner LLC 3405 N 6th Street Harrisburg, PA 17110-1486	East Fallowfield Township Chester County	SERO
PAD150316	Chapter 102 Individual NPDES Permit	Issued	CBD Project Management LLC 75 Eisenhower Parkway Suite 180 Roseland, NJ 07068-1600	Tredyffrin Township Chester County	SERO
PAD210107	Chapter 102 Individual NPDES Permit	Issued	Comm of PA Department of Gen Svcs 1800 Herr Street Harrisburg, PA 17103-1540	North Middleton Township Cumberland County	SCRO
PAD210111	Chapter 102 Individual NPDES Permit	Issued	Khac Enterprises LLC 505 S Hanover Street Carlisle, PA 17013-3919	South Middleton Township Cumberland County	SCRO
PAD250024	Chapter 102 Individual NPDES Permit	Issued	Genon Rema LLC 1360 Post Oak Boulevard Houston, TX 77056-3030	Conneaut Township Erie County	NWRO
PAD360113	Chapter 102 Individual NPDES Permit	Issued	Olde Hickory Village 600 Olde Hickory Road Lancaster, PA 17601-4959	Manheim Township Lancaster County	RPCO

<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>
PAD360124	Chapter 102 Individual NPDES Permit	Issued	SFP Properties LLC 675 Nottingham Road Peach Bottom, PA 17563-9783	Fulton Township Lancaster County	SCRO
PAD380040	Chapter 102 Individual NPDES Permit	Issued	JKL Real Estates Holdings LLC 330 Crest Road Lebanon, PA 17042-8848	South Lebanon Township Lebanon County	RPCO
PABIS3505	Individual Site Permit for Beneficial Use of Biosolids by Land Application	Issued	Synagro Central LLC 435 Williams Street Ste 100 Baltimore, MD 21220-2888	Union Township Fulton County	SCRO
PA0255114	Industrial Stormwater Individual NPDES Permit	Issued	Greenstar Pittsburgh LLC 4100 Grand Avenue Pittsburgh, PA 15225-1516	Neville Township Allegheny County	SWRO
0924812	Joint DEP/PFBC Pesticides Permit	Issued	DiFrancesco Daniel 235 Church Hill Road Kintnersville, PA 18930-9688	Nockamixon Township Bucks County	SERO
0924813	Joint DEP/PFBC Pesticides Permit	Issued	AGA Farms 1333 Elephant Road Perkasie, PA 18944-3840	Bedminster Township Bucks County	SERO
1413806	Joint DEP/PFBC Pesticides Permit	Issued	Coombs Thomas F 153 Ellen Avenue State College, PA 16801-6118	Potter Township Centre County	NCRO
1413808	Joint DEP/PFBC Pesticides Permit	Issued	Powell Lynda C 221 Middle Road Centre Hall, PA 16828-8510	Potter Township Centre County	NCRO
1524814	Joint DEP/PFBC Pesticides Permit	Issued	McConnell Steve 134 Davis Road Malvern, PA 19355-3426	Willistown Township Chester County	SERO
1524815	Joint DEP/PFBC Pesticides Permit	Issued	Chester County Parks & Recreation 601 Westtown Road Suite 160 West Chester, PA 19382-4991	West Nottingham Township Chester County	SERO
1524816	Joint DEP/PFBC Pesticides Permit	Issued	Chester County Water Resource Authority P.O. Box 2747 601 Westtown Road West Chester, PA 19380-0990	West Caln Township Chester County	SERO
4624808	Joint DEP/PFBC Pesticides Permit	Issued	Empire Management 134 Route 59 Suite 201 Suffern, NY 10901-4917	Lower Gwynedd Township Montgomery County	SERO
PAI132285	MS4 Individual NPDES Permit	Waived	Franklin Township Carbon County 900 Fairyland Road Lehighton, PA 18235-8991	Franklin Township Carbon County	NERO
PA0021971	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	E Dunkard Water Authority P.O. Box 241 Dilliner, PA 15327-0241	Dunkard Township Greene County	SWRO
PA0025003	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Laurel Highlands Outdoor Center P.O. Box 107 Ohiopyle, PA 15470-0107	Henry Clay Township Fayette County	SWRO

NOTICES

6173

<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>
PA0218740	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Mt Pleasant Township Westmoreland County P.O. Box 158 Mammoth, PA 15664-0158	Mount Pleasant Township Westmoreland County	SWRO
PA0024074	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Shoemakersville Borough Municipal Authority Berks County 846 Main Street Shoemakersville, PA 19555-1623	Shoemakersville Borough Berks County	SCRO
PA0062375	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Saddleview Sewer LLC 301 Shore Drive Tunkhannock, PA 18657	Tunkhannock Township Wyoming County	NERO
PA0088617	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Bratton Township Mifflin County 133 Mountain Lane McVeytown, PA 17051-8429	Bratton Township Mifflin County	SCRO
PA0218944	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Franklin Township Sewer Authority Fayette County P.O. Box 55 Smock, PA 15480-0055	Franklin Township Fayette County	SWRO
0478209	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Tenaris Koppel 6403 6th Avenue Koppel, PA 16136-1151	Koppel Borough Beaver County	SWRO
0478210	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Tenaris Koppel 6403 6th Avenue Koppel, PA 16136-1151	Koppel Borough Beaver County	SWRO
1800403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Western Clinton County Municipal Authority P.O. Box 363 Renovo, PA 17764-0363	Renovo Borough Clinton County	NCRO
NOEXNW241	No Exposure Certification	Issued	Silgan Ipec Corp 185 Northgate Circle New Castle, PA 16105-5537	New Castle City Lawrence County	NWRO
NOEXNW242	No Exposure Certification	Issued	Pulflex Tech LLC 706 Eljer Way Ford City, PA 16226-1183	Ford City Borough Armstrong County	NWRO
NOEXSC221	No Exposure Certification	Issued	Arrow International Inc. Wholly Owned Subsidiary of Teleflex 2400 Bernville Road Reading, PA 19605-9607	Muhlenberg Township Berks County	SCRO
NOEXSW031	No Exposure Certification	Issued	Keystone Rustproofing Inc. 1901 Drive Thomas Boulevard New Kensington, PA 15068-4306	Arnold City Westmoreland County	SWRO

NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG032384	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Jack Rich Inc. 617 Altamont Boulevard Frackville, PA 17931-2411	West Mahanoy Township Schuylkill County	NERO
PAG032401	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JW Zaprazny Inc. 2401 Summer Valley Road New Ringgold, PA 17960-9668	East Brunswick Township Schuylkill County	NERO
PAG032436	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Energy Transfer Market & Terminal LP 60 S Wyoming Avenue Edwardsville, PA 18704-3102	Edwardsville Borough Luzerne County	NERO
PAG033551	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Chucks Auto Salvage Inc. 1150 Greenwood Road York, PA 17408-4708	West Manchester Township York County	SCRO
PAG034093	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Shemas Iron Works 2505 Roundtop Road Middletown, PA 17057-3704	Londonderry Township Dauphin County	SCRO
PAG034818	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	PA Waste Transfer LLC 174 Quarry Road Coal Township, PA 17866-7810	Coal Township Northumberland County	NCRO
PAG034930	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Wabtec US Rail Inc. 55 S Pine Street Emporium, PA 15834-1529	Emporium Borough Cameron County	NCRO
PAG035049	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Country View Family Farms LLC 1301 Fulling Mill Road Middletown, PA 17057-5975	White Deer Township Union County	NCRO
PAG036584	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Gavco Materials Inc. 107 Paintersville Road New Stanton, PA 15672	North Union Township Fayette County	SWRO
PAG038414	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Rupp Larry D 247 Clearfield Pike Kittanning, PA 16201-8447	Rayburn Township Armstrong County	NWRO
PAG038566	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Star Iron Works Inc. 257 Caroline Street Punxsutawney, PA 15767-4276	Big Run Borough Jefferson County	NWRO
PAG041421	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Grace Comm Church Curllsville 3225 Curllsville Road Sligo, PA 16255	Monroe Township Clarion County	NWRO
PAG044006	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Nelson Kevin and Nelson Melissa 12 Chestnut Grove Lane Newville, PA 17241-8780	Upper Frankford Township Cumberland County	SCRO
PAG044007	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Mansfield Kenneth L 130 Creek Road Newville, PA 17241	West Pennsboro Township Cumberland County	SCRO
PAG044008	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Zemir Alic 191 Shatto Drive Carlisle, PA 17013-2120	North Middleton Township Cumberland County	SCRO

NOTICES

6175

<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>
PAG048434	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Cassandra & Steven Wales 9451 Donation Road Waterford, PA 16441-4233	Summit Township Erie County	NWRO
PAG058350	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	United Refinery Co. of PA P.O. Box 780 15 Bradley Street Warren, PA 16365-0780	Pittsfield Township Warren County	NWRO
PAG058397	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	United Refinery Co. of PA P.O. Box 688 15 Bradley Street Warren, PA 16365-0688	Ridgway Borough Elk County	NWRO
PAG058398	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	United Refinery Co. of PA 15 Bradley Street P.O. Box 688 Warren, PA 16365-3224	Kane Borough McKean County	NWRO
PAG123861	PAG-12 NPDES General Permit for CAFOs	Issued	Stoners Hijos Hill Inc. 8512 Oellig Road Mercersburg, PA 17236-9551	Peters Township Franklin County	SCRO
PAG123881	PAG-12 NPDES General Permit for CAFOs	Issued	Nolt Matthew 131 Krumstown Road Myerstown, PA 17067	Millcreek Township Lebanon County	SCRO
PAG123909	PAG-12 NPDES General Permit for CAFOs	Issued	Nolt Glendon 222 Long Road Lenhartsville, PA 19534-9407	Greenwich Township Berks County	SCRO
1088401	Pump Stations Individual WQM Permit	Issued	Evans City Water & Sewer Authority 216 Wahl Avenue Evans City, PA 16033-1053	Evans City Borough Butler County	NWRO
4286	Sewer Extensions Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
5131S	Sewer Extensions Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
PA0285340	Single Residence STP Individual NPDES Permit	Issued	Koon Meredith L 2921 Knowlson Avenue Pittsburgh, PA 15226-2029	Independence Township Beaver County	SWRO
0424402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Koon Meredith L 2921 Knowlson Avenue Pittsburgh, PA 15226-2029	Independence Township Beaver County	SWRO
2591413	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Cassandra and Steven Wales 9451 Donation Road Waterford, PA 16441-4233	Summit Township Erie County	NWRO
1623403	Small Flow Treatment Facility Individual WQM Permit	Issued	Grace Comm Church Curllsville 3225 Curllsville Road Sligo, PA 16255	Monroe Township Clarion 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>
PAC280346	PAG-02 General Permit	Issued	Antietam Commons Practice Management 11616 Ironwood Drive Waynesboro, PA 17268	Washington Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280361	PAG-02 General Permit	Issued	Eleven Seventeen, LLC 9410 Molly Pitcher Highway Shippensburg, PA 17257	Southampton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280029 A-1	PAG-02 General Permit	Issued	Green Acres, LLC 19 Independence Drive Shippensburg, PA 17257	Green Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280363	PAG-02 General Permit	Issued	Chambers Commercial Properties, LLC 671 Franklin Square Drive Chambersburg, PA 17201	Greene Township Guilford Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280360	PAG-02 General Permit	Issued	Bradley Bomer 264 Sandoeshire Lane Chambersburg, PA 17201	Saint Thomas Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280315 A-2	PAG-02 General Permit	Issued	Shippensburg Area School District 317 North Morris Street Shippensburg, PA 17257	Shippensburg Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280207 A-1	PAG-02 General Permit	Issued	Greenridge Farms, Inc 11144 Old Forge Road Waynesboro, PA 17268	Washington Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280360	PAG-02 General Permit	Issued	Tyler Hershey 8995 Orchard Drive Mercersburg, PA 17236	Montgomery Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499

NOTICES

6177

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC280355	PAG-02 General Permit	Issued	Stoner's Hijos Hill, Inc. 8512 Oellig Road Mercersburg, PA 17236	Peters Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280334	PAG-02 General Permit	Issued	CORE5 at Mason Dixon, LLC 121 Towne Square Suite 202 Hershey, PA 17033-9440	Antrim Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC400266 A-1	PAG-02 General Permit	Issued	Wyoming Valley Sanitary Authority Jeff Colella P.O. Box 33A Wilkes-Barre, PA 18703	Plains Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC230287	PAG-02 General Permit	Issued	Encompass Health Pennsylvania Real Estate, LLC A Delaware limited liability com 9001 Liberty Parkway Birmingham, AL 35242	Concord Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC540146	PAG-02 General Permit	Issued	CBJF Realty, LP/ Bartush Industries, LLC Christopher Bartush 302 North Washington Street Orwigsburg, PA 17961	Orwigsburg Borough Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC400159	PAG-02 General Permit	Issued	PNK P1, LLC c/o Mette, Evans & Woodside Aleksandr Rozenguas 3410 N. Front St. P.O. Box 5950 Harrisburg, PA 17110-0950	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC480057 A-1	PAG-02 General Permit	Issued	Ultra-Poly Corporation 102 Demi Rd. P.O. Box 330 Portland, PA 18351	Upper Mount Bethel Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC380323	PAG-02 General Permit	Issued	DMVA Building 0-10 Chapel Road Annville, PA 17003	Union Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670710	PAG-02 General Permit	Issued	LCBC Church 2392 Mount Joy Road Manheim, PA 17545	Penn Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC210371	PAG-02 General Permit	Issued	Alan Waybright 475 Mount Rock Road Newville, PA 17241	West Pennsboro Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210360	PAG-02 General Permit	Issued	Norfolk Southern Railway Company Design and Construction Department 650 West Peachtree Street NW Box 45 Atlanta, GA 30308	Lemoyne Borough Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC200099A1	PAG-02 General Permit	Issued	National Fuel Gas Distribution Corporation 1100 State Street Erie, PA 16501	Woodcock Township Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC330048A1	PAG-02 General Permit	Issued	MSP Properties of Pennsylvania LP P.O. Box 1567 Beaver Falls, PA 15010	Brookville Borough Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC250169A1	PAG-02 General Permit	Issued	PLP XII LLC 2906 Cooperleaf Drive Erie, PA 16509	Harborcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC370082	PAG-02 General Permit	Issued	Asset Realty & Construction Group Inc. 1590 Troy Avenue Brooklyn, NY 11234	City of New Castle Lawrence County	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
PAC360328	PAG-02 General Permit	Issued	KN Farms LP 1452 Woodlot Rd Manheim, PA 17545	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-4695
PAC360959	PAG-02 General Permit	Issued	Travis Hess 686 Rock Point Rd Mount Joy, PA 17552	East Donegal Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-4695
PAC250220	PAG-02 General Permit	Issued	Mid Atlantic Interstate Transmission A First Energy Company 2800 Pottsville Pike P.O. Box 16001 Reading, PA 19612	Washington Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403

NOTICES

6179

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PA320019C	PAG-02 General Permit	Issued	First Energy Corp 76 South Main Street Akron, OH 44308	West Wheatfield Township Indiana County	Indiana County Conservation District 435 Hamill Road Indiana, PA 15701 724-471-4751
PAC080085	PAG-02 General Permit	Issued	Michael Fingar PA USLE Milan Road 1, LLC 830 Loudon Road Latham, NY 12110	Smithfield Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080087	PAG-02 General Permit	Issued	Scott Cummings Cummings Lumber Co. Inc. P.O. Box 6 Troy, PA 16947	Troy Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC140178	PAG-02 General Permit	Issued	PA Dept of Corrections Benner Township 301 Enterprise Drive Philipsburg, PA 16866	Benner Township Centre County	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 814-355-6817
PAC140180	PAG-02 General Permit	Issued	Advanced Powder Products, Inc. 301 Enterprise Drive Philipsburg, PA 16866	Rush Township Centre County	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 814-355-6817
PAC170089	PAG-02 General Permit	Issued	R.E.D. Mantini, LLC 717 6th Avenue Ford City, PA 16226	Lawrence Township Clearfield County	Clearfield County Conservation District 6395 Clearfield- Woodland Hwy Suite 2 Clearfield, PA 16830 814-765-2629
PAC630333	PAG-02 General Permit	Issued	PAC630333 3 McKean Avenue Charleroi, PA 15022	Donora Borough Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC110125	PAG-02 General Permit	Issued	Dimension Renewable Energy 3050 Peachtree Road 4th Floor Suite 460 Atlanta, GA 30305	Cambria Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 814-472-2120 SWRO
PAC040162	PAG-01 General Permit	Issued	Penn Power A First Energy Company 341 White Pond Drive Akron, OH 44320	Franklin Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040048A-1	PAG-02 General Permit	Issued	Maronda Homes, LLC 11 Timberglen Drive Imperial, PA 15126	Brighton Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 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>
PAC110124	PAG-02 General Permit	Issued	Green Energy Venture, LLC 243 Rubisch Road Ebensburg, PA 15931	Cambria Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 814-472-2120 SWRO
PAC040157	PAG-01 General Permit	Issued	American Transmission Systems, Inc. A FirstEnergy Company 217 Three Springs Drive Weirton, PA 26062	Franklin Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC630315	PAG-02 General Permit	Issued	Wilderness Wildlife Center Foundation, Inc. 227 West Monroe Suite 5000 Chicago, IL 60606	Smith Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO

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>
Shadewood Farms 123 Acker Road Newport, PA 17074	Perry County	141	998.00	Swine	NA	Approved
Curtis Brubaker 3038 Beaver Run Road Mifflinburg, PA 17844	Union County	0	552.04	Swine Poultry	NA	Approved
Samuel Erdley 560 Goodman Road Lewisburg, PA 17837	Union County	0	601.78	Swine	NA	Approved

<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>
Troester's Dairy 175 Cannon Road Mifflinburg, PA 17844	Union County	985.1	2,321.08	Dairy	HQ	Approved
Burk Lea Farms 3099 Grand Point Road Chambersburg, PA 17202	Franklin County	1,535.5	1,920.90	Dairy	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).

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

Contact: Olivia Harris, Clerical Supervisor I, 570-327-0561.

Construction Permit No. 1724505MA, Minor Amendment, Public Water Supply.

Applicant	BCI Municipal Authority
Address	625 Crestview Street Ext. Irvona, PA 16656
Municipality	Beccaria Township

County	Clearfield County
Consulting Engineer	William A Sauserman 1731 North Juniata Street Hollidaysburg, PA 16648
Application Received	July 22, 2024
Permit Issued	September 11, 2024
Description	Extension of a 6" Water Service Line. About 14,800 lineal feet of 6" waterline will be installed.

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

Contact: Olivia Harris, Clerical Supervisor I, 570-327-0561.

Operation Permit 1423506MA. PWSID No. **4140087**. **PA American Water Company—Philipsburg District**, 852 Wesley Drive, Mechanicsburg, PA 17019, Boggs Township, **Centre County**. Application received: September 13, 2024. Permit Issued: September 13, 2024. Partial operation # 4 to operate Filter 3.

Operation Permit 1721503MA. PWSID No. **6170024**. **Huston Township Municipal Authority**, 11837 Bennetts Valley Hwy, Suite 2, Penfield, PA 15849, Huston Township, **Clearfield County**. Application received: September 3, 2024. Permit Issued: September 16, 2024. Final operation permit, authorizing Huston Township Municipal Authority to operate a pressure reducing valve (PRV) vault on the high-pressure waterline from Jay Township interconnection to Hollywood Tank and the Hollywood Tank.

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

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

Construction/Operation Permit 0124517 MA. PWSID No. **7010025**. **New Oxford Municipal Authority**, 409 Water Works Road, New Oxford, PA 17350, Oxford Township, **Adams County**. Application received: July 1, 2024. Permit Issued: September 11, 2024. Replacement of chemical feed pumps at the WTP and Oxen Country Meadows wellhouse.

Corrosion Control Treatment Feasibility Study Permit 7220373. PWSID No. **7220373**. **Lower Dauphin School District**, 260 Schoolhouse Road, Middletown, PA 17057, Londonderry Township, **Dauphin County**. Application received: March 28, 2024. Permit Issued: September 13, 2024. Corrosion control feasibility for Londonderry Elementary School.

Operation Permit 3624501 MA. PWSID No. **7360078**. **Manheim Area Water and Sewer Authority**, 18 East

High Street, Manheim, PA 17545, Manheim Borough, **Lancaster County**. Application received: August 19, 2024. Permit Issued: September 9, 2024. Sun Hill Tank Mixer.

Operation Permit 3622538 MA. PWSID No. **7360078**. **Manheim Area Water and Sewer Authority**, 18 East High Street, Manheim, PA 17545, Manheim Borough, **Lancaster County**. Application received: August 19, 2024. Permit Issued: September 9, 2024. Small and Big Tank mixers.

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

Operation Permit 2124513. PWSID No. **7210857**. **Doubling Gap Center**, 1550 Doubling Gap Road, Newville, PA 17241, Lower Mifflin Township, **Cumberland County**. Application received: June 6, 2024. Permit Issued: September 13, 2024. Comprehensive operation permit for an after the fact caustic soda injection for general corrosion control at the Lodge Treatment Plant 301.

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.

NCWSA Construction Permit 4560888. PWSID No. **4560888**. **Mountain Ridge Trail Resort LLC**, 517 Boone Road, Central City, PA 15926, Stonycreek Township, **Somerset County**. Application received: July 25, 2024. Permit Issued: September 11, 2024. New Public Water Supply well and Treatment for the Mountain Ridge Trail Resort.

WATER ALLOCATIONS

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

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

Contact: Olivia Harris, Clerical Supervisor 1, 570-327-0561.

WA 17-261C, Water Allocations. Huston Township Water Authority, 11837 Bennetts Valley Hwy, Suite 2, Penfield, PA 15849, Huston Township, **Clearfield County**. This permit grants Huston Township Municipal Authority the right to purchase finished water from Jay Township Water Authority, located in Elk County. For the first five year after permit issuance, the maximum allocation is up to 75,200 gallons per day (30-day average). For the remainder of the permit duration, the maximum allocation will be decreased to 52,000 gpd (30-day average) based on a reduction in unaccounted for water loss to 20% or less. Application received: May 16, 2024. Issued: September 11, 2024

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as Amended, 35 P.S. § 750.5.

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

Contact: Cory Zimmerman, Sewage Planning Specialist, 717-705-4793.

Plan Location:

Municipality	Address	County
Martic Township	370 Steinman Farm Rd. Pequea, PA 17565	Lancaster County

Plan Description:

Nicole Keemer Property, A3-36940-212-3S. Approval of a revision to the official plan of Martic Township, **Lancaster County** has been issued. This action is a result of the review of a planning module for the Nicole Keemer Property (DEP Code No. A3-36940-212-3S; APS ID No. 1115044). The proposed development—to be located at 334 Steinman Farm Road in Pequea—consists of a small-flow treatment facility to serve as a repair for a detached single-family dwelling currently using a malfunctioning on-lot disposal system. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. Any permits must be obtained in the name of the property owner.

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

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

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

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

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

Contact: Thomas J Sweeney Jr., Soils Scientist, 717-705-4786.

PABIS No. 3505, Frederick County MD, Ballenger-McKinney WWTP, 4520 Metropolitan Court, Frederick, MD 21704, Out of State Municipality Borough, Synagro, 62 North Main Street, Stewartstown, PA 17363. Darrin

Strait and Cajan Reed Farms in Union Township, **Fulton County**. Agricultural Utilization of Biosolids by Land Application. Application received: May 10, 2024. Issued: September 12, 2024.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

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

The Department has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

422 Second Street, Primary Facility ID # **878307**, 422 Second Street, Weatherly, PA 18255, Weatherly Borough, **Carbon County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Fegley Oil, Inc., 551 West Penn Pike, Tamaqua, PA 18252, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

PPL Transformer—454 Hamlin Highway, Primary Facility ID # **876489**, 454 Hamlin Highway, Lake Ariel, PA 18436, Salem Township, **Wayne County**. Penn Environmental & Remediation, 13180 Route 6, Mansfield, PA 16933, on behalf of PPL Electric Utilities Corporation, 1639 Church Road, Allentown, PA 18104, submitted a Final Report concerning remediation of soil contaminated with transformer oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

West Union Boulevard Tanker Accident, Primary Facility ID # **862528**, West Union Boulevard at Raymond Avenue, Bethlehem, PA 18015, City of Bethlehem, **Lehigh County**. EnviroSure, 1 North Bacton Hill Road, Suite 208, Malvern, PA 19335, on behalf of Dalton Delivery Services, 4458 Commerce Drive, Whitehall, PA 18052, submitted a Final Report concerning remediation of soil contaminated with gasoline and diesel. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

Contact: Nick, 814-332-6978.

