

# PENNSYLVANIA BULLETIN

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## Agencies in this issue

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The Courts  
Department of Banking and Securities  
Department of Conservation and Natural  
Resources  
Department of Environmental Protection  
Department of Revenue  
Department of Transportation  
Environmental Hearing Board  
Environmental Quality Board  
Fish and Boat Commission  
Insurance Department  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
State Athletic Commission



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(Master Transmittal Sheet):**

**No. 600, November 2024**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

## *Citation to the Pennsylvania Bulletin*

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

## *Pennsylvania Code*

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

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

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

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

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

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

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

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

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### Printing Format

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

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

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

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

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

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

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

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### Fiscal Notes

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

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

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

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# List of Pa. Code Chapters Affected

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

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# THE GENERAL ASSEMBLY

## COMMISSION ON SENTENCING

### Meetings Scheduled

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

Wednesday, December 11, 2024	6 p.m.	Dinner Meeting	Harrisburg Hilton and Towers One North Second Street Harrisburg, PA
Thursday, December 12, 2024	9 a.m.	Policy Meeting	523 Irvis Building Capitol Complex Harrisburg, PA Zoom Webinar: <a href="https://bit.ly/PCS-Dec2024">https://bit.ly/PCS-Dec2024</a>
	11 a.m.	Quarterly Business Meeting	523 Irvis Building Capitol Complex Harrisburg, PA Zoom Webinar: <a href="https://bit.ly/PCS-Dec2024">https://bit.ly/PCS-Dec2024</a>

MATTHEW KLEIMAN, PhD,  
*Executive Director*

[Pa.B. Doc. No. 24-1693. Filed for public inspection November 27, 2024, 9:00 a.m.]

## THE GENERAL ASSEMBLY

### Cost-of-Living under the Public Official Compensation Law

Under Section 4(d) of the Public Official Compensation Law, for the 12-month period beginning December 1, 2024 through November 30, 2025, the salary of the members of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period of November 1, 2023 through October 31, 2024.

The percentage increase and the new salary amount have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

The CPI-U for the period November 1, 2023 through October 31, 2024 increased by 3.3764%. Therefore, the salary for legislators for the period beginning December 1, 2024 through November 30, 2025 will be \$110,015.54.

Under section 4(d.1) of the Public Official Compensation Law, for the 12-month period beginning December 1, 2024 through November 30, 2025, the additional compensation of the officers and leaders of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period from November 1, 2023 through October 31, 2024.

The percentage change and the new compensation amounts have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

<i>Leadership Position</i>	<i>% Increase</i>	<i>New Compensation</i>
President pro tempore/Speaker	3.3764%	\$171,741.28
Majority Floor Leader	3.3764%	\$159,398.47
Minority Floor Leader	3.3764%	\$159,398.47
Majority Whip	3.3764%	\$147,493.39
Minority Whip	3.3764%	\$147,493.39
Majority Caucus Chairman	3.3764%	\$133,383.31
Minority Caucus Chairman	3.3764%	\$133,383.31
Majority Appropriations Chairman	3.3764%	\$147,493.39
Minority Appropriations Chairman	3.3764%	\$147,493.39

## THE GENERAL ASSEMBLY

<i>Leadership Position</i>	<i>% Increase</i>	<i>New Compensation</i>
Majority Caucus Secretary	3.3764%	\$125,448.15
Minority Caucus Secretary	3.3764%	\$125,448.15
Majority Caucus Policy Chairman	3.3764%	\$125,448.15
Minority Caucus Policy Chairman	3.3764%	\$125,448.15
Majority Caucus Administrator	3.3764%	\$125,448.15
Minority Caucus Administrator	3.3764%	\$125,448.15

DONETTA M. D'INNOCENZO,  
*Chief Clerk*  
*Senate of Pennsylvania*  
 BROOKE WHEELER,  
*Chief Clerk*  
*PA House of Representatives*

[Pa.B. Doc. No. 24-1694. Filed for public inspection November 27, 2024, 9:00 a.m.]

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[ 204 PA. CODE CH. 211 ]

#### Judicial Salaries

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

#### CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

##### § 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-DE-NJ-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2024, was 3.4 percent (3.4%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Wednesday, November 13, 2024.)

##### § 211.2. Judicial salaries effective January 1, 2025.

The annual judicial salaries for calendar year beginning January 1, 2025 will be adjusted by a cost-of-living factor.

###### (a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$261,976.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$269,599.

###### (b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$247,188.

(2) The annual salary of the President Judge of the Superior Court shall be \$254,807.

###### (c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$247,188.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$254,807.

###### (d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$227,411.

(2) The annual salaries of the president judges of the courts of common pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$231,222.

(ii) Philadelphia County, \$231,985.

(iii) Judicial districts having six or more judges, \$229,393.

(iv) Judicial districts having five or fewer judges, \$228,403.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with six or more judges, \$229,393.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with five or fewer judges, \$228,403.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with six or more judges, \$229,393.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with five or fewer judges, \$228,403.

###### (e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$222,149.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$225,581.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$113,713.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$707 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 24-1695. Filed for public inspection November 27, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CUMBERLAND COUNTY

#### Register of Wills and Clerk of Orphans' Court Fee Schedule; No. 21-24-001

##### Order of Court

And now this 8th day of November, 2024, upon consideration of the motion for increase of the Fee Schedule by the Cumberland County Register of Wills and Clerk of the Orphans' Court, Lisa M. Grayson, Esq., and in accordance with 42 P.S. § 21022.1, relating to the fees and charges of the Register of Wills office and 42 P.S. § 21032.1, relating to the fees and charges of the Orphans' Court, it is hereby

It is *Ordered* and *Decreed* that the Fee Schedules for the Register of Wills and Clerk of Orphans' Court, as follows hereto, is approved and adopted effective January 1, 2025. This order supersedes prior fee order at 21-21-0001.

The Cumberland County District Court Administrator is *Ordered* to:

1. File one copy of this order with the Administrative Office of Pennsylvania Courts;

2. File one Word document and one signed PDF with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. Publish the Fee Schedule on the website of the Cumberland County Court of Common Pleas;

4. Forward one copy of this Fee Schedule for publication in the *Cumberland County Law Journal*;

5. Forward one copy of this Fee Schedule to the Cumberland County Law Library; and

6. Keep copies of this Fee Schedule continuously available for public inspection and copying in the Register of Wills and Clerk of Orphan's Court Office.

By the Court

EDWARD E. GUIDO,  
President Judge

**Cumberland County—January 1, 2025  
Register of Wills Fee Schedule**

**SURCHARGES**

Automation Fee	\$14.75
JCS Fee	\$40.25
Postage Surcharge (envelope & postage for up to 5 pages)	\$1.00

**PROBATE LETTERS\***

Not exceeding \$2,000	\$20.00
\$2,001 to \$5,000	\$30.00
\$5,001 to \$10,000	\$45.00
\$10,001 to \$25,000	\$60.00
\$25,001 to \$50,000	\$90.00
\$50,001 to \$75,000	\$135.00
\$75,001 to \$100,000	\$210.00
For each additional \$100,000 or fraction thereof	\$50.00
Probate w/o ltrs. or subsequent Pet.	\$20.00

**MISCELLANEOUS**

Affidavit or Oath, executing (per form) includes Subscribing & Non-Subscribing Witness	\$10.00
Appeal from the Register	\$50.00
Bonds	\$20.00
Caveat/Informal Caveat	\$50.00
Certified Copy Up to 10 pages, \$.50 each add'l page	\$10.00
Citation, issued by Register	\$40.00
Codicil	\$20.00
Commissions to take Oath or Testimony	\$50.00
Death Certificate, filing	\$20.00
Election to take under or against the will	\$20.00
Exemplified Copies	
Exemplified Record, incoming file	\$20.00
Single document, issuing	\$20.00

Probate Record, issuing	\$50.00
Inheritance Tax Return*	\$20.00
Inheritance Tax Return—Supplemental	\$20.00
Inventory or Affidavit in lieu of Inventory*	\$20.00
Lodging of Will Receipt	\$10.00
Petitions	\$50.00
Photocopies	
Per page	\$.50
Digital up to 20 docs, \$1.00 per doc. add'l	\$20.00
Praeipere	\$10.00
Renunciation (per person)	\$10.00
Research,	
Initial 15 minutes, (per name)	\$20.00
Per hour after initial 15 minutes	\$20.00
Return Check Charges	\$30.00
Short Certificate	\$10.00
Small Estate Affidavit (for insurance proceeds under \$11,000)	\$20.00
Stipulation	\$20.00
On-line Subscription—1 day	\$10.00
—1 week	\$20.00
—1 month	\$50.00
—1 year	\$200.00
Subpoena	\$20.00
Tax Certificate, issuing or filing	\$20.00
Will	\$20.00

\*Payable at time of probate.

-Where the gross value has been underestimated on the Petition for Probate, probate fees will be adjusted and charged on the actual value. All fees must be paid in full before final confirmation and settlement of estate.

-Where the gross value of an estate has been overestimated on the Petition for Probate, overpayment will not be refunded.

-Services not specifically scheduled shall be charged based on like services.

-Overpayment of less than ten (10) dollars will not be refunded.

**Cumberland County—January 1, 2025  
Orphans' Court Fee Schedule**

**SURCHARGES**

Automation Fee	\$14.75
JCS Fee	\$40.25
Postage Surcharge (envelope & postage for up to 5 pages)	\$1.00

**ACCOUNTS—Gross Value\* not over \$100,000**

Account	\$50.00
Petition for Adjudication	\$50.00
Advertising	\$250.00

Receipt and Release	\$10.00
Objections/Exceptions	\$20.00
For Each Additional \$100,000 or Fraction Thereof	\$50.00

**ADOPTION (ONE CHILD PER DOCUMENT\*\*)**

Petition for Adoption	\$50.00
Report of Intention to Adopt	\$20.00
Report of Intermediary	\$20.00
Petition for Termination of Rights or Relinquishment (Vol. or Invol.)	\$50.00
Petition to Confirm Consent to Adopt	\$50.00
Act 34 Fund	\$75.00
Home Study Fee (per family)	\$500.00
Investigation Identifying or Non-Identifying	\$50.00

**GUARDIANSHIP**

Annual Report of Guardian	\$20.00
Annual Report of Guardian, filed electronically through GTS	No Charge
Bond, filing and approval	\$20.00
Guardian Inventory	\$20.00
Guardian Inventory, filed electronically through GTS	No Charge
Petition for Appointment, filing	\$50.00
Petition for Discharge, filing	\$50.00
Petition for Successor Guardian, filing	\$50.00

**MARRIAGE LICENSE**

Certified Marriage Record	\$10.00
Judicial 3 day Waiver Petition	\$50.00
Marriage License (Cash, check or credit card)	\$70.00
Military Waiver	No Charge
Replacement Marriage License—(before Marriage takes place)	\$20.00
Affidavit of No Marriage	\$20.00

**ORPHANS' COURT—MISCELLANEOUS**

Appeal to Appellate Court	\$75.00
Fee payable to Appellate Court	\$90.25
Certified Copy of Instruments Up to 10 pages, \$.50 each add'l page	\$10.00
Citation, issued by Clerk of Orphan's Court	\$40.00
Commissions on monies paid into, held or controlled by the court (including CDs, bonds and Escrow Accounts)	5% per year
Claim	\$10.00
Decree awarding real estate	\$10.00
Disclaimer	\$10.00
Family settlement agreement	\$20.00
Motion	\$50.00

Petition	\$50.00
Photocopies	
Per page	\$.50
Digital up to 20 docs, add'l \$1.00 per doc.	\$20.00
Praecipe	\$10.00
Objections/Exceptions	\$20.00
Release	\$10.00
Research, initial 15 minutes (per name)	\$20.00
Research, per hour after initial 15 min	\$20.00
Return Check Charge	\$30.00
Satisfaction	\$10.00
Stipulation	\$20.00
Trust	\$20.00

\*Gross Value=the taxable estate assets plus income generated by the estate. If there is a testamentary trust, then the gross value shall be only the income generated by the trust.

\*\*For confidentiality reasons, each child is assigned a separate docket number; therefore, each document filed should reference only one child.

- Services not specifically scheduled shall be charged based on like services. Overpayment of less than ten (10) dollars will not be refunded.

- The Register of Wills and Clerk of Orphans' Court requests that each motion/petition filed seek only one type of relief and reference only one docket number. If a party files a single motion/petition seeking multiple forms of relief, then that party shall be charged as if it had filed a separate motion/petition for each requested matter of relief. If a party files a single motion/petition referencing multiple docket numbers, then that party shall be charged as if it had filed a separate motion/petition for each docket number referenced.

[Pa.B. Doc. No. 24-1696. Filed for public inspection November 27, 2024, 9:00 a.m.]

**Title 25—LOCAL COURT RULES**

**ERIE COUNTY**

**Crime Victim Act Local Victim Services Fund; Doc. No. CP-25-AD-0000061-2024**

**Administrative Order**

And Now, this 5th day of November, 2024, pursuant to ACT 77 of 2022, Amendments to the Crime Victims Act, Title 18, Section 11.1101, it is hereby *Ordered* that an individual who pleads guilty or nolo contendere, or who is convicted of a crime or enters a diversionary program, shall pay costs of at least \$100.00, unless otherwise ordered by the Court, to the Crime Victim Services and Compensation Fund ("CVSCF") and the ACT 77-Local Victim Services Fund ("LVSF"). This cost shall be imposed at both the Magisterial District Courts and the Court of Common Pleas of this Judicial District notwithstanding any statutory provision to the contrary.



Pursuant to ACT 77, the disposition of this assessment shall occur as follows:

1. \$60.00 of the cost imposed will be paid to CVSCF;
2. 30% of the cost in excess of \$60.00 shall also be paid to CVSCF;
3. 70% of the cost in excess of \$60.00 shall be paid to LVSF, which fund shall be established and administered by the Erie County Director of Finance;
4. The money in LVSF shall be used only for victim services;
5. The Erie County Director of Finance shall disburse money from LVSF at the discretion of the Erie County District Attorney; and
6. A copy of the "Guidelines for Counties Establishing a Local Victim Services Fund (Pursuant to Act 77 of 2022)" published by the Pennsylvania Commission on Crime and Delinquency, shall be following and docketed with this Order.

It is further *Ordered* that Erie County Court Administration shall process this Order in conformity with Pa.R.J.A. 103(c). The effective date of this Order shall be 30 days after the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

JOSEPH M. WALSH, III,  
*President Judge*

### **Guidelines for Counties Establishing a Local Victim Services Fund (Pursuant to Act 77 of 2022)**

#### *Overview*

Prior to Act 77 of 2022 (Act 77), the Crime Victims Act (CVA) 18 P.S. § 11.1101(a)(1) states, in part, "a person who pleads guilty or nolo contendere or who is convicted of a crime, shall pay costs of at least \$60 and may be sentenced to pay additional costs up to the statutory maximum monetary penalty for the offense committed." The CVA also provides that the \$60 is divided as follows: \$35 to the Crime Victim's Compensation Fund, and \$25 to the Victim Witness Services Fund. Finally, the statute provides that where the court imposes a cost above the \$60 minimum, the monies are divided in the following manner: 30% to the Crime Victim's Compensation Fund, and 70% to Victim Witness Services Fund.

Act 77 was signed into law on July 11, 2022 and amends CVA 18 P.S. § 11.1101(b)(2) Disposition. This section provides "that 70% of any costs which exceed \$60 shall be paid into a local victim services fund, established and administered by the county treasurer of each county. The county treasurer shall disperse money from a local victim services fund at the discretion of the county district attorney. The money in the local victim services fund shall be used only for victim services. Each county treasurer shall by August 31 of each year provide the commission with an annual statement which fully reflects all collections deposited into and expenditures from the local victim services fund for the preceding fiscal year."

These changes replace the current 11.1101(b)(1) and (2) and are effective immediately. In addition, pursuant to Act 77, "The Commission, as advised by the Victim Services Advisory Committee, shall develop guidelines for the administration of the Local Victim Services Fund."

These Local Victim Services (LVS) Fund Guidelines provide counties with guidance on the establishment and

administration of the LVS Fund pursuant to Act 77. These guidelines only apply to those counties where costs are imposed on offenders that exceed the minimum \$60 penalty assessment. Information is provided on the responsibilities of counties and should be used to develop or tailor existing policies and procedures as needed to comply with Act 77 of 2022.

#### *Responsibilities of County District Attorneys and County Treasurers*

Currently, the \$25 assessment imposed on certain offenders, supports the Rights and Services Act (RASA) Program. These funds are provided to support responsibilities assigned to the Prosecution and Juvenile Probation under the Crime Victims Act (Act 85 of 2002), the Juvenile Act, and Pennsylvania's Rules of Juvenile Court Procedure. The goal is to ensure that victims of crimes committed by adult and juvenile offenders, whose cases are processed within the criminal and juvenile justice systems, receive all the rights and services to which they are entitled by law.

Under Act 77, the LVS Funds "shall only be for victim services" and support/strengthen the same provision of services to victims as delineated under the Crime Victims Act, the Juvenile Act, and Pennsylvania's Rules of Juvenile Court Procedure. The county district attorney shall provide direction to the county treasurer how the LVS funds will be utilized to support the provision of services to victims. This information should include the amount of funds to be utilized and who should receive the funds, taking into consideration who is currently supported with RASA funds and how these LVS Funds can support/strengthen these existing programs.

In accordance with Act 77, a county must establish a Local Victim Services (LVS) Fund that will be funded by 70% of any costs collected exceeding \$60 (the VPA). The LVS Fund must be administered by the county treasurer and will disperse monies from this fund only at the discretion of the county district attorney. The remaining 30% shall continue to be sent to the Commonwealth so they are deposited into the state Crime Victims' Services and Compensation Fund.

The implementation and administration of the LVS Fund should outline the eligible activities and expenses that the LVS funds can support. Eligible activities and expenses include the provision of services and notifications to victims of crime they are entitled to receive under the law as their case progresses through the criminal and juvenile justice systems (please refer to the section "Eligible Activities and Expenses"). These rights and services are assigned to the Prosecution and Juvenile Probation under the Crime Victims Act (Act 85 of 2002), the Juvenile Act, and Pennsylvania's Rules of Juvenile Court Procedure.

Policies and procedures should be in place for those instances, where costs are imposed on offenders that exceed the minimum \$60 penalty assessment to address:

- 30% shall continue to be sent to the Commonwealth to support the state Crime Victims' Services and Compensation Fund;
- 70% shall be retained and deposited into a newly established Local Victim Services Fund (LVS).

Policies and procedures should address how the receipt of the funds will be tracked and dispersed utilizing established financial procedures and applicable regula-



tions. This includes maintaining an adequate system of internal accounting and controls. The county should maintain documents to support all transactions and should include maintaining purchase orders, receiving records, paid invoices, cancelled checks, personnel, payroll, time and attendance records, and other evidence to support expenditures.

Pursuant to Act 77, “each county treasurer shall by August 31 of each year provide the commission with an annual statement which fully reflects all collections deposited into and expenditures from the local victim services fund for the preceding fiscal year.” The fiscal year will be considered July 1st of the previous year through June 30th of the current year.

The annual statement submitted by the county treasurer by August 31st will include the following:

- i. Total collections deposited into the LVS Fund for the preceding fiscal year (July—June).
- ii. Total expenditures from the LVS fund for the preceding fiscal year (July—June).
- iii. The county district attorney must sign the annual statement.

The Commission, at its discretion, may ask for a more detailed breakdown of the annual statement of deposits and expenditures at any time.

The annual statement shall be submitted to the Commission through e-mail to RA-OVSFundingInfo@pa.gov or via mail to:

Pennsylvania Commission on Crime and Delinquency  
ATTN: Office of Victim Services  
3101 North Front Street  
Harrisburg, Pennsylvania 17110

#### *Eligible Activities and Expenses*

LVS funds may be used to support any, all, or one of the following criminal/juvenile justice procedural services:

*Accompaniment (Criminal Cases/Juvenile Cases)*—Victims receive accompaniment during court related activities and hearings. Accompaniment is the in-person support provided to a victim.

*Pre-Disposition Notifications (Juvenile Cases)*—Victims receive, in formats accessible to them, all notifications and services available to them throughout all appropriate pre-disposition proceedings in the juvenile justice system. Examples of pre-disposition notifications include information on available victim services; Allegation Filed; Informal Adjustment; Juvenile Petition Filed; Consent Decree; and if Adjudication Hearing Date is Set.

*Post-Disposition Notifications (Juvenile Cases)*—Victims receive, in formats accessible to them, all notifications and services available to them throughout all appropriate post-disposition proceedings in the juvenile justice system. Examples of post-disposition notifications include Dispositional Hearing; Dispositional Outcome; Transfer to Another County; Transfer to Adult System; Commitment Review; Dispositional Review; Probation Revocation Hearing; Dispositional Review Hearing; Detention Hearing; Home Passes; Release from Placement; Termination of Probation; Escape from Detention Facility and Re-Aprehension.

*Pre-Sentencing Notifications (Criminal Cases)*—Victims receive, in formats accessible to them, all notifications and services available to them throughout all appropriate pre-sentencing proceedings in the criminal justice system.

Examples of pre-sentencing notifications include information on available victim service; court hearing; and trial.

*Post-Sentencing Notifications (Criminal Cases)*—Victims receive, in formats accessible to them, all notifications and services available to them throughout all appropriate post-sentencing proceedings in the criminal justice system. Examples of post-sentencing notifications include: County Release State Correctional Release including Information on PA SAVIN and the Office of the Victim Advocate (OVA); and Victims as Witnesses to Execution.

*Prior Comment (Criminal Cases/Juvenile Cases)*—Victims receive assistance on how to provide prior comment on all adult and/or juvenile criminal matters concerning, but not limited to, the potential reduction or dropping of a charge, plea agreements, or case diversions including referrals to restorative practices, specialty courts, Accelerated Rehabilitative Disposition (ARD), informal adjustment, or consent decree.

*Property Return (Criminal Cases/Juvenile Cases)*—Coordinate the expeditious return of property, used as evidence, to the victim.

*Restitution (Criminal Cases/Juvenile Cases)*—Inform victims regarding their right to restitution under Pennsylvania law and advocate on behalf of the victim(s) for the necessity and collection of restitution.

*Victims Compensation Assistance (Criminal Cases/Juvenile Cases)*—Provide information to the victim about Victims Compensation Assistance and assist, directly or indirectly, in the preparation, filing and follow-up of any claim for Victims Compensation Assistance.

*Victim Impact Statement (Criminal Cases/Juvenile Cases)*—Provide assistance to victims regarding their right to offer a written and/or oral victim impact statement.

*Victims’ Rights Notification (Criminal Cases/Juvenile Cases)*—Provide victims with timely information of their rights under the Crime Victims Act, and other relevant victims’ rights laws (including rights automatically granted under the law and those related to victim requests for services).

The following activities and practices cannot be supported with the LVS Funds:

- *Prosecution activities:* These include activities that are directed towards prosecuting an offender and/or improving the juvenile justice system’s effectiveness and efficiency, such as witness locating services, Victim/Witness protection costs, witness relocation expenses. The preparing, drafting, generating, mailing, or serving subpoenas, other than to the victim, is prohibited under this funding.

- Collection of restitution payments
- Counseling or therapy services
- Investigative services
- Reimbursement of victims’ expenses or losses otherwise covered by the Victims’ Compensation Assistance Program (VCAP)
- Relocation expenses for crime victims
- Promotional items for outreach purposes, i.e. refrigerator magnets, stress balls, key chains, etc. Please note that printing costs for pamphlets, brochures, and other program related materials are eligible.

[Pa.B. Doc. No. 24-1697. Filed for public inspection November 27, 2024, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### FISH AND BOAT COMMISSION

[ 58 PA. CODE CH. 61 ]

#### Fishing; Seasons, Sizes and Creel Limits

The Fish and Boat Commission (Commission) amends Chapter 61 (relating to seasons, sizes and creel limits). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). This amendment updates the Commission's regulations relating to Atlantic striped bass fishing in the Delaware River, West Branch Delaware River and River Estuary.