East Butler Holdings LTD Site, Primary Facility ID # **878347**, 2328 Evans City Road, Zelienople, PA 16063, Jackson Township, **Butler County**. Ecotune Environmental, 215 Executive Drive, Suite 204, Cranberry Township, PA 16066, on behalf of East Butler Holdings, Ltd, 2328 Evans City Road, Zelienople, PA 16063, submitted a Final Report concerning remediation of soil contaminated with Arsenic. The Final Report is intended to document remediation of the site to meet the background 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.

ServPro, Primary Facility ID # **877507**, 218 Hershey Road, Elizabethtown, PA 17022, Mount Joy Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of ServPro, 218 Hershey Road, Elizabethtown, PA 17022, submitted a Final Report concerning remediation of soil contaminated with used motor oil. The Final Report is intended to document remediation of the site to meet the Statewide health 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.

1488 Sugartown Rd, Primary Facility ID # **861315**, 1488 Sugartown Road, Paoli, PA 19301, Easttown Township, **Chester County**. Douglas Schott, PG, ARM Group, 515 South Franklin Street, West Chester, PA 19382, on behalf of Mr. and Mrs. Freitag, 1488 Sugartown Road, Paoli, PA 19301, submitted a Final Report concerning remediation of soil and groundwater contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Matt Blatt Auto/Assessor Parcel Number (APN) 882169400, Primary Facility ID # **867036**, 6735-39 Essington Avenue, Philadelphia, PA 19135, City of Phila-

delphia, **Philadelphia County**. Jason Pero, Resource Control Consultants, 10 Lippincott Lane, Unit 1, Mount Holly, NJ 08028, on behalf of Roy Greenblatt, Matt Blatt Auto/Swab Enterprises, 501 North Delsea Drive, Glassboro, NJ 08026, submitted a Final Report concerning remediation of groundwater contaminated with PAH and used motor oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Metech Corp Site, Primary Facility ID # **873654**, 4110 Conestoga Road, Elverson, PA 19520, East Nantmeal Township, **Chester County**. Carla DaParma, Arcadis U.S., Inc., 2100 Georgetown Drive, Suite 402, Sewickley, PA 15143, on behalf of Cassie Johnson, Parker Lord, 6035 Parkland Boulevard, Mayfield Heights, OH 44124, submitted a Risk Assessment/Remedial Investigation concerning remediation of soil and groundwater contaminated with chlorinated solvents and inorganics. The Risk Assessment/Remedial Investigation is intended to document remediation of the site to meet the site-specific standards.

Superior Scaffold St, Primary Facility ID # **839662**, 520 East Luzerne Street, Philadelphia, PA 19124, City of Philadelphia, **Philadelphia County**. Christopher M. Kern, PG, Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Guy L. Bianchini, Superior Scaffold Services, Inc., 600 Center Avenue, Bensalem, PA 19020, submitted a Final Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. 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 Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated

substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

The DEP has received the following plans and reports.

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

Contact: Chris, 724-598-2206.

Butler Township Proposed Athletic Area, Primary Facility ID # **870729**, 151-163 Hollywood Drive, Butler, PA 16001, City of Butler, Butler Township, **Butler County**. Civil & Environmental Consultants Inc., 700 Cherrington Parkway, Moon Township, PA 15108, on behalf of Butler Township, 290 South Duffy Road, Butler, PA 16001, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with Arsenic, Barium, Lead, Iron, Nickel, Thallium, and PCBs. The Report demonstrated attainment of the site-specific standards. Approved: September 16, 2024.

Don Shaffer 2 OG Well, Primary Facility ID # **877597**, Bell Run Road, Brockway, PA 15824, Warsaw Township, **Jefferson County**. Moody & Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Diversified Production, LLC, 125 Industry Road, # 201, Waynesburg, PA 15370, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 16, 2024.

Contact: Jordan, 814-332-6172.

Reid & Howley Heirs Ambrose 10 OG Well, Primary Facility ID # **877480**, Olean Trail, New Bethlehem, PA 16242, Porter Township, **Clarion County**. Moody & Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Diversified Production, LLC, 125 Industry Road, # 201, Waynesburg, PA 15370, submitted a Final Report concerning remediation of soil contaminated with benzene, tert-butylbenzene, sec-butylbenzene, cyclohexane, ethylbenzene, isopropyl benzene, naphthalene, toluene, total xylenes, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, biphenyl, chrysene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, 2-methylnaphthalene, phenanthrene, phenol, and pyrene. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 16, 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.

Gray Brothers Farm, Primary Facility ID # **777087**, 1025 Worthington Road, Exton, PA 19341, Uwchlan Township, **Chester County**. ARM Group, LLC, 515 South Franklin Street, West Chester, PA 19382, on behalf of Worthington Partners II, Inc., 1273 Butler Pike, Blue Bell, PA 19422, submitted a Final Report concerning remediation of soil contaminated with arsenic, Aroclor 1254, benzo(a)pyrene, benzo(b)fluoranthene, 4-chloroaniline, chlorobenzene, 1,2-dichlorobenzene, 1,4-dichlorobenzene, dieldrin, ethylbenzene, indeno(1,2,3-cd)pyrene, lead, mercury, tetrachloroethene, and xylenes. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 11, 2024.

Trainers Corner Shopping Center, Primary Facility ID # **865024**, 100-246 Northwest End Boulevard, Quakertown, PA 18951, Richland Township, **Bucks County**. TTI Environmental, Inc., 1253 North Church Street, Moorestown, NJ 08057, on behalf of Todd Dratch, Highglen-Pineville Quakertown Associates, L.P., 310 Yorktown Plaza, Elkins Park, PA 19027, submitted a Final Report concerning remediation of soil and groundwater contaminated with PCE and TCE. The Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: September 10, 2024.

213 Washington Street Site, Primary Facility ID # **871715**, 213 Washington Street, Bristol, PA 19007, Bristol Borough, **Bucks County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Bucks County Fuel, LLC, 2780 Bristol Pike, Suite 23, Bensalem, PA 19020, submitted a Final Report concerning remediation of soil contaminated with benzene, ethylbenzene, toluene, isopropylbenzene, MTBE, naphthalene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 11, 2024.

HAZARDOUS WASTE TRANSPORTER LICENSE

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

Transporter License Reissued

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

Contact: Jonathan Adams

STAT, Inc., d/b/a Sparks Transportation and Tank Cleaning, Inc., P.O. Box 1443, Lenoir, NC 28645. **License No. PA-AH 0532**. Application received: August 13, 2024. Effective September 11, 2024.

Transervice Logistics, Inc., 5 Dakota Drive, Lake Success, NY 11042. **License No. PA-AH 0702**. Application received: August 19, 2024. Effective September 11, 2024.

Cemco-Custom Environmental Management Co., Inc., P.O. Box 212, Hainesport, NJ 08036. **License No.**

PA-AH 0776. Application received: September 3, 2024. Effective September 11, 2024.

Kalyani Environmental Solutions, LLC, 1201 Bernard Drive, Baltimore, MD 21223. **License No. PA-AH 0928**. Application received: August 29, 2024. Effective September 11, 2024.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

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

Transporter License Reissued

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

Contact: Jonathan Adams

Environmental Transport Group, Inc., P.O. Box 296, Flanders, NJ 07836. **License No. PA-HC 0023**. Received on August 6, 2024. Effective September 11, 2024.

Clym Environmental Services, LLC, 1539 Tilco Drive, Frederick, MD 21704. **License No. PA-HC 0253**. Received on August 28, 2024. Effective September 11, 2024.

Environmental Maintenance Services, Inc., 10 Gramar Ave, Prospect, CT 06712. **License No. PA-HC 0259**. Received on August 27, 2024. Effective September 10, 2024.

CYNTOX, LLC, 64 Beaver Street, New York, NY 10004. **License No. PA-HC 0260**. Received on August 22, 2024. Effective September 11, 2024.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

Contact: Carrie A. Fleming, Program Manager.

WMGR089SC001. Magnesita Refractories Company, 425 South Salem Church Road, York, PA 17408, West Manchester Township, **York County**. This is for a renewal of general permit WMGR089 which authorizes the beneficial use of lime kiln dust (LKD) as a soil amendment, for stabilization/solidification of soils and sludges, for treatment of acid mine drainage, as an alkaline activator in cements, as grouts in mine reclamation, for roadway subbase, stabilization and conditioning,

as filler in agricultural and construction products, and as a construction material in nonresidential products. Application received: May 17, 2023. Issued: September 11, 2024.

Persons interested in reviewing the permit may contact Carrie A. Fleming, Program Manager, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGR088SC001. Commonwealth Disposal, Inc., 2340 Paxton Church Road, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**. This is for a renewal of general permit WMGR088 which authorizes the beneficial use of drinking water treatment sludge generated by a water supply treatment facility, hereinafter referred to as “water treatment sludge” or “waste”, for application on agricultural lands as a soil additive. The term “agricultural lands” refers to lands that have a recent history of continuous agricultural use. Specifically, lands where waste application is to take place must be an active farm currently engaged in growing crops. The permit area must be zoned for agricultural use if the local municipality has zoning regulations in place. Agricultural lands do not include lands that have been stripped of topsoil. Application received: August 4, 2023. Issued: September 11, 2024.

Persons interested in reviewing the permit may contact Carrie A. Flemming, Program Manager, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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.

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

Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMIT@pa.gov.

101226. John R. Savoy Enterprises, Inc., 52 Concord Road, Aston, PA 19014, Chester Township, **Delaware County**. This application is for a ten (10) year permit renewal to continue operation at Savoy C&D Transfer Station, a construction/demolition waste processing and transfer facility, located at 52 Concord Road in Chester Township, Delaware County. Application received: May 30, 2024. Renewal issued: September 12, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

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

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

GP3-08-310A: M.R. Dirt, Inc., 21186 Rt. 187, Towanda, PA 18848, Asylum Township, **Bradford County**. DEP authorized the permittee to relocate and continue to operate one 250 tons per hour (tph) Terex Pegson model 1165HA Premiertrak crusher, one 125 tph Parker Screen model SR105 vibratory screen (# 1), one 200 tph Powerscreen Warrior model 1800 vibratory screen (# 2), one 400 tph Powerscreen model M85 stacker (# 1), and one 300 tph Emerald Radial Stacker model 5030 stacker (# 2) pursuant to the General Plan Approval And/Or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Ober Quarry. This equipment was previously permitted to operate at the Camptown Quarry located in Wyalusing Township, Bradford County under GP3-08-339. Application received: August 13, 2024. Approved: September 9, 2024. Expiration date: August 19, 2026.

GP9-08-310A: M.R. Dirt, Inc., 21186 Rt. 187, Towanda, PA 18848, Asylum Township, **Bradford County**. The Department authorized the permittee to relocate and continue to operate one 350 bhp Caterpillar C9 diesel-fired engine to power the 250 tons per hour (tph) TEREX Pegson model 1165HA Premiertrak crusher, one 60 bhp John Deere model 4045TF150D diesel-fired engine to power the 125 tph Parker Screen model SR105 vibratory screen (# 1), one 95 bhp Caterpillar model 3054C diesel-fired engine to power the 200 tph Powerscreen Warrior model 1800 vibratory screen (# 2), one 63 bhp Cummins model B3.3 diesel-fired engine to power the 400 tph Powerscreen model M85 stacker (# 1), and one 55 bhp Deutz model F4L1011F diesel-fired engine to power the 300 tph Emerald Radial Stacker model 5030 stacker (# 2) pursuant to the General Plan Approval And/Or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at the Ober Quarry. These engines were previously permitted to operate at the Camptown Quarry located in Wyalusing Township, Bradford County under GP9-08-339. Application received: August 13, 2024. Approved: September 9, 2024. Expiration date: August 19, 2026.

AG5-18-00002B: National Fuel Gas Supply Corporation, 6363 Main Street, Williamsville, NY 14221, Leidy Township, **Clinton County**. The Department issued an amended permit authorization for the Tamarack Compressor Station to revise the responsible official from Jeffrey Kitka, Vice President, to Steven J. Glass, Assistant Vice President, pursuant to the amendment provisions of the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5). Application received: August 23, 2024. Revised: September 11, 2024. Expiration date: January 29, 2025.

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

Contact: Shailesh R Patel, Environmental Group Manager, New Source Review Section, Phone 570-826-2357.

GP9-40-044A: East Point Aggregate LLC, 925 Harvard Avenue, Bethlehem, PA 18015, Foster Township, **Luzerne County**. To install and operate three (3) Diesel I/C engines at 28 Quarry Road. Application received: March 12, 2024. Issued: April 5, 2024.

GP3-40-047: Liberty Excavators, Inc., 4402 Gettysburg Road, Camp Hill, PA 17011, City of Hazleton, **Luzerne County**. To construct and operate a Portable Crushing Operation with water sprays at 480 E. Arthur Gardner Parkway. Application received: May 2, 2024. Issued: May 28, 2024.

GP9-40-047: Liberty Excavators, Inc., 4402 Gettysburg Road, Camp Hill, PA 17011, City of Hazleton, **Luzerne County**. To install and operate two (2) Diesel I/C engines at 480 E. Arthur Gardner Parkway. Application received: May 2, 2024. Issued: May 28, 2024.

GP9-40-048: Streamline Concrete, Inc., 66 Racehorse Drive, Jonestown, PA 17038, Hazle Township, **Luzerne County**. To relocate and operate a portable crushing plant that was permitted on April 26, 2023 under General Permit No. GP9-38-03069 to 480 Arthur Gardner Highway. Application received: May 9, 2024. Issued: June 5, 2024.

GP3-40-048: Streamline Concrete, Inc., 66 Racehorse Drive, Jonestown, PA 17038, Hazle Township, **Luzerne County**. To relocate and operate a portable crushing plant that was permitted on April 26, 2023 under General Permit No. GP3-38-03069 to 480 Arthur Gardner Highway. Application received: May 9, 2024. Issued: June 5, 2024.

GP3-64-017: E.R. Linde Construction Corporation, 239 Golf Hill Road, Honesdale, PA 18431, Palmyra Township, **Wayne County**. To construct and operate a Portable Crushing Operation with water sprays at Middle Creek Quarry. Application received: May 14, 2024. Issued: June 12, 2024.

GP3-39-020: Brandenburg Industrial Service Company, 2217 Spillman Drive, Bethlehem, PA 18015, Upper Macungie Township, **Lehigh County**. To construct and operate a Portable Crushing Operation with water sprays at 7201 Hamilton Blvd. Application received: June 25, 2024. Issued: July 17, 2024.

GP9-39-020: Brandenburg Industrial Service Company, 2217 Spillman Drive, Bethlehem, PA 18015, Upper Macungie Township, **Lehigh County**. To install and operate one (1) Diesel I/C engines at 7201 Hamilton Blvd. Application received: June 25, 2024. Issued: July 17, 2024.

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

Contact: David Balog, NSR Chief, 814-332-6328.

GP4-62-00192A: Superior Tire and Rubber Corp., 341 West Harmar St, Warren, PA 16365, Warren Township, **Warren County**. On September 10, 2024, The Department issued authorization for Superior Tire and Rubber Corp. to begin operating its two Burn-off Ovens at their new facility under the Air Quality General Plan Approval and/or General Operating Permit for burn-off ovens (BAQ-GPA/GP-4). Application received: August 21, 2024. Issued: September 10, 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.

GP3-09-0175: B Blair Corporation, Ginko Industrial Park, 95 Louise Dr, Ivyland, PA 18974, Northampton Township, **Bucks County**. This action is for a General Plan Approval/General Operating Permit for the installation and operation of a portable non-metallic mineral processing plant consisting of a jaw crusher and conveyors with water spray dust suppression. Application received: August 22, 2024. Issued: September 11, 2024.

GP11-09-0069: B Blair Corporation, Ginko Industrial Park, 95 Louise Dr, Ivyland, PA 18974, Northampton Township, **Bucks County**. This action is for a General Plan Approval/General Operating Permit for the installation and operation one (1) 400 HP diesel engine powering a jaw crusher as part of a portable non-metallic mineral processing plant. Application received: August 22, 2024. Issued: September 11, 2024.

GP2-15-0001: Energy Transfer Marketing & Terminals, LP/Malvern, 41 Malin Rd, Malvern, PA 19355-1767, East Whiteland Township, **Chester County**. This action is for a General Plan Approval for the operation of a storage tank with an internal floating roof. The storage tank was out of service since August 2015 and required a plan approval to reactivate in accordance with 25 Pa. Code Section 127.11a. The storage tank also required new components for the internal floating roof to bring the storage tank back into service. Application received: September 4, 2024. Issued: September 13, 2024.

Actions(s) Taken on Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and Regulations in 25 Pa. Code Chapter 127, Subchapter B Relating to Construction, Modification and Reactivation of Air Contamination Sources and Associated Air Cleaning Devices.

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

Contact: Shailesh Patel, P.E., Environmental Group Manager.

48-00122C: II-VI Advanced Materials LLC, 2251 Newlins Mill Road, Easton, PA 18951, Palmer Township, **Northampton County**. For the construction and operation of two (2) silicon carbide epitaxial growth reactors (source ID 106 and 107) along with one (1) combustor/scrubber (Source ID C005). Application received: April 24, 2024. Issued: September 16, 2024.

Contact: Shailesh R Patel, Environmental Group Manager, New Source Review Section, Phone 570-826-2357.

48-00117C: L&M Fabrication and Machine, Inc., 3813-3814 Chrisphalt Drive, Bath, PA 18014, East Allen Township, **Northampton County**. For the installation and operation of one (1) paint spray booth and one (1) 4,800 CFM baghouse to control dust from a metal cutting operation. Application received: October 18, 2023. Issued: April 30, 2024.

48-00085B: Piralal Critical Care Inc., 3950 Schelden Circle, Bethlehem, PA 18017, Hanover Township, **Northampton County**. For approval to operate above the current 126 metric tons per month (MT/month) production limit per Section C, Condition # 006 of State Only Operating Permit (SOOP) 48-00085 and to convert one (1) backup reactor to full production using the existing associated air cleaning device (thermal oxidizer)

at the facility. VOC emissions increase from this change is 3.05 tons/year and will remain under 50 TPY, 12-month rolling sum. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. Application received: October 6, 2023. Issued: April 30, 2024.

40-00157A: Forbo Flooring Systems, 8 Maplewood Drive, Hazle Township, PA 18202, Hazle Township, **Luzerne County**. For the installation of one (1) digital printing line with one (1) natural gas-fired dryer rated at 4.00 million British thermal units (Btu) per hour (MMBtu/hr) and one (1) lamination line with one (1) natural gas-fired cure oven rated at 4.00 million British thermal units (Btu) per hour (MMBtu/hr) with one (1) Candle Filter to control process emissions. Volatile Organic Compound (VOC) emissions from the facility will be limited to 30.05 TPY limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions, 25 Pa. Code § 123.13 for particulate matter (PM), and NSPS Subpart VVV. Best Available Technology (BAT) for the Printing and Digital Printing Lines shall be the use of Good Work Practices, highly efficient transfer efficiency methods, and low-VOC/volatile HAP process materials and inks. BAT for the lamination line shall be the use of a candle filter to capture and control PM aerosol emissions. Application received: October 18, 2023. Issued: May 1, 2024.

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

Contact: David Balog, New Source Review Section Chief, 814-332-6328.

20-00296B: Lipinski Logging & Lumber, 1026 Industrial Drive, Titusville, PA 16374, City of Titusville, **Crawford County**. The Department issued a Plan Approval to Lipinski Logging & Lumber, Inc to re-activate a surface coating operation that was previously owned and permitted for Homerwood Hardwood Flooring. Application received: December 7, 2023. Issued: September 13, 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.

15-0078H: Janssen Biotech Inc., 200 Great Valley Pkwy, Malvern, PA 19355-1307, East Whiteland Township, **Chester County**. This action is for the extension of a Plan Approval for the installation of a 1,000 KW natural gas fired generator used for emergency and non-emergency purposes for building M2 (Source ID 118) and the removal of a 285 KW emergency generator. Application received: September 4, 2024. Issued: September 10, 2024.

15-0160: International Paper Co/Atglen, P.O. Box 465, 4581 Lower Valley Rd, Atglen, PA 19310-0465, West Sadsbury Township, **Chester County**. This action is for an extension of a plan approval for the temporary shutdown operation of a box manufacturing facility. Application received: September 5, 2024. Issued: September 10, 2024.

46-0013G: Clemens Food Group/Hatfield Plant, 2700 Clemens Rd, Hatfield, PA 19440-4202, Hatfield Township, **Montgomery County**. This action is for a plan approval extension for the installation of twelve (12) new batch smokehouses that use either liquid or natural smoke, a new sausage cooking line, two (2) natural

gas-fired hot water heaters and associated control devices. Application received: August 19, 2024. Issued: September 10, 2024.

09-0256: R.E. Pierson Materials Corp/NE Ottsville Quarry, 262 Quarry Rd, Ottsville, PA 18942-9693, Nockamixon Township, **Bucks County**. This action is for the replacement of an engine at the Heidelberg Materials NE Ottsville Quarry. Application received: April 12, 2024. Issued: September 16, 2024.

09-0007G: GROWS Landfill/Waste Management, 1400 Bordentown Rd, Morrisville, PA 19067, Falls Township, **Bucks County**. This action is for an extension of Plan Approval 09-0007G for the temporary shutdown to demonstrate compliance of the short-term sulfur oxide (SO_x) limits for a Back-up Enclosed Flare at their landfill. Application received: September 12, 2024. Issued: September 16, 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.

18-00011M: Croda, Inc., 8 Croda Way, Mill Hall, PA 17751, Bald Eagle Township, **Clinton County**. DEP extend the authorization to operate the sources pursuant to the plan approval from October 4, 2024 to April 2, 2025, at their Mill Hall Facility. Application received: September 5, 2024. Approved: September 13, 2024. New expiration date: April 2, 2025.

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

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

36-05158H: Perdue AgriBusiness, LLC, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For approval of a Reasonably Available Control Technology (RACT) 3 plan, for the grain elevator and soybean oil extraction. The plan approval was extended. Application received: August 28, 2023. Issued: September 10, 2024.

36-05158G: Perdue AgriBusiness, LLC, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For the modification of the Lowest Achievable Emission Rate (LAER) limits on Source ID 206 at the soybean processing. The plan approval was extended. Application received: August 28, 2023. Issued: September 10, 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.

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.

46-00010: ReWorld Plymouth LLC, 1155 Conshohocken Rd, Conshohocken, PA 19428-1028, Plymouth Township, **Montgomery County**. This action is for the

renewal of a Title V Operating Permit for a waste to energy facility. Application received: May 23, 2022. Issued: September 13, 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.

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.

41-00052: Heidelberg Materials NE, LLC, 7660 Imperial Way, Allentown, PA 18195, Pine Creek Township, **Lycoming County**. The Department issued a renewal of the State Only (Natural Minor) Operating Permit for the Pine Creek Quarry. The State Only Operating Permit contains the necessary requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations. Application received: March 21, 2024. Renewal issued: September 9, 2024. New expiration date: September 8, 2029.

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

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

39-00051: Jaindl Farms LLC, 3150 Coffeetown Rd, Orefield, PA 18069-2511, North Whitehall Township, **Lehigh County**. The Department has issued a renewal State-Only (Natural Minor) Operating Permit for the North Whitehall Township facility. Sources at this facility include their boilers. 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: June 20, 2024. Accepted: June 20, 2024. Issued: September 11, 2024.

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

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

10-00374: Three Rivers Aggregates/Blacks Run Sand and Gravel Processing Plant, 321 Currie Road, Slippery Rock, PA 16057, Worth Township, **Butler County**. The Department issued the renewal of the State Only Operating Permit for Three Rivers Aggregates Blacks Run Sand and Gravel Processing Plant (TRA) for the nonmetallic mineral processing. The facility is a Natural Minor. Permitted air contamination sources at the plant are its crushing operations, screening operations, conveying systems, stockpiles, roadways, and truck loading/unloading activities. The potential emissions from the facility are less than the 11.4 tpy PM. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: November 10, 2023. Issued: August 26, 2024.