##### A. *Effective Date*

This final-form rulemaking will go into effect January 1, 2025.

##### B. *Contact Person*

For further information on this final-form rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at <https://www.pa.gov/en/agencies/fishandboat.html>.

##### C. *Statutory Authority*

The amendments to § 61.2 (relating to Delaware River, West Branch Delaware River and River Estuary) are published under the statutory authority of section 2102(b) of the code (relating to rules and regulations).

##### D. *Purpose and Background*

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

##### E. *Summary of Changes*

At its January 2024 quarterly meeting, the Atlantic States Marine Fisheries Commission's (ASMFC) Atlantic Striped Bass Management Board, which includes the Commonwealth as a member, approved Addendum II to Amendment 7 to the Interstate Fishery Management Plan (FMP) for Atlantic striped bass. The Addendum modifies recreational measures to reduce fishing mortality by 14.1% in 2024 and addresses requirements for recreational filleting and other management provisions. Addendum II builds upon the 2023 emergency action taken by the ASMFC by changing the measures in the FMP to reduce fishing mortality and support stock rebuilding.

Addendum II measures must have been implemented by May 1, 2024. To address the coast-wide regulation directed by the ASMFC, the Commission's Executive Director took immediate actions to make modifications to fishing regulations under § 65.25 (relating to temporary changes to fishing regulations) to amend § 61.2. Specifically, the Executive Director amended this section to reduce the maximum harvestable length in the striped bass slot limit from less than 35 inches to less than 31 inches from the Pennsylvania line upstream to Calhoun Street Bridge (Delaware Estuary) from January 1 through March 31 and June 1 through December 31 and from the Calhoun Street Bridge upstream (Delaware

River) year-round, which was published at 54 Pa.B. 69 (January 6, 2024). The Executive Director amended this section to reduce the daily limit of striped bass from two fish to one fish and adjust the harvestable length slot limit from 21 inches to less than 24 inches and 22 inches to less than 26 inches from the Pennsylvania line upstream to Calhoun Street Bridge (Delaware Estuary) from May 1, 2024, through May 31, 2024, which was published at 54 Pa.B. 2191 (April 20, 2024). Gear restrictions remained unchanged. These temporary changes went into effect on January 1, 2024, and May 1, 2024, and will remain in effect until the Commission, by appropriate action, amends § 61.2. This final-form rulemaking seeks to amend § 61.2 accordingly.

To address concerns about recreational filleting allowances and compliance with harvestable size limits, Addendum II requires states that authorize at-sea or shore-side filleting, or both, of Atlantic striped bass to establish minimum requirements, including requirements for carcasses to be retained and possession to be limited to no more than two fillets per legal fish harvested. Commission staff proposed to add recreational filleting requirements specific to Atlantic striped bass to § 61.2 because it is the primary fishery in which Atlantic striped bass is found in this Commonwealth.

In addition to the ASMFC-mandated amendments, Commission staff identified an opportunity to further clarify language in § 61.2(d) pertaining to the required use of a circle hook when fishing with bait for any species of fish in the tidal Delaware Estuary. The intent of this provision is to require a hook configuration consisting of a single, non-offset (in-line) circle hook; however, the current language is unclear regarding the prohibition of a multiple circle hook configuration. It is recommended to add clarifying language to the body of the text in the regulation.

The Commission amends § 61.2 to read as set forth at 54 Pa.B. 5618 (September 7, 2024).

##### F. *Paperwork*

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

##### G. *Fiscal Impact*

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

##### H. *Public Comments*

A notice of proposed rulemaking was published at 54 Pa.B. 5618. The Commission received no public comments regarding the proposal.

##### *Findings*

The Commission finds that:

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

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

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

*Order*

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 61, are amended by amending § 61.2 to read as set forth at 54 Pa.B. 5618.

(B) The Executive Director will submit this order and 54 Pa.B. 5618 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 54 Pa.B. 5618 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect on January 1, 2025.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-356 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 24-1698. Filed for public inspection November 27, 2024, 9:00 a.m.]

**Title 58—RECREATION**

**FISH AND BOAT COMMISSION**

**[ 58 PA. CODE CH. 95 ]**

**Boating; Manufacturer Installed Equipment**

The Fish and Boat Commission (Commission) amends Chapter 95 (relating to manufacturer installed equipment). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). This amendment updates regulations pertaining to engine cut-off switch (ECOS) safety standards per the Cooperative Agreement for Recreational Boating Safety with the United States Coast Guard (USCG).

*A. Effective Date*

This final-form rulemaking will go into effect January 1, 2025.

*B. Contact Person*

For further information on this final-form rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at <https://www.pa.gov/en/agencies/fishandboat.html>.

*C. Statutory Authority*

The addition of § 95.10 (relating to engine cut-off switch) is published under the statutory authority of section 5123(a) of the code (relating to general boating regulations).

*D. Purpose and Background*

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

*E. Summary of Changes*

The ECOS is an important tool to prevent unnecessary death and disfigurement caused by a recreational boat operator being unexpectedly displaced from the boat and then struck by the boat's propeller. The ECOS lanyard connects the vessel operator to a switch that shuts off the engine if the operator is displaced from the boat. The lanyard can be looped around the operator's wrist or clipped to a life jacket or clothing. Wireless versions are also available, doing away with the physical tether and allowing the operator a little more flexibility to roam. Section 109.3(c) (relating to personal watercraft) currently requires a person operating a personal watercraft equipped by the manufacturer with a lanyard-type ECOS to attach it to their person, clothing or personal flotation device.

Effective April 1, 2021, section 503(a) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (46 U.S.C. § 4312), requires operators of certain motorized recreational vessels to use an ECOS when operating at greater than displacement speed. The Federal law, enforced by the USCG, applies to operators of all personal watercraft and recreational boats less than 26 feet with motors capable of developing 115 pounds or more of static thrust (approximately 3 horsepower). Boats not equipped by the manufacturer with an ECOS are exempt, but Federal regulations require all boats manufactured beginning January 1, 2020, to have an ECOS installed. The Federal regulation also does not apply to operators of vessels with a main helm inside an enclosed cabin. The law does not require operators to have the lanyard attached when the vessel is idling or performing docking maneuvers.

The Commission is encouraged to align its laws, rules and regulations with Federal law, to the fullest extent practicable, per the Cooperative Agreement for Recreational Boating Safety with the USCG.

The Commission adds § 95.10 to read as set forth at 54 Pa.B. 5619 (September 7, 2024).

*F. Paperwork*

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

*G. Fiscal Impact*

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

*H. Public Comments*

A notice of proposed rulemaking was published at 54 Pa.B. 5619. The Commission received no public comments regarding the proposal.

*Findings*

The Commission finds that:

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

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

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and



appropriate for administration and enforcement of the authorizing statutes.

#### *Order*

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 95, are amended by adding § 95.10 to read as set forth at 54 Pa.B. 5619.

(B) The Executive Director will submit this order and 54 Pa.B. 5619 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 54 Pa.B. 5619 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect on January 1, 2025.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-357 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 24-1699. Filed for public inspection November 27, 2024, 9:00 a.m.]

## Title 58—RECREATION

### FISH AND BOAT COMMISSION

#### [ 58 PA. CODE CH. 99a ]

#### Boating; Capacity Plates

The Fish and Boat Commission (Commission) deletes Chapter 99a. The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The deletion updates the Commission's regulations pertaining to capacity plates.

#### A. *Effective Date*

This final-form rulemaking will go into effect on January 1, 2025.

#### B. *Contact Person*

For further information on this final-form rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at <https://www.pa.gov/en/agencies/fishandboat.html>.

#### C. *Statutory Authority*

The deletion of Chapter 99a is published under the statutory authority of section 5122 of the code (relating to registrations, licenses, permits, plates and statistics).

#### D. *Purpose and Background*

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

#### E. *Summary of Changes*

Prior to January 1, 2013, the Commission issued capacity plates, upon request, for certain boats that were operated or offered for sale within this Commonwealth.

During an audit of the Commission's Recreational Boating Safety Program in 2011, the United States Coast Guard (USCG) identified this practice as a violation of Federal regulations and directed the Commission to stop issuing the plates.

In response to this direction, the Commission deleted Chapter 99 at 42 Pa.B. 7688 (December 22, 2012) of its regulations pertaining to capacity plates. At the time, this decision was thought to be the best way to handle the issue. However, in August 2018, it was determined that the best change would have been to delete only those sections dealing with the Commission's issuance of capacity plates and not to delete other sections that extended the Federal standard to Commonwealth waters. The Commission reinstated and amended certain sections of the former regulations.

Commission staff has again consulted with the USCG and has been advised that Federal capacity plate requirements apply to manufacturers and are enforced by the USCG. It is unnecessary for the Commission to promulgate regulations regarding capacity plate requirements, therefore Chapter 99a can be deleted.

The Commission deletes Chapter 99a as set forth at 54 Pa.B. 5620 (September 7, 2024).

#### F. *Paperwork*

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

#### G. *Fiscal Impact*

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

#### H. *Public Comments*

A notice of proposed rulemaking was published at 54 Pa.B. 5620. The Commission received no public comments regarding the proposed rulemaking.

#### *Findings*

The Commission finds that:

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

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

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

#### *Order*

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 99a, are amended by deleting §§ 99a.1—99a.4 to read as set forth at 54 Pa.B. 5620.

(B) The Executive Director will submit this order and 54 Pa.B. 5620 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 54 Pa.B. 5620 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect on January 1, 2025.  
 TIMOTHY D. SCHAEFFER,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-358 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 24-1700. Filed for public inspection November 27, 2024, 9:00 a.m.]

## Title 58—RECREATION

### FISH AND BOAT COMMISSION

#### [ 58 PA. CODE CH. 117 ]

#### Boating; Boat Rental Businesses

The Fish and Boat Commission (Commission) amends Chapter 117 (relating to boat rental businesses). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). This amendment updates the Commission's regulations relating to boat rental businesses and generally promotes boating safety and ensures renters receive training regarding the boat, waters, safety equipment and rules. The more specific rationale for each amended section is described as follows:

1.) Section 117.1 (relating to definitions) is amended to include paddleboards as a rental boat, which provides standardization and clarity.

2.) Section 117.3 (relating to responsibilities) is amended to include business reporting standards, safety orientation requirements and necessary documentation livery operators are required to provide to the Commission. These amendments will help the Commission identify liveries, facilitate annual safety inspections and standardize regulation updates and best practices. These proposed changes also ensure rental boats are registered or permitted, that those conducting orientation receive standardized education, a written rental agreement that formalizes the transaction and serves as a record of lawful rental and renter orientation, and that the Commission is informed of incidents involving rentals.

3.) Section 117.4 (relating to motorboat liveries) is amended to clarify livery operators' requirements for verifying proper safety training for renters and proper measures to take to oversee the operation of rented personal watercraft. These amendments will ensure livery operators are monitoring the use of rental boats and providing information about the area in which the rental boat may be used.

#### A. *Effective Date*

This final-form rulemaking will go into effect January 1, 2025.

#### B. *Contact Person*

For further information on this final-form rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at <https://www.pa.gov/en/agencies/fishandboat.html>.

#### C. *Statutory Authority*

The amendments to §§ 117.1, 117.3 and 117.4 are published under the statutory authority of section 5122 of the code (relating to registrations, licenses, permits, plates and statistics).

#### D. *Purpose and Background*

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

#### E. *Summary of Changes*

Boat rental businesses, also known as liveries, provide introductory experiences for newcomers to boating, convenient adventures for outdoor recreationists and opportunities to participate in boating without the commitment of boat ownership. They also provide unique experiences such as whitewater rafting, overnight stays in houseboats and opportunities to try the latest trends in boating technology. Boat rental operations in this Commonwealth have increased in number and expanded available opportunities in recent years. Because these businesses provide a wide variety of services to a broad diversity of people and are often a gateway to boat ownership, boat rental businesses play an important role in boating safety.

The Commission is authorized to promulgate rules and regulations relating to boat rental business operators under section 5122(a)(2) of the code. These regulations authorize the Executive Director to provide guidance relating to boat rental orientation and introduction requirements which are posted on the Pennsylvania Boat Rental Business page of the Commission's web site. Front-line waterways conservation officers initially identified issues, including lack of clarity, with current boat rental regulations and guidelines. Additionally, technological advances have created specific challenges and opportunities regarding boat rental business operations. In response, Commission staff launched a Livery Workgroup in February 2022, conducting livery visits and interviews, and established an online boat rental business questionnaire to identify challenges, gather information and recommend updates to the Commission's boat rental business regulations and guidelines to enhance communications and compliance, increase boating safety and reduce conflicts on the water. Boat rental business operators were invited to review and provide feedback on the draft regulatory amendments and safety orientation guidelines prepared by Commission staff. Commission staff reviewed and considered all input as final modifications were made to the drafts before presenting the proposed changes to the Boating Advisory Board.

The Commission amends §§ 117.1, 117.3 and 117.4 to read as set forth at 54 Pa.B. 3633 (June 29, 2024).

#### F. *Paperwork*

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

#### G. *Fiscal Impact*

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

#### H. *Public Comments*

A notice of proposed rulemaking was published at 54 Pa.B. 3633. The Commission received a total of two public comments regarding the proposal, both in support of the proposal.

*Findings*

The Commission finds that:

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

(2) A public comment period was provided and two public comments were received regarding the proposal, both in support of the proposal.

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

*Order*

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 117, are amended by amending §§ 117.1, 117.3 and 117.4 to read as set forth at 54 Pa.B. 3633.

(B) The Executive Director will submit this order and 54 Pa.B. 3633 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 54 Pa.B. 3633 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect on January 1, 2025.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-355 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 24-1701. Filed for public inspection November 27, 2024, 9:00 a.m.]



# PROPOSED RULEMAKING

## FISH AND BOAT COMMISSION

[ 58 PA. CODE CH. 63 ]

### Fishing; General Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 63 (relating to general fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment updates the Commission's regulations pertaining to recognizing the different types of fish cleaning stations and how fish are to be processed at noncommercial fish cleaning stations.

#### A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

#### B. Contact Person

For further information on this proposed rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at <https://www.pa.gov/en/agencies/fishandboat.html>.

#### C. Statutory Authority

The proposed amendment to § 63.15a (relating to officially-recognized fish cleaning stations) is published under the statutory authority of section 2102(a) of the code (relating to rules and regulations).

#### D. Purpose and Background

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

#### E. Summary of Proposal

The Commission has the authority under section 2102 of the code to create rules and regulations pertaining to fish and fishing. Under § 63.15a, the Commission recognizes two types of fish cleaning stations. These fish cleaning stations are either commercial stations or non-commercial stations. In addition to recognizing the different types of fish cleaning stations, this section also highlights how fish are to be processed at noncommercial fish cleaning stations.

After a review of the regulatory language for commercial and noncommercial stations, Commission staff determined a more accurate depiction of how stations operate, who is responsible for stations, what stations offer to the public and requirements for commercial fish cleaning stations should be highlighted.

After the Commission received comments from the public regarding the requirement to leave a 2-inch by 2-inch piece of skin on processed fillets at noncommercial officially-recognized fish cleaning stations, Commission staff conducted a review that included internal discussions, a meeting in Erie in September with interested stakeholders to hear and discuss their feedback and consideration at two Law Enforcement Committee meetings. As a result of this process, Commission staff deter-

mined that resource conservation goals could be achieved by eliminating the 2-inch by 2-inch piece of skin requirement in favor of requiring that fillets remain fully intact.

The Commission proposes that § 63.15a be amended to read as set forth in Annex A.

#### F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

#### G. Fiscal Impact

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

#### H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to [RA-pfbcregulations@pa.gov](mailto:RA-pfbcregulations@pa.gov). Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

**Fiscal Note:** 48A-360. No fiscal impact; recommends adoption.

### Annex A

#### TITLE 58. RECREATION

#### PART II. FISH AND BOAT COMMISSION

#### Subpart B. FISHING

#### CHAPTER 63. GENERAL FISHING REGULATIONS

#### § 63.15a. Officially-recognized fish cleaning stations.

##### (a) Types.

(1) *Commercial*. An [ **operator** ] **owner** of a fish cleaning station that [ **provides services** ] **offers a fish cleaning station** to the public for a fee [ **may** ] **shall** apply for recognition as an official commercial fish cleaning station.

(2) *Noncommercial*. An [ **operator** ] **owner** of a fishing cleaning station that [ **provides services** ] **offers a fish cleaning station to the public** at no cost may apply for recognition as an official noncommercial fish cleaning station.

\* \* \* \* \*

(e) *Identification*. Noncommercial officially-recognized fish cleaning station users shall leave [ **at least a 2-inch by 2-inch piece of skin on processed** ] **all fillets fully intact** for identification purposes. Cutting the fillets into pieces (also known as chunking) **or removing bones in a way that does not allow the fillet to remain fully intact** is prohibited.

[Pa.B. Doc. No. 24-1702. Filed for public inspection November 27, 2024, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending November 19, 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-bnbnksbmsnspt@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

No activity.

#### CREDIT UNIONS

No activity.

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

WENDY S. SPICHER,  
*Secretary*

[Pa.B. Doc. No. 24-1703. Filed for public inspection November 27, 2024, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Snowmobile and ATV Advisory Committee Public Meeting

The Snowmobile and ATV Advisory Committee (Committee) to the Department of Conservation and Natural Resources (Department) will hold a virtual public meeting on December 6, 2024, at 10 a.m. by means of Microsoft Teams. Individuals participating must register prior to the meeting on the Committee's web page at <https://www.dcnr.pa.gov/SnowmobileATVAdvisoryCommittee/Pages/default.aspx>.

Questions concerning this virtual public meeting or agenda can be directed to Jake Newton at (717) 783-3349.

Those wishing to participate during the public comment section are encouraged to submit their comments in writing to [janevton@pa.gov](mailto:janevton@pa.gov).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Aara Vinsh directly at (717) 787-9306 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 24-1704. Filed for public inspection November 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](http://www.dep.pa.gov) and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2224808	Joint DEP/PFBC Pesticides Permit	New	Harhigh Derek 7555 Red Pine Road Harrisburg, PA 17112-4223	West Hanover Township Dauphin County	SCRO
2524807	Joint DEP/PFBC Pesticides Permit	New	Elliot J Segel 10020 Lake Road North East, PA 16428-2836	North East Township Erie County	NWRO
3424801	Joint DEP/PFBC Pesticides Permit	New	Julie & Bob Horst 4 Waterfront Estates Drive Lancaster, PA 17602-4133	Fayette Township Juniata County	SCRO
3724808	Joint DEP/PFBC Pesticides Permit	New	David Kosier 1077 Oswald Street Wampum, PA 16157-5821	Wayne Township Lawrence County	NWRO
3824802	Joint DEP/PFBC Pesticides Permit	New	Crossings at Sweetbriar P.O. Box 3330 Lancaster, PA 17604-3330	North Lebanon Township Lebanon County	SCRO
1824401	Land Application and Reuse of Sewage Individual WQM Permit	New	Nicholas Meat LLC 508 E Valley Road Loganton, PA 17747-9207	Greene Township Clinton County	NCRO
1171402	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Portage Area Sewer Authority Cambria County 606 Cambria Street Portage, PA 15946-1516	Portage Township Cambria County	SWRO



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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0102911	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Conneaut Lake Family Campground LLC 9655 State Highway 285 Conneaut Lake, PA 16316-2449	Sadsbury Township Crawford County	NWRO
0305401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Pine Township Armstrong County P.O. Box 111 Templeton, PA 16259-0111	Pine Township Armstrong County	NWRO
1624402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	New	UK Strattanville Holding LLC 20331 Paint Boulevard Shippenville, PA 16254-4627	Clarion Township Clarion County	NWRO
2087404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Conneaut Lake Family Campground LLC 9655 State Highway 285 Conneaut Lake, PA 16316-2449	Sadsbury Township Crawford County	NWRO
4600407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Green Ln Marlborough Joint Authority Montgomery County P.O. Box 45 Green Lane, PA 18054	Marlborough Township Montgomery County	SERO
NOEXNW120	No Exposure Certification	Renewal	Protective Ind Inc. 2150 Elmwood Avenue Buffalo, NY 14207-1910	Summit Township Erie County	NWRO
PAG030041	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Waste Management of PA 100 Brandywine Boulevard Suite 300 Newtown, PA 18940-4002	East Caln Township Chester County	SERO
PAG030325	PAG-03 NPDES General Permit for Industrial Stormwater	New	Estes Express Lines 2575 General Armistead Boulevard Norristown, PA 19403	West Norriton Township Montgomery County	SERO
PAG030327	PAG-03 NPDES General Permit for Industrial Stormwater	New	Wings Adv Aviation LP 1501 Narcissa Road Blue Bell, PA 19422-2404	Whitpain Township Montgomery County	SERO
PAG032441	PAG-03 NPDES General Permit for Industrial Stormwater	New	Walmart Stores East LP 508 SW 8th Street Bentonville, AR 72716-6209	Bethlehem City Northampton County	NERO
PAG036590	PAG-03 NPDES General Permit for Industrial Stormwater	New	Golden Triangle Const Co. Inc. 8555 Old Steubenville Pike Imperial, PA 15126	Rostraver Township Westmoreland County	SWRO
PAG038474	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Mersen USA GS-NAC Corp 314 Elk Run Avenue Punxsutawney, PA 15767-1622	Young Township Jefferson County	NWRO
PAG038595	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Molded Fiber Glass Co. 55 4th Avenue Union City, PA 16438-1247	Union City Borough Erie County	NWRO
PAG041440	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Englert John 244 Colt Road Transfer, PA 16154	Pymatuning Township Mercer County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG046496	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Kinder Timothy 86 Fishpot Road Fredericktown, PA 15333-2200	Centerville Borough Washington County	SWRO
PAG049282	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Stevens Christine M 201 Olde River Road Tidioute, PA 16351-7237	Deerfield Township Warren County	NWRO
PAG123662	PAG-12 NPDES General Permit for CAFOs	Renewal	Harvest Lane Farm LLC 910 Jake Landis Road Lititz, PA 17543-8491	Manheim Township Lancaster County	SCRO
PAG123806	PAG-12 NPDES General Permit for CAFOs	Renewal	Rohrer Farm LLC 750 Doe Run Road Lititz, PA 17543-8711	Penn Township Lancaster County	SCRO
PAG123939	PAG-12 NPDES General Permit for CAFOs	Renewal	Lafferty Tyler 2097 Shaffer Mountain Road New Paris, PA 15554-7423	Napier Township Bedford County	SCRO
PAG136390	PAG-13 NPDES General Permit for MS4s	Renewal	Kiskiminetas Township Armstrong County 1222a Old State Road Apollo, PA 15613-9739	Kiskiminetas Township Armstrong County	NWRO
PAG138341	PAG-13 NPDES General Permit for MS4s	Renewal	Clark Borough Mercer County 2798 Winner Road Clark, PA 16113	Clark Borough Mercer County	NWRO
1799405	Pump Stations Individual WQM Permit	Amendment	Cooper Township Municipal Authority Clearfield County P.O. Box 446 Winburne, PA 16879-0446	Cooper Township Clearfield County	NCRO
0290405	Sewer Extensions Individual WQM Permit	Amendment	Fox Chapel Borough Allegheny County 401 Fox Chapel Road Pittsburgh, PA 15238-2225	Fox Chapel Borough Allegheny County	SWRO
2519402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Lamb Patrick D 11396 Sharp Road Waterford, PA 16441-3976	Waterford Township Erie County	NWRO
6219410	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Foust Kirk 863 Preston Road Warren, PA 16365-5441	Conewango Township Warren County	NWRO

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

### Northcentral Regional Office

**PA0113298**, Sewage, SIC Code 4952, **Elkland Borough Authority, Tioga County**, 105 Parkhurst Street, Elkland, PA 16920-1109. Facility Name: Elkland Borough STP and Lines. This existing facility is located in Elkland Borough, **Tioga County**.

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

The receiving stream(s), Cowanesque River (WWF), is located in State Water Plan watershed 4-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.55 MGD.