32-00197: Purchase Line School District, 16559 Rt 286 Hwy East, Commodore, PA 15729, Green Township, **Indiana County**. The Department issued the renewal of the State Only Operating Permit for Purchase Line School District. The sources at the facility include two 12

MmBtu/hr coal-fired boilers used for heating purposes and an emergency diesel generator. Emissions from the facility are based on the operating limit of 410 tons of coal/year for each boiler: 8.6 tpy NO_x, 4.5 tpy CO, 29.2 tpy SO_x, 1.0 tpy PM, and 0.5 tpy NMOC. The facility is a Synthetic Minor and is subject to State Regulations and Federal Regulations (40 CFR Part 63 ZZZZ and JJJJJJ). The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: October 19, 2023. Issued: September 10, 2024.

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

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

OP22-000058: Philadelphia Navy Yard Annex, 4921 S. Broad Street, Building 1, Philadelphia, PA 19112-1303, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a renewal Natural Minor Operating Permit (NMOP) for the operation of an establishment of the Armed Forces in the City of Philadelphia, Philadelphia County. The facility's air emission sources include: four (4) 0.6 Million British Thermal Units per hour (MMBtu/hr) boilers firing natural gas; one (1) 0.7 MMBtu/hr boiler firing natural gas; two (2) 0.4 MMBtu/hr boilers firing natural gas; three (3) 0.5 MMBtu/hr boilers firing natural gas; two (2) 0.399 MMBtu/hr boilers firing natural gas; one (1) 85 kW emergency generator firing diesel fuel; and one (1) dust collector. Application received: December 16, 2022. Issued: September 11, 2024.

OP22-000036: Behavioral Wellness Center, 801 W Girard Avenue, Philadelphia, PA 19122-4212, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a renewal Natural Minor Operating Permit (NMOP) for the operation of offices of clinics and health practitioners. The facility air emission sources are: • Two (2) 0.659 Million British Thermal Unit (MMBtu/hr) boilers, each burning natural gas, • One (1) 1.0 MMBtu/hr boiler burning natural gas, • One (1) 0.669 MMBtu/hr hot water heater burning natural gas, and • Three (3) emergency generators less than 500 horsepower (HP) burning diesel fuel. Application received: August 18, 2022. Issued: September 13, 2024.

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

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

67-03013: Georgia Pacific Corrugated LLC, 25 Walnut Street, P.O. Box 906, Mount Wolf, PA 17347-1906, Mount Wolf Borough, **York County**. For the corrugated packaging manufacturing facility. The State-Only permit was renewed. Application received: May 31, 2024. Issued: September 9, 2024.

67-05104: Tate Access Floors, Inc., 52 Springvale Road, P.O. Box 398, Red Lion, PA 17356-0398, Windsor Township, **York County**. For the floor panel manufacturing facility. The State-Only permit was renewed. Application received: April 30, 2024. Issued: September 10, 2024.

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

36-03085: Goodhart Sons, Inc., 2515 Horseshoe Road, Lancaster, PA 17601-5939, Upper Leacock Township,

Lancaster County. For the metal products manufacturing facility. The State-Only permit was renewed. Application received: April 22, 2024. Issued: September 10, 2024.

06-05116: Packaging Corp. of America, 173 Tuckerton Road, Reading, PA 19605-1135, Muhlenberg Township, **Berks County.** For the corrugated paper products manufacturing facility. The State-Only permit was renewed. Application received: September 26, 2023. Issued: September 10, 2024.

38-05037: Zimmerman Chair Shop, 1486 Colebrook Road, Lebanon, PA 17042-950, North Cornwall Township, **Lebanon County.** For the wood furniture manufacturing facility. The State-Only permit was renewed. Application received: June 26, 2024. Issued: September 10, 2024.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

09-00183: Donaldson Co/Ivyland Facility, 85 Railroad Dr, Ivyland, PA 18974-1478, Northampton Township, **Bucks County.** This action is for the renewal of a non-Title V, Synthetic Minor Operating Permit for the manufacture of membranes and laminates for various industrial applications. The sources of air emissions are the single polytetrafluoroethylene (PTFE) extrusion line (Source ID: 102) and a Durr regenerative thermal oxidizer (RTO) to control volatile organic compounds (VOC) emissions from extrusion and drying operations. Application received: February 15, 2024. Issued: September 10, 2024.

23-00086: Curtiss-Wright Flow Control Services LLC, d/b/a Engineering Arresting Systems, 2550 Market St, Upper Chichester, PA 19014-3426, Upper Chichester Township, **Delaware County.** This action is for the renewal of a Natural Minor Operating Permit for two paint booths, solvent cleaning operations, and a parts washer at a manufacturer of aircraft emergency arresting systems for military aircraft. Application received: April 10, 2024. Issued: September 12, 2024.

09-00127: Bracalente Manufacturing, 20 W Creamery Rd, Trumbauersville, PA 18970, Trumbauersville Borough, **Bucks County.** This action is for the renewal of a Natural Minor Operating Permit for a machine shop that performs turning, milling, assembly, and surface treatment for various industries. Application received: November 1, 2023. Issued: September 12, 2024.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

23-00009: The Boeing Company/Philadelphia, Stewart Ave and Route 291, Ridley Twp, PA 19078, Ridley Township, **Delaware County.** This action is for an Administrative Amendment of Title V Operating Permit 23-00009 for a change in the Responsible Official contact from Jeffery Webb to Howard J. Henry. Application received: August 6, 2024. Issued: September 12, 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. 32841303. Helvetia Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Center and Black Lick Townships, **Indiana County.** To renew the permit. Application received: April 7, 2020. Accepted: June 12, 2020. Issued: June 13, 2024.

Mining Permit No. 03813704. Consol Mining Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, **Plumcreek Township**, Armstrong County. To renew the permit. Application received: August 21, 2020. Accepted: October 9, 2020. Issued: June 13, 2024.

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

Contact: RA-EPCAMBRIADMO@pa.gov.

Mining Permit No. 56070103. NPDES No. PA0262366. PBS Coals, Inc., P.O. Box 260, Friedens, PA 15541, Stonycreek Township, **Somerset County.** Renewal for reclamation only of a bituminous surface and auger mine affecting 338.3 acres. Receiving streams: unnamed tributaries to/and Schrock Run classified for the following use: CWF. Application received: March 30, 2022. Permit issued: September 11, 2024.

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

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17020112. NPDES No. PA0243337. Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township, **Clearfield County.** Permit renewal for a bituminous surface coal mine and associated NPDES permit affecting 228 acres. Receiving stream(s): Big Run, Shimel Run, and UNT A to Moshannon Creek classified for the following use(s): CWF. Application received: December 21, 2023. Accepted: January 5, 2024. Issued: September 11, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 54830103. KK Coal, LLC, P.O. Box 8, Cumbola, PA 17930, Blythe Township, Schuylkill County. Renewal of an anthracite surface mine and coal refuse disposal operation affecting 160.0 acres. Receiving stream: Silver Creek. Application received: June 2, 2023. Renewal issued: September 11, 2024.

Mining Permit No. 54830103. KK Coal, LLC, P.O. Box 8, Cumbola, PA 17930, Blythe Township, Schuylkill County. Correction of an anthracite surface mine operation to include coal refuse disposal affecting 160.0 acres. Receiving stream: Silver Creek. Application received: June 2, 2023. Correction issued: September 11, 2024.

Mining Permit No. 54870101. Kuperavage Enterprises, Inc., P.O. Box 99, Middleport, PA 17953, Blythe Township, Schuylkill County. Renewal of an anthracite surface mine, coal refuse reprocessing and coal refuse disposal operation affecting 638.0 acres. Receiving stream: UNT to Schuylkill River. Application received: February 16, 2024. Renewal issued: September 11, 2024.

Mining Permit No. 54870101. Kuperavage Enterprises, Inc., P.O. Box 99, Middleport, PA 17953, Blythe Township, Schuylkill County. Correction to update the post-mining land use to unmanaged natural habitat of an anthracite surface mine, coal refuse reprocessing and coal refuse disposal operation affecting 638.0 acres. Receiving stream: UNT to Schuylkill River. Application received: February 16, 2024. Correction issued: September 11, 2024.

Noncoal Permits

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 06070301. NPDES Permit No. PA0224588. Glen-Gery Corp., P.O. Box 7001, Reading, PA 19610, Perry Township, Berks County. Renewal of an NPDES Permit on a quarry operation. Receiving stream: UNT to Schuylkill River. Application received: October 11, 2023. Renewal issued: September 11, 2024.

Mining Permit No. 49820301. GP104 No. PAM123020. Roy A. Adams Partnership, 7437 SR 147, Sunbury, PA 17801, Rockefeller Township, Northumberland County. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Little Shamokin Creek. Application received: July 5, 2023. Coverage issued: September 13, 2024.

Mining Permit No. 58242801. GP104 No. PAM124006. Clifford Grosvenor, 22429 SR 706, New Milford, PA 18834, New Milford Township, Susquehanna County. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Martin Creek. Application received: February 1, 2024. Coverage issued: September 13, 2024.

Mining Permit No. 38970301. NPDES Permit No. PA0224448. Cornwall Mining, LLC, 201 Iron Valley Drive, Lebanon, PA 17042, Cornwall Borough, Lebanon County. Correction of a quarry operation and NPDES Permit to reduce the permitted acres from 194.1 acres to 189.59 acres. Receiving stream: UNT of Snitz Creek. Application received: July 30, 2024. Correction issued: September 13, 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. 06244106. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, Brecknock Township, Berks County. Construction blasting for 5048 Chelsea Drive Shop. Application received: September 4, 2024. Permit issued: September 10, 2024. Expiration date: October 30, 2024.

Permit No. 40244114. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Plains Township, Luzerne County. Construction blasting for Valley Crest Boulevard warehouse. Application received: September 5, 2024. Permit issued: September 10, 2024. Expiration date: September 4, 2025.

Permit No. 46244108. Schlouch, Inc., 132 Excelsior Drive, Blandon, PA 19510, Limerick Township, Montgomery County. Construction blasting for Alderwood Development. Application received: September 4, 2024. Permit issued: September 10, 2024. Expiration date: September 4, 2025.

Permit No. 38244111. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, South Lebanon Township, Lebanon County. Construction blasting for Furnace Hill Holsteins Hoop Building. Application received: September 6, 2024. Permit issued: September 16, 2024. Expiration date: December 30, 2024.

Permit No. 58244106. Meshoppen Blasting, Inc., P.O. Box 127, Meshoppen, PA 18630, Dimock Township, Susquehanna County. Construction blasting for Coterra Hibbard A & M Pad 1 Extension. Application received: September 11, 2024. Permit issued: September 16, 2024. Expiration date: September 10, 2025.

Permit No. 54244105. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, New Castle and Ryan Townships and St. Clair Borough, Schuylkill County. Construction blasting for SCMA Waterline Relocation. Application received: August 28, 2024. Permit issued: September 17, 2024. Expiration date: August 31, 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.

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

Contact: Stephen Kardohely, Project Manager, 814-342-8216, RA-EPWW-NCRO@pa.gov.

E1804224-001. Amos Lapp, 182 Burrell Rd, Mill Hall, PA 17751, Lamar Township, Castanea Township, **Clinton County**. U.S. Army Corps of Engineers Baltimore District.

The Department of Environmental Protection has issued Mr. Amos Lapp an After-the-Fact Chp. 105 Standard Joint Permit for the construction and maintenance of a barn with concrete surfaced barnyard, two (2) culvert crossing, 30' x 40' produce sales facility, 25' x 40' greenhouse. Additional planned construction includes streambank stabilization along Walker Lane, construction of a 20' x 40' open sided pavilion, and a 24' x 26' open sided hay storage building. There are no anticipated adverse impacts to waters of the U.S. or aquatic resources from this construction project. The drainage area at the crossing site is 166 acres. The receiving streams Chubb Run and Little Fishing Creek are listed in the Pa. Code Chapter 93 designation as a High Quality—Cold Water Fishery (HQ-CWF) with Migratory Fish (MF). Latitude:

41°, 6', 4.41", Longitude: -77°, 23', 51.85". Application received: May 6, 2024. Issued: September 26, 2024.

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

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

E4502124-001. PA Department of Transportation, Eng District 5-0, 1002 Hamilton Street, Allentown, PA 18101, Pocono Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District.

To authorize the following water obstructions and encroachments associated with the SR 715/611 Section 01B Project: 1. To remove an existing stream crossing and to construct and maintain a new 75' wide single span bridge that will carry SR 0715 over Pocono Creek (HQ-CWF, MF) having a normal clear span of 82' and a minimum underclearance of 10' and to construct and maintain appurtenant structure features. 2. To construct and maintain an outfall in the floodway of Pocono Creek (HQ-CWF, MF) consisting of an outfall pipe, endwall and riprap apron protection. 3. To fill 196-LF of a tributary to Pocono Creek (HQ-CWF, MF) watercourse from SR 0611 drainage modifications. 4. To permanently impact 0.01 acre of PEM/PSS wetlands for SR 0611 widening. The proposed project is located along SR 715, SR 611, SR 4004 from I-80 exits 298 to 299 (Mount Pocono, PA Quadrangle, Latitude: 41.048301°, Longitude: -75.310954° to Latitude: 41.042624°, Longitude: -75.307680°) in Pocono Township, Monroe County. Latitude: 41.048301°, Longitude: -75.310954°. Application received: January 8, 2024. Issued: September 10, 2024.

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

Contact: RA-EP-WW-SERO-105@pa.gov.

E2301224-001. Delaware County, 201 West Front Street, Media, PA 19603, East and West Vincent Townships, **Delaware County**. U.S. Army Corps of Engineers Philadelphia District.

Latitude: 39.86557°, Longitude: -75.40296°. Application received: September 11, 2024/September 11, 2024.

The Delaware County is proposing the following water obstruction and encroachment activities along an approximate 1.5-mile segment of the proposed 14-foot-wide Chester Creek Branch Rail to Trail project on existing railroad tracks, impacting approximately 0.02 acre of wetlands, the proposed activities are:

1. To remove the existing rails, ties, and ballasts.
2. To construct and maintain a 14-foot-wide trail in the 100-year floodway of Chester Creek.
3. To replace a deteriorated existing pipe carrying Channel 7 (UNT to Chester Creek, WWF/MF), and construct and maintain an 84-inch CMP (75 feet x 7 feet) with a steel end section installed upstream and a rock riprap apron installed downstream at 39 (STA 38+35). Additional rock will be placed to stabilize the washed-out current conditions. The work will also include temporary placement of a clean water bypass pumping system within Channel 7, totaling 20 linear feet (240 square feet). This work also includes permanent placement of fill in wetlands and temporary excavation to wetlands. To construct the trail, 0.008 acre (304 square feet) of permanent fill will be placed in PEM/PSS/PFO Wetland C (39.86557, -75.40296/STA 39+50) and 0.001 acre (40 square feet) of permanent fill in PEM/PSS Wetland D

(39.86557, 75.40296/STA 38+75). A temporary excavation to construct the trail will impact of 0.008 acre (332 square feet) of PEM/PSS/PFO Wetland C (39.86557, -75.40296/STA 39+50) and 0.001 acre (61 square feet) of temporary excavation in PEM/PSS Wetland D (39.86557, -75.40296/STA 38+75).

4. To construct and maintain a 72-inch CMP (93 feet x 6 feet) carrying Channel 6 (UNT to Chester Creek, WWF/MF) under the Dutton Mill Road Trailhead and Parking Lot with a steel end section will outlet over a riprap apron on the downstream end before entering Chester Creek outside the LOD. To place fill in Channel 6 (UNT to Chester Creek, WWF/MF) totaling 160 linear feet (3,520 square feet) at 39.86719, -75.40822 (STA 55+90). The work includes temporary placement of a diversion dike and clean water bypass pumping system within Channel 6, totaling 22 linear feet (176 square feet).

5. To maintain the 48-inch RCP (75 feet x 6 feet) carrying Channel 5 (UNT to Chester Creek, TSF/MF) and add a rock riprap apron to the downstream side at 39.86965, -75.41056 (STA 72+50). The work includes any flow from the intermittent Channel 5 will be pumped and filtered before entering Chester Creek, totaling 15 linear feet (90 square feet) of temporary impact.

6. To construct and maintain a 31.50-foot plank beam structure (31.5 feet x 13.5 feet x 62 feet) over Channel 4 (UNT to Chester Creek, TSF/MF) and add rock to stabilize the sediment around the wash out at 39.87255, -75.41362 (STA 79+90). Fill will be added to Channel 4 totaling 26 linear feet (208 square feet). The work includes a diversion dike and clean water bypass pumping system will be utilized to install both the structure and the stabilizing rock on either side of the washout, totaling 61 linear feet (366 square feet) of temporary impact.

7. To construct and maintain an 84-inch CMP with a steel end section and a rock riprap apron to replace the deteriorated existing pipe carrying Channel 3 under the railway at 39.87255, 75.41355 (STA 84+60), totaling in 105 linear feet (735 square feet). The work includes a diversion dike and clean water bypass pumping system will be utilized to install both the pipe and the stabilizing rock, totaling 44 linear feet (308 square feet) of temporary impact.

8. To maintain and enhance the existing single span riveted steel plate girder bridge (119.7 feet x 15.8 feet x 66.2 feet) carrying the Chester Creek Trail over Chester Creek and place R-6 rock on the abutments to stabilize the structure at 39.89401, -75.41355 (STA 90+00), totaling 68 linear feet (816 square feet). Temporary excavation to improve the abutments totaling 65 linear feet (520 square feet).

The site is located approximately between the southern trail head off of Bridgewater Road (SR 3018) in Aston Township and Chester Creek Road (SR 3015) and terminate in Middletown Township—Station 27+00 to Station 94+50 (Marcus Hook, PA USGS Map, Latitude: 39.865725, Longitude: 75.406622) in Aston and Middletown Townships, Delaware County.

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

Contact: Dana Drake, Program Manager.

E0306222-001. Harsco Corporation, 350 Poplar Church Road, Camp Hill, PA 17011, East Franklin Township, **Armstrong County**. U.S. Army Corps of Engineers Pittsburgh District.

Application received: December 2, 2022. Issued: September 5, 2024.

The Applicant has been given consent to:

Remove fill that was placed within 0.09 acre of Palustrine Emergent (PEM) wetland (W002) and 0.02 acre of Palustrine Forested (PFO) wetland (W001) at the Shaffer Farm, for the purpose of disposing of materials from an off-site slag structural fill area, as part of an Act 2-Land Recycling Program project.

Mitigation of wetland impacts will be through purchase of 0.22 wetland credits from the Furnace Run Mitigation Bank, in Laughlintown, PA, and a contribution to the Pennsylvania Integrated Ecological Services, Capacity Enhancement and Support Program (PIESCES).

The project site is located at the Shaffer Farm at 671 Reesdale Rd, Adrian, PA 16210 (Kittanning USGS topographic quadrangle; N: 40°, 53', 25.926"; W: -79°, 32', 25.6128"; Sub-basin 17E; USACE Pittsburgh District), in East Franklin Township, Armstrong County.

ENVIRONMENTAL ASSESSMENTS

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-772-5321.

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

EA3815224-002. JKL Real Estate Holdings LLC, 330 Crest Road, Lebanon, PA 17042, South Lebanon Township, **Lebanon County**. U.S. Army Corps of Engineers Baltimore District.

The Division of Wetlands, Encroachments, and Training has approved the restoration plan to remove approximately 20,000 cubic yards of legacy sediment and other historic fills from the floodplain along Hazel Dyke Creek (TSF-MF), tributary to Quittapahilla Creek, for the purpose of restoring approximately 6.8 acres of integrated wetland, stream, and floodplain areas; to realign approximately 620 linear feet of stream for the purpose of restoring watercourses; to place rock stream and valley grade control structures, 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 on the Northeast corner of the intersection of Schaeffer Road (Route 419) and State Drive in South Lebanon Township, PA. Latitude: 40.288105°, Longitude: -76.380648°. Application received: November 7, 2023. Approved: September 17, 2024.

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

Contact: 717-705-4802.

EA2203224-002. East Hanover Township, 369 East Park Drive, Harrisburg, PA 17111, East Hanover Township, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District.

To conduct work along approximately 1,600 feet of an unnamed tributary to Manada Creek (WWF, MF), including 1.) the installation and maintenance of three boulder clusters; 2.) the construction and maintenance of a total of 80 feet of boulder rock revetment; 3.) the construction and maintenance of ten log cross vanes; and 4.) the construction and maintenance of ten log vanes; all permanently impacting a total of 0.25 acre of palustrine emergent/scrub shrub wetlands and all for the purposes

of restoring natural channel dimensions and reconnecting the watercourse with its floodplain. The project is located approximately 0.2 mile north of the intersection of Jones-town Road and Manada Gap Road (Latitude: 40.3647° N; Longitude: 76.6830° W) in East Hanover Township Dauphin County. The applicant proposes to re-establish the impacted wetlands in place. Application received: January 19, 2024. Issued: September 16, 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.

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 ESG081019006-01

Applicant Name **Pennenergy Resources, LLC**
Contact Person Richard Watson
Address 3000 Westinghouse Drive, Ste. 300
City, State, Zip Cranberry Township, PA 16066-5239
Township(s) Jackson Township
County **Butler County**
Receiving Stream(s) and Classification(s) Likens Run (WWF); UNT to Likens Run (WWF); Breakneck Creek (WWF)

Application received: July 9, 2024
Approved: September 16, 2024

Contact: RA-EPOILGASDROPBOX@pa.gov

ESCGP # 3 ESG082024001-00

Applicant Name **Pin Oak Energy Partners, LLC**
Contact Person Christine Shepard-Desai
Address 388 South Main Street
City, State, Zip Akron, OH 44311
Township(s) East Fallowfield Township
County **Crawford County**

Receiving Stream(s) and Classification(s) Trib 36187 of Crooked Creek (TSF)
Application received: May 30, 2024
Issued: September 12, 2024

ESCGP # 3 ESG086124001-00

Applicant Name **Pin Oak Energy Partners, LLC**
Contact Person Christine L. Shepard-Desai
Address 388 South Main St
City, State, Zip Akron, OH 44311
Township(s) Frenchcreek Township
County **Venango County**
Receiving Stream(s) and Classification(s) Tributary 51411 to Little Sandy Creek HQ-CWF Tributary 51396 of Little Sandy Creek CWF
Application received: April 5, 2024
Approved: September 13, 2024

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

Contact: Randy Farmerie, Environmental Program Manager, 570-327-3431.

Quick Shop 6, Storage Tank Facility ID # **55-09005**, 3013 N. Susquehanna Trail, Shamokin Dam, PA 17876, Shamokin Dam Borough, **Snyder County**. MEA Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of KDA Petro Prop LP, 900 Spruce Street, Sunbury, PA 17801, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

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

Contact: Eric Supey, Environmental Program Manager.

Chapin Oil Service, Storage Tank Facility ID # **40-09384**, 920 East Third Street, Nescopeck, PA 18635, Nescopeck Borough, **Luzerne County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Douthat Ventures, LLC, 920 East Third Street, Nescopeck, PA 18635, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide health standards.

Diana's Corner Store, Storage Tank Facility ID # **13-50526**, 23 West Lizard Creek Road, Lehighton, PA 18235, East Penn Township, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Manish Patel, 221 Mill Race Drive, Eaton, PA 18045, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting site-specific standards.

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

Contact: Robin L. Yerger, LPG.

Rutter's Farm Store 54, Storage Tank Facility ID # **67-32277**, 5305 Susquehanna Trail, York, PA 17402, Conewango Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna Trail, York, PA 17404, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum contaminants. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

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

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

4708 W Girard Ave Amera, Storage Tank Facility ID # **51-30104**, 4708 W Girard Ave, Philadelphia, PA 19131, City of Philadelphia, **Philadelphia County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of ASR Prop LLC, 4708 W Girard Avenue, Philadelphia, PA 19311, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

PBF Logistics Products Terminal, Storage Tank Facility ID # **51-26277**, 6850 Essington Ave., Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of PBF Logistics Products Terminals LLC, 6850 Essington Avenue, Philadelphia, PA 19153, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline and diesel fuel. The plan is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

DEP has received the following plans and reports.

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

Contact: Randy Farmerie, Environmental Program Manager, 570-327-3431.

Earl F. Dean, Storage Tank Facility ID # **55-11710**, 766 U.S. Route 6 West, Galeton, PA 18848, Pike Township, **Potter County**. Gary C. Calvert LLC, P.O. Box 504, Hollidaysburg, PA 16648, on behalf of EDPO LLC, 44 Reuter Blvd, Towanda, PA 18848, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with Unleaded gasoline and/or diesel fuel. The report was acceptable to meet the non-residential Statewide health standards and was approved by DEP on September 11, 2024.

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

Contact: Eric Supey, Environmental Program Manager.

Clarks Summit, Storage Tank Facility ID # **35-20610**, 101 North State Street, Clarks Summit, PA 18411, Clarks Summit Borough, **Lackawanna County**. CT Consultants, 1915 North 12th Street, Toledo, OH 43604, on behalf of CVS, One CVS Drive, Woonsocket, RI 02895, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan was acceptable to meet the site-specific standards and was approved by DEP on September 17, 2024.

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

Contact: Robin L. Yerger, LPG.

Rutter's Farm Store 54, Storage Tank Facility ID # **67-32277**, 5305 Susquehanna Trail, York, PA 17402, Conewago Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna Trail, York, PA 17404, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum contaminants. The plan was not acceptable to meet the nonresidential site-specific standards and was disapproved by DEP on September 12, 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.

4400 Market Street Conoco, Storage Tank Facility ID # **51-29717**, 4400 Market St., Philadelphia, PA 19104, City of Philadelphia, **Philadelphia County**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Remediation Management Service Company, P.O. Box 101925, Arlington, VA 22210, submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The combined plan and report demonstrated attainment of the site-specific standards and was approved by DEP on September 12, 2024.

Lukoil 69218, Storage Tank Facility ID # **51-12152**, 8005 Ogontz Ave, Philadelphia, PA 19150, City of Philadelphia, **Philadelphia County**. EnviroTrac Ltd., 602 S. Bethlehem Pike, Suite A 2 and 3, Ambler, PA 19002, on behalf of Lukoil North America, LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan was acceptable to meet the nonresidential Statewide health and site-specific standards and was approved by DEP on September 16, 2024.

SPECIAL NOTICES

WASTE, AIR, RADIATION AND REMEDIATION

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, RA-EPWM-NERO@pa.gov.

PUBLIC HEARING SCHEDULED

Hazardous Waste Permit Renewal Application Permit No. PAD002389559 Submitted by Keystone Cement Company East Allen Township, Northampton County

The Department of Environmental Protection has scheduled a public hearing to accept comments on the hazardous waste permit renewal application and draft permit for the Keystone Cement Company, Route 329, P.O. Box A, Bath, PA 18014-0058. Notice of issuance of the draft permit was published in the *Pennsylvania Bulletin* on June 22, 2024.

Keystone Cement Company is an existing permitted hazardous waste storage facility, located at Routes 329 and 987, Bath, PA, that specializes in the storage of approved liquid wastes prior to the beneficial use of the liquid waste as a fuel in the site cement kiln. The renewal permit will include a hazardous waste fuel mixing system that will be used with the tank farm, rail car unloading, and direct fuel transfer system. The renewed permit will allow the existing facility to remain in operation for another ten (10) years.

The public hearing will be held on Monday, October 28, 2024 from 6 to 9:30 p.m. at the Nitschmann Middle School located at 1002 W Union Blvd, Bethlehem, PA 18018.

The Department requests that individuals wishing to testify at the hearing submit a written notice of intent to Colleen Connolly, Community Relations Coordinator, Keystone Cement Company Public Hearing, PA DEP, 2 Public Square, Wilkes-Barre, PA 18701-1915, or by email at coconnolly@pa.gov.

The Department will accept notices up to the day of the hearing. The written notice should include the person's name, address, telephone number and a brief statement as to the nature of their presentation. The Department requests that individuals limit their testimony to five (5) minutes so that all individuals have the opportunity to testify.

Written copies of oral testimony are requested. Relinquishing of time to others will not be allowed. Individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who pre-register to testify will be given priority on the agenda. Persons unable to attend the hearing may submit written statements/comments to the Department on or before October 28, 2024.

Persons with a disability who wish to testify and require an auxiliary aid, service or other accommodation should contact Colleen Connolly, 570-826-2511 or through the Pennsylvania Hamilton Relay Service at 800-654-5984 (TDD) to discuss how the Department can meet their needs.

To request to view the application and/or draft permit, contact Roger Bellas at 570-826-2511 or rbellas@pa.gov.

[Pa.B. Doc. No. 24-1387. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Aggregate Advisory Board; Regulatory, Legislative and Technical Committee Meeting

The Aggregate Advisory Board's (Board) Regulatory, Legislative and Technical Committee will meet on October 3, 2024, from 1 p.m. to 3 p.m., in the Susquehanna Conference Room, Department of Environmental Protection Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are required to sign up in advance by contacting Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining," then "Aggregate Advisory Board," then "2024").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the October 3, 2024, meeting can be directed to Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-1388. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 03(3368)101.1, Abandoned Mine Reclamation Project, Belnap South, Brady Township, Armstrong County. The principal items of work and approximate quantities include the following: implementation of the erosion and sediment pollution control plan—rock construction entrance, 1 each; implementation of the erosion and sediment pollution control plan—compost filter sock, 32" diameter, 3,144 linear feet; clearing and grubbing, 18.8 acres; grading, 179,958 cubic yards; and mushroom compost, 1,880 cubic yards.

This bid issues on October 4, 2024, and bids will be opened on October 31, 2024, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D

format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-1389. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Proposed State Implementation Plan Revision Second Maintenance Plan for the Harrisburg/York Nonattainment Area for the 2006 Fine Particulate Matter National Ambient Air Quality Standard; Public Hearing

The Department of Environmental Protection (Department) is seeking public comment on a proposed second maintenance plan for the current Harrisburg-Lebanon-Carlisle-York, PA maintenance area (Harrisburg/York Area) under the 2006 annual PM_{2.5} National Ambient Air Quality Standard (NAAQS). This second maintenance plan, when finalized, will be submitted to the United States Environmental Protection Agency (EPA) as a revision to the State Implementation Plan (SIP) demonstrating the Harrisburg/York Area's continued and future compliance with the 2006 PM_{2.5} standard for a second 10-year period. The Harrisburg/York Area consists of Cumberland, Dauphin, Lebanon and York Counties. This second maintenance plan demonstrates the Harrisburg/York Area will continue to maintain compliance with the standard for an additional 10-year period as required under section 175A(b) of the Clean Air Act (CAA) (42 U.S.C. § 7505a(b)). This second maintenance plan SIP revision, when final, will also establish new motor vehicle emission budgets for transportation conformity purposes in the Harrisburg/York Area.

Particulate matter includes both solid and liquid particles suspended in the air. Fine particle pollution or PM_{2.5} describes particulate matter that is less than or equal to 2.5 micrometers in diameter. PM_{2.5} concentrations above the Federal health-based standard pose a serious human health threat.

On November 13, 2009, the EPA published final 2006 annual PM_{2.5} NAAQS nonattainment designations at 74 FR 58688 (November 13, 2009), which became effective on December 14, 2009. The Harrisburg/York Area was one of seven areas in this Commonwealth designated by the EPA as moderate nonattainment for the 2006 PM_{2.5} standard. The EPA approved the Department's Harrisburg/York Area redesignation request with the original 10-year maintenance plan on December 8, 2014 (See 79 FR 72552 (December 8, 2014)). This 10-year maintenance plan extends until December 2024. On August 24, 2016, the EPA published a final rule addressing the SIP requirements for all existing and future PM_{2.5} standards at 81 FR 58010 (August 24, 2016). This EPA

final rule also vacated the 1997 PM_{2.5} standard and the need for states to do a second 10-year maintenance plan for the 1997 standard. This second maintenance plan will be submitted as a revision to the Commonwealth SIP and addresses ongoing compliance with the 2006 annual PM_{2.5} NAAQS.

The Harrisburg/York Area has been a PM_{2.5} maintenance area since December 2014. As required by the CAA, when finalized and approved, the second maintenance plan will demonstrate continued maintenance of the 2006 PM_{2.5} standard for an additional 10-year period. Continued maintenance is based upon declining actual monitored design values and lower projected PM_{2.5} emissions and PM_{2.5} precursors over the second 10-year maintenance period relative to the 2007 attainment year emissions. Ongoing maintenance of the PM_{2.5} NAAQS is achieved only after considering growth in population and vehicle miles traveled. After demonstrating the significant improvements in air quality in the Harrisburg/York Area for the second maintenance period, along with the actual compliance shown by existing monitoring data, and after consideration of any public comments, the Harrisburg/York Area second maintenance plan will be finalized and submitted to the EPA for review and approval. The proposed SIP revision is available on the Department's web site at <http://www.ahs.dep.pa.gov/eComment>.

The Department will provide the opportunity for a public hearing to receive comments on the proposal on October 30, 2024, at 1 p.m. at the Department's Central Office, RCSOB, 400 Market Street, Harrisburg, PA.

Persons wishing to present testimony should contact Hannah Waddington at P.O. Box 8468, Harrisburg, PA 17105, (717) 787-9702, hwaddingto@pa.gov no less than 24 hours in advance of the public hearing to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their comments.

If by 12 p.m. on Monday, October 28, 2024, no person has expressed an interest in testifying at the hearing, the hearing will be cancelled. The Department will provide public notice on the Bureau of Air Quality webpage at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> if the hearing is cancelled. Persons may also contact the Department to find out if the hearing is cancelled by contacting Hannah Waddington at (717) 787-9702 or hwaddingto@pa.gov.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Hannah Waddington at hwaddingto@pa.gov or (717) 787-7677. TDD users may contact the Pennsylvania Hamilton Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than November 1, 2024. Commentators are encouraged to submit comments using the Department's eComment system at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments may be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Harrisburg/York Area PM_{2.5}" as the subject line in written communication.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-1390. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C. §§ 241(a) and 247b), will hold rescheduled virtual public meetings on Tuesday, October 1, 2024, from 9 a.m. to 4:30 p.m. and Wednesday, October 2, 2024, from 9 a.m. to 4:30 p.m. A public meeting was previously scheduled for August 29, 2024, and was cancelled.

Participants can access the meetings virtually through the following options:

To join the Microsoft Teams meetings, individuals will need to connect by phone; this can be done by dialing the following number and entering the meeting ID listed as follows:

Main Meeting: Day 1

Call-in Information:

Phone Number: (866) 588-4789
Phone Conference ID: 771140807#
<https://bit.ly/OctHPGDay1>

Evaluation Subcommittee

Call-in Information:

Phone Number: (866) 588-4789
Phone Conference ID: 377959730#
<https://bit.ly/OctHPGEval>

Intersectional and Innovation Subcommittee

Call-in Information: (same as main meeting)

Phone Number: (866) 588-4789
Phone Conference ID: 771140807#
<https://bit.ly/OctHPGDay1>

Main Meeting: Day 2

Call-in Information:

Phone Number: (866) 588-4789
Phone Conference ID: 641613496#
<https://bit.ly/OctHPGDay2>

Evaluation Subcommittee

Call-in Information: (same as main meeting)

Phone Number: (866) 588-4789
Phone Conference ID: 641613496#
<https://bit.ly/OctHPGDay2>

Intersectional and Innovation Subcommittee

Call-in Information:

Phone Number: (866) 588-4789
Phone Conference ID: 405319138#
<https://bit.ly/OctHPGIandI>

For individuals interested in participating in the meetings who do not have access to a phone or computer, accommodations have been made for a meeting location at the Health and Welfare 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 Prevention Programs for Health Departments grant. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process

in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information, to request an accommodation due to lack of access to a phone or computer, or persons with a disability who wish to attend the meetings 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 these meetings without prior notice.

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1391. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Infant Hearing Screening Advisory Committee Meeting

The Infant Hearing Screening Advisory Committee established under the Infant Hearing Education, Assessment, Reporting and Referral (IHEARR) Act (11 P.S. §§ 876-1—876-9), will hold a public meeting on Thursday, October 10, 2024, from 9 a.m. to 11 a.m. at the Department of Health, 7th Floor West, 625 Forster Street, Health and Human Services Building, Harrisburg, PA 17120. The meeting can be attended virtually on Microsoft Teams at <https://bit.ly/4dfEgsu>.

Agenda items will include the new Universal Newborn Hearing Screening grant, the 2025 Early Hearing Detection and Intervention annual conference, updates on the Family Connections for Language and Learning program and a review of ongoing committee business.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Mark Beall, Program Administrator, Division of Newborn Screening and Genetics at (717) 783-8143. Speech and/or hearing-impaired persons use V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1392. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 204.1 (relating to applica-

tion of *Guidelines for Design and Construction of Residential Health, Care and Support Facilities*):

WillowBrooke Court at Spring House Estates
728 Norristown Road
Lower Gwynedd, PA 19002
FAC ID # 971502

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 204.8 (relating to utility room):

WillowBrooke Court at Spring House Estates
728 Norristown Road
Lower Gwynedd, PA 19002
FAC ID # 971502

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(f.1)(3) (relating to nursing services):

Saunders Nursing and Rehabilitation Center
100 Lancaster Avenue
Wynnewood, PA 19096
FAC ID # 190402

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(i)(2):

Saunders Nursing and Rehabilitation Center
100 Lancaster Avenue
Wynnewood, PA 19096
FAC ID # 190402

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Human Services Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1393. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Continuation of the Alternative Payment Methodology for COVID-19 Vaccine Administration

This notice announces the continuation of the Alternative Payment Methodology (APM) for Federally Qualified

Health Centers (FQHC) and Rural Health Clinics (RHC) for the administration of the novel coronavirus (COVID-19) vaccines administered during a COVID-19 vaccine-only visit.

Background

During the COVID-19 Public Health Emergency (PHE), the Department of Human Services (Department) received approval from the Centers for Medicare & Medicaid Services (CMS) to allow an APM for FQHCs and RHCs for the administration of COVID-19 vaccines during a COVID-19 vaccine-only visit. This APM was scheduled to end when the PHE ended, on May 11, 2023. In response to CMS guidance on extensions of provisions that were approved during the COVID-19 PHE, the Department announced an extension of the APM through September 30, 2024, at 53 Pa.B. 2500 (May 6, 2023).

To ensure continued accessibility to COVID-19 vaccinations for Medical Assistance (MA) beneficiaries, the Department is continuing the COVID-19 APM for FQHCs and RHCs. This continuation will allow FQHCs and RHCs, who agree to accept the APM, to continue to receive supplemental payments at the MA Program Fee Schedule rate for the administration of COVID-19 vaccines during a COVID-19 vaccine-only visit, by FQHC/RHC practitioners capable of generating a billable encounter who have authority under State law to administer the vaccine.

Fiscal Impact

The Department does not anticipate a fiscal impact associated with the continuation of this APM.

Public Comment

Interested persons are invited to submit written comments regarding the extension of this APM to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, P.O. Box 2675, Harrisburg, PA 17120, RA-PWMAProgComments@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision to the APM.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1654. No fiscal impact; recommends adoption.

[Pa.B. Doc. No. 24-1394. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Fall Frenzy Fast Play Game 5257

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the Fast Play lottery game is Pennsylvania Fall Frenzy (“Fall Frenzy”). The game number is PA-5257.

2. Definitions:

(a) *+\$50 FRENZY NUMBER OR 5X FRENZY:* The area on a Fall Frenzy ticket containing one +\$50 FRENZY NUMBER play symbol and one 5X FRENZY NUMBER play symbol. When any of the “YOUR NUMBERS” play symbols matches the +\$50 FRENZY NUMBER play symbol, the player increases the prize shown under the matching “YOUR NUMBERS” play symbol by \$50 and wins that amount. When any of the “YOUR NUMBERS” play symbols matches the 5X FRENZY NUMBER play symbol, the player multiplies the prize shown under the matching “YOUR NUMBERS” play symbol by 5 and wins that amount.

(b) *+\$50 FRENZY NUMBER:* The play symbol on the left within the “+\$50 FRENZY NUMBER OR 5X FRENZY” area. When any of the “YOUR NUMBERS” play symbols matches the +\$50 FRENZY NUMBER play symbol, the player increases the prize shown under the matching “YOUR NUMBERS” play symbol and wins that amount.

(c) *5X FRENZY NUMBER:* The play symbol on the right within the “+\$50 FRENZY NUMBER OR 5X FRENZY” area. When any of the “YOUR NUMBERS” play symbols matches the +5X FRENZY NUMBER play symbol, the player multiplies the prize shown under the matching “YOUR NUMBERS” play symbol by 5 and wins that amount.

(d) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(e) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(f) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(g) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(h) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(i) *Play:* A chance to participate in a particular Fast Play lottery game.

(j) *Play Area:* The area on a ticket which contains one or more play symbols.

(k) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(l) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(m) *WINNING NUMBERS:* The play symbols found in the play area that determine whether a player wins a prize when matched against the play symbols in the “YOUR NUMBERS” area.

(n) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The play symbols found in the play area that determine whether a player wins a prize when matched against the play symbols in the “WINNING NUMBERS” area.

3. *Price*: The price of a Fall Frenzy ticket is \$20.

4. *Description of the Fall Frenzy Fast Play lottery game*:

(a) The Fall Frenzy lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Fall Frenzy tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Fall Frenzy is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. When any of the “YOUR NUMBERS” play symbols match the “+\$50 FRENZY NUMBER” play symbol, the player increases the prize shown under the matching “YOUR NUMBERS” play symbol by \$50 and wins that amount. When any of the “YOUR NUMBERS” play symbols match the “5X FRENZY NUMBER” play symbol, the player multiplies the prize shown under the matching “YOUR NUMBERS” play symbol by 5 and wins that amount. A bet slip is not used to play this game.

(c) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) Fall Frenzy tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Fall Frenzy ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Fall Frenzy ticket and select the Fall Frenzy option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Fall Frenzy ticket characteristics*:

(a) Fall Frenzy tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Fall Frenzy tickets will contain one play area, consisting of a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, a “+\$50 FRENZY NUMBER” and a “5X FRENZY NUMBER.” The play symbols and their captions located in the “WINNING NUMBERS” area, the “YOUR NUMBERS” area, the “+\$50 FRENZY NUMBER” and the “5X FRENZY NUMBER” are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRT) 31 (THYONE), 32 (THYTWO), 33 (THYTHR),

34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT).

(c) *Prize Symbols*: The prize symbols and their captions located in the “YOUR NUMBERS” area, are: \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$5,000 (FIV THO).

(d) *Prizes*: The prizes that can be won in this game are: \$20, \$30, \$40, \$50, \$100, \$250, \$500, \$1,000 and \$5,000. For a complete description of how these prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 13 times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 480,000 tickets will be available for sale for the Fall Frenzy lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Fall Frenzy prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000 (FIV THO) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “+\$50 FRENZY NUMBER” play symbol and a prize symbol of \$500 (FIV HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$550.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “5X FRENZY NUMBER” play symbol and a prize symbol of \$100 (ONE HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “+\$50 FRENZY NUMBER” play symbol and a prize symbol of \$250 (TWOHUNFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250.

(i) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “5X FRENZY NUMBER” play symbol and a prize symbol of \$50⁰⁰ (FIFTY)

appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250.

(j) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “5X FRENZY NUMBER” play symbol and a prize symbol of \$40⁰⁰ (FORTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “+\$50 FRENZY NUMBER” play symbol and a prize symbol of \$100 (ONE HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$150.

(l) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “5X FRENZY NUMBER” play symbol and a prize symbol of \$30⁰⁰ (THIRTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$150.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “+\$50 FRENZY NUMBER” play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “5X FRENZY NUMBER” play symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “+\$50 FRENZY NUMBER” play symbol and a prize symbol of \$40⁰⁰

(FORTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$90.

(q) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “+\$50 FRENZY NUMBER” play symbol and a prize symbol of \$30⁰⁰ (THIRTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$80.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “+\$50 FRENZY NUMBER” play symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$70.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>Match Any Of “YOUR NUMBERS” To Any Of The “WINNING NUMBERS” To Win Prize Shown Under That Match. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 480,000 Tickets:</i>
\$20	\$20	9.09	52,800
\$30	\$30	11.24	42,720
\$20 × 2	\$40	50	9,600
\$40	\$40	50	9,600
\$30 + \$20	\$50	100	4,800
\$50	\$50	104.17	4,608
\$20 × 5	\$100	333.33	1,440
\$50 + \$30 + \$20	\$100	333.33	1,440
(\$20 w/ +\$50 FRENZY MATCH) + \$30	\$100	250	1,920
(\$30 w/ +\$50 FRENZY MATCH) + \$20	\$100	250	1,920
\$20 w/ 5X FRENZY MATCH	\$100	238.1	2,016

<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS" To Win Prize Shown Under That Match. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 480,000 Tickets:</i>
\$50 w/ +\$50 FRENZY MATCH	\$100	250	1,920
\$100	\$100	769.23	624
\$50 × 5	\$250	12,000	40
(\$100 × 2) + \$50	\$250	12,000	40
(((\$20 w/ 5X FRENZY MATCH) × 2) + \$50	\$250	1,200	400
(\$30 w/ 5X FRENZY MATCH) + (\$20 w/ 5X FRENZY MATCH)	\$250	1,200	400
(\$40 w/ 5X FRENZY MATCH) + \$30 + \$20	\$250	1,200	400
(\$40 w/ +\$50 FRENZY MATCH) + (\$50 × 2) + \$40 + \$20	\$250	1,200	400
(\$50 w/ +\$50 FRENZY MATCH) + (\$30 w/ 5X FRENZY MATCH)	\$250	960	500
(\$100 w/ +\$50 FRENZY MATCH) + (\$20 w/ 5X FRENZY MATCH)	\$250	960	500
(\$100 w/ +\$50 FRENZY MATCH) + (\$50 w/ +\$50 FRENZY MATCH)	\$250	960	500
\$50 w/ 5X FRENZY MATCH	\$250	400	1,200
\$250	\$250	12,000	40
\$100 × 5	\$500	12,000	40
\$250 × 2	\$500	12,000	40
(\$100 × 2) + (\$50 × 2) + (\$40 × 2) + (\$30 × 2) + (\$20 × 3)	\$500	12,000	40
(\$40 w/ 5X FRENZY MATCH) + (((\$20 w/ 5X FRENZY MATCH) × 2) + (\$20 × 5)	\$500	12,000	40
(\$50 w/ 5X FRENZY MATCH) × 2	\$500	12,000	40
(((\$50 w/ +\$50 FRENZY MATCH) × 2) + (\$20 w/ 5X FRENZY MATCH) + (\$40 × 3) + (\$20 × 4)	\$500	12,000	40
(\$100 w/ +\$50 FRENZY MATCH) + (\$50 w/ 5X FRENZY MATCH) + \$50 + \$30 + \$20	\$500	12,000	40
(\$250 w/ +\$50 FRENZY MATCH) + (\$40 w/ 5X FRENZY MATCH)	\$500	12,000	40
\$100 w/ 5X FRENZY MATCH	\$500	6,000	80
\$500	\$500	12,000	40
\$250 × 4	\$1,000	120,000	4
(\$250 × 2) + (\$100 × 2) + (\$50 × 2) + (\$40 × 2) + (\$30 × 2) + (\$20 × 3)	\$1,000	120,000	4
(\$100 w/ 5X FRENZY MATCH) + (\$50 w/ 5X FRENZY MATCH) + (\$50 × 5)	\$1,000	60,000	8
(\$100 w/ 5X FRENZY MATCH) × 2	\$1,000	60,000	8
(\$250 w/ +\$50 FRENZY MATCH) + (\$40 w/ 5X FRENZY MATCH) + (\$100 × 2) + (\$50 × 2) + (\$40 × 5)	\$1,000	60,000	8
(\$500 w/ +\$50 FRENZY MATCH) + (\$50 w/ 5X FRENZY MATCH) + (\$40 × 5)	\$1,000	60,000	8
\$1,000	\$1,000	120,000	4
\$5,000	\$5,000	2,087	230

+\$50 FRENZY OR 5X FRENZY: Match any of YOUR NUMBERS to the +\$50 FRENZY NUMBER to ADD \$50 to the prize shown under that match and win that amount. Match any of YOUR NUMBERS to the 5X FRENZY NUMBER to win 5 TIMES the prize shown under that match.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Fall Frenzy lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Fall Frenzy lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Fall Frenzy or through normal communications methods.