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



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min XXX	0.44	XXX	1.45
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	110	180	XXX	25.0	40.0	50
Nov 1 - May 31						
Jun 1 - Oct 31	43	60	XXX	9.5	14.0	19
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	135	205	XXX	30.0	45.0	50
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Effluent Net						
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Ammonia-Nitrogen	39	59.0	XXX	8.7	13.0	17
Nov 1 - May 31						
Jun 1 - Oct 31	13.0	20.0	XXX	2.9	4.4	5.8
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Total Phosphorus	9.17	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Effluent Net						
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs)	XXX	10,277	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Effluent Net						
Total Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Total Phosphorus (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Total Phosphorus (Total Load, lbs)	XXX	1,285	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Effluent Net						

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

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

The EPA Waiver is not in effect.

*Northcentral Regional Office*

**PA0027677**, Industrial, SIC Code 8733, **US DOI**, 11649 Leetown Road, Kearneysville, WV 25430-5526. Facility Name: US F & W Service National Fish R & D Lab. This existing facility is located in Shippen Township, **Tioga 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), Marsh Creek (CWF), is located in State Water Plan watershed 9-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.86 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	Inst Min	4.3	XXX	8.6
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Ammonia-Nitrogen	XXX	XXX	XXX	3.9	XXX	7.8
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	1.3	XXX	2.6

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0229091**, Concentrated Animal Feeding Operation (CAFO), **Greg A Haladay (GNH Farms LLC)**, 224 White Church Road, Elysburg, PA 17824-9161.

Greg A Haladay has submitted an application for an Individual NPDES permit for a renewal of a CAFO known as GNH Farms LLC, located in Cleveland Township, **Columbia County**.

The CAFO is situated near Unnamed Tributary of Roaring Creek (CWF, MF) and Unnamed Tributary to Mugser Run (HQ-CWF, MF) in Watershed 5-E, which is classified for High Quality-Cold Water, Migratory Fish, Cold Water Fishes, and Migratory Fishes. The CAFO is designed to maintain an animal population of approximately 612.13 animal equivalent units (AEUs) consisting of 95,000 Layers, 2,100 Swine Grow Finish, 14 Beef Finishers, 8 Medium Breed Ewe, 2 Light Horse Mature, 10 Medium Breed Lamb, 4 Medium Breed Ram, 2 Meat Goat Doe, 4 Meat Goat Kid, and 3 Meat Goat Buck. Liquid swine manure is stored in an 80' x 210' x 6' concrete underbarn manure storage and solid layer manure is stored in a 57' x 600' x 6' concrete underbarn manure storage pit. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

*Southcentral Regional Office*

**PA0233846**, Concentrated Animal Feeding Operation (CAFO), **Drew E Remley (Remley Hog & Beef LLC)**, 623 Harer Road, Roaring Branch, PA 17765-8829.

Drew E Remley has submitted an application for an Individual NPDES permit for a renewal of a CAFO known as Remley Hog & Beef LLC, located in Liberty Township, **Tioga County**.

The CAFO is situated near Unnamed Tributary to Salt Spring Run (EV (existing use)) and Unnamed Tributary to Brion Creek (EV (existing use)) in Watershed 10-A, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 1,748.66 animal equivalent units (AEUs) consisting of 8,720 Swine Grow Finish, 9,600 Nursery Pigs, 40 Beef Cows, 8 Beef Finishers, 40 Beef Calves, 10 Beef Replacement Heifer: 8 mo.—1 yr., and 12 Beef Replacement Heifer: 1-2 yr. The operation has 3 concrete underbarn

storages, 1 digester, and 1 concrete circular storage. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

*Northeast Regional Office*

**PA0061506**, Sewage, SIC Code 4952, **Maxson Sandra L**, P.O. Box 2, Preston Park, PA 18455-0002. Facility Name: Preston Country Market. This existing facility is located in Preston Township, **Wayne County**.

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

The receiving stream(s), Unnamed Tributary to Shehawken Creek (HQ-CWF), is located in State Water Plan watershed 1-A and is classified for High Quality Waters-Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .000535 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Semi-Annual Average	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.2 Avg Mo	XXX	2.8

The proposed effluent limits for Outfall 001 are based on a design flow of .000535 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Semi-Annual Average	Maximum	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20

The proposed effluent limits for Outfall 001 are based on a design flow of .000535 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Semi-Annual Average	Maximum	
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Annl Avg	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Annl Avg	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	XXX	9.0 Annl Avg	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0 Annl Avg	XXX	6

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*

**PA0080608**, Sewage, SIC Code 7032, **Fellowship of Bible Churches**, 10670 Fort Loudon Road, Mercersburg, PA 17236-9505. Facility Name: Camp Tohiglo. This existing facility is located in Montgomery Township, **Franklin County**.

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

The receiving stream(s), Licking Creek (TSF, MF), is located in State Water Plan watershed 13-C and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .012 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .012 MGD.—Limits.

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

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0080861**, Sewage, SIC Code 4952, **Walmar MHC LLC**, 524 Meadow Avenue Loop, Banner Elk, NC 28604-9443. Facility Name: Walmar Manor MHP. This existing facility is located in Franklin Township, **York County**.

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

The receiving stream(s), North Branch Bermudian Creek (WWF), is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>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 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.27	XXX	0.89
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	Report	XXX	XXX	25.0	XXX	50
Total Suspended Solids	Report	XXX	XXX	30.0	XXX	60

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Ammonia-Nitrogen	Report	XXX	XXX	10.5	XXX	21.0
Nov 1 - Apr 30						
May 1 - Oct 31	Report	XXX	XXX	3.5	XXX	7.0
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus	Report	XXX	XXX	2.0	XXX	4.0
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

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

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

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0081311**, Sewage, SIC Code 4952, **South Londonderry Township Municipal Authority**, 27 W Market Street, Palmyra, PA 17078-8736. Facility Name: South Londonderry Colebrook STP. This existing facility is located in South Londonderry Township, **Lebanon County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .044 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	9.2	14.7	XXX	25	40	50
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				



NOTICES

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Suspended Solids	11	16.5	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	Daily Max XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	5.5	XXX	XXX	15.0	XXX	30
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	0.73	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus (Total Load, lbs)	XXX	268	XXX	XXX	XXX	XXX
(lbs)		Total Annual				

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

- Stormwater prohibition
- Management of collected screenings, slurries, sludges and other solids
- Approval contingencies
- Proper waste/solids management
- Restriction on receipt of hauled in waste under certain conditions
- Batch discharge condition

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0084051**, Sewage, SIC Code 6515, **Creekview Farms MHP**, 280 Airy View Road, Shermans Dale, PA 17090-8504. Facility Name: Creekview Farms MHP. This existing facility is located in Carroll Township, **Perry 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), Sherman Creek (WWF), is located in State Water Plan watershed 7-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .1 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .1 MGD.—Limits.

Parameters	Mass Units (lbs/day)		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	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

The proposed effluent limits for Outfall 001 are based on a design flow of .1 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0088536**, Sewage, SIC Code 7032, 7033, **Camp Hebron**, 957 Camp Hebron Road, Halifax, PA 17032-9574. Facility Name: Camp Hebron Retreat. This existing facility is located in Halifax Township, **Dauphin County**.

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

The receiving stream(s), Powell Creek (TSF), is located in State Water Plan watershed 6-C 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 .0206 MGD.—Limits.

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

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

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

- Stormwater prohibition, approval contingencies, management of collected screenings, slurries, sludges and other solids, requirement to connect if a public sewer becomes available in the area, chlorine minimization and solids management.

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0088676**, Sewage, SIC Code 6515, **Creek View Community**, 493 Potato Road, Carlisle, PA 17015-8938. Facility Name: Creek View MHP. This existing facility is located in Upper Frankford Township, **Cumberland County**.

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

The receiving stream(s), Conodoguinet Creek (WWF, MF), is located in State Water Plan watershed 7-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 .060 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.1	XXX	0.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean		
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	1.0	XXX	2

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

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

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0246689**, Sewage, SIC Code 6514, **Devin A Morris**, 153 Hidden Valley Lane, Bedford, PA 15522-5365. Facility Name: Morris Residence. This existing facility is located in Cumberland Valley Township, **Bedford County**.

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

The receiving stream(s), Unnamed Tributary to Oster Run (HQ-CWF, MF), is located in State Water Plan watershed 13-A and is classified for High Quality-Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1000

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0247855**, Sewage, SIC Code 4952, **Belfast Township, Fulton County**, 121 Homestead Lane, Needmore, PA 17238-9425. Facility Name: Belfast Township WWTP. This existing facility is located in Belfast Township, **Fulton 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), Tonoloway Creek (WWF), is located in State Water Plan watershed 13-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>	6.2	10.0	XXX	25.0	40.0	50.0
BOD <sub>5</sub>	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	7.5	11.2	XXX	30.0	45.0	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		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
	Annl Avg	Total Annual		Annl Avg		
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
	Annl Avg	Total Annual		Annl Avg		

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0294420**, Industrial, SIC Code 9511, **Cycle Chem Inc., dba ACV Enviro, a Republic Services Company**, 550 Industrial Drive, Lewisberry, PA 17339-9534. Facility Name: ACV Enviro. This proposed facility is located in Fairview Township, **York County**.

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

The receiving stream(s), Unnamed Tributary of Fishing Creek (CWF (existing use)), is located in State Water Plan watershed 7-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:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Max		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Magnesium, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

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

- A benchmark for COD of 120 mg/L is included in this permit, which is typical of the monitoring requirements for PAG-03 appendices (effective 3/24/2023).
- Special conditions applicable to dry streams are included in Part C.I of the permit.
- Special conditions applicable to stormwater outfalls are included in Part C.II of the permit, which include an Annual Report and routine inspections on a semi-annual basis.
- Special conditions applicable to the stormwater pond are included in Part C.II.C.5 and Part C.III of the permit.
- Special conditions applicable to Aqueous Film Forming Foam (AFFF) are included in Part C.IV of the permit.

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0011851**, Industrial, SIC Code 3317, 3356, 3451, **Superior Tube Co. Inc.**, 3900 Germantown Pike, Collegeville, PA 19426-3112. Facility Name: Superior Tube Collegeville Facility. This existing facility is located in Lower Providence Township, **Montgomery 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), Perkiomen Creek (WWF, MF) and Unnamed Tributary to Perkiomen Creek (TSF), is located in State Water Plan watershed 3-E and is classified for Trout Stocking, 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 002 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
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
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX



The proposed effluent limits for Outfall 004 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
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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 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
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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 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
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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 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
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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 are based on a design flow of .1 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>	
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 are based on a design flow of .1 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
Temperature (deg F) (°F)	XXX	XXX	Inst Min	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000	2,500
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30

The proposed effluent limits for Outfall 108 are based on a design flow of 0.03 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>	
Total Toxic Organics	XXX	XXX	XXX	1.06	XXX	XXX
				Semi Avg		

The proposed effluent limits for Outfall 108 are based on a design flow of 0.03 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	Report	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Mo XXX	XXX	Report Inst Min	XXX	XXX	Report
Total Suspended Solids	2.69	5.24	XXX	10.7	20.9	26.9
Oil and Grease	Avg Mo 2.21	4.44	XXX	8.84	17.7	22.11
Ammonia-Nitrogen	Avg Mo 0.226	0.226	XXX	0.9	0.9	0.904
Cadmium, Total	Avg Mo 0.021	0.057	XXX	0.086	0.229	0.229
Fluoride, Total	Avg Mo XXX	XXX	XXX	2.5	XXX	5
Zinc, Total	0.123	0.218	XXX	0.492	0.879	1.23
	Avg Mo					

The proposed effluent limits for Outfall 108 are based on a design flow of 0.03 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>	
Chromium, Total	0.143	0.231	XXX	0.573	0.924	1.43
Copper, Total	0.172	0.282	XXX	Avg Qrtly 0.689	1.125	1.72
Cyanide, Total	0.054	0.100	XXX	Avg Qrtly 0.216	0.4	0.54
Lead, Total	0.036	0.058	XXX	Avg Qrtly 0.143	0.229	0.357
Nickel, Total	0.199	0.334	XXX	Avg Qrtly 0.795	1.33	1.98
Silver, Total	0.02	0.036	XXX	Avg Qrtly 0.08	0.143	0.2
				Avg Qrtly		

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

- TTO definition
- May subject to other DRBC requirements
- Chemical additives
- Requirements applicable to stormwater outfalls
- List of TTO organics
- PFAS reduction plan

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

The EPA Waiver is not in effect.

*Southeast Regional Office*

**PAI130058, MS4, Franklin Township, Chester County**, P.O. Box 118, Kemblesville, PA 19347-0118.

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 Franklin Township, **Chester County**. The receiving stream(s), West Branch White Clay Creek (TSF, MF), Middle Branch White Clay Creek (TSF, MF), Unnamed Tributary to Big Elk Creek (HQ-TSF, MF), and Unnamed Tributary to East Branch White Clay Creek (CWF, MF), is located in State Water Plan watershed 7-K and 3-I and is classified for Migratory Fish, Trout Stocking, High Quality Waters-Trout Stocking, Cold Water Fishes, and Migratory Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

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

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

*Southwest Regional Office*

**PA0028193, Sewage, SIC Code 4952, McCandless Township Sanitary Authority**, 418 Arcadia Drive, Pittsburgh, PA 15237-5557. Facility Name: Longvue # 2 STP. This existing facility is located in Ross Township, **Allegheny County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Copper, Total (ug/L)	0.050	0.125 Daily Max	XXX	60.0	150.0 Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Copper, Total (ug/L)	0.008	0.014 Daily Max	XXX	10.1	17.0 Daily Max	25.3

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	8.0	12.0	XXX	10.0	15.0	20

NOTICES

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	20.0 Report	31.0 XXX	XXX XXX	25.0 Report	37.5 XXX	50 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
Ultraviolet light transmittance (%) Ammonia-Nitrogen Nov 1 - Apr 30	XXX 2.5	XXX XXX	Report XXX	XXX 3.0	XXX XXX	XXX 6
May 1 - Oct 31	1.5	XXX	XXX	1.9	XXX	3.9
Zinc, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.—Limits.

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

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

- Part C.III, Water Quality-Based Effluent Limitations for Toxic Pollutants

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0203688**, Sewage, SIC Code 4952, **West Pike Run Township Municipal Authority**, P.O. Box 222, Daisytown, PA 15427-0222. Facility Name: West Pike Run Township MA WWTP. This existing facility is located in West Pike Run Township, **Washington 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), Pike Run (TSF), is located in State Water Plan watershed 19-C 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 .063 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>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .063 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	13.1	XXX	XXX	25.0	XXX	50.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	15.8	XXX	XXX	30.0	XXX	60.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean		
Nov 1 - Apr 30				Report	XXX	Report
May 1 - Oct 31	XXX	XXX	XXX	23	XXX	46

The proposed effluent limits for Outfall 001 are based on a design flow of .063 MGD.—Limits.

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

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

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

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

The EPA Waiver is in effect.

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

*Southcentral Regional Office*

Applicant: **Florin Hill Partnership**

Applicant Address: 332 North Arch Street, Lancaster, PA 17603

Application Number: **PAD360126**

Application Type: New

Municipality/County: Mount Joy Borough, **Lancaster County**

Project Site Name: Florin Hill

Total Earth Disturbance Area (acres): 61.63 acres

Surface Waters Receiving Stormwater Discharges: UNT to Donegal Creek (CWF, MF) and UNT to Donegal Creek (CWF, MF) via EV wetlands.

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

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

Project Description: Continuation of the Florin Hill residential development.



Special Conditions: N/A

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

*Southcentral Regional Office*

Applicant: **SAIA Motor Freight Line, LLC**

Applicant Address: 11465 Johns Creek Pkwy, Suite 400, Johns Creek, GA 30097

Application Number: **PAD210029 A-1**

Application Type: Renewal and Major Amendment

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

Project Site Name: Carlisle Trucking Terminal

Total Earth Disturbance Area (acres): 58.24 acres

Surface Waters Receiving Stormwater Discharges: UNT to Letort Spring Run (HQ-CWF, MF) and Letort Spring Run (HQ-CWF, MF)

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

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

Project Description: Construction of a trailer storage lot, employee parking with site lighting and stormwater management.

Special Conditions: N/A

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

*Northcentral Regional Office*

Applicant: **Jersey Shore Water Authority**

Applicant Address: 1111 Bardo Avenue P.O. Box 5046, Jersey Shore, PA 17754

Application Number: **PAD410033**

Application Type: New

Municipality/County: Anthony Township and Salladasburg Borough, **Lycoming County**

Project Site Name: Larry's Creek Water Treatment Plant

Total Earth Disturbance Area (acres): 3.38 acres

Surface Waters Receiving Stormwater Discharges: Larry's 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: The goal of the project is to replace the existing, aging conventional filtration system with a new membrane filtration system and all the applicable appurtenances. The project will include the construction of a new control building which will house the membrane filtration system and associated equipment. A new pretreatment chemical feed building, chemical feed systems, instrumentation, supervisory control, and data access (SCADA) system and an emergency generator. The new treatment facility will meet the future water system demands and ensure compliance with future regulations. Once the membrane filtration system is operational and approval is granted by the Department, the current conventional filtration system will be removed from service and the existing filtration building will be demolished.

Special Conditions: N/A

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

*Northcentral Regional Office*

Applicant: **2848 Main LLC**

Applicant Address: 620 W Main Street, Elkland, PA 16920

Application Number: **PAD 530019**

Application Type: New

Municipality/County: Galeton Borough, **Potter County**

Project Site Name: Ox Yolk Cabins

Total Earth Disturbance Area (acres): 3.11 acres

Surface Waters Receiving Stormwater Discharges: Pine Creek

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

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

Project Description: Redevelopment of former Ox Yolk property involving regrading to support a mixture of cabins and campsites, with upgraded utilities, parking, and modern stormwater management facilities.

Special Conditions: N/A

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

*Southcentral Regional Office*

Applicant: **Ashton Investment Group, LLC**

Applicant Address: 336 West King Street, Lancaster, PA 17603

Application Number: **PAD210123**

Application Type: New

Municipality/County: South Middleton Township, **Cumberland County**

Project Site Name: Limestone Creek

Total Earth Disturbance Area (acres): 15.51 acres

Surface Waters Receiving Stormwater Discharges: Letort Spring Run (EV, MF) and Letort Spring Run (EV, MF) via EV Wetlands

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

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

Project Description: The purpose of this plan is to propose the construction of 46 dwelling units in 2 apartment buildings, a public road, stormwater management, and associated improvements.

Special Conditions: N/A

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

*Southeast Regional Office*

Applicant: **Demarco Real Estate, LLC, c/o Stephen Demarco**

Applicant Address: 2 Street Road, Newtown Square, PA 19073

Application Number: **PAD150185 A-1**

Application Type: Major Amendment

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

Project Site Name: 400 Three Tun Rd (Lot 9)

Total Earth Disturbance Area (acres): 2.57 acres

Surface Waters Receiving Stormwater Discharges: UNT to Valley Creek (EV, MF)

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

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

Project Description: This application is a Major Amendment that proposes a 13,776 sf office/warehouse building footprint with associated parking on a 2.91-acre parcel located at 400 Three Tun Road in East Whiteland Township, Chester County. Currently the property is undeveloped and consist of woods and meadow.

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: **Honesdale Solar 1, LLC**

Applicant Address: 55 Technology Drive, Lowell, MA 01851

Application Number: **PAD640054**

Application Type: New

Municipality/County: Damascus Township, Lebanon Township, **Wayne County**

Project Site Name: 10 Funaro Ct. Solar

Total Earth Disturbance Area (acres): 30.68 acres

Surface Waters Receiving Stormwater Discharges: UNT to North Branch Calkins Creek (HQ-CWF, MF), Big Brook (EV, MF) & EV Wetlands

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

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

Project Description: The project involves the construction of a 5 MWAC solar farm, including the installation of solar panels, electrical equipment, access roads and stormwater control features.

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

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

*Northeast Regional Office*Applicant: **Pocono Mountain School District**

Applicant Address: 231 Pocono Mountain School Road, Swiftwater, PA 18370

Application Number: **PAD450215**

Application Type: New

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

Project Site Name: Pocono Mountain East HS Baseball and Softball Fields

Total Earth Disturbance Area (acres): 5.36 acres

Surface Waters Receiving Stormwater Discharges: EV Wetlands to UNT to Swiftwater Creek (EV, 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: Conversion of natural grass baseball/softball fields to new synthetic turf fields along with the installation of 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: **Commerce Pursuit Capital, L.P., c/o Michael Maier**

Applicant Address: 1300 Virginia Drive, Suite 215, Fort Washington, PA 19034-3249

Application Number: **PAD150347**

Application Type: New

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

Project Site Name: Westrum Senior Living at West Whiteland Subdivision/Land Development

Total Earth Disturbance Area (acres): 5.00 acres

Surface Waters Receiving Stormwater Discharges: Broad Run (HQ-CWF)

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

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

**Project Description:** The project proposes consolidation of Parcels 264, 265 and 266 to create a single contiguous tract of land. The composite land area shall be developed to support a proposed 148-Unit Personal Care Living Facility with necessary site infrastructure, including the following: Approx. 56,870 sf personal care living facility, retention of an existing historic resource structure and two-story wood frame structure, access connection to the West Whiteland Township Park's Darlington Drive with internal driveway access and parking areas. Internal parking areas to support 66 surface parking spaces and 57 below structure parking space, on-site stormwater collection, conveyance, and management facilities, and active and passive recreational 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: **Michael and Alison Jochen**

Applicant Address: 363 Warner Dr., Saylorsburg, PA 18353

Application Number: **PAD450219**

Application Type: New

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

Project Site Name: Lands of Michael and Alison Jochen Single Family Home Site

Total Earth Disturbance Area (acres): 1.34 acres

Surface Waters Receiving Stormwater Discharges: McMichael Creek (EV, MF)

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

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

Project Description: Construction of a single family home.

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

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

*Northeast Regional Office*

Applicant: **Graystone, LLC**

Applicant Address: 79 Police Grove Road, Drums, PA 18222

Application Number: **PAD400086**

Application Type: New

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

Project Site Name: Heritage Meadows

Total Earth Disturbance Area (acres): 9.88 acres

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

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

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

**Project Description:** Construction of 26 single-family homes, roadways, utilities, stormwater management, and other necessary appurtenances.

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.

## **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>
Keystone Dairy Ventures, LLC 324 Balance Meeting Road Peach Bottom, PA 17563	Lancaster County	733.6	1,622.13	Dairy	HQ	Renewal
R&T Family Farms 2088 Cleman Hollow Road Unityville, PA 17774	Lycoming County	142.9	661.99	Swine	NA	Renewal
2198 Fairview Rd Unityville PA 17774						
Robert Brubaker Jr. 2205 Camp Road Manheim, PA 17545	Lancaster County	11	345.36	Broilers	NA	Renewal

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copy-

ing information should be made with the office listed before the application.

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

**SAFE DRINKING WATER**

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

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

*Contact: Jade Wheeler, Clerical Assistant II, 570-327-0551.*

**Application No. 1424519, Amendment, Public Water Supply.**

Applicant	<b>Penns Cave Inc.</b>
Address	222 Penns Cave Road Centre Hall, PA 16828
Municipality	Gregg Township
County	<b>Centre County</b>
Responsible Official	Russell Schleiden 222 Penns Cave Road Centre Hall, PA 16828



## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 1

Consulting Engineer David M. Cunningham  
Keller Engineers Inc.  
420 Allegheny Street  
Hollidaysburg, PA 16648

Application Received November 6, 2024

Description Storage tank filtration and treatment filter.

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

*Contact: Joseph Cherinko, P.E., Environmental Engineer, 570-826-2090.*

**Application No. 4824502**, Construction, Public Water Supply.

Applicant **City of Bethlehem**

Address 10 East Church St  
Bethlehem, PA 18018

Municipality East Allen Township

County **Northampton County**

Responsible Official Edward J. Boscola  
10 East Church St  
Bethlehem, PA 18018

Consulting Engineer Steven G. Lowry, P.E.  
10 East Church St  
Bethlehem, PA 18018

Application Received July 29, 2024

Description Application for a replacement pressure tank and a new jockey pump at the Wil-Mar Pump Station.