20. *Applicability:* This notice applies only to the Fall Frenzy lottery game announced in this notice.

PATRICK BROWNE,
Secretary

[Pa.B. Doc. No. 24-1395. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Hedge Fun Hundreds Fast Play Game 5259

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the Fast Play lottery game is Pennsylvania Hedge Fun Hundreds (“Hedge Fun Hundreds”). The game number is PA-5259.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *HEDGE FUN:* A feature of the Hedge Fun Hundreds game containing two “HEDGEHOG” spots and a “WINNING HEDGEHOG” spot. If either of the play symbols in a “HEDGEHOG” spot matches the “WINNING HEDGEHOG,” the player wins a prize of \$10. If both of the play symbols in the two “HEDGEHOG” spots match the play symbol in the “WINNING HEDGEHOG” spot, the player wins a prize of \$100. “HEDGE FUN” is played separately.

(e) *HEDGEHOG:* Two spots within the “HEDGE FUN” feature that each contain one play symbol. If either “HEDGEHOG” spot play symbol matches the “WINNING HEDGEHOG” spot play symbol, the player wins a prize of \$10. If both “HEDGEHOG” spot play symbols match the “WINNING HEDGEHOG” spot play symbol, the player wins a prize of \$100. “HEDGE FUN” is played separately.

(f) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(g) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(h) *Play:* A chance to participate in a particular Fast Play lottery game.

(i) *Play Area:* The area on a ticket which contains one or more play symbols.

(j) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *Prize:* A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *WINNING HEDGEHOG:* A spot within the “HEDGE FUN” feature containing one play symbol. If either “HEDGEHOG” spot play symbol matches the “WINNING HEDGEHOG” spot play symbol, the player wins a prize of \$10. If both “HEDGEHOG” spot play symbols match the “WINNING HEDGEHOG” spot play symbol, the player wins a prize of \$100. “HEDGE FUN” is played separately.

(m) *WINNING NUMBERS:* The play symbols found in the play area that determine whether a player wins a prize when matched against the play symbols in the “YOUR NUMBERS” area.

(n) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS:* The play symbols found in the play area that determine whether a player wins a prize when matched against the play symbols in the “WINNING NUMBERS” area.

3. *Price:* The price of a Hedge Fun Hundreds ticket is \$1.

4. *Description of the Hedge Fun Hundreds Fast Play lottery game:*

(a) The Hedge Fun Hundreds lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Hedge Fun Hundreds tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells

terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Hedge Fun Hundreds is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player correctly matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) Hedge Fun Hundreds tickets contain a “HEDGE FUN” feature. When one of the “HEDGEHOG” spot play symbols matches the “WINNING HEDGEHOG” spot play symbol, the player wins a prize of \$10. When both of the “HEDGEHOG” spot play symbols match the “WINNING HEDGEHOG” spot play symbol, the player wins a prize of \$100. “HEDGE FUN” is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Hedge Fun Hundreds tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Hedge Fun Hundreds ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Hedge Fun Hundreds ticket and select the Hedge Fun Hundreds option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. Hedge Fun Hundreds ticket characteristics:

(a) Hedge Fun Hundreds tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Hedge Fun Hundreds tickets will contain a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the two “HEDGEHOG” spots and the “WINNING HEDGEHOG” spot are: Dancing Hedgehog (DANCING) symbol, Reading Hedgehog (READING) symbol, Sleeping Hedgehog (SLEEPING) symbol, Raining Hedgehog (RAINING) symbol, Eating Hedgehog (EATING) symbol and a Farming Hedgehog (FARMING) symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY) and \$100 (ONE HUN).

(d) *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$10, \$20, \$30, \$50 and \$100. The prizes that can be won in the “HEDGE FUN”

feature are: \$10 and \$100. For a complete description of how these prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to five times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 960,000 tickets will be available for sale for the Hedge Fun Hundreds lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Hedge Fun Hundreds prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets upon which both of the play symbols in the two “HEDGEHOG” spots match the play symbol in the “WINNING HEDGEHOG” spot, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets upon which either of the play symbols in the two “HEDGEHOG” spots match the play symbol in the “WINNING HEDGEHOG” spot, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Hedge Fun Hundreds Fast Play Game Ticket.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>Match Any Of “YOUR NUMBERS” To Any Of The “WINNING NUMBERS,” To Win Prize Shown Under That Match. Win With:</i>	<i>“HEDGE FUN”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
FREE		FREE \$1 TICKET	10	96,000
\$1		\$1	20.41	47,040
\$1 × 2		\$2	50	19,200
\$2		\$2	66.67	14,400
\$1 × 3		\$3	200	4,800
\$2 + \$1		\$3	200	4,800
\$3		\$3	200	4,800
(\$1 × 3) + \$2		\$5	500	1,920
(\$2 × 2) + \$1		\$5	142.86	6,720
\$3 + \$2		\$5	142.86	6,720
\$5		\$5	500	1,920
\$5 × 2		\$10	1,000	960
(\$3 × 2) + (\$2 × 2)		\$10	250	3,840
	\$10 w/ MATCH EITHER HEDGEHOG	\$10	250	3,840
\$10		\$10	1,000	960
\$5 × 4		\$20	12,000	80
(\$3 × 2) + (\$2 × 2)	\$10 w/ MATCH EITHER HEDGEHOG	\$20	2,400	400
\$5 × 2	\$10 w/ MATCH EITHER HEDGEHOG	\$20	2,400	400
\$10	\$10 w/ MATCH EITHER HEDGEHOG	\$20	2,400	400
\$20		\$20	12,000	80
\$10 × 3		\$30	12,000	80
\$5 × 4	\$10 w/ MATCH EITHER HEDGEHOG	\$30	4,000	240
\$10 × 2	\$10 w/ MATCH EITHER HEDGEHOG	\$30	4,000	240
\$20	\$10 w/ MATCH EITHER HEDGEHOG	\$30	4,000	240
\$30		\$30	12,000	80

<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS," To Win Prize Shown Under That Match. Win With:</i>	<i>"HEDGE FUN":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
\$30 + \$20		\$50	24,000	40
(\$5 × 2) + \$20 + \$10	\$10 w/ MATCH EITHER HEDGEHOG	\$50	8,000	120
(\$10 × 2) + \$20	\$10 w/ MATCH EITHER HEDGEHOG	\$50	8,000	120
\$30 + \$10	\$10 w/ MATCH EITHER HEDGEHOG	\$50	8,000	120
\$50		\$50	24,000	40
	\$100 w/ MATCH BOTH HEDGEHOGS	\$100	1,684	570
\$100		\$100	1,684	570

HEDGE FUN: Match EITHER HEDGEHOG to the WINNING HEDGEHOG to win \$10 instantly. Match BOTH HEDGEHOGS to the WINNING HEDGEHOG to win \$100 instantly! HEDGE FUN is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the

winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Hedge Fun Hundreds lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Hedge Fun Hundreds lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of

at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Hedge Fun Hundreds or through normal communications methods.

19. *Applicability:* This notice applies only to the Hedge Fun Hundreds lottery game announced in this notice.

PATRICK BROWNE,
Secretary

[Pa.B. Doc. No. 24-1396. Filed for public inspection September 27, 2024, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Sweater Weather Fast Play Game 5258

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Sweater Weather ("Sweater Weather"). The game number is PA-5258.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *LEAF:* A feature of the Sweater Weather game where the player multiplies the prize amount below the matching "YOUR NUMBERS" play symbol by 5 and wins that amount when any "YOUR NUMBERS" play symbol matches any of the "WINNING NUMBERS" play symbols and the matching "YOUR NUMBERS" play symbol is printed on a LEAF symbol.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including

making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WOOLY GOOD WINALL*: A feature of the Sweater Weather game containing a "WOOLY WEATHER" area and three "WOOLY GOOD WINALL" play symbols. When a Ball play symbol, Skein play symbol and a Knit play symbol appear in the "WOOLY WEATHER" area, the player wins all 12 prizes shown in the "YOUR NUMBERS" area.

(l) *WOOLY WEATHER*: The area at the top of a Sweater Weather ticket containing three "WOOLY GOOD WINALL" play symbols.

(m) *WINNING NUMBERS*: The play symbols found in the play area that determine whether a player wins a prize when matched against the play symbols in the "YOUR NUMBERS" area.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The play symbols found in the play area that determine whether a player wins a prize when matched against the play symbols in the "WINNING NUMBERS" area.

3. *Price*: The price of a Sweater Weather ticket is \$5.

4. *Description of the Sweater Weather Fast Play lottery game*:

(a) The Sweater Weather lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Sweater Weather tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Sweater Weather is played by matching any of the play symbols located in the "YOUR NUMBERS" area to any of the play symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" play symbol. When a "YOUR NUMBERS" play symbol matches any of the "WINNING NUMBERS" play symbols and the matching "YOUR NUMBERS" play symbol is printed on a "LEAF" symbol, the player multiplies the prize shown under the matching "YOUR NUMBERS" play symbol by 5 and wins that amount. A bet slip is not used to play this game.

(c) Sweater Weather is also played by matching a Ball play symbol, a Skein play symbol and Knit play symbol in the "WOOLY WEATHER" area. A player matching the three play symbols in this manner will knit a "WOOLY GOOD WINALL" sweater and win all 12 prize amounts shown in the "YOUR NUMBERS" area.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Sweater Weather tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Sweater Weather ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Sweater Weather ticket and select the Sweater Weather option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Sweater Weather ticket characteristics*:

(a) Sweater Weather tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Sweater Weather tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "WOOLY GOOD WINALL" feature including the "WOOLY WEATHER" area. The play symbols and their captions located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions located in the "YOUR NUMBERS" area and printed on a "LEAF" symbol are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The "WOOLY GOOD WINALL" play symbols located in the "WOOLY WEATHER" area are: Scissors symbol, Button symbol, Mittens symbol, Loom symbol, Socks symbol, Needles symbol, Ball symbol, Skein symbol and a Knit symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$75⁰⁰ (SVY FIV), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

(d) *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$15, \$25, \$50, \$75, \$100, \$250, \$1,000 and \$25,000. For a complete description of how these prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 12 times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 480,000 tickets will be available for sale for the Sweater Weather lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Sweater Weather prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a Ball symbol, Skein symbol and a Knit symbol appear in the “WOOLY WEATHER” area and a prize symbol of \$250 (TWOHUNFTY) appears in two of the Prize areas, a prize symbol of \$100 (ONE HUN) appears in four of the Prize areas, a prize symbol of \$25^{.00} (TWY FIV) appears in two of the Prize areas, a prize symbol of \$15^{.00} (FIFTEEN) appears in two of the Prize areas and a prize symbol of \$10^{.00} (TEN DOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol is printed on a “LEAF” symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50^{.00} (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol is printed on a “LEAF” symbol, on a single ticket, shall be entitled to a prize of \$250.

(h) Holders of tickets upon which a Ball symbol, Skein symbol and a Knit symbol appear in the “WOOLY WEATHER” area and a prize symbol of \$50^{.00} (FIFTY) appears in two of the Prize areas, a prize symbol of \$25^{.00} (TWY FIV) appears in four of the Prize areas, a prize symbol of \$10^{.00} (TEN DOL) appears in four of the Prize areas and a prize symbol of \$5^{.00} (FIV DOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$250.

(i) Holders of tickets upon which a Ball symbol, Skein symbol and a Knit symbol appear in the “WOOLY WEATHER” area and a prize symbol of \$25^{.00} (TWY FIV) appears in seven of the Prize areas and a prize symbol of \$15^{.00} (FIFTEEN) appears in five of the Prize areas, on a single ticket, shall be entitled to a prize of \$250.

(j) Holders of tickets upon which a Ball symbol, Skein symbol and a Knit symbol appear in the “WOOLY WEATHER” area and a prize symbol of \$15^{.00} (FIFTEEN) appears in seven of the Prize areas, a prize symbol of \$5^{.00} (FIV DOL) appears in two of the Prize areas, a prize

symbol of \$100 (ONE HUN) appears in one of the Prize areas, a prize symbol of \$25^{.00} (TWY FIV) appears in one of the Prize areas and a prize symbol of \$10^{.00} (TEN DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$250.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25^{.00} (TWY FIV) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol is printed on a “LEAF” symbol, on a single ticket, shall be entitled to a prize of \$125.

(l) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which a Ball symbol, Skein symbol and a Knit symbol appear in the “WOOLY WEATHER” area and a prize symbol of \$15^{.00} (FIFTEEN) appears in two of the Prize areas, a prize symbol of \$10^{.00} (TEN DOL) appears in four of the Prize areas and a prize symbol of \$5^{.00} (FIV DOL) appears in six of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which a Ball symbol, Skein symbol and a Knit symbol appear in the “WOOLY WEATHER” area and a prize symbol of \$10^{.00} (TEN DOL) appears in six of the Prize areas, a prize symbol of \$5^{.00} (FIV DOL) appears in five of the Prize areas and a prize symbol of \$15^{.00} (FIFTEEN) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which a Ball symbol, Skein symbol and a Knit symbol appear in the “WOOLY WEATHER” area and a prize symbol of \$10^{.00} (TEN DOL) appears in two of the Prize areas, a prize symbol of \$5^{.00} (FIV DOL) appears in eight of the Prize areas, a prize symbol of \$25^{.00} (TWY FIV) appears in one of the Prize areas and a prize symbol of \$15^{.00} (FIFTEEN) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$75^{.00} (SVY FIV) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$75.

(q) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15^{.00} (FIFTEEN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which the matching “YOUR NUMBERS” play symbol is printed on a “LEAF” symbol, on a single ticket, shall be entitled to a prize of \$75.

(r) Holders of tickets upon which a Ball symbol, Skein symbol and a Knit symbol appear in the “WOOLY WEATHER” area and a prize symbol of \$10^{.00} (TEN DOL) appears in three of the Prize areas and a prize symbol of \$5^{.00} (FIV DOL) appears in nine of the Prize areas on a single ticket, shall be entitled to a prize of \$75.

(s) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, and upon which the matching "YOUR NUMBERS" play symbol is printed on a "LEAF" symbol, on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(v) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the Prize area under the matching

"YOUR NUMBERS" play symbol, and upon which the matching "YOUR NUMBERS" play symbol is printed on a "LEAF" symbol, on a single ticket, shall be entitled to a prize of \$25.

(w) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(x) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS" To Win Prize Shown Under That Match. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 480,000 Tickets:</i>
\$5	\$5	8.7	55,200
\$5 × 2	\$10	25	19,200
\$10	\$10	50	9,600
\$5 × 3	\$15	166.67	2,880
\$10 + \$5	\$15	111.11	4,320
\$15	\$15	166.67	2,880
\$5 × 5	\$25	1,000	480
(\$10 × 2) + \$5	\$25	1,000	480
\$15 + \$10	\$25	1,000	480
\$5 w/ LEAF	\$25	55.25	8,688
\$25	\$25	2,000	240
\$10 × 5	\$50	2,000	240
(\$15 × 2) + (\$5 × 4)	\$50	2,000	240
\$25 + \$15 + \$10	\$50	2,000	240
(\$5 w/ LEAF) + (\$5 × 5)	\$50	500	960
(\$5 w/ LEAF) × 2	\$50	500	960
\$10 w/ LEAF	\$50	294.12	1,632
\$50	\$50	1,000	480
SWEATER w/ ((\$10 × 3) + (\$5 × 9))	\$75	375	1,280
\$15 × 5	\$75	12,000	40
(\$25 × 2) + \$15 + \$10	\$75	12,000	40
(((\$5 w/ LEAF) × 2) + (\$5 × 5))	\$75	600	800
(\$10 w/ LEAF) + (\$5 w/ LEAF)	\$75	600	800
\$15 w/ LEAF	\$75	600	800

<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS" To Win Prize Shown Under That Match. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 480,000 Tickets:</i>
\$75	\$75	12,000	40
SWEATER w/ (($\$10 \times 2$) + ($\5×8) + $\$25$ + $\$15$)	\$100	2,400	200
SWEATER w/ (($\$10 \times 6$) + ($\5×5) + $\$15$)	\$100	2,400	200
SWEATER w/ (($\$15 \times 2$) + ($\10×4) + ($\$5 \times 6$))	\$100	2,400	200
$\$25 \times 4$	\$100	24,000	20
(($\$5$ w/ LEAF) $\times 2$) + ($\$10 \times 3$) + ($\5×4)	\$100	12,000	40
($\$10$ w/ LEAF) $\times 2$	\$100	12,000	40
($\$15$ w/ LEAF) + ($\$5 \times 5$)	\$100	12,000	40
\$100	\$100	24,000	20
SWEATER w/ (($\$15 \times 7$) + ($\5×2) + $\$100$ + $\$25$ + $\$10$)	\$250	12,000	40
SWEATER w/ (($\$25 \times 7$) + ($\15×5))	\$250	12,000	40
SWEATER w/ (($\$50 \times 2$) + ($\25×4) + ($\$10 \times 4$) + ($\5×2))	\$250	12,000	40
$\$50 \times 5$	\$250	120,000	4
(($\$10$ w/ LEAF) $\times 2$) + (($\$5$ w/ LEAF) $\times 2$) + ($\$25 \times 4$)	\$250	24,000	20
($\$25$ w/ LEAF) $\times 2$	\$250	24,000	20
$\$50$ w/ LEAF	\$250	24,000	20
\$250	\$250	120,000	4
SWEATER w/ (($\$250 \times 2$) + ($\100×4) + ($\$25 \times 2$) + ($\15×2) + ($\$10 \times 2$))	\$1,000	60,000	8
($\$100$ w/ LEAF) $\times 2$	\$1,000	120,000	4
\$1,000	\$1,000	120,000	4
\$25,000	\$25,000	160,000	3

Match any of YOUR NUMBERS on a "LEAF" symbol to any of the WINNING NUMBERS to win 5 TIMES the prize shown under that match!

WOOLY GOOD WINALL: Find ALL THREE symbols in the WOOLY WEATHER area to knit a SWEATER and win ALL 12 prizes shown in the YOUR NUMBERS area!

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Sweater Weather lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Sweater Weather lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Sweater Weather or through normal communications methods.

19. *Applicability:* This notice applies only to the Sweater Weather lottery game announced in this notice.

PATRICK BROWNE,
Secretary

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DEPARTMENT OF TRANSPORTATION

Multimodal Transportation Fund; Invitation to Submit Applications

The Department of Transportation (Department) is providing notice to eligible applicants that it is accepting

Multimodal Transportation Fund (MTF) applications under 74 Pa.C.S. § 2105 (relating to project selection criteria), which establishes a competitive grant program for the MTF. The deadline for application submittal is November 5, 2024.

Additional information, guidelines and frequently asked questions can be obtained on the Department’s web site at www.penndot.gov (select “Projects & Programs,” then “Multimodal Program”).

Applications should be submitted electronically through the Electronic Single Application for Assistance at <https://grants.pa.gov>.

Questions related to the MTF Program may be directed to David Bratina, PennDOT Office of Multimodal Transportation, 400 North Street, 8th Floor, Harrisburg, PA 17120, (717) 705-1230, RA-PDMultimodalFund@pa.gov.
MICHAEL CARROLL,
Secretary

[Pa.B. Doc. No. 24-1398. Filed for public inspection September 27, 2024, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (IRRC) received the following regulation. It is scheduled to be considered on the date noted. IRRC’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, IRRC will provide a copy or it can be viewed on IRRC’s web site at www.irrc.state.pa.us.

<i>Final Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
125-247	Pennsylvania Gaming Control Board Table Game Equipment; Blackjack; DJ Wild Stud Poker; Interactive Gaming Player Accounts; and Interactive Gaming Progressives	09/12/24	10/24/24

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 24-1399. Filed for public inspection September 27, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Ashley Rae Bamberger; Doc. No. SC24-09-020

Notice is hereby given of the Order to Show Cause issued on September 17, 2024, by the Deputy Insurance Commissioner of the Commonwealth in the previously referenced matter. Violations of the following are alleged: section 611-A(6), (7), (9), (17) and (20) of The Insurance Department Act of 1921 (40 P.S. § 310.11(6), (7), (9), (17) and (20)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance 2 Pa.C.S. §§ 501—508 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to

participate in the hearing, contact Joseph Korman, Agency ADA Coordinator, jkorman@pa.gov, (717) 787-4429.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-1400. Filed for public inspection September 27, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Appeal of Todd Allen under the Quality Health Care Accountability and Protection Article; Keystone First Community Healthchoices; Doc. No. HC24-09-005

Under Article XXI of The Insurance Company Law of 1921, referred to as the Quality Health Care Accountability and Protection Article (40 P.S. §§ 991.2101—991.2194), notice is hereby given that the appellant in this action has requested a hearing, in connection with the appellant’s managed health care plan. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), §§ 561—588 (relating to administrative proceeding interpreters for persons with limited English proficiency; and administrative proceeding interpreters for persons who are deaf), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for October 15, 2024, at 2 p.m. Each

party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before October 11, 2024. A hearing will occur on October 29, 2024, at 10 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before October 1, 2024, with the Administrative Hearings Office. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before October 11, 2024.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-1401. Filed for public inspection September 27, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Lehia Michelle McGillen; Consent Order; Doc. No. CO21-03-003

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 561—588 (relating to administrative proceeding interpreters for persons with limited English proficiency; and administrative proceeding interpreters for persons who are deaf), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) except as modified by order.

A prehearing telephone conference initiated by this office is scheduled for October 21, 2024, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before October 18, 2024. A hearing will occur on October 30, 2024, at 10 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before October 7, 2024. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before October 18, 2024.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-1402. Filed for public inspection September 27, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standards for the Participation of Demand Side Management Resources—Technical Reference Manual 2026 Update; Doc. No. M-2023-3044491

On September 12, 2024, the Pennsylvania Public Utility Commission (Commission) entered a Final Update Order for the 2026 Technical Resource Manual (TRM). This notice is to inform electric distribution companies and interested parties that the 2026 TRM Final Update Order, along with the 2026 TRM and related attachments, are now published and available on the Commission's web site at Docket No. M-2023-3044491. These documents are accessible online at <https://www.puc.pa.gov/docket/M-2023-3044491>.

The contact person for questions regarding this notice is Tiffany L. Tran, Assistant Counsel, Law Bureau, (717) 783-5413, tiftran@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-1403. Filed for public inspection September 27, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Pike County Light & Power Company

Public Meeting held
September 12, 2024

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

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Pike County Light & Power Company; M-2024-3044226

Opinion and Order

By the Commission:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is a Joint Petition for Approval of Settlement (Settlement Agreement or Settlement) filed on July 3, 2024, by the Commission's Bureau of Investigation and Enforcement (I&E) and Pike County Light & Power Company (Pike, Pike County, or Company) (collectively the Parties) with respect to an informal investigation conducted by I&E. Both Parties submitted Statements in Support of the Settlement. The Parties submit that the proposed Settlement is in the public interest and is consistent with the Commission's Policy to Promote Settlements at 52 Pa. Code § 5.231 and the Commission's Policy Statement at 52 Pa. Code § 69.1201, Factors and standards for evaluating litigated and settled proceedings involving violations of the Public Utility Code and Commission regulations—statement of policy. Settlement at 4.

Before issuing a final decision on the merits of the Settlement, and consistent with the requirements of 52 Pa. Code § 3.113(b)(3), we shall publish this Opinion and Order, as well as the proposed Settlement, including the Statements of Support, in its entirety in the *Pennsylvania Bulletin* and provide an opportunity for interested parties to file comments regarding the Settlement.¹

I. History of the Proceeding

On November 15, 2023, the Commission's Bureau of Consumer Services (BCS) referred Pike's alleged failures, to provide data required by the Commission's regulations addressing Quality of Service Reporting Data at 52 Pa. Code § 54.153 and Telephone Transaction Survey Data at 52 Pa. Code § 54.154, to I&E. Settlement at 4.

On February 26, 2024, I&E contacted Pike by letter informing them of the informal investigation. Settlement at 6.

From February 26, 2024 through July 3, 2024, I&E and Pike (the Parties) addressed the alleged noncompliance. These alleged failures included Pike's failure to adhere to the modified reporting schedule agreed to between Pike and BCS and the failure to submit a petition to the Commission addressing its past alleged non-compliance with Commission regulations, including Commission approval of a modified data reporting schedule. Settlement at 6.

On July 3, 2024, counsel for I&E and Pike filed a proposed Joint Petition for Approval of Settlement (Settlement Agreement or Settlement) to terminate I&E's informal investigation of the incident and to settle the matter completely without litigation, even though the Parties' positions and claims are disputed, to resolve the proceeding in a manner that is reasonable and in the public interest. The Parties ask that the Commission issue an Opinion and Order approving the terms of the Joint Petition in their entirety, without modification, because the Settlement is in the public interest. Settlement at 1, 8, and 11.

II. Background

Following a BCS referral to I&E on November 15, 2023 concerning Pike's alleged failures, I&E contacted Pike by letter on February 26, 2024 informing them of the informal investigation. As part of the informal investigation, Pike responded to I&E on April 19, 2024 and provided Quality-of-Service Data for 2021, 2022, and 2023. Pike also provided Telephone Transaction Survey Data as well for half of 2022 and all of 2023. Settlement at 6.

Pike did not adhere to a modified reporting schedule agreed to between Pike and BCS. Pike also did not submit a petition to the Commission addressing its past non-compliance with Commission regulations and requesting approval of a modified data reporting schedule. Settlement at 6.

Based on information obtained through the informal investigation, I&E was prepared to challenge Pike's failure to provide Quality-of-Service and Telephone Transaction Survey data as violations of the Public Utility Code (Code) and an ancillary failure to submit a petition to the Commission addressing its past alleged non-compliance with Commission regulations, including Commission approval of a modified data reporting schedule. Pike was prepared to deny any alleged violations, raise defenses

and/or mitigating factors in support of any defense, and was prepared to do so at any hearing. Settlement at 6 and 7.

The Settlement provides the following information describing the alleged violations of the Code as follows:

14. In May 2022, the Pennsylvania Public Utility Commission's ("Commission") Bureau of Consumer Services ("BCS") sent a written notice to Pike advising the Company of its noncompliant reporting status and requested that the applicable 52 Pa. Code Chapter 54 data for the calendar year 2021 be submitted to BCS.

15. Upon receiving this notice, Pike contacted BCS and explained that the data in question was not available and could not be reported to BCS. As a result, BCS recommended that a modified data reporting schedule be followed by Pike until it could achieve full compliance in 2024 with the reporting of calendar year 2023 data. Specifically, BCS requested that Pike submit to BCS an initial report on the Company's customer service performance by July 8, 2022.

16. Regarding the years in which Pike failed to submit the required data, BCS encouraged Pike to submit a petition to the Commission explaining why such data was not previously reported to BCS and requesting approval of a modified data reporting schedule.

17. On June 14, 2022, the general manager of Pike informed BCS that it could not meet the July 8, 2022, reporting deadline, and requested a meeting with BCS staff to discuss a reporting schedule.

18. On June 24, 2022, staff from Pike, Corning Energy Corporation, and BCS held a meeting wherein a modified reporting schedule was proposed by BCS. The goal of the modified reporting schedule was to bring Pike into full compliance with 52 Pa. Code §§ 54.153 and 54.154 by 2024 for the 2023 reporting year. The following deadlines were agreed upon by all parties:

a. July 8, 2022: Pike was to submit an Implementation Plan to BCS detailing the utility's adherence to a modified reporting schedule, with the goal of submitting 2023 data to BCS in compliance with 52 Pa. Code §§ 54.153 and 54.154 in 2024.

b. February 1, 2023: Pike was to submit to BCS 52 Pa. Code § 54.153 data covering July–December 2022.

c. April 1, 2023: Pike was to submit to BCS 52 Pa. Code § 54.154 data for customer surveys conducted July–December 2022.

19. On July 1, 2022, the Vice President of Operations/Customer Service for the Corning Energy Corporation (the parent company of Pike) submitted a draft Implementation Plan to BCS.

20. On August 22, 2022, BCS conducted a meeting with Pike to provide recommendations to revise the Implementation Plan.

21. On February 1, 2023, Pike failed to submit its data pursuant to 52 Pa. Code § 54.153 to BCS.

22. On April 1, 2023, Pike failed to submit its data pursuant to 52 Pa. Code § 54.154 to BCS.

23. On February 26, 2024, I&E contacted Pike by letter informing them of the informal investigation.

¹ Attached to this Opinion and Order for publication is the Settlement Agreement as well as the Statement of Support of I&E (Appendix A) and the Statement of Support of Pike (Appendix B) (collectively Attachment A).

24. On April 19, 2024, Pike responded to the letter and provided Quality-of-Service Data pursuant to 52 Pa. Code § 54.153(b)(2), (4) and (c) for 2021, 2022, and 2023.

25. Pike also provided Telephone Transaction Survey Data pursuant to 52 Pa. Code § 54.154 for half of 2022 and all of 2023.

26. However, Pike did not adhere to the modified reporting schedule agreed between Pike and BCS. Pike did not submit a petition to the Commission addressing their past non-compliance with Commission regulation and requesting approval of a modified data reporting schedule.

Settlement at 4—6.

Based on information obtained through its investigation, as described above, and a review of the Commission's regulations and relevant regulations and statutes, I&E was prepared to contend by the filing of a formal complaint that Pike violated certain provisions of the Commission's regulations, in that:

1. Pike failed to provide the Commission with its Quality-of-Service Data.

2. Pike failed to provide the Commission with its Telephone Transaction Survey Data.

Settlement at 7.

These allegations, if proven, constitute a violation of 52 Pa. Code § 54.153 (requiring that "EDCs shall file reports annually with the Secretary of the Commission on or before February 1. Each report shall contain data, reported by month, as well as a 12-month cumulative average for the preceding calendar year. Each report shall include the name and telephone number of the utility contact person responsible for the report.") and 52 Pa. Code § 54.154 (requiring that "[e]ach EDC shall report to the Commission the results of telephone transaction surveys of customers who have had interactions with the EDC."). Settlement at 7.

The Settlement recognizes that, had the matter been litigated, Pike would have denied the alleged violations, raised defenses and/or mitigating factors in support of its defense, and defended against the same at hearing. Settlement at 7.

The Settlement further acknowledges that Pike understands the nature of the allegations that I&E would have asserted in a formal complaint. Pike had already submitted some of the required information but failed to comply with other provisions.

The Settlement also states that, as a mitigating factor to the above allegations, I&E acknowledges that Pike responded to BCS inquiries and cooperated with I&E's investigation. Settlement at 8.

The Parties recognize that their positions and claims are disputed and, given that the outcome of the proceeding is uncertain, the Parties recognize the benefits of amicably resolving the disputed issues through Settlement. Settlement at 8.

I&E and Pike, intending to be legally bound and for consideration given, desire to conclude this informal investigation and agree to stipulate to the following terms solely for the purposes of this Settlement Agreement. Settlement at 8.

The Settlement, which is attached to this Opinion and Order, has been filed by the Parties to terminate I&E's

informal investigation and to settle this matter completely without litigation. Settlement at 8.

III. *Terms of the Settlement*

I&E and Pike, intending to be legally bound and for consideration given, agreed to be bound as follows in this Settlement:

A. Pike will pay a civil penalty in the amount of Five Thousand Dollars (\$5,000). Said payment shall be made within thirty (30) days of the entry date of the Commission's Final Order approving the Settlement Agreement and shall be made by certified check or money order payable to the "Commonwealth of Pennsylvania." The docket number of this proceeding shall be indicated with the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

The civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f) and shall not be passed through as an additional charge to PIKE's customers in Pennsylvania.

B. Pike agrees to implement the following corrective actions:

1. Within 30 days of the entry date of the Commission's Final Order approving the Settlement Agreement, Pike shall submit an Implementation Plan ("the Plan") to BCS, detailing how it plans to comply with the reporting requirements under 52 Pa. Code §§ 54.153 and 54.154 on a going-forward basis.

a. The Plan shall include the name and contact information of the person within Pike who will be responsible for gathering, organizing, and submitting such data to BCS.

b. The Plan shall include an enhanced reporting requirement, mandating that Pike report the data on a quarterly basis, in addition to the annual reports required by §§ 54.153 and 54.154. Such reporting shall be due beginning at the end of the month following the first quarter after the effective date of the Settlement Agreement. E.g. if the effective date of the Settlement Agreement is July 2024, reporting for the first three quarters of 2024 would be due on by the end of October 2024. Subsequent quarterly data will be provided by the end of the month following the relevant quarter. E.g. October—December data will be provided by the end of January.

i. The enhanced reporting requirement to provide the data required by §§ 54.153 and 54.154 on a quarterly basis shall be in force for eight (8) quarters.

c. The Plan shall include a provision to annually train employees responsible for gathering, organizing, and submitting data on the techniques and processes for so doing.

d. The Plan shall require Pike to create a written policy and routines for gathering, organizing, and submitting data to BCS.

2. Pike shall annually train employees responsible for compliance with Commission regulations on the requirements of Commission regulations.

3. Pike shall prioritize record-keeping as a vital part of its business practices by implementing changes to its accounting software and telephone system to ensure required data can be reported in a timely manner.

4. Pike shall contact BCS (or a Commission employee otherwise familiar with the reporting site) within 5 days of the entry date of the Commission’s Final Order approving the Settlement Agreement to arrange for a meeting wherein BCS shall assist the Company with ensuring it has functioning log in data and shall provide training to the Company on use of the site to complete the required reporting.

5. Within 20 days of the provision of functioning log-in data and training to the Company, the Company shall upload the required data available to fulfill its reporting obligations for 52 Pa. Code § 54.153(b)(2)—(4), (c) for 2021, 2022, and 2023.

Settlement at 9, 10.

Upon Commission approval of the Settlement in its entirety, without modification, I&E will not file any complaints or initiate other action against Pike at the Commission with respect to the allegations which were the subject of I&E’s informal investigation of the incident. Settlement at 10-11.

I&E and Pike jointly acknowledge that approval of this Settlement Agreement is in the public interest and fully consistent with the Commission’s Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings, 52 Pa. Code § 69.1201. Settlement at 11.

The Parties further submit that the Settlement Agreement is in the public interest because it effectively addresses I&E’s allegations that are the subject of I&E’s informal investigation and avoids the time and expense of litigation, which entails hearings, various expenses, and the preparation and filing of briefs, exceptions and reply exceptions, as well as possible appeals. Attached as Appendices A and B are Statements in Support submitted by I&E and Pike setting forth the bases upon which the Parties believe the Settlement Agreement is in the public interest. Settlement at 11.

The Settlement provides that no changes to obligations set forth herein may be made unless they are in writing and are expressly accepted by the parties involved. This Settlement Agreement shall be construed and interpreted under Pennsylvania law. Settlement at 11.

The Settlement is conditioned upon the Commission’s approval of the terms and conditions contained in this Joint Petition, without modification. If the Commission modifies this Settlement Agreement, any party may elect to withdraw from this Settlement Agreement and may proceed with litigation or take such other action that is deemed appropriate and, in such event, this Settlement Agreement shall be void and of no effect. Any decision to withdraw must be made in writing, filed with the Secretary of the Commission, and served upon all parties within twenty (20) business days after entry of an Order modifying the Settlement. Settlement at 11.

The Parties agree that the underlying allegations were not the subject of any hearing or formal procedure and that there has been no order, findings of fact, or conclusions of law rendered in this complaint proceeding. It is further understood that, by entering into this Settlement Agreement, Pike has made no concession or admission of fact or law and may dispute all issues of fact and law for

all purposes in all proceedings that may arise because of the circumstances described in this Settlement Agreement. Settlement at 12.

The Parties further state that this Settlement Agreement reflects a compromise of competing positions and does not necessarily reflect any party’s position with respect to any issues raised in this proceeding. Settlement at 12.

This Settlement Agreement is being presented only in the context of this proceeding to resolve the proceeding in a manner that is fair and reasonable. This Settlement Agreement is presented without prejudice to any position that any of the Parties may have advanced and without prejudice to the position any of the Parties may advance in the future on the merits of the issues in future proceedings, except to the extent necessary to effectuate the terms and conditions of this Settlement Agreement. This Settlement does not preclude the Parties from taking other positions in any other proceeding but is conclusive as to this proceeding and may not be reasserted in any other proceeding or forum except for the limited purpose of enforcing the Settlement by a Party. Settlement at 12.

The Parties also state that the terms and conditions of this Settlement Agreement constitute a carefully crafted package representing reasonably negotiated compromises on the issues addressed herein. Thus, the Settlement Agreement is consistent with the Commission’s rules and practices encouraging negotiated settlements set forth in 52 Pa. Code §§ 5.231 and 69.1201. Settlement at 13.

IV. Discussion

Pursuant to our Regulations at 52 Pa. Code § 5.231, it is the Commission’s policy to promote settlements. The Commission must, however, review proposed settlements to determine whether the terms are in the public interest.² *Pa. PUC v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

In reviewing settlements that resolve informal investigations, the Commission will provide other potentially affected parties with the opportunity to file comments regarding a proposed settlement prior to issuing a decision. The Commission’s Regulations at 52 Pa. Code § 3.113(b) provide as follows:

§ 3.113. Resolution of informal investigations.

* * *

(b) Under 65 Pa.C.S. Chapter 7 (relating to Sunshine Act), the Commission’s official actions resolving informal investigations will be as follows:

* * *

(3) When the utility, or other person subject to the Commission’s jurisdiction, has committed to undertake action to address or remedy a violation or potential violation of the act or to resolve another perceived deficiency at the utility, in the form of a settlement with the Commission staff or other resolution of the matter, the Commission’s consideration of the settlement or approval of the utility’s action will occur at public meeting. Except for staff reports and other documents covered by a specific legal privilege, documents relied upon by the Commission in reaching its determination shall be made part of the public record. *Before the Commission makes a final decision to adopt the settlement or to approve the utility’s action, the Commission will provide other potentially*

² See 52 Pa. Code § 5.231(a).

affected persons with the opportunity to submit exceptions thereon or to take other action provided for under law.

52 Pa. Code § 3.113(b) (emphasis added). See also, *Pa. PUC, Bureau of Investigation and Enforcement v. PPL Electric Utilities Corporation*, Docket No. M-2012-2264635 (Order entered September 13, 2012); *Pa. PUC, Bureau of Investigation and Enforcement v. Liberty Power Holdings, LLC*, Docket No. M-2019-2568471 (Order entered August 8, 2019).

V. Conclusion

Before issuing a decision on the merits of the proposed Settlement, and consistent with the requirement of 52 Pa. Code § 3.113(b)(3), we believe it is appropriate to publish the Settlement in the *Pennsylvania Bulletin* and provide an opportunity for interested parties to file comments regarding the proposed Settlement. Accordingly, we will: (1) publish this Opinion and Order and a copy of the proposed Settlement and Statements in Support, attached hereto, in the *Pennsylvania Bulletin*; and (2) provide an opportunity for interested parties to file comments regarding the proposed Settlement within twenty-five (25) days after the date of publication in the *Pennsylvania Bulletin*; Therefore,

It Is Ordered That:

1. The Secretary’s Bureau shall duly certify this Opinion and Order, along with the attached Joint Petition for Approval of Settlement and the Statements in Support thereof, at Docket No. M-2024-3044226, and deposit them with the Legislative Reference Bureau (Attachment A) for publication in the *Pennsylvania Bulletin*.

2. Within twenty-five (25) days after the date that this Opinion and Order and the attached Joint Petition for Approval of Settlement and the Statements in Support thereof are published in the *Pennsylvania Bulletin*, interested parties may file comments concerning the proposed Settlement.

3. A copy of this Opinion and Order, together with the attached Joint Petition for Approval of Settlement and the Statements in Support thereof, at Docket No. M-2024-3044226, shall be served on the Office of Consumer Advocate and the Office of Small Business Advocate.

4. After the Commission’s review of any comments filed in this proceeding, at Docket No. M-2024-3044226, a final Opinion and Order will be issued.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: September 12, 2024

ORDER ENTERED: September 12, 2024

**Attachment A
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. M-2024-3044226
	:	
Pike County Light & Power Company	:	

JOINT PETITION FOR APPROVAL OF SETTLEMENT

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code §§ 5.41 and 5.232, the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”) and Pike County Light & Power Company (“Pike”) hereby submit this Joint Petition for Approval of Settlement (“Settlement” or “Settlement Agreement”) to resolve all issues related to the above-docketed informal investigation.

As part of this Settlement Agreement, I&E and Pike (hereinafter referred to collectively as the “Parties”) respectfully request that the Commission enter a Final Opinion and Order approving the Settlement without modification. Statements in Support of the Settlement expressing the individual views of I&E and Pike are attached hereto as Appendix A and Appendix B, respectively.

I. Introduction

1. The Parties to this Settlement Agreement are the Pennsylvania Public Utility Commission’s Bureau of Investigation and Enforcement, by its prosecuting attorneys, with a principal address of Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 and Pike County Light & Power Company with its principal place of business at 105 Schneider Lane, Milford, PA 18337.

2. The Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within this Commonwealth as well as other entities subject to its jurisdiction, pursuant to the Public Utility Code (the “Code”), 66 Pa.C.S. §§ 101, et seq.

3. I&E is the entity established to prosecute complaints against public utilities and other entities subject to the Commission’s jurisdiction pursuant to 66 Pa.C.S. § 308.2(a)(11); See also Implementation of Act 129 of 2008; Organization of Bureaus and Offices, Docket No. M-2008-2071852 (Order entered August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E).

4. Section 501(a) of the Pennsylvania Public Utility Code (“Code”), 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Code.

5. Section 701 of the Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints alleging a violation of any law or regulation that the Commission has jurisdiction to administer.

6. Section 3301 of the Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility or on any other person or corporation subject to the Commission’s authority for violations of the

Code, the Commission's regulations, or both. Section 3301 allows for the imposition of a fine for each violation and each day's continuance of such violation(s). 66 Pa.C.S. § 3301.

7. Pike is a "public utility" as that term is defined at 66 Pa.C.S. § 102 as it is engaged in providing public utility service as an electric distribution company ("EDC") in the Commonwealth of Pennsylvania to the public for compensation.

8. Pike, as an EDC, is subject to the power and authority of the Commission pursuant to Section 501(c) of the Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders.

9. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter and the actions of Pike in its capacity as an EDC.

10. Pursuant to Sections 331(a) and 506 of the Code, 66 Pa.C.S. §§ 331(a) and 506 and Section 3.113 of the Commission's regulations, 52 Pa. Code § 3.113, Commission staff has the authority to conduct informal investigations or informal proceedings in order to gather data and/or to substantiate allegations of potential violations of the Commission's regulations.

11. I&E instituted an informal investigation of Pike based on information referred to I&E by the Commission's Bureau of Consumer Services ("BCS") on November 15, 2023, regarding Pike's failure to provide BCS with the Quality-of-Service Reporting Data that Pike was required to provide pursuant to 52 Pa. Code § 54.153 and Telephone Transaction Survey Data that Pike was required to provide pursuant to 52 Pa. Code § 54.154. I&E determined that this referral warranted further investigation to examine whether the actions of Pike violated the Code and Commission regulations.

12. As a result of successful negotiations between I&E and Pike, the Parties have reached an agreement on an appropriate outcome to the informal investigation as encouraged by the Commission's policy to promote settlements. See 52 Pa. Code § 5.231. The Settlement also is consistent with the Commission's Policy Statement for evaluating litigated and settled proceedings involving violations of the Code and Commission regulations, 52 Pa. Code § 69.1201. The duly authorized Parties executing this Settlement Agreement agree to the settlement terms set forth herein and urge the Commission to approve the Settlement Agreement as submitted as being in the public interest.

II. Background

13. On November 15, 2023, BCS referred to I&E Enforcement Pike's failure to provide data required by Commission regulation to be reported to BCS—specifically, Quality-of-Service Reporting Data pursuant to 52 Pa. Code § 54.153 and Telephone Transaction Survey Data pursuant to 52 Pa. Code § 54.154.

14. In May 2022, the Pennsylvania Public Utility Commission's ("Commission") Bureau of Consumer Services ("BCS") sent a written notice to Pike advising the Company of its noncompliant reporting status and requested that the applicable 52 Pa. Code Chapter 54 data for the calendar year 2021 be submitted to BCS.

15. Upon receiving this notice, Pike contacted BCS and explained that the data in question was not available and could not be reported to BCS. As a result, BCS recom-

mended that a modified data reporting schedule be followed by Pike until it could achieve full compliance in 2024 with the reporting of calendar year 2023 data. Specifically, BCS requested that Pike submit to BCS an initial report on the Company's customer service performance by July 8, 2022.

16. Regarding the years in which Pike failed to submit the required data, BCS encouraged Pike to submit a petition to the Commission explaining why such data was not previously reported to BCS and requesting approval of a modified data reporting schedule.

17. On June 14, 2022, the general manager of Pike informed BCS that it could not meet the July 8, 2022, reporting deadline, and requested a meeting with BCS staff to discuss a reporting schedule.

18. On June 24, 2022, staff from Pike, Corning Energy Corporation, and BCS held a meeting wherein a modified reporting schedule was proposed by BCS. The goal of the modified reporting schedule was to bring Pike into full compliance with 52 Pa. Code §§ 54.153 and 54.154 by 2024 for the 2023 reporting year. The following deadlines were agreed upon by all parties:

A. July 8, 2022: Pike was to submit an Implementation Plan to BCS detailing the utility's adherence to a modified reporting schedule, with the goal of submitting 2023 data to BCS in compliance with 52 Pa. Code §§ 54.153 and 54.154 in 2024.

B. February 1, 2023: Pike was to submit to BCS 52 Pa. Code § 54.153 data covering July—December 2022.

C. April 1, 2023: Pike was to submit to BCS 52 Pa. Code § 54.154 data for customer surveys conducted July—December 2022.

19. On July 1, 2022, the Vice President of Operations/Customer Service for the Corning Energy Corporation (the parent company of Pike) submitted a draft Implementation Plan to BCS.

20. On August 22, 2022, BCS conducted a meeting with Pike to provide recommendations to revise the Implementation Plan.

21. On February 1, 2023, Pike failed to submit its data pursuant to 52 Pa. Code § 54.153 to BCS.

22. On April 1, 2023, Pike failed to submit its data pursuant to 52 Pa. Code § 54.154 to BCS.

23. On February 26, 2024, I&E contacted Pike by letter informing them of the informal investigation.

24. On April 19, 2024, Pike responded to the letter and provided Quality-of-Service Data pursuant to 52 Pa. Code § 54.153(b)(2), (4) and (c) for 2021, 2022, and 2023.

25. Pike also provided Telephone Transaction Survey Data pursuant to 52 Pa. Code § 54.154 for half of 2022 and all of 2023.

26. However, Pike did not adhere to the modified reporting schedule agreed to between Pike and BCS. Pike did not submit a petition to the Commission addressing their past non-compliance with Commission regulation and requesting approval of a modified data reporting schedule.

III. Alleged Violations

27. Based on information obtained through its investigation, as described above, and a review of the Commission's regulations and relevant regulations and statutes, I&E was prepared to contend by the filing of a formal complaint that Pike violated certain provisions of the Commission's regulations, in that:

1. Pike failed to provide the Commission with its Quality-of-Service Data.

2. Pike failed to provide the Commission with its Telephone Transaction Survey Data.

28. These allegations, if proven, constitute a violation of 52 Pa. Code § 54.153 (requiring that "EDCs shall file reports annually with the Secretary of the Commission on or before February 1. Each report shall contain data, reported by month, as well as a 12-month cumulative average for the preceding calendar year. Each report shall include the name and telephone number of the utility contact person responsible for the report.") and 52 Pa. Code § 54.154 (requiring that "[e]ach EDC shall report to the Commission the results of telephone transaction surveys of customers who have had interactions with the EDC.").

29. Had the matter been litigated, Pike would have denied the alleged violations, raised defenses and/or mitigating factors in support of its defense, and defended against the same at hearing.

30. Pike understands the nature of the allegations that I&E would have asserted in a formal complaint and will put into effect appropriate measures, as set forth infra, that have been approved by I&E to ensure that such issues would not be likely to reoccur.

31. As a mitigating factor to the above allegations, I&E acknowledges that Pike cooperated with I&E's investigation. During the investigatory process, Pike provided I&E with some of the missing data.