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

*Contact: Kimberleigh Rivers.*

**Application No. 0924527**, Construction, Public Water Supply.

Applicant **Newtown Artesian Water Company**

Address 201 North Lincoln Avenue  
Newtown, PA 18940

Municipality Newtown Township

County **Bucks County**

Responsible Official Dan Angove  
201 North Lincoln Avenue  
Newtown, PA 18940

Consulting Engineer Gannett Fleming  
2 Executive Drive  
Marlton, NJ 08053

Application Received October 18, 2024

Description This project aims to implement upgrades to the chemical feed systems and incorporates PFAS removal GAC units.

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

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

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified individual, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

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

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

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

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

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

**Seneca Resources Company Pad C09-J**, Primary Facility ID # **854402**, Stanger Lane/Indian Camp Lane, Emporium, PA 15834, Shippen Township, **Cameron County**. ARM Group LLC, 2548 Park Center Boulevard, State College, PA 16801 on behalf of Seneca Resources Company LLC, 2000 Westinghouse Drive, Suite 400, Cranberry Township, PA 16066, submitted a Notice of Intent to Remediate concerning remediation of site soil contaminated with produced water. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was published in *Cameron County Echo* on October 9, 2024. Application received: November 7, 2024.

**SWN Production Company LLC, Greezweg Large Impoundment**, Primary Facility ID # **840507**, 329 East Cole Road, Wyalusing, PA 18853, Herrick Township, **Bradford County**. Resource Environmental Management, Inc., 50 Maple Street, Montrose, PA 18801 on behalf of SWN Production Company, LLC, 917 SR 92 N, Tunkhannock, PA 18657, submitted a Notice of Intent to Remediate concerning remediation of site groundwater contaminated with produced water. The applicant proposes to remediate the site to meet the residential Statewide health standard. The Notice of Intent to Remediate was published in *The Daily Review* on October 7, 2024. Application received: November 6, 2024.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Lake Ariel Quarry**, Primary Facility ID # **875591**, 621 Keystone Road, Lake Ariel, PA 18436, Lake Township, **Wayne County**. Aquaterra Technologies, 901 South Bolmar Street, Suite A, West Chester, PA 19381 on behalf of Penn Tank Lines, 300 Lionville Station Road, Chester Springs, PA 19425, submitted a Notice of Intent to Remediate. Soil was contaminated with diesel. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Tri-County Independent* on November 7, 2024. Application received: November 7, 2024.

**Bank Building**, Primary Facility ID # **879634**, 117 Meadow Avenue, Scranton, PA 18505, City of Scranton, **Lackawanna County**. Dynamic Earth, 826 Newtown Yardley Road, Suite 201, Newtown, PA 18940 on behalf of NDA Moosic, LLC, 601 Gates Road, Suite 1, Vestal, NY 13850, submitted a Notice of Intent to Remediate. Soil was contaminated with arsenic. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Scranton Times* on November 5, 2024. Application received: November 12, 2024.

**Former Packaging Center**, Primary Facility ID # **879637**, Meadow Avenue, Scranton, PA 18505, City of Scranton, **Lackawanna County**. Dynamic Earth, 826 Newtown Yardley Road, Suite 201, Newtown, PA 18940 on behalf of NDA Moosic, LLC, 601 Gates Road, Suite 1, Vestal, NY 13850, submitted a Notice of Intent to

Remediate. Soil was contaminated with polycyclic aromatic hydrocarbons. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in *The Scranton Times* on November 5, 2024. Application received: November 12, 2024.

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

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

**Hampden Townhomes LLC**, Primary Facility ID # **879621**, 5157, 5163 and 5165 East Trindle Road, Mechanicsburg, PA 17050, Hampden Township, **Cumberland County**. McKee Environmental, Inc., 86 Quartz Drive, Bellefonte, PA 16823 on behalf of Hampden Townhomes LLC, 6211 Lookout Drive, Mechanicsburg, PA 17050, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate groundwater contaminated with PFOS/PFAS. The site will be remediated to the Background Standard. Future use of the site is residential. The Notice of Intent to Remediate was published in *The Sentinel* on October 17, 2024. Application received: November 4, 2024.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Janelle Hromyak, Clerical Assistant 2, 412-442-4091.*

**Beta Cameron Well Pad**, Primary Facility ID # **829952**, 607 Behm Road, Wind Ridge, PA 15380, Richhill Township, **Greene County**. Brendan Poffenbaugh, P.G., 508 Thomson Park Drive, Cranberry Township, PA 16066 on behalf of Douglas Oberdorf, EQT Corporation, 400 Woodcliff Dr, Wind Ridge, PA 15317, submitted a Notice of Intent to Remediate. Contamination on site resulted from a spill of water-based spacer fluid to the well pad surface. Impacts were contained within the boundaries of the well pad and limited to the upper twelve inches of the well pad aggregate material. The current use of the property is as an unconventional natural gas well production site. Future use of the property is anticipated to continue to be for natural gas production. Groundwater, surface water, and air quality were not impacted by the spill. The Notice of Intent to Remediate was published in *Observer-Reporter* on November 8, 2024. Application received: November 13, 2024.

**Coarse Refuse Disposal Area (CRDA) 7**, Primary Facility ID # **879681**, Latitude: 39.97546389, Longitude: -80.37340278, Graysville, PA 15337, Morris Township, **Greene County**. Stephen Pesch, Penn E&R Inc., 100 Ryan Court, Suite 20, Pittsburgh, PA 15205 on behalf of Carrie Crumpton, CNX Gas Company LLC, 1000 Horizon Vue Drive, Canonsburg, PA 15317, submitted a Notice of Intent to Remediate. On or about May 21, 2024, during excavating activities at the CRDA 7 facility, Consol Energy contractors punctured an unmarked brine pipeline, resulting in the release of an unknown volume of brine containing fluids. The CRDA is currently a permitted coal refuse disposal area, and is intended to be used as such in the future. The Notice of Intent to Remediate was published in *Observer-Reporter* on October 17, 2024. Application received: November 14, 2024.

### DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

*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.*

**WMGM055-NE007. Chrinergy Power, LLC, 1225 Industrial Drive, Easton, PA 18042, Glendon Borough, Northampton County.** An application for Determination of Applicability for coverage under WMGM055 for a landfill gas-to-energy plant located at the Glendon Business Center. Landfill gas will be conveyed to the plant from Chrin Brothers Sanitary Landfill. Application received: November 6, 2024. Deemed administratively complete: November 13, 2024.

Comments or questions concerning the application should be directed to Roger Bellas, Environmental Program Manager, 570-826-2511 or RA-EPWM-NERO@pa.gov, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

*Contact: Waste Management Program Manager.*

**300683. Marlborough US Realty Holdings LP, P.O. Box 241, Harrison City, PA 15644-0241, Ambridge Borough, Beaver County.** A closure plan was received for the Ambridge Landfill which was a Class III residual waste landfill permitted to dispose of fly ash, bottom ash, fixated fly ash, sulfur dioxide scrubber sludge and coal pile runoff sludge. The landfill ceased accepting waste in or around 1988. Closure activities were performed at the site, but an official closure plan was never submitted or approved. Application received: July 30, 2024. Deemed administratively complete: November 7, 2024.

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

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

### 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.*

**Ferrick Construction Co., Inc., 811 Ivy Hill Road, Philadelphia, PA 19150. License No. PA-AH 0473.** Accepted: November 13, 2024.

**Neier, Inc., P.O. Box 151, Coatesville, IN 46121. License No. PA-AH 0777.** Accepted: November 7, 2024.

**Midwest Environmental Services, Inc., 27 Kiesland Court, Hamilton, OH 45015. License No. PA-AH 0929.** Accepted: November 4, 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.**

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

*Contact: Shailesh Patel, P.E., Environmental Group Manager.*

**54-00054B: Commonwealth Environmental Systems, L.P. Landfill**, 99 Commonwealth Road, Hegins, PA 17938-0322, Foster, Frailey and Reilly Townships, **Schuylkill County**. Application received: November 6, 2024. For the proposed Landfill Expansion at the Commonwealth Environmental Systems, L.P. Landfill (CES).

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

**48-00123A: Chrinerger Power, LLC**, 1225 Industrial Drive, Easton, PA 18042, Glendon Borough, **Northampton County**. Application received: May 17, 2024.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received a Plan Approval for Chrinerger Power, LLC (1225 Industrial Drive, Easton, PA 18042) for their facility to be located in Glendon Borough, Northampton County. This Plan Approval No. 48-00123A will be incorporated into a Title V Permit a later date. Plan Approval No. 48-00123A is for the construction of 3.2 megawatt (MW) electric generating plant. The plant will include two (2) Caterpillar G3520C spark ignition 2,242 BHP landfill gas fired engines utilizing lean burn combustion and air to fuel ratio control. The facility will be a major source of Carbon Monoxide (CO) by equal or exceeding 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 25 TPY of all aggregated HAPs but will exceed 10 TPY of any single HAP (Formaldehyde

18.19 TPY), based on a 12-month rolling sum. The facility will be a minor source of VOC emissions by not equal or exceeding 50 TPY, based on a 12-month rolling sum. The facility will be a minor source of NO<sub>x</sub>, PM, and SO<sub>x</sub> emissions by not equal or exceeding 100 TPY, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility is subject to NSPS Subpart JJJJ, MACT Subpart ZZZZ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. Emissions from the engines must meet BAT, MACT ZZZZ and NSPS Subpart JJJJ requirements. Emissions performance testing will be necessary to demonstrate compliance of the engines with the applicable NO<sub>x</sub>, CO, VOC, and formaldehyde emission limits, as required per NSPS Subpart JJJJ. 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 18701-1915. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Permit No. 48-00123A 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., EGM, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2357 within 30 days after publication date.

##### **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.**

*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.*

**46-0001B: JBS Souderton, Inc.**, 741 Souder Rd, Souderton, PA 18964, Franconia Township, **Montgomery County**. Application received: August 19, 2024. This action is for a plan approval for the installation of a new dual fuel-fired Johnston Boiler rated at 49.05 MMBtu/hr

at a meatpacking and rendering plant, which emits major levels of Nitrogen Oxides (NO<sub>x</sub>) from the boilers on site. Natural gas will be the primary fuel, and No. 2 fuel oil will be used only during periods of natural gas curtailment or testing. The proposed Johnston boiler will be equipped with a low NO<sub>x</sub> 30-ppm burner with flue gas recirculation (FGR). The requirements of 40 CFR Part 60 Subpart Dc apply to the new boiler. The boiler is defined as a gas-fired boiler according to the definitions found in 40 CFR 63.11237; therefore, the requirements of 40 CFR Part 63 Subpart JJJJJ do not apply to the new boiler. The No. 2 fuel oil sulfur content restriction pursuant to 25 Pa. Code § 123.22(e)(2)(i) for the outer zone is applicable to the new boiler when firing No. 2 fuel oil. The particulate matter standard of 25 Pa. Code § 123.13(a)(1) applies to the new boiler. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**09-0257: Quakertown Boro Wastewater Treatment Plant**, 777 E Broad St, Quakertown, PA 18951, Richland Township, **Bucks County**. Application received: May 7, 2024. Plan Approval No. 09-0257 is for an upgrade to the Quakertown Wastewater Treatment Plant (WWTP) with a new anaerobic digestion and co-generation process. The WWTP is a Natural Minor facility. The primary components of the project are two (2) anaerobic digester tanks, a biogas train, a combined heat and power (CHP) system consisting of two (2) 800-kW generators controlled by selective catalytic reduction (SCR), a slurry buffer tank controlled by an odor control system, and a flare for backup to the CHP system. The generators are subject to 40 CFR Part 60, Subpart JJJJ. Potential emissions from this project are: NO<sub>x</sub>—4.59 tons per year (TPY); VOC—1.38 TPY; CO—15.29 TPY; PM—2.76 TPY; SO<sub>x</sub>—10.47 TPY; HAP—0.61 TPY. The Plan Approval will contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and 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 plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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

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

**04-00681C: Brunner Landfill**, 211 Brunner Rd., Zelenople, PA 16063, New Sewickley Township, **Beaver County**. Application received: June 2, 2021.

Intent to Issue Plan Approval:

PA-04-00681C: In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a plan approval for the installation and operation of an enclosed flare and a leachate evaporator at a landfill facility located in New Sewickley Township, Beaver County.

The enclosed flare will be limited to 0.06 lb/MMBtu of NO<sub>x</sub>, 0.20 lb/MMBtu of CO, 98% destruction efficiency of VOC or 20 ppmvd VOC at 3% O<sub>2</sub>, and 0.01 gr/dscf PM.

The facility will be limited to annual emissions of 7.7 tons/year of NO<sub>x</sub>, 18.8 tons/year of CO, 4.5 tons/year of VOC, 9.5 tons/year of SO<sub>x</sub>, 20 tons/year of PM<sub>10</sub>, and 4.6

tons/year of total HAPs. Sources at Brunner are subject to 40 CFR Part 62 Subpart OOO—Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014, and 40 CFR Part 63 Subpart AAAA—NESHAPS for Hazardous Air Pollutants: Municipal Solid Waste Landfills, and 25 Pa. Code Chapters 121—145. (Air Resources). The plan approval includes emission limitations and operational, monitoring, testing, recordkeeping, work practice, and reporting requirements for the plant.

The application, DEP's Review Memorandum, and the proposed plan approval 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 Sheri Guerrieri, New Source Review Chief, directly.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the plan approval may submit the information to Sheri Guerrieri, New Source Review Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00681C) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Sheri Guerrieri, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to [shguerrier@pa.gov](mailto:shguerrier@pa.gov). All comments must be received prior to the close of business 30 days after the date of this publication.

## OPERATING PERMITS

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

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

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

**48-00123A, Chrinerger Power, LLC**, 1225 Industrial Drive, Easton, PA 18042, Glendon Borough, **Northampton County**. Application received: May 17, 2024. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Chrinerger Power, LLC (1225 Industrial Drive, Easton, PA 18042) for their facility to be located in Glendon Borough, Northampton County. This Plan Approval No. 48-00123A will be incorporated into a Title V Permit a later date. Plan Approval No. 48-00123A is for the construction of 3.2 megawatt (MW) electric generating



plant. The plant will include two (2) Caterpillar G3520C spark ignition 2,242 BHP landfill gas fired engines utilizing lean burn combustion and air to fuel ratio control. The facility will be a major source of Carbon Monoxide (CO) by equal or exceeding 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 25 TPY of all aggregated HAPs but will exceed 10 TPY of any single HAP (Formaldehyde 18.19 TPY), based on a 12-month rolling sum. The facility will be a minor source of VOC emissions by not equal or exceeding 50 TPY, based on a 12-month rolling sum. The facility will be a minor source of NO<sub>x</sub>, PM, and SO<sub>x</sub> emissions by not equal or exceeding 100 TPY, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility is subject to NSPS Subpart JJJJ, MACT Subpart ZZZZ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. Emissions from the engines must meet BAT, MACT ZZZZ and NSPS Subpart JJJJ requirements. Emissions performance testing will be necessary to demonstrate compliance of the engines with the applicable NO<sub>x</sub>, CO, VOC, and formaldehyde emission limits, as required per NSPS Subpart JJJJ. 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 18701-1915. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Permit No. 48-00123A 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., EGM, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2357 within 30 days after publication date.

**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.*

**59-00012, Dairy Farmers of America, Inc.**, 72 Milk Plant Road, Middlebury Center, PA 16935, Middlebury

Township, **Tioga County**. Application received: April 2, 2024. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department has received an application and intends to issue a renewal of an Air Quality Operating Permit for the Dairy Farmers of America, Inc. milk processing plant located in Middlebury Township, Tioga County. The facility is currently operating under State Only (Natural Minor) Operating Permit 59-00012. The facility's main sources include one (1) 21.00 MMBtu per hour Johnston model PFTA-500-4LG-150S natural gas fired steam boiler, one (1) 31.40 MMBtu per hour Johnston model PFTX 750-4 natural gas-fired steam boiler, a Powdered Milk Drying System including one C.E. Rogers Company VRS milk spray dryer with a natural gas fired burner with rated heat input of 12 MMBtu per hour and one electrically powered Drynatics manufactured fluid bed cooler and one Safety-Kleen manufactured remote reservoir cold cleaning recirculatory type parts washer. The facility has potential emissions of 5.74 tons per year of carbon monoxide, 15.02 tons per year of nitrogen oxides, 0.47 ton per year of sulfur oxides, 1.23 tons per year of particulate matter with an aerodynamic diameter of less than 10 microns, 4.27 tons per year of volatile organic compounds, 0.42 ton per year of total hazardous air pollutants. 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 40 CFR Part 60 Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

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

**39-00104, NextEra Renewable Fuels, LLC**, P.O. Box 39, Orefield, PA 18069, City of Allentown, **Lehigh County**. Application received: October 9, 2024. The Department intends to issue a State-Only Operating Permit for operation of sources at the wastewater treatment plant. The sources include a digester gas fired caterpillar engine. 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.

**40-00071, American Asphalt Paving Company**, 500 Chase Road, Shavertown, PA 18708, Jackson Township, **Luzerne County**. Application received: September 25, 2024. The Department intends to issue a renewal State-Only Synthetic Minor Permit for the American Asphalt Paving Co.—Chase Facility. Business activities performed at this facility include non-metallic mineral mining and processing, and hot mix asphalt production. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed

permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**25-01006, Lake Erie Biofuels, LLC**, 1540 E Lake Rd, Erie, PA 16511-1032, City of Erie, **Erie County**. Application received: October 30, 2023. The Department intends to issue the renewal State Only Natural Minor Operating Permit for the biofuels production facility. The facility's primary emission sources include the two (2) natural gas-fired process steam boilers, the biodiesel production process, storage tanks, a high-pressure steam generator for the fatty acid stripper, an emergency generator, and an emergency fire pump. The potential emissions of the primary pollutants from the facility are as follows: 15.20 TPY (tons per year) NO<sub>x</sub>, 27.91 TPY CO, 8.01 TPY VOC, 5.45 TPY total HAPs, 3.29 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, and 0.63 TPY SO<sub>x</sub>; thus, the facility is a natural minor. The boilers are subject to 40 CFR 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The biodiesel production process is subject to 40 CFR 60 Subpart VV, Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemical Manufacturing Industry (SOCMI), 40 CFR 60 Subpart NNN, Standards of Performance for Volatile Organic Compound (VOC) Emissions from SOCMI Distillation Operations, and 40 CFR 60 Subpart RRR, Standards of Performance for VOC Emissions from SOCMI Reactor Processes. The storage tanks are subject to 40 CFR 60 Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984. The two diesel-fired engines are subject to 40 CFR 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

*Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4863.*

**07-03018, Central PA Humane Society**, 1837 E Pleasant Valley Boulevard, Altoona, PA 16602, Logan Township, **Blair County**. Application received: August 26, 2024. For the operation of an animal crematory. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 1.22 tpy NO<sub>x</sub>, 1.02 tpy CO, 0.82 PM<sub>10</sub>, 0.09 tpy VOC, 0.37 tpy SO<sub>x</sub>, and 0.01 tpy HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items the conditions include provisions from 25 Pa. Code § 123.21.

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

**36-03182, Charles F. Snyder Funeral Home, Inc.**, 3110 Lititz Pike, Lititz, PA 17543, Manheim Township, **Lancaster County**. Application received: November 17,

2023. For operation of two (2) human crematories, at their funeral home. Potential emissions are estimated to be 3.07 tpy of PM, 2.34 tpy of NO<sub>x</sub>, 1.94 tpy of CO, 1.43 tpy of SO<sub>x</sub> and 0.2 tpy of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.*

**15-00074, RA Ferris & Co Inc./West Chester**, 899 Fernhill Rd, West Chester, PA 19380-1467, West Goshen Township, **Chester County**. Application received: December 21, 2023. This action is for the renewal of the non-Title V, Natural Minor Operating Permit for the operation of two (2) human crematories. 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.

**23-00050, Prospect CCMC/Taylor Hospital**, 175 E Chester Pike, Ridley Park, PA 19078, Ridley Park Borough, **Delaware County**. Application received: August 11, 2023. This action is for the renewal of a non-Title V, Natural Minor Operating Permit for Taylor Hospital. The facility includes the following sources: five (5) boilers all under 10 MMBtu/hr, one (1) 1,000 kW generator with 1,490 HP engine and one (1) 350 kW generator with 450 HP engine. Total potential emissions from all sources combined are as follows: nitrogen oxides (NO<sub>x</sub>)—19.40 tons per year (tpy), carbon monoxide (CO)—9.68 tpy, sulfur oxides (SO<sub>x</sub>)—0.08 tpy, volatile organic compounds (VOC)—1.08 tpy, and particulate matter (PM)—1.25 tpy. The facility has a 22.31 tpy NO<sub>x</sub> site-wide emissions limit. Requirements for sources include monitoring and recording of fuel usage, hours of operation and calculating NO<sub>x</sub> emissions for compliance with site-wide limit. Since the facility uses No. 2 fuel oil, receipts from deliveries must be kept or testing of oil must be done to ensure compliance with 15 ppm sulfur content limit. The facility must also maintain the sources according to manufacturer's recommendations and good pollution control practices. 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.

**46-00272, Tech Tube Inc./Upper Merion**, 750 Vandenberg Blvd, King of Prussia, PA 19406-1473, Upper Merion Township, **Montgomery County**. Application received: June 11, 2024. This action is for the renewal of a non-Title V, Synthetic Minor Operating Permit that produces small diameter-cold drawn tubing for the automotive, medical, and aerospace industries. Tech Tube operates a Batch Vapor Degreaser as part of the production process. The Degreaser uses trichloroethylene as a cleaning agent. A carbon adsorption system is installed to capture the Volatile Organic Compounds emissions from the degreaser. The annual TCE emissions after control are 4.575 tons/year. The Degreaser is subject to Subpart T—National Emission Standards for Halogenated Solvent Cleaning. The Operating Permit includes monitoring, recordkeeping requirements, and work practice standards



designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person 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.

*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.*

**26-00057, Matt Canestrone Contracting, Inc., P.O.** Box 234, Belle Vernon, PA 15012, Luzerne Township, **Fayette County**. Application received: January 19, 2024. Synthetic Minor State-Only Operating Permit for the operation of a barge unloading and transferring facility located in Luzerne Township, Fayette County. The site's operations support a reclamation project using coal ash and flue gas desulfurization sludge to cap material on a coal refuse pile. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously mentioned facility. The subject facility consists of two docks for barge unloading, three excavators, and an area for truck/rail transshipping with front loaders. One dock is considered primary, but both docks can be used at the same time. The rate of unloading the barges is limited by the number of trucks available. Barges are unloaded, and material is transported to the reclamation area behind the barge unloading area. Emissions from the facility are controlled by a pressurized water truck. The facility provided potential emission calculations based on 262,800 tons of material handled on a 12-month rolling basis, 8,760 hours of operation per year, and AP-42 Emission Factors. The controlled potential emissions at this site are projected to be 34.6 TPY PM<sub>30</sub> and 12.1 TPY PM<sub>10</sub>. This includes emission estimates from transferring material from barge to truck, haul roads, truck unloading, wind erosion, material handling, and bulldozing. At a minimum, the facility is required to conduct daily surveys of the site to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The air quality permit includes a throughput restriction, operating requirements, monitoring requirements, and recordkeeping requirements for the site. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Synthetic Minor State-Only Operating Permit may submit the information to Tom Joseph, Environmental Engineering Manager, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (26-00057) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit. A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the

previously listed address. All comments must be received prior to the close of business 30 days after the date of this publication. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> and by contacting Thomas Joseph, Environmental Engineering Manager, at 412-442-4336 or [tjoseph@pa.gov](mailto:tjoseph@pa.gov). Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Lauren Camarda at 412-442-4203 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

#### PLAN APPROVALS

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

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

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

**48-00124A, UE-02102PA LLC**, 22 West Putnam Avenue, Greenwich, CT 06830, Allen Township, **Northampton County**. Application received: July 25, 2024. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to UE-02102PA LLC (22 West Putnam Avenue, Greenwich, CT 06830) for the FedEx Ground Distribution Hub facility located on Willowbrook Road in Allen Township, Northampton County. This Plan Approval No. 48-00124A will be incorporated into a Natural Minor Permit through an administrative amendment at a later date. Plan Approval No. 48-00124A is for the construction of 1,550 kWe electric generating plant. The plant will include two (2) natural gas-fired internal combustion (IC) engines. The first unit (2G Energy AG Avus 1000 plus NG, 1,395 BHP) will be used for providing primary power to the facility with an electrical output rating of 1,000 kWe. The second unit (2G Energy AG Avus 500 plus NG, 770 BHP) unit will serve as a backup unit with an electrical output rating of 550 kWe. Each engine will utilize an oxidation catalyst system for control of CO, VOC, and formaldehyde emissions. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO<sub>x</sub> emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO<sub>x</sub>, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility is subject to NSPS Subpart JJJJ, MACT Subpart ZZZZ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) require-

ments. The visible emission opacity shall not be equal to or greater than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. Emissions from the engines will meet BAT, MACT ZZZZ and NSPS Subpart JJJJ requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 48-00124A 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, EGM, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2357 within 30 days after publication date.