IV. Settlement Terms

32. Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest,³ I&E and Pike held a series of discussions that culminated in this Settlement. The purpose of this Joint Petition for Approval of Settlement is to terminate I&E's informal investigation and to settle this matter completely without litigation. There has been no Formal Complaint filed, no evidentiary hearing before any tribunal, and no sworn testimony taken in any proceeding related to this incident.

33. Pike fully acknowledges the seriousness of I&E's allegations and recognizes the need to prevent the reoccurrence of the misconduct which was the subject of I&E's instant investigation.

34. The Parties recognize that their positions and claims are disputed and given that the precise outcome of a contested proceeding is uncertain, the Parties further recognize the benefits of amicably resolving the disputed issues through settlement.

35. I&E and Pike, intending to be legally bound and for consideration given, desire to fully and finally conclude this informal investigation and agree to stipulate as to the following terms solely for the purposes of this Settlement Agreement:

A. Pike will pay a civil penalty in the amount of Five Thousand Dollars (\$5,000). Said payment shall be

made within thirty (30) days of the entry date of the Commission's Final Order approving the Settlement Agreement and shall be made by certified check or money order payable to the "Commonwealth of Pennsylvania." The docket number of this proceeding shall be indicated with the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

The civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f) and shall not be passed through as an additional charge to PIKE's customers in Pennsylvania.

B. Pike agrees to implement the following corrective actions:

1. Within 30 days of the entry date of the Commission's Final Order approving the Settlement Agreement, Pike shall submit an Implementation Plan ("the Plan") to BCS, detailing how it plans to comply with the reporting requirements under 52 Pa. Code §§ 54.153 and 54.154 on a going-forward basis.

a. The Plan shall include the name and contact information of the person within Pike who will be responsible for gathering, organizing, and submitting such data to BCS.

b. The Plan shall include an enhanced reporting requirement, mandating that Pike report the data on a quarterly basis, in addition to the annual reports required by §§ 54.153 and 54.154. Such reporting shall be due beginning at the end of the month following the first quarter after the effective date of the Settlement Agreement. E.g. if the effective date of the Settlement Agreement is July 2024, reporting for the first three quarters of 2024 would be due on by the end of October 2024. Subsequent quarterly data will be provided by the end of the month following the relevant quarter. E.g. October—December data will be provided by the end of January.

i. The enhanced reporting requirement to provide the data required by §§ 54.153 and 54.154 on a quarterly basis shall be in force for eight (8) quarters.

c. The Plan shall include a provision to annually train employees responsible for gathering, organizing, and submitting data on the techniques and processes for so doing.

d. The Plan shall require Pike to create a written policy and routines for gathering, organizing, and submitting data to BCS.

2. Pike shall annually train employees responsible for compliance with Commission regulations on the requirements of Commission regulations.

3. Pike shall prioritize record-keeping as a vital part of its business practices by implementing changes to its accounting software and telephone system to ensure required data can be reported in a timely manner.

³ See 52 Pa. Code § 5.231(a).

4. Pike shall contact BCS (or a Commission employee otherwise familiar with the reporting site) within 5 days of the entry date of the Commission's Final Order approving the Settlement Agreement to arrange for a meeting wherein BCS shall assist the Company with ensuring it has functioning log in data and shall provide training to the Company on use of the site to complete the required reporting.

5. Within 20 days of the provision of functioning log-in data and training to the Company, the Company shall upload the required data available to fulfill its reporting obligations for 52 Pa. Code § 54.153(b)(2)—(4), (c) for 2021, 2022, and 2023.

Upon Commission approval of the Settlement in its entirety without modification, I&E will not file any complaints or initiate other action against Pike at the Commission with respect to the allegations which were the subject of I&E's instant investigation.

36. I&E and Pike jointly acknowledge that approval of this Settlement Agreement is in the public interest and fully consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations that are the subject of I&E's informal investigation and avoids the time and expense of litigation, which entails hearings, various expenses, and the preparation and filing of briefs, exceptions, and reply exceptions, as well as possible appeals. Attached as Appendices A and B are Statements in Support submitted by I&E and Pike, respectively, setting forth the bases upon which the Parties believe the Settlement Agreement is in the public interest.

V. Conditions of Settlement

37. This document represents the Settlement Agreement in its entirety. No changes to obligations set forth herein may be made unless they are in writing and are expressly accepted by the parties involved. This Settlement Agreement shall be construed and interpreted under Pennsylvania law.

38. The Settlement is conditioned upon the Commission's approval of the terms and conditions contained in this Joint Petition for Approval of Settlement without modification. If the Commission modifies this Settlement Agreement, any party may elect to withdraw from this Settlement Agreement and may proceed with litigation or take such other action that is deemed appropriate and, in such event, this Settlement Agreement shall be void and of no effect. Such election to withdraw must be made in writing, filed with the Secretary of the Commission and served upon all parties within twenty (20) business days after entry of an Order modifying the Settlement.

39. The Parties agree that the underlying allegations were not the subject of any hearing or formal procedure and that there has been no order, findings of fact or conclusions of law rendered in this complaint proceeding. It is further understood that, by entering into this Settlement Agreement, Pike has made no concession or

admission of fact or law and may dispute all issues of fact and law for all purposes in all proceedings that may arise as a result of the circumstances described in this Settlement Agreement.

40. The Parties acknowledge that this Settlement Agreement reflects a compromise of competing positions and does not necessarily reflect any party's position with respect to any issues raised in this proceeding.

41. This Settlement Agreement is being presented only in the context of this proceeding in an effort to resolve the proceeding in a manner that is fair and reasonable. This Settlement Agreement is presented without prejudice to any position that any of the parties may have advanced and without prejudice to the position any of the parties may advance in the future on the merits of the issues in future proceedings, except to the extent necessary to effectuate the terms and conditions of this Settlement Agreement. This Settlement does not preclude the Parties from taking other positions in any other proceeding but is conclusive in this proceeding and may not be reasserted in any other proceeding or forum except for the limited purpose of enforcing the Settlement by a Party.

42. The terms and conditions of this Settlement Agreement constitute a carefully crafted package representing reasonably negotiated compromises on the issues addressed herein. Thus, the Settlement Agreement is consistent with the Commission's rules and practices encouraging negotiated settlements set forth in 52 Pa. Code §§ 5.231 and 69.1201.

Wherefore, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement and Pike respectfully request that the Commission issue an Order approving the terms of this Settlement Agreement in their entirety as being in the public interest.

Respectfully Submitted,
 Pennsylvania Public Utility Commission,
 Bureau of Investigation and Enforcement
 By: Grant Rosul
 Prosecutor
 PA Attorney ID No. 318204
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 400 North Street
 Harrisburg, PA 17120
 grosul@pa.gov

Dated: July 3, 2024

Pike County Light & Power Company
 By: Whitney E. Snyder
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 Counsel for Pike County Light & Power Company

Dated: July 3, 2024

Appendix A
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement

v.

Pike County Light & Power Company

Docket No. M-2024-3044226

STATEMENT IN SUPPORT OF
THE BUREAU OF INVESTIGATION AND ENFORCEMENT

TO THE HONORABLE PENNSYLVANIA PUBLIC UTIL-
ITY COMMISSION:

The Bureau of Investigation and Enforcement ("I&E")
offers the following Statement in Support of the Joint
Petition for Approval of Settlement between Pike County
Light & Power Company ("Pike" or "the Company") and
I&E (hereinafter referred to as the "Parties") for Pike's
violation of the Pennsylvania Public Utility Code, 66
Pa.C.S. §§ 101 et seq. and Commission regulations.

I. Introduction

I&E is the entity established to prosecute complaints
against public utilities and other entities subject to the
Commission's jurisdiction pursuant to 66 Pa.C.S.
§ 308.2(a)(11); See Implementation of Act 129 of 2008;
Organization of Bureaus and Offices, Docket No. M-2008-
2071852 (Order entered August 11, 2011) (delegating
authority to initiate proceedings that are prosecutory in
nature to I&E).

Section 501(a) of the Code, 66 Pa.C.S. § 501(a), autho-
rizes and obligates the Commission to execute and en-
force the provisions of the Code. Section 701 of the Code,
66 Pa.C.S. § 701, authorizes the Commission, inter alia,
to hear and determine complaints alleging a violation of
any law or regulation that the Commission has jurisdic-
tion to administer.

Pike is a "public utility" as that term is defined at 66
Pa.C.S. § 102 as it is engaged in providing public utility
service as an electric distribution company ("EDC") in the
Commonwealth of Pennsylvania to the public for compen-
sation. Pike, as an EDC, is subject to the power and
authority of the Commission pursuant to Section 501(c) of
the Code, 66 Pa.C.S. § 501(c), which requires a public
utility to comply with Commission regulations and orders.

Pursuant to Sections 331(a) and 506 of the Code, 66
Pa.C.S. §§ 331(a) and 506 and Section 3.113 of the
Commission's regulations, 52 Pa. Code § 3.113, Commis-
sion staff has the authority to conduct informal investiga-
tions or informal proceedings in order to gather data
and/or to substantiate allegations of potential violations
of the Commission's regulations.

I&E instituted an informal investigation of Pike based
on information referred to I&E by the Commission's
Bureau of Consumer Services ("BCS") regarding Pike's
failure to provide BCS with the Quality-of-Service Report-
ing Data and Telephone Transaction Survey Data that
Pike was required to provide pursuant to 52 Pa. Code
§§ 54.153 and 54.154. I&E determined that this referral
warranted further investigation to examine whether the
actions of Pike violated the Code and Commission regula-
tions.

However, after a thorough review of the case and
discussion with Pike, the Parties have reached mutually

agreeable settlement terms and believe that it is in the
public interest to settle the matter.

II. Summary of Settlement

The Joint Petition for Approval of Settlement ("Settle-
ment") resolves all outstanding violations of the Code and
Commission regulations stemming from Pike's failure to
provide certain data to BCS in 2021, 2022, and 2023.

Under the terms of the Settlement, Pike shall submit
an Implementation Plan ("the Plan") to BCS, detailing
how it plans to comply with the reporting requirements
under 52 Pa. Code §§ 54.153 and 54.154 on a going-
forward basis. Additionally, Pike will be subject to an
enhanced reporting requirement, wherein the Company
will report the required data on a quarterly basis in
addition to reporting it on an annual basis for eight (8)
quarters.

As part of the Plan, Pike will annually train employees
responsible for gathering, organizing, and submitting
data on the techniques and processes for so doing. Pike
will also create a written policy and routines for gather-
ing, organizing, and submitting data to BCS.

Pursuant to the Settlement, Pike will pay a \$5,000 civil
penalty within 30 days of the entry of a Commission
Final Order approving the Settlement.

III. The Settlement is in the Public Interest and Satisfies
the Rosi Factors to Determine the Appropriate Civil
Penalty

Section 3301(a) of the Code provides that a public
utility, or any other person or entity subject to the Code,
violates any part of the Code, is subject to a civil penalty
of not more than one thousand dollars (\$1,000) per
violation. 66 Pa.C.S. § 3301(a). The Code further provides
that each and every day's continuance in the violation of
the Code or any regulation, order, judgment, or decree
shall be a separate and distinct offense. 66 Pa.C.S
§ 3301(b).

The Commission's Policy Statement regarding Factors
and Standards for Evaluating Litigated and Settled Pro-
ceedings, 52 Pa. Code § 69.1201, lists the following fac-
tors which the Commission shall consider in determining
the appropriate civil penalty as well as whether the
Settlement is in the public interest:

- (1) Whether the conduct at issue was of a serious
nature. When conduct of a serious nature is involved,
such as willful fraud or misrepresentation, the con-
duct may warrant a higher penalty. When the con-
duct is less egregious, such as administrative filing or
technical errors, it may warrant a lower penalty.
(2) Whether the resulting consequences of the con-
duct at issue were of a serious nature. When conse-
quences of a serious nature are involved, such as

personal injury or property damage, the consequences may warrant a higher penalty.

(3) Whether the conduct at issue was deemed intentional or negligent. This factor may only be considered in evaluating litigated cases. When conduct has been deemed intentional, the conduct may result in a higher penalty.

(4) Whether the regulated entity made efforts to modify internal practices and procedures to address the conduct at issue and prevent similar conduct in the future. These modifications may include activities such as training and improving company techniques and supervision. The amount of time it took the utility to correct the conduct once it was discovered and the involvement of top-level management in correcting the conduct may be considered.

(5) The number of customers affected and the duration of the violation.

(6) The compliance history of the regulated entity which committed the violation. An isolated incident from an otherwise compliant utility may result in a lower penalty, whereas frequent, recurrent violations by a utility may result in a higher penalty.

(7) Whether the regulated entity cooperated with the Commission's investigation. Facts establishing bad faith, active concealment of violations, or attempts to interfere with Commission investigations may result in a higher penalty.

(8) The amount of the civil penalty or fine necessary to deter future violations. The size of the utility may be considered to determine an appropriate penalty amount.

(9) Past Commission decisions in similar situations.

(10) Other relevant factors.

52 Pa. Code § 69.1201(c).

Regarding the first factor, the conduct at issue was of a negligent or careless nature. The consequences of the conduct were not serious as envisioned by the second *Rosi* factor, as there was no personal injury or property damage, nor the risk of such consequences.

The third factor, whether the conduct at issue was intentional or negligent, is not relevant here, as this factor "may only be considered in evaluating litigated cases." Here, the Parties have reached a settlement.

Regarding the fourth factor, Pike has committed to modifying its internal practices and procedures to avoid the conduct at issue and prevent future data collection and reporting failures. As detailed in the Settlement, Pike will, within 30 days of the entry date of the Commission's Final Order approving the Settlement, submit an Implementation Plan to BCS which will include the name and contact information of the person within Pike who will be responsible for gathering, organizing, and submitting data to BCS. Pike will also be subject to an enhanced reporting requirement, mandating that Pike report the data required by §§ 54.153 and 54.154 on a quarterly basis, and create a written policy and routine for collecting the data and annually train its employees responsible for gathering, organizing, and submitting data on the techniques and processes for so doing.

As to the fifth factor, the failure to report consumer data to the Commission does not directly affect customers, except that the failure to furnish such data may make it difficult for the Commission to understand the customer service provided by Pike, such as the reason for

the customer's contact, the method of contact, and whether the customer was able to resolve the issue or reason for contacting Pike. As noted in the Settlement, after being contacted by I&E, Pike provided Telephone Transaction Survey Data for part of 2022 and for 2023. The data provided for part of 2022 indicated that 75 customers contacted Pike. The same data for 2023 indicated that 292 customers contacted Pike.

As to compliance history, the sixth *Rosi* factor, Pike has a satisfactory compliance history with the Commission. Aside from the violation at issue in the Settlement, Pike has not been the subject of any I&E complaint or formal customer complaints within the past three years.

Pike cooperated with I&E during the course of this investigation. However, it should be noted that, before BCS referred this matter to I&E, BCS attempted to work with Pike to resolve the matter and bring the Company into compliance with Commission regulations. As detailed in the Settlement, it was only after a lengthy period of Pike's non-compliance with §§ 54.153 and 54.154 that BCS referred the matter to I&E for enforcement action.

The amount of the civil penalty is sufficient to deter future violations of the subject Commission regulations by Pike. The civil penalty is reflective of the multiple years of uncollected customer data which Pike failed to provide to BCS, as well as the difficulty BCS faced in attempting to bring Pike into compliance without the involvement of I&E.

The penalty is similar to other cases involving violations of §§ 54.153 and 54.154.

IV. Conclusion

The Settlement is a fair and reasonable compromise between the Parties. Had this matter proceeded to litigation, Pike would have disputed the allegations in the Complaint and I&E would have been required to expend staff time and resources to prepare for and participate in the hearing. Aside from avoiding litigation, the Settlement is in the public interest because it appropriately penalizes Pike for its non-compliance with the Code and Commission regulations and puts future compliance efforts at the center of the agreement.

For the reasons set forth above, the Commission should approve the Joint Petition for Approval of Settlement, without modification.

Respectfully submitted,
Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
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Appendix B
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement

v.

Docket No. M-2024-3044226

Pike County Light & Power Company

STATEMENT OF PIKE COUNTY LIGHT & POWER COMPANY IN SUPPORT OF THE JOINT PETITION FOR APPROVAL OF SETTLEMENT

I. Introduction

1. Pike County Light & Power Company ("Pike") hereby submits this Statement in Support of the Joint Petition for Approval of Settlement ("Joint Petition" or "Settlement") filed by the Pennsylvania Public Utility Commission's ("Commission") Bureau of Investigation and Enforcement ("I&E") and Pike in the above-captioned proceeding. Pike supports the Settlement because it is in the public interest. Pike respectfully requests that the Commission approve the Settlement without modification.

2. On November 15, 2023, I&E initiated an informal investigation on Pike focusing on Pike's alleged failure to provide the Commission's Bureau of Consumer Services ("BCS") with the Quality-of-Service Reporting Data and Telephone Transaction Survey Data pursuant to Sections 54.153 and 54.154 of the Commission's regulations respectively.

3. On February 26, 2024, I&E sent Pike a letter informing Pike of its informal investigation.

4. On April 19, 2024, Pike responded to I&E's letter and provided Quality-of-Service Data pursuant to Section 54.153(b)(2),(4), and (c) for 2021, 2022, and 2023. Pike also provided Telephone Transaction Data pursuant to Section 54.154 for half of 2022 and all of 2023.

5. Thereafter, Pike and I&E engaged in settlement discussions to resolve this matter in an amicable, efficient, and cost-effective manner sans litigation. This culminated in the Settlement signed on June 4, 2024.

6. The Settlement entered by Pike and I&E does not constitute an admission or admission of fault by Pike, or a violation of law or any other matter of fact. Nor is it an admission by Pike or finding against Pike of any fact or culpability in this matter or any subsequent proceeding. To resolve this matter in an amicable, efficient, and cost-effective manner, Pike agreed to the terms and conditions set forth in the Settlement.

II. Reasons Why Settlement is in the Public Interest

7. Approval of the Settlement is consistent with the law, is reasonable, and is in the public interest.

8. In evaluating a settlement in cases involving an alleged violation of the Public Utility Code, the Commission considers a variety of factors, known as the Rosi factors.⁴

9. Pike asserts that the Settlement is reasonable and is in the public interest based on the Rosi factors.

10. The first factor the Commission considers is whether the alleged violations were of a serious nature, such as willful fraud or misrepresentation, or were

merely administrative or technical errors.⁵ Here, the alleged violations do not involve fraud or misrepresentations. The alleged violations are akin to an administrative error in that they involve failure to submit reports.

11. The second factor is whether the resulting consequences of the actions were of a serious nature.⁶ The alleged violations regarding reporting do not involve conduct of a serious nature.

12. The third factor is whether the alleged conduct at issue was intentional or negligent.⁷ However, this factor is only considered in evaluating litigated cases.⁸ Because this is not a litigated proceeding, this factor is not considered here.

13. The fourth factor is whether Pike has made efforts to change its practices and procedures to prevent similar conduct in the future.⁹ The Settlement itself expressly provides for how Pike will change its practices and procedures to ensure compliance. Within 30 days of the Commission approving the Settlement, Pike will submit an Implementation Plan to BCS detailing how it will comply with the reporting requirements under Sections 54.153 and 54.154 on a going-forward basis.

14. The fifth factor to be considered is the number of customers affected by Pike's actions and the duration of the alleged violations.¹⁰ Pike's alleged violations of certain reporting requirements did not affect any of its customers. Additionally, Pike was prompt in supplying the appropriate information to I&E during its investigation.

15. The sixth factor relates to Pike's compliance history.¹¹ Pike has a satisfactory compliance history with the Public Utility Code and the Commission's regulations.

16. The seventh and eighth factors relate to whether Pike cooperated with I&E and the appropriate settlement amount.¹² Pike has been cooperative with I&E during its investigation and settlement discussions. Further, Pike's payment of \$5,000 constitutes a reasonable and appropriate resolution of the dispute in this proceeding, along with Pike's commitment to implement a plan to avoid future violations.

17. The ninth factor relates to past Commission decisions in similar matters.¹³ The Settlement is consistent with prior Commission decisions regarding alleged reporting deficiencies.

18. The Settlement reached between Pike and I&E prior to the filing of a formal complaint and litigating this

4 See 52 Pa. Code § 69.1201(c); see also Rosi v. Bell Atlantic-Pa, Inc. and Spring Communications Company, Docket No. C-0092409 (Final Order entered Feb. 10, 2000) ("Rosi").

5 52 Pa. Code § 69.1201(c)(1).

6 52 Pa. Code § 69.1201(c)(2).

7 52 Pa. Code § 69.1201(c)(3).

8 Id.

9 52 Pa. Code § 69.1201(c)(4).

10 52 Pa. Code § 69.1201(c)(5).

11 52 Pa. Code § 69.1201(c)(6).

12 52 Pa. Code § 69.1201(c)(7), (8).

13 52 Pa. Code § 69.1201(c)(9).

matter is in the public interest and is reasonable. Therefore, this statement supports the Settlement reached between the parties with respect to matters related to I&E's informal investigation.

III. Conclusion

For all these reasons, and those stated in the Joint Petition, Pike County Light & Power Company believes that the Settlement is in the public interest and reasonable and respectfully requests that the Commission approve the Settlement without modification, and find that the terms and conditions of the Settlement are consistent with the law and the public interest.

Respectfully submitted,
Whitney E. Snyder, Attorney
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Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
Telephone: (717) 236-1300
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Counsel for Pike County Light & Power Company

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, :
Bureau of Investigation and Enforcement :
v. : Docket No. M-2024-3044226
Pike County Light & Power Company :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Joint Petition for Approval of Settlement, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service via Electronic Mail
Whitney E. Snyder, Esq.
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
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Counsel for Pike County Light & Power Company
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Dated: July 3, 2024

[Pa.B. Doc. No. 24-1404. Filed for public inspection September 27, 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 October 15, 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 October 15, 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-2024-3049951. Vitaport Medical Transportation, LLC (6601 Germantown Avenue, Suite 101, Philadelphia, Philadelphia County, PA 19149) to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons who are physically, intellectually or developmentally disabled, or both, from points in the Counties of Bucks and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2024-3050113. Lomax Health Transit Service, LLC (1348 Colwyn Street, Philadelphia, Philadelphia County, PA 19140) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to individuals who are physically or intellectually disabled, from points in the Counties of Bucks and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2024-3050803. Howard Med-Trans, LLC (128 Parkview Road, Cheltenham, Montgomery County, PA 19012) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Montgomery County and the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2024-3050904. Karma Care, LLC (421 East 21st Avenue, Altoona, Blair County, PA 16601) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, between points in the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Indiana, Lawrence, Somerset, Washington and Westmoreland.

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-2024-3051026. All The Way Limo, LLC (2515 North Front Street, Harrisburg, Dauphin County, PA 17110) for the discontinuance and cancellation of its right to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Adams, Allegheny, Beaver, Berks, Bucks, Butler, Carbon, Chester, Columbia, Cumberland, Dauphin, Delaware, Erie, Juniata, Lancaster, Lebanon, Lehigh, Luzerne, Mifflin, Montgomery, Northampton, Perry, Schuylkill, Washington and York, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority, as originally Docketed at A-2023-3039647.

A-2024-3051116. Faulkner Trans, LLC (13617 Route 333, Port Royal, Juniata County, PA 17082) for the discontinuance and cancellation of its right to transport persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Juniata County, to points in Pennsylvania, and return, as originally Docketed at A-2018-3005247.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-1405. Filed for public inspection September 27, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Water Service

A-2024-3051136. Pennsylvania-American Water Company. In the matter of the application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish and supply water service to the public in an additional portion of Salem Township, Luzerne County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utili-

ties) on or before Tuesday, October 15, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point file system with advanced notice to the Commission prior to submittal.

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Elizabeth Rose Triscari, Esquire, 852 Wesley Drive, Mechanicsburg, PA 17055

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-1406. Filed for public inspection September 27, 2024, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Petition to Establish Pilot Program of Referred Taxicab Trips; Request for Public Comment; Doc. No. P-24-08-01

On August 15, 2024, a petition was filed by Rasier-PA, LLC (Petition) with the Philadelphia Parking Authority's (Authority) Taxicab and Limousine Division (TLD). The Petition, along with letters of support, may be obtained on the Authority's web site at www.philapark.org/tld.

The Petition seeks authorization, by the implementation of a pilot program or other rulemaking, the ability to offer taxicab trips by means of the Uber App through referred rides from the medallion taxicab meter and dispatching system Curb Mobility, LLC (Curb). Curb will then notify licensed medallion taxicabs that are in service through its E-Hail dispatch system of the requested taxicab trip.

Now, based upon the Petition, the TLD seeks written comment from the public at large and the industry concerning referred taxicab trips, including but not limited to:

(1) To provide Uber App users within Philadelphia, the ability to request that their trips be completed by licensed taxicabs.

(2) That the Uber App's generally utilized menu will have a "Taxi" option for riders to select.

(3) That once the "Taxi" option is selected on the Uber App, the request goes to the medallion meter system Curb, which will then refer a taxicab trip to the Uber App user.

(4) An upfront flex-fare, as authorized by Authority Order 22-001, will appear for the Uber App user to see before selecting the taxicab ride and all rates are in accordance with authorized taxicab fares.

(5) Taxicab drivers will receive an upfront fare offer that will include, at minimum, the pickup location and the flat fare being offered.

(6) A taxicab driver's ability to refuse the requested trips through Uber App.

(7) The Uber App user's ability to see the taxicab driver information, including name and certificate number along with the medallion taxicab vehicle information.

(8) If authorized, "Taxi" trips requested on the Uber App will be integrated into routine service with Uber-X and Uber-Share rides.

(9) Other requests as outlined in the Petition.

Interested parties are invited to submit written comments no later than November 26, 2024, to the attention of the Director's Office, Taxicab and Limousine Division, at TLD@philapark.org or by mail to the Director's Office, Taxicab and Limousine Division, Philadelphia Parking Authority, 2415 South Swanson Street, Philadelphia, PA 19148-4113.

During this comment period, the TLD will also begin to conduct its own investigation concerning the aforementioned items.

The TLD appreciates input concerning this matter.

RICH LAZER,
Executive Director

[Pa.B. Doc. No. 24-1407. Filed for public inspection September 27, 2024, 9:00 a.m.]

STATE POLICE

Law Enforcement Officer Camera System Data Handling Requirements

The State Police, under 18 Pa.C.S. § 5706(b)(4) and (5) (relating to exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), publishes this notice of the minimum standards to comply with the Federal Bureau of Investigation (FBI), Criminal Justice Information Service (CJIS), Security Policy, Version 5.9.5 (CJIS Security Policy) and 18 Pa.C.S. §§ 9101–9183 (relating to Criminal History Record Information Act) (CHRIA).

Camera systems used by criminal justice agencies in accordance with paragraph (2) of the definition of "oral communication" in 18 Pa.C.S. § 5702 (relating to definitions) have a high probability of capturing criminal justice information (CJI) and personally identifiable information. For these reasons, audio or video data, or both, (herein called "data") captured by these camera systems are considered CJI and shall be handled in accordance with the CJIS Security Policy, CHRIA and Commonwealth Law Enforcement Assistance Network (CLEAN) regulations. *Reference:* CJIS Security Policy; 18 Pa.C.S. § 9106(b)(3) (relating to information in central repository or automated systems); and the CLEAN regulations, State Police, CLEAN Administrative Section.

Criminal justice agencies shall request approval from the State Police, CLEAN Administrative Section, prior to storing any data onsite or offsite. This approval will ensure compliance with CJIS Security Policy requirements and CHRIA. In accordance with 18 Pa.C.S. § 5706(b)(5), the following are the minimum requirements that must be met for any storage of an audio recording made in accordance with 18 Pa.C.S. § 5706(b)(4), or any accompanying video recording:

A. Camera system

1. While worn by the officer, a camera system shall be considered a physically secure location.

2. Upon removal from the officer's body, the camera system shall be maintained in a physically secure location in accordance with CJIS Security Policy standards.

3. If a camera system is located in a criminal justice conveyance, it shall be considered located in a physically secure location. If the camera or hard drive is removed from the criminal justice conveyance, it shall conform with the CJIS Security Policy. A criminal justice conveyance is any enclosed mobile vehicle used for the purposes of criminal justice activities with the capability to comply, during operational periods. A physically secure location, as stated in CJIS Security Policy (relating to physically secure location) is as follows:

A physically secure location is a facility, a criminal justice conveyance, or an area, room or a group of rooms within a facility, with both the physical and personnel security controls sufficient to protect CJI and associated information systems. The physically secure location is subject to criminal justice agency management control, State Identification Bureau control, FBI CJIS security addendum or a combination thereof, and shall consist of the following:

a. Security perimeter—area that is posted, separated and secured.

b. Physical access authorizations—list of authorized personnel.

c. Physical access control—control all physical access points (AP).

d. Access control for transmission medium—control physical access to information systems, distribution and lines.

e. Access control for display medium—not visible to unauthorized personnel.

f. Monitoring physical access—monitor and respond to security incidents.

g. Visitor control—authenticate and escort visitors.

h. The agency shall authorize and control information system-related items entering and exiting the physically secure location (delivery and removal).

B. Data transfer or downloading the data

1. If accomplished through a wireless connection, agencies shall meet the CJIS Security Policy requirements for 802.11 wireless protocols.

Note: Wired Equivalent Privacy and Wi-Fi Protected Access cryptographic algorithms, used by all pre-802.11i protocols, do not meet the requirements for Federal Information Processing Standard (FIPS) 140-2 and may not be used.

2. Agencies shall implement the following controls for all agency-managed wireless APs with access to an agency's network that processes unencrypted CJI:

a. Perform validation testing to ensure rogue APs do not exist in the 802.11 wireless local area network and to fully understand the wireless network security posture.

b. Maintain a complete inventory of all APs and 802.11 wireless devices.

c. Place APs in secured areas to prevent unauthorized physical access and user manipulation.

d. Test AP range boundaries to determine the precise extent of the wireless coverage and design the AP wireless coverage to limit the coverage area to only what is needed for operational purposes.

e. Enable user authentication and encryption mechanisms for the management interface of the AP.

f. Ensure that all APs using memorized secret authenticators meet the requirements of IA-5(1)(a) Memorized Secret Authenticators and Verifiers of the CJIS Security Policy.

g. Ensure the reset function on APs is used only when needed and is only invoked by authorized personnel. Restore the APs to the latest security settings, when the reset functions are used, to ensure the factory default settings are not utilized.

h. Change the default service set identifier (SSID) in the APs. Disable the broadcast SSID feature so that the client SSID must match that of the AP. Validate that the SSID character string does not contain any agency identifiable information (division, department, street, and the like) or services.

i. Enable all security features of the wireless product, including the cryptographic authentication, firewall and other available privacy features.

j. Ensure that encryption key sizes are at least 128-bits and the default shared keys are replaced by unique keys.

k. Ensure that the ad-hoc mode has been disabled.

l. Disable all nonessential management protocols on the APs.

m. Ensure all management access and authentication occurs through FIPS-compliant secure protocols (for example, SFTP, HTTPS, SNMP over TLS, and the like). Disable non-FIPS-compliant secure access to the management interface.

n. Enable logging (if supported) and review the logs on a recurring basis per local policy. At a minimum, logs shall be reviewed monthly.

o. Insulate, virtually (for example, virtual local area network and access control lists) or physically (for example, firewalls), the wireless network from the operational wired infrastructure. Limit access between wireless networks and the wired network to only operational needs.

p. When disposing of APs that will no longer be used by the agency, clear AP configuration to prevent disclosure of network configuration, keys, passwords and the like.

3. If the data is manually downloaded by an individual or retained outside of a physically secure location, it will need to be encrypted at rest and in transit, under sections SC-13 Cryptographic Protection and SC-28 Protection of Information at Rest of the CJIS Security Policy.

C. Storage of the data

Storage of data on location, if considered a physically secure location, shall be treated the same as all CJI at the location. Storage offsite, or in the cloud, shall meet all the requirements of the CJIS Security Policy for encryption while in transit and at rest, if applicable. If encryption is not used at rest, any person with access to the data or systems storing the data shall be properly vetted with a fingerprint-based background check and Security Awareness Training; and required agreements shall be maintained.

1. As stated in section SC-13 Cryptographic Protection of the CJIS Security Policy:

a. Determine the use of encryption of CJI in transit when outside of a physically secure location.

b. Implement the following types of cryptography required for each specified cryptographic use: cryptographic modules which are FIPS 140-3 certified, or FIPS validated algorithm for symmetric key encryption and decryption (FIPS 197 (AES)), with a symmetric cipher key of at least 128-bit strength for CJI in-transit.

Note: Subsequent versions of approved cryptographic modules that are under current review for FIPS 140-3 compliancy can be used in the interim until certification is complete. FIPS 140-2 certificates will not be acceptable after September 21, 2026.

2. As stated in section SC-28 Protection of Information at Rest of the CJIS Security Policy:

Protect the confidentiality and integrity of the following information at rest: CJI when outside physically secure locations using cryptographic modules which are certified FIPS 140-3 with a symmetric cipher key of at least 128-bit strength or FIPS 197 with a symmetric cipher key of at least 256 bit strength.

D. Reviewing and release of data

1. Data from the camera system shall only be reviewed by authorized personnel; that is, personnel that have been cleared through a fingerprint-based background check, have received Security Awareness Training and have signed the appropriate agreements, if applicable. If required, the Management Control Agreement for local government IT, or The Security Addendum for private contractors, shall be completed and on file.

2. Prior to the release of data from the camera system, the data shall be reviewed and any areas containing CJI shall be removed or rendered unintelligible. Any data received from CLEAN or the National Crime Information Center in either video or audio format, or both, shall be removed or rendered unintelligible prior to release to any unauthorized or unintended personnel.

E. Retention of data

Data shall be stored for 60 days unless needed for prosecution, courts, litigation, appeals or other operational needs.

F. Destruction of data

The data, or the data storage devices that are to be destroyed, shall be destroyed in compliance with the CJIS Security Policy, and a written destruction procedure that complies with the CJIS Security Policy shall be maintained at the agency. As stated in section MP-6 Media Sanitation of the CJIS Security Policy:

1. Sanitize or destroy digital and non-digital media prior to disposal, release out of agency control or release for reuse using overwrite technology at least three times or degauss digital media prior to disposal or release for reuse by unauthorized individuals. Inoperable digital media will be destroyed (for example, cut up, shredded, and the like). Physical media will be securely disposed of when no longer needed for investigative or security purposes, whichever is later. Physical media will be destroyed by crosscut shredding or incineration.

2. Employ sanitization mechanisms with the strength and integrity commensurate with the security category or classification of the information.

COLONEL CHRISTOPHER PARIS,
Commissioner

[Pa.B. Doc. No. 24-1408. Filed for public inspection September 27, 2024, 9:00 a.m.]

STATE POLICE

Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems

The State Police, under the authority of 18 Pa.C.S. § 5706(b)(4) (relating to exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), has approved, until the next comprehensive list is published, subject to interim amendment, the following equipment standards for electronic, mechanical or other devices (mobile video recording systems) which may be used by law enforcement officers for the purpose of intercepting “oral communication” as defined by 18 Pa.C.S. § 5702 (relating to definitions). Mobile video recording systems must consist of the following components:

Vehicle-Mounted Mobile Video Recording Systems Overview

Vehicle-Mounted Mobile Video Recording Systems shall be defined as those which are permanently mounted in vehicles requiring the operator to possess a Class A, B, C or M Pennsylvania Driver’s License, as defined in 75 Pa.C.S. § 1504 (relating to classes of licenses). The design of the vehicle-mounted mobile video recording system must use technology, which includes a camera, monitor, wireless voice transmitter/receiver and a recording device with a secure protective enclosure for the recording device, electronics and receiver components. The vehicle-mounted mobile video recording system must be powered from a standard automotive vehicle operating at 11 to 16.5 volts DC, negative ground. Current drain on the vehicle electrical system must not exceed 3.0 amps. The system must operate over the following temperature range: -4°F to 130°F (-20°C to 55°C).

Camera

The camera component must have the following features:

- A. Auto focus and auto iris.
- B. Flexible mounting bracket to allow manual aiming controls.
- C. Auto zoom (automatic zoom in then back out to normal distance).
- D. Minimum sensitivity rating of 2.0 lux.
- E. Minimum horizontal resolution of 330 TV lines.

Monitor

The monitor component must have the following features:

- A. Controls for picture brightness and contrast.
- B. Capability of being switched off without affecting recording.
- C. A speaker and volume control system.

The monitor must be capable of displaying:

- A. Camera image (live).
- B. Previously recorded information from the recording unit.
- C. Date and time.
- D. Recording index indicator.
- E. In-car/wireless microphone activity indicator.

Wireless Voice Transmitter/Receiver

The wireless voice transmitter/receiver must have the following features:

- A. Battery powered wireless microphone transmitter.
- B. Antenna incorporated into the microphone.
- C. A plug-in connector and a clothing clip on the microphone.
- D. FCC: Type acceptable under 47 CFR Part 74, Subpart H (relating to low power auxiliary stations).
- E. The transmitter must not have recording capabilities.
- F. The wireless audio system must be equipped with either a digital coded squelch or a PL tone squelch circuit to prevent accidental activation of the record mode in stray RF fields.

Recording Device

The recording device must be capable of recording onto tape or other comparable media and have the following features:

- A. Enclosed in a secure housing protected from physical damage and unauthorized access.
- B. Capable of recording audio and video for a minimum of 2 continuous hours.
- C. Record time/date, recording index and remote microphone indicator.
- D. Record over protection.

System Control

The control console must be mounted within easy reach of the operator. The control console must contain the controls to operate the following functions:

- A. Power.
- B. Record.
- C. Play.
- D. Rewind.
- E. Fast forward.
- F. Pause.

The State Police, under the authority of 18 Pa.C.S. § 5706(b)(4), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following list of approved vehicle-mounted mobile video recording systems which meet the minimum equipment standards in this notice.

- System 7, Mobile Vision, Boonton, NJ
- Eyewitness, Kustom Signals, Lenexa, KS
- Patrol Cam, Kustom Signals, Lenexa, KS
- Motor Eye, Kustom Signals, Lenexa, KS
- Cruise Cam, The Cruisers Division, Mamaroneck, NY
- I Track, McCoy’s Law Line, Chanute, KS

Docucam, MPH Industries, Inc., Owensboro, KY
 Digital Mobile Witness, T.A.W. Security Concepts,
 Wheat Ridge, CO

Car Camera AV360, A.S.S.I.S.T. International, New
 York, NY

OPV, On Patrol Video, Ontario, OH

Gemini System, Decatur Electronics, Decatur, IL

SVS-500, ID Control Inc., Derry, NH

PAVE System, Video Systems Plus, Bryan, TX

InCharge 5555, Applied Integration, Tucson, AZ

VMDT, Coban Research and Technology, Houston, TX

Mobile Vision 5-C Video Recording System, Mobile
 Vision, Boonton, NJ

Stalker Vision VHS, Applied Concepts, Inc., Plano, TX

Stalker Vision HI8, Applied Concepts, Inc., Plano, TX

Digital Eyewitness, Kustom Signals, Lenexa, KS

Eagleye Model 800, Eagleye Technologies, Inc., Rome,
 GA

Eagleye Model 900, Eagleye Technologies, Inc., Rome,
 GA

Flashback, Mobile Vision, Inc., Boonton, NJ

Digital Patroller, Integrian, Morrisville, NC

Digital Patroller 2 Mobile Video Recorder, Digital
 Safety Technologies, Morrisville, NC

Panasonic Arbitrator 360 Mobile Video Recorder,
 Panasonic Corporation of North America, Secaucus, NJ

WatchGuard DV-1 Mobile Video Recorder, WatchGuard
 Video, Plano, TX

EDGE Mobile Video Recorder, Coban Technologies,
 Stafford, TX

DVM-500 Plus and DVM-750 Mobile Video Recorders,
 Digital Ally, Overland Park, KS

WatchGuard 4RE Mobile Video Recorder, WatchGuard,
 Plano, TX

DigitalPatroller 3 Mobile Video Recorder, Digital Safety
 Technologies, Morrisville, NC

X22 Mobile Video Recorder, RDR Mobility, Flemington,
 NJ

Data 911 Mobile Digital Video System, Data 911 Mo-
 bile, Computer Systems, Alameda, CA

DVM-400 Mobile Video Recorder, Digital Ally, Lenexa,
 KS

DVB-777 Mobile Video Recorder, Digital Ally, Lenexa,
 KS

MVX1000 Mobile Video Recorder, Motorola Solutions
 Inc., Schaumburg, IL

DVM800, Digital Ally, Lenexa, KS

DVR-704, PRO-VISION, Byron Center, MI

1200-PA SD2+2, 10-8 Digital Video Evidence Solutions,
 Fayetteville, TN

PW6-HD, Patrol Witness, Alpharetta, GA

Panasonic i-PRO IVC4000, Panasonic i-PRO Sensing
 Corp. of America, Rolling Meadows, IL

Axon Fleet 3, AXON Enterprise, Inc., Scottsdale, AZ

Non-Vehicle-Mounted Mobile Video Recording Systems Overview

Non-Vehicle-Mounted Mobile Video Recording Systems shall be defined as those which are not permanently mounted in vehicles requiring the operator to possess a Class A, B, C or M Pennsylvania Driver's License, as defined in 75 Pa.C.S. § 1504. Non-vehicle-mounted mobile video recording systems shall include, but not be limited to, mobile video recorders worn on or about a law enforcement officer's person or affixed to an all-terrain vehicle, bicycle or horse.

The design of the non-vehicle-mounted mobile video recording system must use technology which includes a camera with date/time stamp capability, a microphone and a recording device, enclosed in secure protective enclosure(s). It may also contain controls, a monitor, GPS, wireless transceiver components and other electronic components. The non-vehicle-mounted mobile video recording system must be powered from a battery internal to the protective enclosure and must be weatherproof. The internal battery may be integral to the unit or removable. It is permissible to have an external battery to extend the operating life of the system. The non-vehicle-mounted mobile video recording system must have a minimum record time of 2 continuous hours. The system must operate over the following temperature range: -4°F to 122°F (-20°C to 50°C).

Camera

The camera component must have the following features:

- A. Must be color video.
- B. Minimum of 640 × 480 pixel resolution.
- C. Minimum of 68 degrees field of view.
- D. Minimum of 30 frames per second.
- E. Minimum sensitivity rating of 3.4 lux or lower. Unit may use Infrared LED illumination to obtain lower than 3.4 lux equivalent.
- F. Camera does not have to be in the same enclosure as the recorder. Can be connected to the recorder either by cable or wireless connection.

Recorder

The recorder component must have the following features:

- A. Enclosed in a secure housing protected from physical damage.
- B. Date/time recording index.
- C. Minimum of 4 gigabytes of nonremovable solid state memory, 4 gigabytes removable media or a combination of both removable and nonremovable memory.
- D. Editing and record-over protection.

System Control

The system must:

- A. Be capable of recording audio and video simultaneously, but may also provide the user with the option to record video only or audio only.
- B. Provide the user with the capability to manually turn the power on and off as necessary.

Wireless Link (optional)

The unit may use a wireless link to connect the camera to the recorder, recorder to another device, combination camera/recorder to another device or be used to download the evidence. The wireless link must have the following features:

A. Use a secure digital connection.

B. Wireless link can be used to play back a locally stored event on the recorder or store the media to a remote location such as secure Cloud storage.

C. FCC Type acceptable under 47 CFR Part 15 (relating to radio frequency devices).

The State Police, under the authority of 18 Pa.C.S. § 5706(b)(4), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following list of approved non-vehicle-mounted mobile video recording systems which meet the minimum equipment standards in this notice.

AXON Body Mobile Video Recorder, TASER, Scottsdale, AZ

AXON Flex Mobile Video Recorder, TASER, Scottsdale, AZ

FIRST Vu, Digital Ally, Lenexa, KS

FIRST Vu HD, Digital Ally, Lenexa, KS

LE 3 Mobile Video Recorder, VIEVU, Seattle, WA

BODYCAM BC-100, PRO-VISION, Byron Center, MI

Prima Facie, Safety Vision LLC, Houston, TX

VISTA, Watchguard Video, Allen, TX

CopTrax SmartGLASS, CopTrax, Plano, TX

WOLFCOM Vision, WOLFCOM Enterprises, Hollywood, CA

Moto e4 plus smartphone with Equature Nomad 4.5 software, Equature, Southfield, MI

Sonim XP8 smartphone with Equature Nomad 4.5 software, Equature, Southfield, MI

Atom smartphone with Equature Nomad 4.5 software, Equature, Southfield, MI

Prestige II, SENTIAL CAMERA SYSTEMS, Elkins Park, PA

Protector II, SENTIAL CAMERA SYSTEMS, Elkins Park, PA

Eyewitness HD, Kustom Signals, Lenexa, KS

Eyewitness Vantage, Kustom Signals, Lenexa, KS

V300, Watchguard Video, Allen, TX

PR1MEWITNESS GX3, Patrol Witness, Alpharetta, GA

Panasonic i-PRO ARBITRATOR BWC4000, Panasonic i-PRO Sensing Corp. of America, Rolling Meadows, IL

Axon Body 3, AXON Enterprise, Inc., Scottsdale, AZ

Conducted Electrical Weapons with integrated Mobile Video Recording Systems

Notwithstanding any other standards or requirements contained in this notice, conducted electrical weapons equipped with integrated mobile video recording systems are only required to meet the following minimum specifications:

A. Be capable of recording audio and video simultaneously, but may also provide the user with the option to record video only or audio only.

B. Be capable of having the audio video recording extracted from the conducted electrical weapon by means of downloading or by the removal of a media storage device.

Nothing in this notice prohibits the authorized use of a mobile video recording system that is not specifically identified if the mobile video recording system otherwise meets the equipment standards in this notice. Moreover, mobile video recording systems that are not activated to record oral communications or do not have an oral recording capability need not meet the equipment standards in this notice. Manufacturers may submit equipment to be added to the list by contacting the State Police, Bureau of Communications and Information Services (Bureau). New units must be in full commercial production. No prototype models will be considered. Proof of current sales and delivery of the specified equipment over the past 6 months must be provided, in writing, referencing current customers with contacts and phone numbers for verification. When requested by the Bureau, the manufacturer/bidder must furnish a complete working system installed in a vehicle for inspection within 30 days.

Comments, suggestions or questions should be directed to the State Police, Bureau of Communications and Information Services, 8001 Bretz Drive, Harrisburg, PA 17112.

COLONEL CHRISTOPHER L. PARIS,

Commissioner

[Pa.B. Doc. No. 24-1409. Filed for public inspection September 27, 2024, 9:00 a.m.]

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PS Form 3526, September 2007 (Page 1)

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If the publication is a general publication, publication of this statement is required. Will be printed in the 09/28/2024 issue of this publication. Publication not required.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner <i>Vincent C. Deliberato, Jr.</i>	Title Director	Date 09/24/2024 15:16:29 PM
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END OF ISSUE

13. Publication Title COMM OF PA LEG REF BUR/PENNSYLVANIA BULLETIN (LEG. REF. BUREAU)	14. Issue Date for Circulation Data Below 09/24/2024		
15. Extend and Nature of Circulation	Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date	
a. Total Numbers of Copies (Net press run)	477	451	
b. Paid Circulation (By Mail and Outside the Mail)	(1) Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	377	351
	(2) Mailed In-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	0	0
	(3) Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS	0	0
	(4) Paid Distribution by Other Classes of Mail Through the USPS (e.g. First-Class Mail)	0	0
c. Total Paid Distribution (Sum of 15b (1), (2), (3), (4))	377	351	
d. Free or Nominal Rate Distribution (By Mail and Outside the Mail)	(1) Free or Nominal Rate Outside County Copies included on PS Form 3541	0	0
	(2) Free or Nominal Rate In-County Copies included on PS Form 3541	0	0
	(3) Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g. First-Class Mail)	0	0
	(4) Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)	0	0
e. Total Free or Nominal Rate Distribution (Sum of 15d (1), (2), (3), (4))	0	0	
f. Total Distribution (Sum of 15c and 15e)	377	351	
g. Copies not Distributed	0	0	
h. Total (Sum of 15d and 15g)	377	351	
i. Percent Paid (15c / 15d times 100)	100.00 %	100.00 %	
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