**COAL & NONCOAL MINING  
ACTIVITY APPLICATIONS**

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

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

Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

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

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

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

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

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

*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.			

*New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

*Contact: Tracy Norbert, OR RA-EPNEWSTANTON@pa.gov.*

**Mining Permit No. 03803044. NPDES No. PA0216375. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, East Franklin Township, Armstrong County.** Application returned for renewal of existing

bituminous mine operation, affecting 97.9 acres. Receiving streams: Unnamed tributaries to Limestone Run; classified for the following: WWF. Application received: April 16, 2024. Returned: November 14, 2024.

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

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

**Mining Permit No. 35840203. CSY, Inc.,** 400 Mill Street, Dunmore, PA 18512, City of Scranton and Taylor Borough, **Lackawanna County.** Renew for Reclamation Activities Only of an anthracite coal refuse reprocessing and surface mine operation affecting 61.5 acres. Receiving stream: Lackawanna River, classified for the following uses: CWF, MF. Application received: October 24, 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. PA0215562. Mining Permit No. 30841602. Duquesne Light Company,** 1800 Seymour Street, Pittsburgh, PA 15233, Monongahela Township, **Greene County.** Application received: March 27, 2024. Accepted: April 24, 2024.

A renewal to the NPDES permit and mining activity permit, affecting 43.3 surface acres. Receiving stream(s): Whiteley 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 coal mining activities.

The proposed effluent limits for Outfall 002 discharging to Whiteley Creek:

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



<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.6	2.5	3.9
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report

The proposed effluent limits for Outfall 007 discharging to Whiteley Creek:

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

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.6	2.5	3.9
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report

The EPA Waiver is not in effect.

*Noncoal NPDES Draft Permits*

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**NPDES No. PA0115461. Mining Permit No. 4773SM4. Heidelberg Materials NE LLC**, 7660 Imperial Way, Allentown, PA 18195, Liberty Borough, **Tioga County**. Application received: July 22, 2024.

Renewal of an NPDES permit for discharge of water resulting from surface mining of industrial minerals affecting 145.7 acres. Receiving stream(s): unnamed tributary to Bellman Run, classified for the following use(s): HQ, CWF.

The following outfalls discharge to an unnamed tributary to Bellman Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Stormwater Outfall	Intermittent
002	Existing	Stormwater Outfall	Intermittent
003	Existing	Stormwater Outfall	Intermittent

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

<i>Outfalls: 001—003 (Discharges during Dry Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

<i>Outfalls: 001—003 (Discharges after ≤10-yr/24-hr Precip. Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

*Outfalls: 001—003 (Discharges after >10-yr/24-hr Precip. Event)*

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

*New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

*Contact: Tracy Norbert or RA-EPNEWSTANTON@pa.gov.*

**NPDES No. PA0200492. Mining Permit No. 65930401. Heidelberg Materials Northeast LLC**, 2200 Springfield Pike, Connellsville, PA 15425, Ligonier and Derry Townships, **Westmoreland County**. Application for a new NPDES permit at an underground mine with surface activities, affecting 172.6 acres. Receiving streams: unnamed tributary to Loyalhanna Creek and Loyalhanna Creek, classified for the following use: TSF. The receiving streams are subject to the Kiskiminetas and Conemaugh River Total Maximum Daily Load (TMDL). The Department has made a tentative determination to impose effluent limitations, within the ranges specified. Application received: April 11, 2024.

The following stormwater outfall discharges to UNT to Loyalhanna Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Stormwater Outfall

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

*(All Weather Conditions)*

<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
Acidity (mg/L)	-	-	-	Report
Total Alkalinity (mg/L)	-	-	-	Report
Net Alkalinity (mg/L)	0.0	-	-	-
Total Iron (mg/L)	-	3.0	6.0	7.0
Total Manganese (mg/L)	-	2.0	4.0	5.0
Total Aluminum (mg/L)	-	2.0	4.0	5.0
Total Suspended Solids (mg/L)	-	35.0	70.0	90.0
Sulfate (mg/L)	-	-	-	Report
Oil and Grease (mg/l)	-	-	-	Report
Total Dissolved Solids (mg/L)	-	-	-	Report
Temperature (°C)	-	-	-	Report
Flow (gpm)	-	-	-	Report

The following stormwater outfalls discharge to Loyalhanna Creek:

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

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

*(All Weather Conditions)*

<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
Acidity (mg/L)	-	-	-	Report
Total Alkalinity (mg/L)	-	-	-	Report
Net Alkalinity (mg/L)	0.0	-	-	-
Total Iron (mg/L)	-	1.5	3.0	3.7
Total Manganese (mg/L)	-	1.0	2.0	2.5
Total Aluminum (mg/L)	-	0.75	0.75	0.75
Total Suspended Solids (mg/L)	-	35.0	70.0	90.0
Sulfate (mg/L)	-	-	-	Report
Oil and Grease (mg/l)	-	-	-	Report
Total Dissolved Solids (mg/L)	-	-	-	Report
Temperature (°C)	-	-	-	Report
Flow (gpm)	-	-	-	Report

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

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

**NPDES Permit No. PA0224987. Mining Permit No. 49080104. D. Molesevich & Sons Construction Co., Inc.**, P.O. Box 121, Mt. Carmel, PA 17851, Mount Carmel Township, **Northumberland County**. Renew NPDES permit affecting 402.0 acres related to a coal mining activity permit. Receiving stream: Quaker Run, Coal Run and South Branch of Roaring Creek, classified for the following uses: CWF & HQ. There is no discharge proposed to Quaker Run, Coal Run or South Branch of

Roaring Creek. Non Discharging Best Management Practices will be in effect. Application received: January 16, 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)).**

*Central Office: Regional Permit Coordination Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.*

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

**E0283224-014. Pennsylvania Turnpike Commission**, 700 S Eisenhower Blvd, Middleton, PA 17057, West Mifflin Borough, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: October 9, 2024.

Latitude: 40.3493010°, Longitude: -79.9076380°.

To construct and maintain the following water obstructions and encroachments associated with the Mon/Fayette Expressway PA RT 51 to Duquesne, Section 53B1A:

1. To fill 1,911 square feet of a tributary to Monongahela River (WWF) (MON-2-S41) for the purpose of constructing proposed bridge structures MF-411A and MF-411B.
2. To fill 416 square feet of a tributary to Monongahela River (WWF) (MON-2-S51) for the purpose of grading an embankment for a permanent by-pass channel.
3. To relocate 4,197 square feet of a tributary to Monongahela River (WWF) (MON-2-S54-2) for the purpose of constructing a stormwater basin.
4. To fill 10 square feet of a tributary to Monongahela River (WWF) (MON-2-S54-3) for the purpose of removing a culvert.
5. To fill 298 square feet of a tributary to Monongahela River (WWF) (MON-2-S53) for the purpose of constructing proposed bridge structures MF-413B and MF-413C.
6. To fill 1,053 square feet of tributary to Monongahela River (WWF) (MON-2-S59-8) for purpose of roadway construction and outlet protection for stormwater discharge.
7. To relocate 650 square feet of a tributary to Monongahela River (WWF) (MON-2-S59-7) for the purpose of removing a stream enclosure.
8. To relocate 115 square feet of a tributary to Monongahela River (WWF) (MON-2-S59-6) for the purpose of removing a stream enclosure.
9. To relocate 770 square feet of a tributary to Monongahela River (WWF) (MON-2-S59-5) for the purpose of grading and forming a confluence with MON-1-S54.
10. To fill 51 square feet of tributary to Monongahela River (WWF) (MON-2-S59-2) for the purpose of driveway construction.
11. To fill 30 square feet of tributary to Monongahela River (WWF) (MON-2-S59-3) for the purpose of driveway construction.
12. To fill 17 square feet of tributary to Monongahela River (WWF) (MON-2-S42-1) for the purpose of constructing a stormwater basin.
13. To fill 22 square feet of tributary to Monongahela River (WWF) (MON-2-S505) for the purpose of channel construction.
14. To fill 12 square feet of tributary to Monongahela River (WWF) (MON-2-S508) for the purpose of channel construction.
15. To fill 83 square feet of tributary to Monongahela River (WWF) (MON-2-S95-1) for the purpose of constructing a railroad access road.
16. To reconstruct 684 square feet of a tributary to Monongahela River (WWF) (MON-2-S115-1) for the purpose of removing a stream enclosure.
17. To fill 0.10 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W51) watershed for the purpose of bridge MF-411A construction.
18. To fill 0.13 acre of PFO wetlands within the Monongahela River (WWF) (MON-2-W52) watershed for the purpose of stormwater basin construction.
19. To fill 0.01 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W58) watershed for the purpose of channel construction.
20. To fill 0.01 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W59) watershed for the purpose of channel construction.
21. To excavate and fill 0.08 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W50) watershed for the purpose of roadway construction and optional modified embankment area.
22. To excavate and fill 0.01 acre of PFO wetlands within the Monongahela River (WWF) (MON-2-W49) watershed for the purpose of roadway construction.
23. To excavate less than 0.01 acre of PFO wetlands within the Monongahela River (WWF) (MON-2-W48-1) watershed for the purpose of roadway construction.
24. To excavate 0.01 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W62) watershed for the purpose of roadway construction.

25. To excavate and fill less than 0.01 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W46) watershed for the purpose of roadway construction.

26. To excavate and fill 0.04 acre of PEM wetlands, and 0.02 acre of PFO wetlands, within the Monongahela River (WWF) (MON-2-W63) watershed for the purpose of roadway ramp construction.

27. To excavate and fill 0.09 acre of PUB wetlands within the Monongahela River (WWF) (MON-2-W61) watershed for the purpose of relocating stream MON-2-S59.

28. To excavate and fill 1.2 acres of a body of water within the Monongahela River (WWF) (Sandy Lake 1-1) watershed for the purpose of bridge MF-413A and MF-413B construction, sediment basin construction and relocating stream MON-2-S59.

29. To excavate and fill 0.25 acre of a body of water within the Monongahela River (WWF) (Sandy Lake 2-1) watershed for the purpose of bridge MF-413A and MF-413B construction, and sediment basin construction.

30. To fill 0.03 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W68-1) watershed for the purpose of driveway construction.

31. To fill less than 0.01 acre of PUB wetlands within the Monongahela River (WWF) (MON-2-W89-1) watershed for the purpose of outlet protection from a stormwater basin.

32. To excavate and fill 0.04 acre of PEM wetlands within the Monongahela River (WWF) (MON-2-W75-2) watershed for the purpose of construction access road and stream relocation.

In total the project will result in 0.13 acre of temporary and 0.24 acre of permanent stream impact, 1.06 acres of temporary and 2.77 acres of permanent floodway impact, 0.03 acre of temporary and 0.48 acre of permanent wetland impact, and 1.54 acres of permanent body of water impact. The project is located between Curry Hollow Road and Pittsburgh-McKeesport Road (Glassport, PA Quadrangle) in West Mifflin Borough, Allegheny County.

*Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.*

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

**E5929224-003. Highland Field Services, LLC**, 51 Zents Boulevard, Brookville, PA 15825, Delmar Township and Middlebury Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 25, 2024.

To construct, operate, and maintain:

1. A 16-inch diameter freshwater pipeline impacting 80 linear feet of Crooked Creek (WWF) (Keeneyville, PA Quadrangle 41.845228°, -77.279146°);

2. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 917 square feet of a palustrine emergent (PEM) wetland (Keeneyville, PA Quadrangle 41.844395°, -77.281323°);

3. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 16 linear feet of an unnamed tributary to Norris Brook (TSF) (Keeneyville, PA Quadrangle 41.843367°, -77.280761°);

4. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 730

square feet of a palustrine emergent/scrub shrub (PEM/PSS) wetland (Keeneyville, PA Quadrangle 41.836701°, -77.288524°);

5. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 616 square feet of a palustrine forested (PFO) wetland (Keeneyville, PA Quadrangle 41.834668°, -77.290589°);

6. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 593 square feet of a palustrine emergent (PEM) wetland (Keeneyville, PA Quadrangle 41.834098°, -77.291373°);

7. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 18 linear feet of an unnamed tributary to Norris Brook (TSF) (Keeneyville, PA Quadrangle 41.831683°, -77.293475°);

8. A 16-inch diameter freshwater pipeline impacting 92 linear feet of Norris Brook (EV) (Keeneyville, PA Quadrangle 41.824865°, -77.292839°);

9. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 4,579 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.820632°, -77.292582°);

10. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 8,605 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.818693°, -77.291345°);

11. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 123 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.81785°, -77.29021°);

12. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 39 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.817122°, -77.289853°);

13. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 91 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.816805°, -77.28976°);

14. A temporary road crossing using timber mats impacting 142 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.815821°, -77.289831°);

15. A temporary road crossing using timber mats impacting 63 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.815699°, -77.289848°);

16. A temporary road crossing using timber mats and a 16-inch diameter freshwater pipeline impacting 289 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.815374°, -77.289949°);

17. A 16-inch diameter freshwater pipeline impacting 3 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.814957°, -77.290345°);

18. A 16-inch diameter freshwater pipeline impacting 4 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.814973°, -77.290702°);



19. A 16-inch diameter freshwater pipeline impacting 24 linear feet of an unnamed tributary to Baldwin Run (HQ-CWF) (Keeneyville, PA Quadrangle 41.812497°, -77.291949°);

20. A 16-inch diameter freshwater pipeline impacting 13 linear feet of an unnamed tributary to Baldwin Run (HQ-CWF) (Keeneyville, PA Quadrangle 41.811259°, -77.292752°).

The project will result in 243 linear feet of temporary stream impacts and 16,794 square feet (0.386 acre) of temporary wetland impacts all for the purpose of installing a natural gas pipeline in Delmar and Middlebury Township, Tioga County.

*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.*

**E1804224-002. Francis & Emily Montarsi**, 134 Whitetail Circle, Mill Hall, PA 17751, Woodward Township, **Clinton County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 31, 2024.

Francis and Emily Montarsi have applied for a Chapter 105 Small Projects Joint Permit for the construction and maintenance a 20 ft by 30 ft timber post pavilion with a roof. The pavilion will be constructed over an existing concrete slab and total proposed disturbance is 0.1 acre. No excavation or fill is associated with this project. There are no anticipated adverse impacts to waters of the U.S. or aquatic resources from this construction project. The project is located within the floodway of the West Branch of the Susquehanna River which is listed in 25 Pa. Code Chapter 93 designation as a Warm Water Fishery (WWF) with Migratory Fish (MF). Latitude: 41°, 8', 52.77", Longitude: -77°, 27', 39.77".

*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.*

**EA540224-001. Mahanoy Creek Watershed Association (MCWA)**, 15 Barry Road, Ashland, PA 17921, Girardville Borough, **Schuylkill County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 12, 2024.

To construct and maintain an abandoned mine discharge (AMD) treatment system proposed in and along the floodway of the Mahanoy Creek. The purpose of the project is to treat and reduce iron loadings discharging from the Packer 5 mine outfall and to improve water quality to the Mahanoy Creek Watershed. The project is located on a 20.6-acre parcel owned by MCWA east of the intersection of B Street and North 4th Street in Girardville Borough, Schuylkill County. (Ashland, PA, Quadrangle, Latitude: 40°, 47', 36.8510" N; Longitude: -76°, 16', 35.3175" W).

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

*Contact: RA-EP-WW-SERO-105@pa.gov.*

**E1501224-004. Toll Mid-Atlantic LP Co., Inc.**, 1140 Virginia Drive, Fort Washington, PA 19034, East Whiteland Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: July 9, 2024.

Toll Mid-Atlantic LP Co., Inc. is proposing to perform the following water obstruction and encroachment activities associated with the project at 367 Old Marshall Rd. Activities associated with the construction of a stream crossing for the Knickerbocker trail over an Unnamed Tributary to Valley Creek (EV-MF): To excavate and construct stream crossing over Unnamed Tributary to Valley Creek resulting in (196 sf, .004 acre) of permanent watercourse impacts. This project is located at 367 Old Marshall Rd, East Whiteland Township, PA 19355, Chester County, (USGS PA Malvern Quadrangle—Latitude 40.054037 N, Longitude -75.542021 W).

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

*Contact: Dana Drake, Program Manager.*

**E6305224-012. Borough of East Washington**, 15 Thayer Street, Washington, PA 15301, East Washington Borough, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 23, 2024.

**E6305224-012, Borough of East Washington**, 15 Thayer Street Washington PA 15301, Borough of East Washington, **Washington County**; Pittsburgh ACOE District.

To:

1. Construct and maintain streambank stabilization along approximately 530 linear feet, of an unnamed tributary to Catfish Creek (WWF), by grading the streambanks, to restore floodplain connectivity. The project will include establishing a vegetated riparian buffer in the floodway, along this reach of watercourse.

2. Construct and maintain a rain garden with an associated rip-rap apron and rock-lined emergency spillway along the aforementioned unnamed tributary.

For the purpose of stabilizing the streambanks and improving stormwater infiltration to satisfy the requirements of a Municipal Separate Storm Sewer (MS4) Permit (PAG136364). The project will permanently impact 530 linear feet of watercourse. The project will temporarily impact approximately 1.2 acres of floodway.

The project site is located at the end of McKennan Avenue, between Lemoyne Avenue and East Beau Street (Washington East, PA USGS topographic quadrangle; N: -40°, 10', 25"; W: 80°, 13', 54"; Sub-basin 20F; USACE Pittsburgh District), in the Borough of East Washington, Washington County.

**E6305224-010. Keystone Appalachian Transmission Company, A First Energy Company**, 76 South Main St, Akron, OH 44308, North Franklin Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 17, 2024.

To construct and maintain:

1. A 31.5 linear feet (LF) long by 25.2 ft wide by 6.2 ft rise aluminum arch culvert with baffles and wingwalls to carry Tributary 37153 to Chartiers Creek (WWF) under a road crossing, and place and maintain associated riprap protection at the culvert inlet and outlet, permanently impacting 59 LF of Tributary 37153 to Chartiers Creek and approximately 3,262 square feet (SF) of its floodway;

2. A 3.5-ft diameter high-density polyethylene (HDPE) culvert within the floodway, and place and maintain fill in association with the aforementioned road crossing, permanently impacting approximately 291 SF of Tributary 37153 to Chartiers Creek's floodway;



3. A series of fourteen culverts within an emergent wetland, consisting of seven 2-inch diameter HDPE culverts and seven 1-inch diameter HDPE culverts, and associated fill for an approach roadway, permanently impacting 0.153 acre of wetlands;

4. An 18-inch circular culvert and associated outlet protection within the floodway, and place and maintain fill, in association with aforementioned approach roadway, permanently impacting 900 SF of Tributary 37153 to Chartiers Creek's floodway;

5. A temporary road crossing of Tributary 37153 to Chartiers Creek, its floodway, and the aforementioned emergent wetland resulting in temporary impacts to approx. 20 LF of watercourse, 900 SF of floodways, and 600 SF of wetland.

For the purpose of providing access to a new electric transmission substation and associated facilities. Cumulatively, the project will permanently impact 59 LF watercourses, 0.15 acre of wetlands, and 0.10 acre of floodways. The project will temporarily impact 157 LF watercourses, 0.13 acre of wetlands, and 0.17 acre of floodways (0.05 acre of which will be within floodways along watercourses with a drainage area less than 100 acres). To compensate for unavoidable impacts to aquatic resources, the applicant is proposing to purchase credits from Robinson Fork Mitigation Bank Phase I.

The project site is located along Vankirk Road, approximately 0.40 mile northwest of the intersection of Park Avenue and Vankirk Road (Washington West, PA USGS topographic quadrangle; N: -40°, 8', 27.63"; W: -80°, 17', 1.03"; Sub-basin 20F; USACE Pittsburgh District), in North Franklin Township, Washington County.

**E0405224-002. MSP Properties of Pennsylvania**, P.O. Box 2280, Cranberry, PA 16066, Franklin Township, **Beaver County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: June 19, 2024.

The applicant proposes to place and maintain fill within a palustrine emergent (PEM) wetland (Wetland W003), resulting in 0.037 acre of permanent wetland impacts. This fill is being placed for the purpose of constructing a tractor supply retail building, concrete garden center, concrete display areas, driveways, parking areas, and associated stormwater management facilities.

The project site is located at 305 Route 288, Ellwood City, PA 16117 (Beaver Falls, PA USGS topographic quadrangle; N: 40°, 50', 48.5874"; W: -80°, 15', 23.724"; Sub-basin 20; USACE Pittsburgh District), in Franklin Township, Beaver County.

#### ENVIRONMENTAL ASSESSMENTS

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

*Contact: Troy Bodenschatz, Civil Engineer Manager.*

**EA-1709-1-24-001. PA DEP Bureau of Abandoned Mine Reclamation**, 286 Industrial Park Road, Ebensburg, PA 15931-0000, Knox Township, **Clearfield County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 13, 2024.

The project is proposing to fill of 0.28 acre wetland and 0.11 acre waterbody of poor water quality. Project will also fill 0.63 acre and 1.17 acres waterbodies of good water quality. USACE has issued AJD non-jurisdictional. Request waiver of permit under 25 Pa. Code § 105.12(a)(16). Latitude: 40.879754°, Longitude: -78.476787°.

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

*Contact: Jeffrey Hartranft, Section Chief, 717-772-5320.*

**EA6715224-005. Hanover Borough Stormwater Authority**, 44 Frederick St, Hanover, PA 17331, Hanover Township, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 31, 2024.

The applicant proposes to restore approximately 900 linear feet of two unnamed tributaries to Slagle Run, which is a tributary to South Branch Conewago Creek (WWF-MF) by removing approximately 3,500 cubic yards of legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 1,600 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 3.32 acres. The project proposes to restore approximately 2.8 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. Additional proposed work includes the installation of an outfall structure. The project reach is located within the wooded parcel directly south of Wilson Ave, bordered to the east by Fox Knoll Ct and Foxleigh Drive, and bordered to the west by the Hampton Inn Hanover and to the South by Deerfield Drive and Primrose Lane in Hanover, PA. Latitude: 39.822971°, Longitude: -76.987707°.

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

*Contact: Dana Drake, Program Manager, 412-442-4000.*

**EA5605224-001. PennDOT District 9-0**, 1620 N. Juniata Street, Hollidaysburg, PA 16648, Elk Lick Township and Summit Township, **Somerset County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: August 26, 2024.

Applicant is seeking authorization to construct and maintain approximately 6 miles of new, four-lane divided and limited access highway, namely US 6219, Section 050, which will connect the existing PA Route 219, located in Meyersdale, Somerset County PA, and continue to the Pennsylvania/Maryland border, approximately 0.5 mile from the intersection of Greenville Road and Merrbach Road, located in Somerset County, PA. The limited access highway will then continue into the state of Maryland and will connect to the north end of the I-68/US 219 Interchange in Garrett County, MD, for a total length of 8 miles of new highway.

In the Commonwealth, the project will have a cumulative and permanent impact to 18,331 LF of watercourses within the Casselman River (CWF) watershed, including several unnamed tributaries (UNTs) to the Casselman River (CWF), Miller Run (CWF), several UNTs to Miller Run (CWF), Piney Creek (CWF), several UNTs to Piney Creek (CWF), Meadow Run (CWF), as well as several UNTs to Meadow Run (CWF). In addition, this project will also have cumulative and permanent impact to 1.462 acres of Palustrine Emergent (PEM) wetlands, 1.170 acres of Palustrine Scrub Shrub (PSS) wetlands, 7.014 acres of Palustrine Forested (PFO) wetlands, and 0.012 acre of Palustrine Open Water (POW) wetlands.

For the purpose of completing Corridor “N” of the Appalachian Development Highway System, to provide efficient mobility for trucks and other freight vehicles, to improve and address roadway deficiencies that are present along the existing US 219 alignment, and to provide economic development opportunities in the Appalachian Region.

In PA, the overall project site is located along the existing PA Route 219 (Mason Dixon Highway), at the

terminus of the existing four-lane highway section located south of Meyersdale (Meyersdale, PA USGS topographic quadrangle; N: 39°, 47', 53.0"; W: 79°, 2', 12.5" Sub-basin 19F; USACE Pittsburgh District), in Summit Township, Somerset County, PA, and continues Southwest to the Pennsylvania/Maryland border (Avilton PA USGS topographic quadrangle; N: 39°, 43', 21.9"; W: 79°, 4', 37.0"; Sub-basin 19F; USACE Pittsburgh District), in Elk Lick Township, Somerset County, PA.

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## ACTIONS

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### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**I. Final Action(s) on NPDES and 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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA140002D	Chapter 102 Individual NPDES Permit	Issued	Suncap Properties Group 6101 Carnegie Boulevard Suite 180 Charlotte, NC 28209	Benner Township Centre County	NCRO
PA550002D	Chapter 102 Individual NPDES Permit	Issued	PPL Electric Utilities Corp 1639 Church Road Allentown, PA 18104-9342	Jackson Township Snyder County	NCRO
PAD060113	Chapter 102 Individual NPDES Permit	Issued	PDC Northeast LPIV LLC 2442 Dupont Drive Irvine, CA 92612-1523	New Morgan Borough Berks County	SCRO
PAD130047	Chapter 102 Individual NPDES Permit	Issued	Sunrise Lehigh Group LLC 3008 Willow Court Bethlehem, PA 18020-7690	Towamensing Township Carbon County	NERO
PAD150350	Chapter 102 Individual NPDES Permit	Issued	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341-1159	Uwchlan Township Chester County	SERO
PAD210114	Chapter 102 Individual NPDES Permit	Issued	Provco Pinegood Shippensburg LLC 795 E Lancaster Avenue Villanova, PA 19085-1500	Shippensburg Borough Cumberland County	SCRO
PAD380009	Chapter 102 Individual NPDES Permit	Issued	Landmark Homes 1737 W Main Street Ephrata, PA 17522-1101	Heidelberg Township Lebanon County	SCRO
PAD390294	Chapter 102 Individual NPDES Permit	Issued	Kings Bus Park Schnecksville LP 16515 Pottsville Pike Hamburg, PA 19526-8182	North Whitehall Township Lehigh County	NERO
PAD420012	Chapter 102 Individual NPDES Permit	Issued	WB McKean LLC 150 Monument Road # 300 Bala Cynwyd, PA 19004-1775	Sergeant Township McKean County	NWRO
PAD520021	Chapter 102 Individual NPDES Permit	Issued	Lehman Township Pike County 193 Municipal Drive Bushkill, PA 18324-8348	Lehman Township Pike County	NERO
PA0065544	Industrial Stormwater Individual NPDES Permit	Issued	Ocean Spray Cranberries Inc. 1 Ocean Spray Drive Lakeville, MA 02347-1339	Upper Macungie Township Lehigh County	NERO
PA0088781	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	Calpine Mid Merit LLC 6 Hillman Drive Suite 201 Chadds Ford, PA 19317-9713	Peach Bottom Township York County	SCRO



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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0708404	Major Sewage Treatment Facility Individual WQM Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Allegheny Township Blair County	SCRO
0788401	Major Sewage Treatment Facility Individual WQM Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Logan Township Blair County	SCRO
PA0029866	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Cumberland Valley School District 6746 Carlisle Pike Mechanicsburg, PA 17050-1711	Silver Spring Township Cumberland County	SCRO
PA0098817	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	RMZ Holdings Inc. 600 Pittsburgh Road Uniontown, PA 15401-2214	Wharton Township Fayette County	SWRO
2107401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Cumberland Valley School District 6746 Carlisle Pike Mechanicsburg, PA 17050-1711	Silver Spring Township Cumberland County	SCRO
2824404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Peters Township Municipal Authority P.O. Box 19 5000 Steele Avenue Lemasters, PA 17231-0019	Peters Township Franklin County	SCRO
2896402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Mercersburg Sewer Authority Franklin County 113 S Main Street Mercersburg, PA 17236-1517	Mercersburg Borough Franklin County	SERO
NOEX11902	No Exposure Certification	Issued	Walmart Stores East LP 702 SW 8th Street Bentonville, AR 72716-0505	Bethlehem City Northampton County	NERO
NOEXSE239	No Exposure Certification	Issued	USPS 1902 Byberry Road Philadelphia, PA 19116	Philadelphia City Philadelphia County	SERO
NOEXSE258	No Exposure Certification	Issued	United States Postal Service 3201 South 74th Street Philadelphia, PA 19153	Philadelphia City Philadelphia County	SERO
NOEXSE369	No Exposure Certification	Issued	Nalco Water Pretreatment Solutions LLC 2000 Columbia Avenue Linwood, PA 19061-3914	Lower Chichester Township Delaware County	SERO
NOEXSW028	No Exposure Certification	Issued	Tech Met Properties LLC 79 E 8th Street Donora, PA 15033-3318	Donora Borough Washington County	SWRO
PAG030041	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Waste Management of PA 100 Brandywine Boulevard Suite 300 Newtown, PA 18940-4002	East Caln Township Chester County	SERO
PAG033610	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Dormakaba USA Inc. 1 Dorma Drive Reamstown, PA 17567	East Cocalico Township Lancaster County	SCRO
PAG034042	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Atlas Roofing Corp 817 Spangler Road Camp Hill, PA 17011-5823	Camp Hill Borough Cumberland County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG034050	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	York Railway Co. 47849 Papermill Road Coshocton, OH 43812-9724	West Manchester Township York County	SCRO
PAG034064	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	PKG Corp of American 1530 Fruitville Pike Lancaster, PA 17601-4006	Lancaster City Lancaster County	SCRO
PAG034065	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Patrick Ind Inc. 20 Eby Chiques Road Mount Joy, PA 17552-9335	Mount Joy Borough Lancaster County	SCRO
PAG038497	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Nextier Completion Solutions Inc. 3990 Rogerdale Road Houston, TX 77042-5142	Burrell Township Indiana County	NWRO
PAG041382	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Guasta John 247 Lee Road Grove City, PA 16127-3105	Findley Township Mercer County	NWRO
PAG041394	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Nancy and Richard Miller 292 Donation Road Greenville, PA 16125-8008	South Shenango Township Crawford County	NWRO
PAG041426	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Hoobler David P 110 Hutcheson Road Stoneboro, PA 16153-2028	Lake Township Mercer County	NWRO
PAG041430	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Pilon Leon 267 W Eldred Road Eldred, PA 16731-2705	Eldred Township McKean County	NWRO
PAG041437	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Musacchio Andrew B 523 Mercer Road Slippery Rock, PA 16057-2609	Slippery Rock Township Butler County	NWRO
PAG041439	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Corinne and Jordan Briggs 2338 Priest Hollow Road Russell, PA 16345-5404	Pine Grove Township Warren County	NWRO
PAG123729	PAG-12 NPDES General Permit for CAFOs	Issued	Bacon Acres LLC Providence Farms LLC Joint Client 151 Pequea Creek Road Conestoga, PA 17516-9410	Conestoga Township Lancaster County	SCRO
PAG130010	PAG-13 NPDES General Permit for MS4s	Issued	Upper Makefield Township Bucks County 1076 Eagle Road Newtown, PA 18940-2818	Upper Makefield Township Bucks County	SERO
PAG136167	PAG-13 NPDES General Permit for MS4s	Waived	Hunker Borough Westmoreland County P.O. Box 350 Hunker, PA 15639-0350	Hunker Borough Westmoreland County	SWRO
PAG136399	PAG-13 NPDES General Permit for MS4s	Waived	Hyde Park Borough Westmoreland County P.O. Box 222 Hyde Park, PA 15641	Hyde Park Borough Westmoreland County	SWRO
6524410	Sewer Extensions Individual WQM Permit	Issued	Westmoreland County Municipal Authority P.O. Box 730 Greensburg, PA 15601-0730	South Huntingdon Township Westmoreland County	SWRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0295990	Single Residence STP Individual NPDES Permit	Issued	Miller Robert J 8115 Pettis Road Meadville, PA 16335	West Salem Township Mercer County	NWRO
PA0296007	Single Residence STP Individual NPDES Permit	Issued	English Keith 2148 Prospect Road Prospect, PA 16052-2020	Franklin Township Butler County	NWRO
1024411	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	English Keith 2148 Prospect Road Prospect, PA 16052-2020	Franklin Township Butler County	NWRO
4324401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Miller Robert J 8115 Pettis Road Meadville, PA 16335	West Salem Township Mercer County	NWRO

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

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC400182	PAG-02 General Permit	Issued	HSFA, LP Rob Hess 118 Waterfront Estate Drive Lancaster, PA 17601	Duryea Borough Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC480003	PAG-02 General Permit	Issued	Nic Zawarski and Sons at Old Orchard at Stones Crossing 1441 Linden St. Bethlehem, PA 18018	Palmer Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC670714	PAG-02 General Permit	Issued	CJK Group 410 Highway 25 South Brainerd, MN 56401	Penn Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670223	PAG-02 General Permit	Issued	Dean and Carol Nachtigall 601 Willow Valley Lake Drive Willow Lakes, PA 17584	York Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670586	PAG-02 General Permit	Issued	Management North LLC 194 Mount Airy Rd Basking Ridge, NJ 08920	West Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670732	PAG-02 General Permit	Issued	Columbia Gas of PA 1600 Colony Road York, PA 17408	West Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670640A-1	PAG-02 General Permit	Issued	Wellspan Health 2500 South George Street York, PA 17403-5204	City of York Township Spring Garden Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670717	PAG-02 General Permit	Issued	CCR Holdings LLC 2420 Oakmont Road Dover, PA 17315	Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670431	PAG-02 General Permit	Issued	CCR Holdings LLC 2420 Oakmont Road Dover, PA 17315	Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670604	PAG-02 General Permit	Issued	Cindy Garbrick and Brandi Lambert 6170 Souvenir Drive Enola, PA 17025	Franklin Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC360547	PAG-02 General Permit	Issued	Blue Bell Mobile Management, LLC 2846 Main Street Ste 12A Morgantown, PA 19543	Clay Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360898	PAG-02 General Permit	Issued	Luke Rohrer 925 Maple Street Lititz, PA 17543	Clay Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360786	PAG-02 General Permit	Issued	Baron Associates, LLC P.O. Box 277 Landisville, PA 17538	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360932	PAG-02 General Permit	Issued	Clayland, LLC 620 N. Reading Road Ephrata, PA 17522	Clay Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360928	PAG-02 General Permit	Issued	James A. Blicke and Karen B. Linder 335 Mohns Hill Road Reinholds, PA 17569	East Cocalico Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360655	PAG-02 General Permit	Issued	East Cocalico Associates 1377-C Spencer Avenue Lancaster, PA 17603	East Cocalico Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360942	PAG-02 General Permit	Issued	Penn Township 97 N Penryn Road Manheim, PA 17545	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360858	PAG-02 General Permit	Issued	East Lampeter Township 2250 Old Philadelphia Pike Lancaster, PA 17602	East Lampeter Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360045	PAG-02 General Permit	Issued	Lancaster Laboratories, Inc. 2425 New Holland Pike Lancaster, PA 17601	Upper Leacock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360935	PAG-02 General Permit	Issued	Grant Wise 935 Stone Hill Road Denver, PA 17517	Brecknock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360980	PAG-02 General Permit	Issued	Mervin Esh 549C Gibbons Road Bird-In-Hand, PA 17505	Upper Leacock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360911	PAG-02 General Permit	Issued	IFP Investments, LLC 240 Hartman Bridge Road Ronks, PA 17572	Strasburg Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360776	PAG-02 General Permit	Issued	B.K. Campbell, Inc. 402 Bayard Road Suite 100 Kennett Square, PA 19348	Quarryville Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360887	PAG-02 General Permit	Issued	B&E Property Management 581 Camargo Road Quarryville, PA 17566	Providence Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC540153 Renewal	PAG-02 General Permit	Issued	BD at Diamond Fields East, LLC Gary McEwen 3335 Morgantown Road Mohnton, PA 19540	North Manheim Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC540164 Renewal	PAG-02 General Permit	Issued	Vernon and Rose Ann Leid 31 Dad Burnhams Road Pine Grove, PA 17963	Washington Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC540125 Renewal	PAG-02 General Permit	Issued	PA DCNR—Bureau of State Parks John Hallas 400 Market Street Harrisburg, PA 17101	Ryan Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC540141 Renewal	PAG-02 General Permit	Issued	Clinton and Kelly Blyler 83 White Birch Road Orwigsburg, PA 17961	West Brunswick Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC510313	PAG-02 General Permit	Issued	Philadelphia Parks & Recreation 1515 Arch Street Philadelphia, PA 19102	City of Philadelphia Philadelphia County	DEP SERO 2 E. Main Street Norristown, PA 19401 484-250-5821 RA-EPNPDES_SERO@ pa.gov
PAC350172	PAG-02 General Permit	Issued	Skinner Systems, Inc. 410 Charles Street Throop, PA 18512	South Abington Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC010258	PAG-02 General Permit	Issued	Michael Sracic 1325 Baycliff Drive Virginia Beach, VA 23455	Straban Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC280367	PAG-02 General Permit	Issued	Edwin Shank 3854 Olde Scotland Road Chambersburg, PA 17202	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499



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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC280092	PAG-02 General Permit	Issued	Dennis Zimmerman 3720 Clubhouse Drive Fayetteville, PA 17222- 9683	Guilford Township Quincy Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280100	PAG-02 General Permit	Issued	Andrew Kipnis 6259 Reynolds Mill Road Seven Valleys, PA 17360-8844	Chambersburg Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280155	PAG-02 General Permit	Issued	Mark Reiff 361 Running Pump Road Shippensburg, PA 17257	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280204	PAG-02 General Permit	Issued	Joel McNaughton 4400 Deer Path Road Ste 1 Harrisburg, PA 17110-3906	Washington Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280278	PAG-02 General Permit	Issued	Jim W. Hill 1364 Lincoln Way East Chambersburg, PA 17202- 3083	Hamilton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280280	PAG-02 General Permit	Issued	Jim McCleaf 207 North Franklin Street Waynesboro, PA 17268- 1105	Waynesboro Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280320	PAG-02 General Permit	Issued	Paul Byrne 5900 Coffey Avenue Chambersburg, PA 17201- 4102	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280326	PAG-02 General Permit	Issued	Philip Gabler 641 Montgomery Avenue Chambersburg, PA 17201	Chambersburg Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280341	PAG-02 General Permit	Issued	Jared Stouffer 1697 Opportunity Avenue Chambersburg, PA 17201	Hamilton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC280251	PAG-02 General Permit	Issued	Peter Patel 114 Charter Court Trevose, PA 19053-7955	Hamilton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280351	PAG-02 General Permit	Issued	Colby Nitterhouse 900 Kriner Road Suite 1 Chambersburg, PA 17202-7710	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC510135	PAG-02 General Permit	Issued	Philadelphia Port Authority 3460 North Delaware Avenue Philadelphia, PA 19134	City of Philadelphia Philadelphia County	DEP SERO 2 E. Main Street Norristown, PA 19401 484-250-5821 RA-EPNPDES_SERO@ pa.gov
PAC350101	PAG-02 General Permit	Issued	Gary Toth 517 Simrell Road South Abington Twp, PA 18411	South Abington Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC460879	PAG-02 General Permit	Issued	Pennington Property Group LLC P.O. Box 35 Chalfont, PA 18914-0035	Trappe Borough Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC350179	PAG-02 General Permit	Issued	Ransom Holdings, LLC Richard Conte 600 Rocky Glen Road Avoca, PA 18641-9512	Moosic Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC480151	PAG-02 General Permit	Issued	Northampton Area School District 2014 Lauback Avenue Northampton, PA 18067	East Allen Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC480179	PAG-02 General Permit	Issued	Timothy Boyer 305 Coplay St. Coplay, PA 18037	Lehigh Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC480174	PAG-02 General Permit	Issued	Allen Development Partners, LLC 201 S. Maple Ave. Suite 100 Ambler, PA 19002	Allen Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC480032	PAG-02 General Permit	Issued	Morning Star Senior Living Inc. 175 West North Street Nazareth, PA 18064	Upper Nazareth Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC480182	PAG-02 General Permit	Issued	Nazareth Real Estate Management, LP 4067 Jandy Blvd. Nazareth, PA 18064	Lower Nazareth Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC680059	PAG-02 General Permit	Issued	PA DEP BAMR 286 Industrial Park Road Ebensburg, PA 15931-0000	Washington Township Clarion County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800
PAC350157	PAG-02 General Permit	Issued	Pancoast Holdings, LLC 4751 Birney Ave. Suite 2 Moosic, PA 18507-1229	City of Scranton Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Twp, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC680057	PAG-02 General Permit	Issued	PA DEP BAMR 286 Industrial Park Road Ebensburg, PA 15931-0000	Decatur Township Clearfield County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800
PAC680056	PAG-02 General Permit	Issued	PA DEP BAMR 286 Industrial Park Road Ebensburg, PA 15931-0000	Marion Township Butler County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800
PAC680055	PAG-02 General Permit	Issued	PA DEP BAMR 286 Industrial Park Road Ebensburg, PA 15931-0000	Madison Township Clarion County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800
PAC680053	PAG-02 General Permit	Issued	PA DEP BAMR 286 Industrial Park Road Ebensburg, PA 15931-0000	Brady Township West Liberty Borough Butler County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800

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PAC680050	PAG-02 General Permit	Issued	PA DEP BAMR 286 Industrial Park Road Ebensburg, PA 15931-0000	Venango Township Butler County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800
PAC680039	PAG-02 General Permit	Issued	PA DEP BAMR 286 Industrial Park Road Ebensburg, PA 15931-0000	Antis Township Blair County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800
PAC400141	PAG-02 General Permit	Issued	Mericle New Boston Road, LLC Robert K. Mericle 100 Baltimore Drive Wilkes-Barre, PA 18702	Jenkins Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400316	PAG-02 General Permit	Issued	Ivy Gate Real Estate, LLC Ivy Gate Management, LLC Kevin Doyle 1846 Memorial Hwy. Suite 108 Shavertown, PA 18708	Plains Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC480135	PAG-02 General Permit	Issued	Jim Edwards 1934 White Acre Drive Bethlehem, PA 18015	Lower Saucon Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC480148	PAG-02 General Permit	Issued	Lehigh University 681 Taylor St Bethlehem, PA 18015	City of Bethlehem Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC200102	PAG-02 General Permit	Issued	PADOT District 1 255 Elm Street Oil City, PA 16301	West Mead Township and Meadville City Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC200104	PAG-02 General Permit	Issued	PADOT District 1 255 Elm Street Oil City, PA 16301	Bloomfield Township Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC330043	PAG-02 General Permit	Issued	Pennsylvania American Water Company 203 Sycamore Street Punxsutawney, PA 15767	Young Township Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC250186A2	PAG-02 General Permit	Issued	Mary R Dohler Liquidating Trust 120 West 10th Street Erie, PA 16501	North East Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403



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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC240024	PAG-02 General Permit	Issued	St. Mary's City 11 Lafayette Street St. Mary's, PA 15857	City of Saint Mary's Elk County	Elk County Conservation District 850 Washington Street St. Mary's, PA 15857 814-776-5373
PAC100351	PAG-02 General Permit	Issued	Municipal Water Authority of Adams Township 1164 Mars-Evans City Road Mars, PA 16046	Middlesex Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100195	PAG-02 General Permit	Issued	Sampson Morris Group 2500 Eldo Road Monroeville, PA 15146	Cranberry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC330034	PAG-02 General Permit	Issued	Russell Real Estate LLC 2640 Greenville Pike Grampian, PA 16838	Washington Township Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC200054	PAG-02 General Permit	Issued	Conneautville Borough 906 Washington Street Conneautville, PA 16406	Conneautville Borough Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC100352	PAG-02 General Permit	Issued	Nova US IL LLC 108 Greenhill Road Karns City, PA 16041	Fairview Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100293	PAG-02 General Permit	Issued	Slippery Rock University 1 Morrow Way Suite 202 Slippery Rock, PA 16057	Slippery Rock Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100312	PAG-02 General Permit	Issued	Western Butler County Authority 607 Market Street Zelienople, PA 16063	Zelienople Borough Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100347	PAG-02 General Permit	Issued	Hickory Knolls LLC 527 W Cruikshank Road Valencia, PA 16059	Saxonburg Borough Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100202	PAG-02 General Permit	Issued	J & J Real Property LLC 125 Pflugh Road Butler, PA 16001	Franklin Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100203	PAG-02 General Permit	Issued	Singer Properties LP P.O. Box 97 Mars, PA 16046	Jackson Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

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PAC100219	PAG-02 General Permit	Issued	Gigliotti Holdings LP 11279 Perry Highway Suite 509 Wexford, PA 15090	Middlesex Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100227	PAG-02 General Permit	Issued	Victory Real Estate Holdings LLC 100 Independence Lane Butler, PA 16001	Clinton Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC610020	PAG-02 General Permit	Issued	Frenchcreek Township 4507 Georgetown Road Franklin, PA 16323	Polk Borough Venango County	Venango County Conservation District 4871 US 322 Franklin, PA 16323 814-676-2832
PAC100340	PAG-02 General Permit	Issued	Western Butler County Authority 607 Market Street Zelienople, PA 16063	Jackson Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC480047	PAG-02 General Permit	Issued	Lehigh University 681 Taylor St Bethlehem, PA 18015	City of Bethlehem Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC620010	PAG-02 General Permit	Issued	North Warren Municipal Authority 44 Hospital Drive Warren, PA 16365	Conewango Township Warren County	Warren County Conservation District 4000 Conewango Avenue Warren, PA 16365 814-726-1441
PAC240017	PAG-02 General Permit	Issued	Diversified Quinn Real Estate LLC P.O. Box 186 Ridgeway, PA 15853	Ridgway Township Elk County	Elk County Conservation District 850 Washington Street St. Mary's, PA 15857 814-776-5373
PAC240004	PAG-02 General Permit	Issued	ATS RealCo LLC P.O. Box 204 Ridgeway, PA 15853	Ridgway Township Elk County	Elk County Conservation District 850 Washington Street St. Mary's, PA 15857 814-776-5373
PAC430131	PAG-02 General Permit	Issued	Hermitage VA LLC 4300 Cranwood Parkway Warrensville, OH 44128	City of Hermitage Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC540130 Renewal	PAG-02 General Permit	Issued	TLC 209, LLC Michael Cahn 8101 E Prentice Avenue Greenwood Village, CO 80111	Tremont Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov

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PAC540131 Renewal	PAG-02 General Permit	Issued	TLC 209, LLC Michael Cahn 8101 E Prentice Avenue Greenwood Village, CO 80111	Tremont Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC540068 Renewal	PAG-02 General Permit	Issued	Philip Joswick 44 Ricks Road New Ringgold, PA 17960	East Brunswick Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC480079	PAG-02 General Permit	Issued	St. Luke's University Health Network 801 Ostrum St. Bethlehem, PA 18015	Bethlehem Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC540147 Renewal	PAG-02 General Permit	Issued	Masser Farm Realty Ltd. Cory Schlegel P.O. Box 210 Sacramento, PA 17968	Hubley Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC040161	PAG-02 General Permit	Issued	Sheetz, Inc 351 Sheetz Way Claysburg, PA 16625	Vanport Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC560079	PAG-02 General Permit	Issued	PA Fish & Boat Commission 595 East Rolling Ridge Drive Bellefonte, PA 16823	Addison Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC300063	PAG-02 General Permit	Issued	M&G Realty, Inc. 2295 Susquehanna Trail York, PA 17406	Franklin Township Greene County	Greene County Conservation District 22 West High Street Suite 204 Waynesburg, PA 15370 724-852-5278 SWRO
PAC630207	PAG-02 General Permit	Issued	First Street Partners, LLC 1500 Ellsworth Avenue Heidelberg, PA 15106	North Strabane Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO

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PAC630082	PAG-02 General Permit	Issued	Donegal Land Partners, LLC 2543 Washington Road Pittsburgh, PA 15241	Peters Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC630080	PAG-02 General Permit	Issued	Lewis Keith 597 Bedillion Road Washington, PA 15301	North Franklin Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC630204	PAG-02 General Permit	Issued	CalTech 7 Partners, LP 3555 Washington Road McMurray, PA 15317	California Borough Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC630029	PAG-02 General Permit	Issued	Maronda Homes, LLC 11 Timberglen Drive Imperial, PA 15126	North Strabane Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC630317	PAG-02 General Permit	Issued	QF Holdings, LLC 100 Lindley Road Canonsburg, PA 15317	North Strabane Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC630342	PAG-02 General Permit	Issued	Peters Creek Sanitary Authority 3502 Lincoln Ave P.O. Box 3 Finleyville, PA 15332	Union Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC040066	PAG-02 General Permit	Issued	Christopher and Gerri Palmer 1860 PA-68 Rochester, PA 15074	North Sewickley Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040134	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15017	North Sewickley Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO



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PAC040158	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15017	Baden Borough, Conway Borough and Economy Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040116	PAG-02 General Permit	Issued	Gulisek Construction 1145 PA-31 Tarrs, PA 15688	New Sewickley Township Conway Borough Economy Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040103	PAG-02 General Permit	Issued	IBEW Local Union 712 217 Sassafra Lane Beaver, PA 15009	Vanport Township Conway Borough Economy Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040104	PAG-02 General Permit	Issued	Frank Zokaites 375 Golfside Drive Wexford, PA 15090	Center Township Conway Borough Economy Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040143	PAG-02 General Permit	Issued	76 RBG Development 1709 Shady Knoll Court Sewickley, PA 15143	Chippewa Township Conway Borough Economy Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040111	PAG-02 General Permit	Issued	Lakeside Village Partners, LP 361 Mars Valencia Road Mars, PA 16046	Economy Borough Conway Borough Economy Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040084	PAG-02 General Permit	Issued	Rettop Development Corp 246 Mowry Road Monaca, PA 15061	Potter Township Conway Borough Economy Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC560082	PAG-02 General Permit	Issued	Columbia Gas of PA 101 Stony Ridge Drive Monaca, PA 15061	Brothersvalley Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC560034	PAG-02 General Permit	Issued	Ramblin Hills Limited Partnership 4915 Clear Shade Drive Windber, PA 15963	Paint Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC560092	PAG-02 General Permit	Issued	McDonalds USA, LLC 3494 Tullamore Road University Heights, OH 44118	Summit Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO

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PAC560081A-1	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15017	Berlin Borough Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC560072	PAG-02 General Permit	Issued	New Enterprise Stone & Lime Co, Inc P.O. Box 77 New Enterprise, PA 16664	Allegheny Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC560042	PAG-02 General Permit	Issued	Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Middletown, PA 17057	Allegheny Township New Baltimore Borough Juniata Township Somerset County Bedford County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC110072	PAG-02 General Permit	Issued	Greater Johnstown Career & Technology Center— Johnstown Campus 445 Schoolhouse Road Johnstown, PA 15904	Richland Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 240 Ebensburg, PA 15931 814-472-2120 SWRO
PAC110128	PAG-02 General Permit	Issued	Berwind Natural Resources Corporation 509 15th Street Windber, PA 15963	Richland Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 240 Ebensburg, PA 15931 814-472-2120 SWRO
PA110006C	PAG-02 General Permit	Issued	Indiana County Municipal Services 602 Kolter Drive Indiana, PA 15701	Black Lick Township Pine Township Cambria County Indiana County	Cambria County Conservation District 401 Candlelight Drive Suite 240 Ebensburg, PA 15931 814-472-2120 SWRO
PAC560024	PAG-02 General Permit	Issued	Thomas D. McClintock 104 Samuels Road Somerset, PA 15501	Brothersvalley Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC560031	PAG-02 General Permit	Issued	PA Turnpike Commission P.O. Box 67676 Harrisburg, PA 17106	Allegheny Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC560040	PAG-02 General Permit	Issued	Maust Excavating, Inc. 451 Stoystown Road Suite 106 Somerset, PA 15501	Somerset Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO

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PAC560027	PAG-02 General Permit	Issued	Tom and Richard Croner 3872 and 4499 Huckleberry Highway Berlin, PA 15530	Berlin Borough Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC040030	PAG-02 General Permit	Issued	HM Land LLC 11 Timberglen Drive Imperial, PA 15126	Center Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC480146	PAG-02 General Permit	Issued	Outdoor Property Holdings, LLC 327 Constitution Ave. Hellertown, PA 18055-2312	City of Bethlehem Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC450027	PAG-02 General Permit	Issued	Pleasant Valley School District 2233 Route 115 Brodheads ville, PA 18322	Chestnuthill Township Monroe County	Monroe County Conservation District 8050 Running Valley Road Stroudsburg, PA 18360-0917 570-629-3060 RA-EPWW-NERO@ pa.gov
PAC450020	PAG-02 General Permit	Issued	Filomina, Inc. P.O. Box 130 Tannersville, PA 18372	Polk Township Monroe County	Monroe County Conservation District 8050 Running Valley Road Stroudsburg, PA 18360-0917 570-629-3060 RA-EPWW-NERO@ pa.gov
PAC670663	PAG-02 General Permit	Issued	Messiah Lifeways 100 Mt Allen Drive Mechanicsburg, PA 17055	Fairview Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670727	PAG-02 General Permit	Issued	York Suburban School District (YSSD) 1800 Hollywood Drive York, PA 17403	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670127	PAG-02 General Permit	Issued	Market Street Commons 2645 Carnegie Road York, PA 17402	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430

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PAC670107	PAG-02 General Permit	Issued	Tri Corner Wheatfield LP 3405 6th Street Harrisburg, PA 17110	Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC230280	PAG-02 General Permit	Issued	E6 Ventures, LLC P.O. Box 500 Paoli, PA 19301	Ridley 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
PAC670564	PAG-02 General Permit	Issued	Americold 10 Glenlake Parkway Suite 600 South Tower Atlanta, GA 30328	East Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC150174	PAG-02 General Permit	Issued	West Whiteland Township 101 Commons Drive Exton, PA 19341	West Whiteland Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150023	PAG-02 General Permit	Issued	Kaolin RE Holdings Corporation 649 W. South Street Kennett Square, PA 19348	Elk Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150219	PAG-02 General Permit	Issued	Kennett Gateway Townhomes, LLC Kennett Gateway Apartments, LLC 300 Water Street Wilmington, DE 19801	Kennett Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC670563	PAG-02 General Permit	Issued	Americold 10 Glenlake Parkway Suite 600 South Tower Atlanta, GA 30328	East Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430



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PAC150048	PAG-02 General Permit	Issued	London Grove West, LP 234 North James Street Newport, DE 19804	London Grove Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150393	PAG-02 General Permit	Issued	Communications Test Design, Inc. (CTDI) 1373 Enterprise Drive West Chester, PA 19380	East Goshen Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150067	PAG-02 General Permit	Issued	Gourmet's Delight Mushrooms P.O. Box 160 Avondale, PA 19311	London Grove Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150300	PAG-02 General Permit	Issued	Gourmet's Delight Mushrooms P.O. Box 160 Avondale, PA 19311	Franklin Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC670709	PAG-02 General Permit	Issued	Wellspan Health 2500 South George St York, PA 17403	Newberry Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC150392	PAG-02 General Permit	Issued	The Trustees of the University of Pennsylvania 600 Chestnut St. Suite 944 Philadelphia, PA 19106	East Marlborough Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150125	PAG-02 General Permit	Issued	George Mackenzie 107 Avery Road Kennett Square, PA 19348	Kennett Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov

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PAC670520	PAG-02 General Permit	Issued	Harold Deardorff P.O. Box 368 Lewisberry, PA 17339	Newberry Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC150343	PAG-02 General Permit	Issued	Beacon of South Coatesville, LLC 24 Buckingham Way Freehold, NJ 07728	South Coatesville Borough Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC670538	PAG-02 General Permit	Issued	Harold Deardorff P.O. Box 368 Lewisberry, PA 17339	Newberry Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC150342	PAG-02 General Permit	Issued	Kennett Consolidated School District 300 East South Street Kennett Square, PA 19348	New Garden Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150293	PAG-02 General Permit	Issued	Chester County Area Airport Authority 1 Earhart Dr Ste 2 Coatesville, PA 19320	Valley Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC670693	PAG-02 General Permit	Issued	Columbia Gas of PA 1600 Colony Road York, PA 17408	Shrewsbury Borough York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC150327	PAG-02 General Permit	Issued	Toll Mid-Atlantic LP Company, Inc. 1140 Virginia Drive Fort Washington, PA 19034	East Brandywine Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov

## NOTICES

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670312	PAG-02 General Permit	Issued	Manheim Township 5191 Wool Mill Road Glenville, PA 17329	Manheim Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670585	PAG-02 General Permit	Issued	3075 CHR LLC 207 Redco Avenue Suite 1A Red Lion, PA 17356	Windsor Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC150373	PAG-02 General Permit	Issued	Joseph Ciarmella and Joseph Ciarmella Jr. Trust 930 Saginaw Rd Oxford, PA 19363	Franklin Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150361	PAG-02 General Permit	Issued	Brandywine View Tri Corner, LLC 3405 North 6th Street Harrisburg, PA 17110	City of Coatesville Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC360976	PAG-02 General Permit	Issued	1340 Georgetown Holdings, LLC 881 Mount Pleasant Road Quarryville, PA 17566	Bart Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC150268	PAG-02 General Permit	Issued	Kennett Square Specialties LLC 609 Cope Road Kennett Square, PA 19348	Kennett Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC360955	PAG-02 General Permit	Issued	Rajesh and Sowmya Surapaneni 6125 Log Cabin Trail Enola, PA 17025	West Hempfield Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC150354	PAG-02 General Permit	Issued	Kendal Longwood— Health Center P.O. Box 100 Kennett Square, PA 19348	Kennett Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360964	PAG-02 General Permit	Issued	Gordonville Book Store 275A Old Leacock Road Gordonville, PA 17529	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC150057	PAG-02 General Permit	Issued	Starr Road Farms, Inc. 7 Nine Gates Road Chadds Ford, PA 19317	Oxford Borough Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150314	PAG-02 General Permit	Issued	Sycamore International Inc. Hudson Bay Co. LLC 431 West Baltimore Pike West Grove, PA 19390	London Grove Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC360772	PAG-02 General Permit	Issued	KW Cornerstone W-3, LLC 6259 Reynolds Mill Road Seven Valleys, PA 17360	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC150247	PAG-02 General Permit	Issued	Exelon Business Services Company, LLC 7309 Windsor Mill Road Windsor Mill, MD 21244	Kennett Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC360934	PAG-02 General Permit	Issued	Jay Garman 1267 Risser Mill Road Mount Joy, PA 17552	Mount Joy Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC150090	PAG-02 General Permit	Issued	Islamic Society of Chester County P.O. Box 3042 West Chester, PA 19381	West Goshen Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC360283	PAG-02 General Permit	Issued	Noah W. Kreider & Sons, LLP 1461 Lancaster Road Manheim, PA 17545	Mount Joy Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361



<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360812	PAG-02 General Permit	Issued	Core5 at I-283, LLC 1230 Peachtree Street NW Suite 3560 Atlanta, GA 30309	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360658	PAG-02 General Permit	Issued	Hershey Excavating, LLC 1943 Old Line Road Manheim, PA 17545	Mount Joy Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360937	PAG-02 General Permit	Issued	Borough of Mount Joy 21 East Main Street Mount Joy, PA 17552	Mount Joy Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360715	PAG-02 General Permit	Issued	Sindall Leasing, Inc. 461 Diller Avenue New Holland, PA 17557	Earl Township and New Holland Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360391	PAG-02 General Permit	Issued	DDP Enterprises, Inc. 3995 Continental Drive Columbia, PA 17512	West Hempfield Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360993	PAG-02 General Permit	Issued	Costello Builders, Inc. P.O. Box 95 East Petersburg, PA 17520	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360698	PAG-02 General Permit	Issued	Landmark Homes at Warwick Hill, LLC 1737 West Main Street Ephrata, PA 17522	Warwick Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360894	PAG-02 General Permit	Issued	Christopher D. Sinz 202 Herndon Avenue York, SC 29745	Warwick Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360950	PAG-02 General Permit	Issued	Millwood Estates, LLC 286 Monterey Road Bird-In-Hand, PA 17595	Pequea Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361

**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>
Willow Farms 1501 Eshelman Mill Road Willow Street, PA 17584	Lancaster County	302.4	132.97	Duck Beef	NA	Approved
David H. Martin 420 Nottingham Road Nottingham, PA 19362	Lancaster County	229.5	730.84	Swine Pullets	HQ	Approved
Kerek Musser 2604 Hossler Road Manheim, PA 17545	Lancaster County	186.9	664.3	Layers	NA	Approved
Franklin Family Farms— McClay's Farm 4880 Horse Valley Rd East Waterford, PA 17021	Franklin County	135	691.44	Swine	NA	Approved
Cedar Grove Farm 1408 Pointer Road Everett, PA 15537	Bedford County	844.8	1,580.71	Swine Finishing	NA	Approved
Brechland Farms 3387 Mont Alto Road Fayetteville, PA 17222	Franklin County	687.4	1,687.45	Dairy	NA	Approved
Austin Burkholder 580 Wilkson Lane Fayetteville, PA 171222	Franklin County	290.6	726.2	Dairy	NA	Approved
Wayne Leid 14159 Paxton Run Road Shippensburg, PA 17257	Franklin County	127.96	419.59	Poultry Swine Horse	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).

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

*Contact: Ciana Walkosak, Environmental Engineer Trainee, 717-772-5874.*

**Construction Permit No. 4024512**, Major Amendment, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.— Applewood Manor</b>
Address	762 W Lancaster Ave Bryn Mawr, PA 19019
Municipality	Dallas Township
County	<b>Luzerne County</b>
Consulting Engineer	Jonathan Reuther 1717 Arch Street Suite 4010 Philadelphia, PA 19013
Application Received	August 26, 2024
Permit Issued	November 13, 2024
Description	Permit issued for the treatment of PFAS. The treatment will consist of the addition of anion exchange (AIX) treatment at the system's Well No. 1.

**Construction/Operation Permit No. 4524510MA**, Major Amendment, Public Water Supply.

Applicant	<b>Pennsylvania American Water Company—Blue Mountain Lake System</b>
Address	2699 Stafford Ave Scranton, PA 18505
Municipality	Stroud Township
County	<b>Monroe County</b>
Consulting Engineer	Donald Geddes 1 Water St Camden, NJ 08102
Application Received	August 28, 2024
Permit Issued	November 15, 2024
Description	Permit issued for the cleaning of PAWC Blue Mountain Lake System Well No. 3.

*Contact: Ciana Walkosak, Environmental Engineering Trainee, 717-772-5874.*

**Construction Permit No. 3524503**, Major Amendment, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.— Jefferson Heights</b>
Address	762 W Lancaster Ave Bryn Mawr, PA 19019

Municipality	Jefferson Township
County	<b>Lackawanna County</b>
Consulting Engineer	Jonathan Reuther 1717 Arch Street Suite 4010 Philadelphia, PA 19103

Application Received	August 26, 2024
Permit Issued	November 13, 2024

Description	Permit issued for the installation of treatment for PFAS. The treatment will consist of the addition of granular activated carbon (GAC) at Entry Point 103 (Well Nos. 1 and 2) and anion exchange (AIX) at Entry Point 102 (Well No. 3).
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*Contact: Victoria Frederick, Clerical Assistant, 570-826-2502.*

**Construction Permit No. 4824503MA**, Minor Amendment, Public Water Supply.

Applicant	<b>East Bangor Municipal Authority</b>
Address	555 West Central Avenue East Bangor, PA 18013
Municipality	East Bangor Borough
County	<b>Northampton County</b>
Consulting Engineer	Mr. John Barbaz, P.E. Van Cleef Engineering Associates 1685 Valley Center Parkway Suite 100 Bethlehem, PA 18017

Application Received	September 13, 2024
Permit Issued	October 31, 2024

Description	The permit approved the installation of corrosion control treatment (CCT) facilities per the Department's Lead and Copper Rule (LCR) (25 percent (%) sodium hydroxide (NaOH) coupled with the addition of a non-zinc orthophosphate (SLI-5179 or equal)) at Well Nos. 3 (Source 003) and 4 (Source 004) to control corrosion in the distribution system. The switch to a non-zinc orthophosphate is being requested due to the revised zinc TMDL for wastewater effluent of 0.16 mg/l.
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**Operation Permit No. 2406524**, Public Water Supply.

Applicant	<b>Hazleton Area Water Company (Tomhicken Mountain Springs)</b>
Address	410 West Mine Street Hazleton, PA 18201
Municipality	Black Creek Township
County	<b>Luzerne County</b>
Consulting Engineer	Mr. John Synoski, P.E. 2584 Christine Road Hazle Township, PA 18202

Application Received September 10, 2024  
 Permit Issued November 13, 2024  
 Description Operations Permit approved the addition of two (2) new permanent groundwater sources of supply (each with a Shelco 7FOS3 Series Multi-Cartridge Filter Housing (or equal) with a one-micron Shelco HFC Series High Flow Cartridge Filter (or equal)) to the system known as Well # 9 (HAWC # 2) and Well # 10 (HAWC # 3) including all necessary appurtenances. Well # 9 (HAWC # 2) and Well # 10 (HAWC # 3) are designated as a well field. HAWC cannot operate Well # 9 (HAWC # 2) and Well # 10 (HAWC # 3) simultaneously.

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

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

**Construction Permit No. 0924520**, Major Amendment, Public Water Supply.

Applicant **Perkasie Regional Authority**  
 Address 150 Ridge Road  
 Suite 1  
 Sellersville, PA 18960-1521  
 Municipality East Rockhill Township  
 County **Bucks County**  
 Consulting Engineer Pennoni Engineering  
 150 Ridge Road  
 Suite 2  
 Sellersville, PA 18960-1521  
 Application Received September 12, 2024  
 Permit Issued November 14, 2024  
 Description Existing treatment center to receive a building addition to increase capacity and treatment scope.

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

*Contact: Paul Barnes, P.E. 570-826-2274, paulbarnes@pa.gov.*

**Operation Permit 1115705**. PWSID No. **3391032**. **Creative Kids East Child Development Center**, 7584 Kernsville Road, Orefield, PA 18069, Lowhill Township, **Lehigh County**. Application received: October 8, 2024. Permit Issued: November 6, 2024. Operations permit for the 4 log treatment at PWSID 3391032 under construction Permit No. 3924504MA issued on September 17, 2024.

**Operation Permit 1098202 and 1098220**. PWSID No. **2409011**. **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, Plains Township, **Luzerne County**. Application received: October 31, 2024. Permit Issued: November 15, 2024. Upgrade of booster pumps at NPW Pump Station and replacement of Pascucci/Watres Booster Pump Station.

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

*Contact: Daniel J. Cannistraci, Environmental Engineering Specialist, 717-705-4708.*

**NCWSA Operation Permit 3061151**. PWSID No. **3061151**. **Inn at Bally Spring, LLC**, 54 Pine Forge Rd, Boyertown, PA 19512, Hereford Township, **Berks County**. Application received: May 9, 2024. Permit Issued: November 8, 2024. This action authorizes operation of a replaced well pump.

**Construction Permit 2824505 MA**. PWSID No. **7280369**. **Fannett Metal School District**, 14823 Path Valley Road, Willow Hill, PA 17271, Metal Township, **Franklin County**. Application received: July 29, 2024. Permit Issued: November 15, 2024. This action authorizes modifications to the water system including relocated water softeners, relocated sodium hypochlorite addition point, a new 8,900-gallon storage tank, and a revised 4-log removal of viruses demonstration.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

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



The Department has received the following plans and reports.

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

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

**SWN Production Company LLC, Greezweg Large Impoundment**, Primary Facility ID # **840507**, 329 East Cole Road, Wyalusing, PA 18853, Herrick Township, **Bradford County**. Resource Environmental Management, Inc., 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 SR 92 N, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of groundwater contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**PPL EU Muncy Release Cleanup**, Primary Facility ID # **877800**, 330 S Lycoming Mall Road, Muncy, PA 17756, Muncy Township, **Lycoming County**. Penn Environmental & Remediation Inc., 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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**PPL Blakeslee 8/11/24 Transformer Release**, Primary Facility ID # **879627**, 291 Caughbaugh Road, Blakeslee, PA 18610, Tobyhanna Township, **Monroe 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.

**1016 Lower Demunds Road**, Primary Facility ID # **873822**, 1016 Lower Demunds Road, Dallas, PA 18612, Dallas Township, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Harriet J. Parker Trust, 91 Shaver Avenue, Shavertown, PA 18708, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with petroleum from aboveground and underground storage tanks. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

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

*Contact: Nick, 814-332-6978.*

**Mauk's Inc.**, Primary Facility ID # **833687**, 3918 West 20th Street, Erie, PA 16505, City of Erie, **Erie County**. Moody & Associates, Inc., 180 Mercer Street, Suite A, Meadville, PA 16335, on behalf of Mauk's Inc., 248 Centennial Park Drive, Daytona Beach, FL 32124, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with

Dichlorodifluoromethane, Chloromethane, Vinyl chloride, Chloroethane, Trichlorofluoromethane, 1,1-Dichloroethene, Methylene chloride, trans-1,2-Dichloroethene, 1,1-Dichloroethane, cis-1,2-Dichloroethene, Chloroform, 1,1,1-Trichloroethane, 1,2-Dichloroethane, Trichloroethene (TCE), 1,2-Dichloropropane, Bromodichloromethane, Tetrachloroethene (PCE), Chlorobenzene, 1,4-Dichlorobenzene, and 1,2-Dichlorobenzene. The Remedial Investigation Report is intended to document remediation of the site to meet the site-specific standards.

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

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

**PPL EU Ronks**, Primary Facility ID # **879579**, 77 Esbenshade Road, Ronks, PA 17572, Paradise Township, **Lancaster County**. Penn Environmental & Remediation, Inc., 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.

**Former Graybill Property**, Primary Facility ID # **623230**, 200 North Broad Street, York, PA 17403, City of York, **York County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Statewide Partners, LLC, 3405 North 6th Street, Harrisburg, PA 17110, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with VOCs, PCBs & Metals. The combined Remedial Investigation Report/Cleanup Plan/Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

**Former Graybill Property**, Primary Facility ID # **623230**, 200 North Broad Street, York, PA 17403, City of York, **York County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Redevelopment Authority of the City of York, 101 South George Street, York, PA 17401, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with VOCs, PCBs & Metals. The combined Remedial Investigation Report/Cleanup Plan/Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

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

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

**Earl's Dry Cleaners**, Primary Facility ID # **811763**, 816 Second Street Pike, Richboro, PA 18954, Northampton Township, **Bucks County**. Bernard Beegle, EnviroSure, Inc., 1 North Bacton Hill Road, Suite 208, Malvern, PA 19355, on behalf of Derek Mangin, Earl's Cleaners, Inc., 816 Second Street Pike, Richboro, PA 18954, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.



*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Janelle Hromyak, Clerical Assistant 2, 412-442-4091.*

**Beta Cameron Well Pad**, Primary Facility ID # **829952**, 607 Behm Road, Wind Ridge, PA 15380, Richhill Township, **Greene County**. Brendan Poffenbaugh, 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of Douglas Oberdorf, EQT Corporation, 400 Woodcliff Drive, Canonsburg, PA 15317, submitted a Remediation Investigation Report/Final Report concerning remediation of soil contaminated with inorganics, lead, other organics. The Remediation Investigation Report/Final Report is intended to document remediation of the site to meet the Statewide health standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

**The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

The DEP has received the following plans and reports.

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

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

**Seneca Watkins 820 Pad**, Primary Facility ID # **874437**, 404 Merrick Hill Road, Westfield, PA 16950, Chatham Township, **Tioga County**. Weaver Consultants Group, LLC, 2225 Sycamore Street, Harrisburg, PA 17110, on behalf of Seneca Resources Company LLC, 2000 Westinghouse Drive, Suite 400, Cranberry Township, PA 16066, submitted a Remediation Investigation Report/Final Report concerning remediation of soil contaminated with production fluid and oil-based drilling mud. The Final Report demonstrated attainment of the Statewide health standards. Approved: November 6, 2024.

**Former Clearfield MGP Site**, Primary Facility ID # **697955**, 290/294 Bigler Avenue, Clearfield, PA 16830, Clearfield Borough, **Clearfield County**. Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of UGI Utilities, Inc., One UGI Drive, Denver, PA 17517, submitted a Final Report concerning remediation of soil and groundwater contaminated with manufactured gas plant (MGP) constituents. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: October 25, 2024.

**PPL EU Muncy Release Cleanup**, Primary Facility ID # **877800**, 330 S Lycoming Mall Road, Muncy, PA 17756, Muncy Township, **Lycoming County**. Penn Environmental & Remediation Inc., 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 demonstrated attainment of the Statewide health standards. Approved: November 12, 2024.

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

*Contact: Eric Supey, Environmental Program Manager.*

**WY 10 Falconero Well Pad**, Primary Facility ID # **831662**, 456 Main Road, Forkston, PA 18629, Forkston Township, **Wyoming County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of groundwater contaminated with production fluid (brine). The Final Report demonstrated attainment of the Statewide health standards. Approved: November 13, 2024.

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

*Contact: Jordan, 814-332-6172.*

**Dunkin Donuts**, Primary Facility ID # **868922**, 300 South Water Street, Kittanning, PA 16201, Kittanning

Borough, **Armstrong County**. RT Environmental Services, Inc., 2001 Waterdam Plaza Drive, Suite 205, Canonsburg, PA 15317, on behalf of Ardmore Group, LLC, 2701 Ardmore Boulevard, Pittsburgh, PA 15221, submitted a Final Report concerning remediation of groundwater contaminated with Benzene, Ethylbenzene, Naphthalene, and 1,2,4-Trimethylbenzene. The Final Report did not demonstrate attainment of the Statewide health standards. Disapproved: November 12, 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.*

**109 Fairview Drive Site**, Primary Facility ID # **873130**, 109 Fairview Drive, Crum Lynne, PA 19022, Ridley Township, **Delaware County**. Marshall Geosciences, Inc., 170 East First Avenue, Collegeville, PA 19426, on behalf of Eddystone Commons, LLC, 201 Saville Avenue, Eddystone, PA 19022, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with No. 2 fuel oil, kerosene, and unleaded gasoline. The Report Was not acceptable to meet Statewide health and site-specific standards. Issued a technical deficiency letter: November 6, 2024.

**1420 Delmar Drive**, Primary Facility ID # **836635**, 1420 Delmar Drive, Folcroft, PA 19032, Folcroft Borough, **Delaware County**. Montrose Environmental Solutions, Inc., 1140 Valley Forge Road, Valley Forge, PA 19460, on behalf of Cambo GP, L.P., 1420 Delmar Drive, Folcroft, PA 19032, submitted a Final Report concerning remediation of soil and groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: November 6, 2024.

**1341 N. Broad Street Site**, Primary Facility ID # **854533**, 1341, 1349 North Broad Street, Lansdale, PA 19446, Hatfield Township, **Montgomery County**. Penn's Trail Environmental, LLC, 21 East Lincoln Avenue, Suite 160, Hatfield, PA 19440, on behalf of Bergey's Realty Company, 462 Harleysville Pike, Souderton, PA 18964, submitted a Final Report concerning remediation of soil and groundwater contaminated with leaded gasoline, unleaded gasoline, and diesel fuel. The Report Was not acceptable to meet Statewide health standards. Issued an administrative deficiency letter: November 8, 2024.

**1955 Rosedale Road Site**, Primary Facility ID # **877293**, 1955 Rosedale Road, Quakertown, PA 18951, Milford Township, **Bucks County**. Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Clyde S. Walton, Inc., 400 South Broad Street, Lansdale, PA 19446, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: November 12, 2024.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Janelle Hromyak, Clerical Assistant 2, 412-442-4091.*

**Former Gateway Products Site**, Primary Facility ID # **628482**, 1st and 8th Streets, Mather, PA 15346, Morgan Township, **Greene County**. Gregory Firely, 875 N Easton Rd, Suite 10, Doylestown, PA 18902, on behalf of Connie

Bloom, 93 E High Street, Waynesburg, PA 15370, submitted a Final Report concerning remediation of soil contaminated with arsenic, semi volatile organic compounds (SVOCs): 1,1-Biphenyl, benzo(a)pyrene, and benzo(b)-fluoranthene. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: November 8, 2024.

**Diesel Fuel Spill at TMS International**, Primary Facility ID # **878590**, 516 Delwar Road, Pittsburgh, PA 15236-1352, West Mifflin Borough, **Allegheny County**. Sara Giordano, 611 S. Irvine Avenue, Sharon, PA 16146, on behalf of Loren O. Hagerman, 511 Montgomery Avenue, New Castle, PA 16102, submitted a Final Report concerning remediation of soil contaminated with diesel fuel: toluene, ethylbenzene, cumene, MTBE, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, and naphthalene. The Final Report demonstrated attainment of the Statewide health standards. Approved: November 8, 2024.

**EQT Lumber Well Pad**, Primary Facility ID # **860440**, 454 Martin Hill Road, New Freeport, PA 15352, Springhill Township, **Greene County**. Jona Stoskey, Moody & Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Doug Oberdorf, EQT Corporation, 625 Liberty Ave., Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: November 13, 2024.

**Walker # 1 Conventional Well**, Primary Facility ID # **878799**, 812 W. George Street, Carmichaels, PA 15320-1374, Cumberland Township, **Greene County**. Jona Stoskey, 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Keith Eighmey, Greylock Production, LLC, 500 Corporate Landing, Charleston, WV 25311, submitted a Final Report concerning remediation of soil contaminated with brine constituents (aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc). The Final Report demonstrated attainment of the Statewide health standards. Approved: November 13, 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.*

**Ferrick Construction Co., Inc.**, 811 Ivy Hill Road, Philadelphia, PA 19150. **License No. PA-AH 0473**. Application received: November 13, 2024. Effective November 13, 2024.

**Neier, Inc.**, P.O. Box 151, Coatesville, IN 46121. **License No. PA-AH 0777**. Application received: November 7, 2024. Effective November 13, 2024.

**Midwest Environmental Services, Inc.**, 27 Kiesland Court, Hamilton, OH 45015. **License No. PA-AH 0929**. Application received: November 4, 2024. Effective November 13, 2024.



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**RESIDUAL WASTE GENERAL PERMITS**


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**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 a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.**

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

*Contact: Lisa D. Houser, P.E., Environmental Program Manager, 570 327-3752.*

**WMGR163NC003. Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, Wilmot Township, Bradford County.** Renewal of General Permit for the Calmitch Produced Fluids Storage Facility for the storage of oil and gas liquid waste to be used as a water supply to develop or hydraulically fracture an oil or gas well. Application received: June 13, 2024. Renewal issued: November 5, 2024.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Environmental Program Manager, 570-327-3752, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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**REGISTRATION FOR REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS**


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**Actions(s) Taken on Registration(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); Act 93 of June 28, 1988 (P.L. 525, No. 93); and Regulated Medical and Chemotherapeutic Waste Regulations for a General Permit to Operate Regulated Medical and Chemotherapeutic Waste Processing Facilities.**

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

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

**WMGM008SE001. Clemens Food Group, 2700 Clemens Road, Hatfield, PA 19440, Hatfield Township, Montgomery County.** This approval is for the termination of coverage under General Permit No. WMGM008SE001, which authorized the beneficial use of restaurant oil and animal fat for use as an alternative fuel at the Clemens Food Group—Hatfield Plant located at 2700 Clemens Road, Hatfield Township, Montgomery County. Application received: August 23, 2024. Revoked: November 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-PERMITS@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.

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**DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS**


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

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

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

**WMGM045SC001B. FCS Partners, LLC, P.O. Box 196, Skippack, PA 19474, Brecknock Township, Lancaster County.** This is a renewal of general permit WMGM045SC001B for FCS Partners, LLC's site located at 470 Yellow Hill Road, Narvon, PA 17555 and authorizes the mixing or blending, screening and composting of: (i) source separated food processing waste generated in the processing, converting or manufacturing of fruits, vegetables and crops into marketable food items; (ii) source separated pre-and-post consumer food wastes; (iii) yard waste; (iv) source segregated standard and laminated paper, newspaper, and wax coated cardboard; (v) unpainted and untreated pallets, skids, saw dust, wooden boxes or containers, wood shavings or slab lumber from saw mills; (vi) land clearing and grubbing waste; and (vii) agricultural waste limited to manure, crop residues, uncontaminated feed and grains, on an active or abandoned mine site approved by the Department, as part of a mine reclamation permit or project, to produce a composting material for beneficial use as a: (i) soil additive; (ii) a mulch material for landscaping purposes; (iii) a filter sock media for use in soil erosion control; (iv) an effective fertilizer to be (1) sold, given away or distributed for utilization in normal farming operations, or (2) land applied on disturbed lands to facilitate re-vegetation for land reclamation purposes; or (v) by blending the screened and finished compost with (1) virgin sand, (2) uncontaminated soil or (3) stone or rock produced from on-site quarry mining operations, in the production of a manufactured topsoil material that (a) there is market or disposition for the material and (b) to be transferred in good faith as a commodity in trade for use in lieu of an intentionally manufactured product. Application received: May 25, 2022. Issued: November 14, 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.

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**OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**


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**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.**

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

*Contact: Lisa D. Houser, P.E., Environmental Program Manager, 570 327-3752.*

**100963. Lycoming County Resource Management Service**, P.O. Box 187, 447 Alexander Drive, Montgomery, PA 17752, Brady Township, **Lycoming County**. Minor Permit modification to modify the thickness specifications for Cap Liner. Application received: September 16, 2024. Issued: October 21, 2024.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Environmental Program Manager, 570 327-3752, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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

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

**101659. Waste Management of Pennsylvania Inc.**, 575 Trestle Place, Downingtown, PA 19335, East Caln Township, **Chester County**. This permit approves the transfer of ownership of the Champion Transfer Station from Champion Transfer Station, LLC to Waste Management of Pennsylvania Inc. The Champion Transfer Station is a permitted construction and demolition waste transfer facility located at 575 Trestle Place in East Caln Township, Chester County. Application received: March 7, 2024. Issued: November 14, 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-PERMITS@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.*

**AG5A-53-00003B: JKLM Energy, LLC**, 2200 Georgetown Drive, Ste 500, Sewickley, PA 15143, Sweden and Summit Townships, **Potter County**. The Department authorized continued operation of one (1) Caterpillar G3516BLE 1,380-bhp Compressor Engine with Oxidation Catalyst, one (1) 50 MMscf/day Glycol Dehydrator with associated 0.5 MMBtu/hr Reboiler, two (2) 400-barrel Produced Water Tanks, one (1) 10,000-gallon Drip Tank, one (1) 2.0 MMBtu/hr Gas Processing Unit, one (1) 150-gallon Tri-ethylene Glycol Storage Tank, one (1) 500-gallon Engine Oil Tank, one (1) 500-gallon Compressor

Oil Tank, one (1) 235-gallon Waste Oil Tank, fourteen (14) Intermittent Bleed Controllers, Produced Water and Drip Tank Truck Loadout, and Pigging Operation Launchers and Receivers along with fugitive emissions including component leaks, rod packing and facility blowdowns pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) at the Sweden Valley 105 Well Pad. Application received: October 15, 2024. Authorized: October 31, 2024. New expiration date: October 30, 2029.

*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.*

**GP3-45-005A: Bill Barry Excavating Inc.**, 174 Quarry Lane, Cresco, PA 18326, Barrett Township, **Monroe County**. To construct and operate a Portable Crushing Operation with water sprays at their Cresco Quarry. Application received: September 9, 2024. Issued: September 30, 2024.

**GP9-45-006A: Bill Barry Excavating Inc.**, 174 Quarry Lane, Cresco, PA 18326, Barrett Township, **Monroe County**. To install and operate four (4) Diesel I/C engines at Cresco Quarry. Application received: September 9, 2024. Issued: September 30, 2024.

**AG5-58-00011B: Williams Field Services Company, LLC**, 310 State Route 29 North, Tunkhannock, PA 18657, Middletown Township, **Susquehanna County**. To operate two (2) IC Engines, one (1) emergency generator, two (2) dehydrators with reboilers, and two (2) condensate tanks at their Jones Compressor Station. Application received: September 30, 2024. Issued: October 24, 2024.

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

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

**GP5-43-00300F/AG5-43-00002C: Pin Oak Energy Partners, LLC—Hurt Compressor Station**, 434 Rodgers Road, New Wilmington, PA 16142, East Lackawannock Township, **Mercer County**. The Department received a GP-5 renewal application from Pin Oak Energy Partners LLC for their Hurt Compressor Station. The renewal permit application had no modifications from the original permit. The Department reviewed the application and determined that it met all necessary requirements for a GP-5 application, therefore it was approved. Application received: October 22, 2024. Renewal issued: November 14, 2024.

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

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

**GP1-06-03147A: Pennsylvania American Water**, 400 Hanover Street, Birdsboro, PA 19508, Exeter Township, **Berks County**. For 12 MMBtu, natural gas-fired sludge dryer heater, under GP1, at the Exeter Waste Water Treatment Plant. The general permit authorization was renewed. Application received: October 21, 2024. Issued: November 8, 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.*

**GP14-23-0127: Donohue Funeral Home**, 8401 W Chester Pike, Upper Darby, PA 19082-1104, Upper Darby Township, **Delaware County**. This action is for the issuance of a General Plan Approval and General Operating Permit for a human crematory. Application received: October 1, 2024. Issued: November 8, 2024.

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

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

**GP21-30-00843A: McElroy Green Marketing, LLC**, 700 Universe Boulevard, Juno Beach, FL 33408, Aleppo Township, **Greene County**. The Department has issued a GP21-30-00818A general plan approval for two (2) enclosed flares rated at 24.65 MMBtu/hr manufactured by Cimarron model ECD-60" with pilot light and one (1) methane exhaust engine rated at 82.94 bhp, 85.29 bhp propane startup, 4-stroke, propane and natural gas fired manufactured by KEM equipment, model 15S-857-WHG located at the 6N3E-1 Borehole (39.825358, -80.515311). Application received: October 18, 2024. Authorized: November 13, 2024.

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**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.**

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

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

**59-00006C: Eastern Gas Transmission & Storage, Inc.**, 10700 Energy Way, Glen Allen, VA 23060, Lawrence Township, **Tioga County**. The Department issued a plan approval to install equipment upgrades on a 2,000 brake-horsepower Ingersoll Rand model 412 KVS-CT, 4-stroke, lean burn, reciprocating internal combustion engine (Source 108) at the Boom Compressor Station. The plan approval contains the necessary requirements including testing, monitoring, recordkeeping, and reporting conditions to ensure compliance with all applicable Federal and State regulations. Application received: May 7, 2024. Permit issued: November 14, 2024. Expiration date: May 13, 2026.

*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.*

**40-00104A: Brdaric Excavating, Inc.**, 500 Main Street, Swoyersville, PA 18704, Swoyersville Borough, Kingston Township, **Luzerne County**. For the replacement of one (1) existing jaw crusher (ID101) with a similar jaw crusher with a larger 375 BHP engine and the replacement of one (1) existing screen (ID104) with a

similar screen with a larger 130 BHP engine with water sprays to control particulate matter (PM) emissions. Application received: February 15, 2024. Issued: October 9, 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, 717-705-4863.*

**21-03106A: UPMC West Shore Hospital**, 1995 Technology Parkway, Mechanicsburg, PA 17050, Hampden Township, **Cumberland County**. For the operation of a boiler at the West Shore Hospital. Application received: July 1, 2024. Issued: November 7, 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.*

**46-0299C: Innovation 411 Fee Owner LLC**, 411 Swedeland Rd, King of Prussia, PA 19406-2787, Upper Merion Township, **Montgomery County**. This action is for the extension of a plan approval to install a new 60 MMBtu/hr dual fuel-fired combustion unit to replace an existing 49 MMBtu/hr, natural gas/No. 6 fuel oil-fired boiler. Application received: September 23, 2024. Issued: November 5, 2024.

**23-0024F: Heidelberg Materials/NE Glen Mills Quarry**, 533 Forge Rd, Glen Mills, PA 19342-8831, Thornbury Township, **Delaware County**. 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. Application received: July 23, 2024. Issued: November 6, 2024.

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

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

**PA-30-00194D: EQM Gathering Opco, LLC**, 2200 Energy Drive, Canonsburg, PA 15317, Morris Township, **Greene County**. On November 15, 2024, a Plan Approval Extension was issued for 180 days to plan approval # PA-30-00194D to facilitate shake down of sources and air cleaning devices at its "Callisto Compressor Station" located in Morris Township, Greene County. Application received: November 13, 2024. Issued: November 15, 2024.

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**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.**

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

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

**49-00063B: Renewal Processing, LLC**, 10705 State Route 44, Watsontown, PA 17777, Lewis Township, **Lycoming County**. The Department extended the plan approval expiration 180 days to authorize the continued temporary operation of the facility's bakery waste rotary dryer to

enable continued shakedown of the equipment and preparation for compliance testing. Application received: October 7, 2024. Revised: November 1, 2024. New expiration date: May 3, 2025.

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

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

**65-00839C: Texas Eastern Transmission, LP**, 915 N Eldridge Pkwy, Suite 1100, Houston, TX 77079, Salem Township, **Westmoreland County**. This plan approval extension has been issued to ensure the plan approval remains active until it is formally incorporated into the Title V Operating Permit which is processing renewal application. Application received: November 7, 2024. Revised: November 14, 2024.

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

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

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

**13-00001: Befesa Zinc Inc., Palmerton**, 900 Delaware Ave, Palmerton, PA 18071-2008, Palmerton Borough, **Carbon County**. The Department issued an administrative amendment to the Title V Operating Permit for the manufacturing of secondary nonferrous metals facility located in Palmerton Borough, Carbon County. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code, Chapter 127, Subchapter G. The administrative amendment is for the removal of Source 149 (Kiln # 1). The primary sources at this facility consist of kilns and receiving bins and silos. The sources are controlled by product collectors and baghouses. The Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: August 23, 2024. Permit modification issued: November 12, 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.*

**33-00033: O-I Glass Inc.—Owens Brockway Glass Container Plant 18**, 3831 Route 219, Brockport, PA 15823-3811, Brockway Borough, **Jefferson County**. The Brockway Plant No. 18 produces commercial glass containers and is classified as a major nitrogen oxide (NO<sub>x</sub>) emitting facility, with a facility-wide potential-to-emit (PTE) of greater than 100 tons per year (tpy). In addition, the facility is subject to the provisions of the Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOCs for the 2015 Ozone NAAQS (RACT III) codified at 25 Pa. Code §§ 129.11—129.115. The Operating Permit will contain recordkeeping requirements to assure sufficient data and calculations to demonstrate that the requirements of 25 Pa. Code §§ 129.111—129.114 are

met. The Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Application received: November 27, 2023. Renewed: November 4, 2024.

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

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

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

**45-00010: HG Smith Wilbert Vault Co., Inc.**, 2120 N. 5th Street, Stroudsburg, PA 18360-2802, Stroudsburg Borough, **Monroe County**. The Department issued a renewal State-Only (Natural Minor) Permit for the animal and human crematory facility located in Stroudsburg Borough, Monroe County. The primary sources consist of one (1) animal incinerator and three (3) human crematories. The control devices consist of afterburners. The sources are considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: November 30, 2023. Renewal issued: November 8, 2024.

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

**40-00038: Lion Brewery**, 700 N Pennsylvania Ave, Wilkes-Barre, PA 18705, City of Wilkes-Barre, **Luzerne County**. The Department issued a renewal State-Only Operating Permit for the operation of sources at their brewery. 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: July 5, 2024. Accepted: July 29, 2024. Issued: October 23, 2024.

**39-00055: B. Braun US Device Manufacturing LLC**, 901 Marcon Blvd, Allentown, PA 18109-9512, Hanover Township, **Lehigh County**. The Department has issued a renewal State-Only (Synthetic Minor) Operating Permit for the Hanover Township facility. Sources at this facility include their boilers, emergency generators, fire pumps, sterilizers, aeration room, cooling towers, and offset printing presses. Sources at this facility also include a catalytic oxidizer with peak shaver as a control device. 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: July 15, 2024. Accepted: July 15, 2024. Issued: November 13, 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.*

**42-00223: Kinder Morgan Inc., Tennessee Gas Pipeline Company LLC, Station 310**, 1001 Louisiana

St, Ste 1000, Houston, TX 77002-5089, Sergeant Township, **McKean County**. The Department issued 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<sub>x</sub>; 67 TPY CO; 5 TPY VOC; 2 TPY SO<sub>x</sub>; 4 TPY PM<sub>10</sub>; 2 TPY formaldehyde; 2 TPY HAPs; and 73,167 TPY GHG CO<sub>2e</sub>. Application received: May 4, 2023. Renewed: November 1, 2024.

**61-00218: Kinder Morgan Inc., Tennessee Gas Pipeline Company LLC, Station 303**, 1001 Louisiana St, Ste 1000, Houston, TX 77002-5089, Cranberry Township, **Venango County**. 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<sub>x</sub>; 68 TPY CO; 5 TPY VOC; 2 TPY SO<sub>x</sub>; 4 TPY PM<sub>10</sub>; 2 TPY formaldehyde; 2TPY HAPs; and 65,910 TPY GHG CO<sub>2e</sub>. Application received: May 4, 2023. Renewed: November 1, 2024.

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

**37-00162: Precision Plating Co. Inc.**, 407 Summit View Drive, New Castle, PA 16105, Neshannock Township, **Lawrence County**. The primary sources at the facility include Chrome electroplating tanks controlled by composite mesh pad system scrubbers, natural gas combustion for building heat, and hand wipe solvent usage. The potential emissions from the facility are as follows: NO<sub>x</sub> less than 1 tpy; CO less than 1 tpy; PM<sub>10</sub> less than 1 tpy; SO<sub>x</sub> less than 1 tpy; VOC's less than 1 tpy. Potential HAP emissions are 0.27 tpy of Toluene and 1.7 tpy of Chromium Compounds. The facility is subject to 40 CFR Part 63 Subpart N, National Emission Standards for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks. 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: April 26, 2023. Renewal issued: November 12, 2024.

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

*Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4863.*

**21-03108: Sunoco Pipeline, LP**, 525 Fritztown Road, Sinking Spring, PA 19608, Lower Frankford Township,

**Cumberland County**. For the Plainfield natural gas liquids pump station. The State-Only permit was renewed. Application received: June 6, 2024. Issued: November 5, 2024.

**21-05010: Mountain Power, LLC**, 1890 Granite Station Road, Gettysburg, PA 17325, South Middleton Township, **Cumberland County**. For the Mountain electric generating station. The State-Only permit was renewed. Application received: March 27, 2024. Issued: November 6, 2024.

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

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

**04-00684: Bet Tech Intl Inc.**, 100 Bet-Tech Drive, Aliquippa, PA 15001, Center Township, **Beaver County**. On November 13, 2023, the Department issued a Natural Minor Operating Permit to Bet-Tech International, Inc. in Center Township, Beaver County. Sources of emissions consist of the following equipment and control devices: 300 TPH Screening Plant, one (1) Caterpillar Diesel Engine for the Screening Plant, one (1) Perkins Diesel Engine, Plant Roads and a Water Truck. No emission or equipment changes have been approved by this action. The air quality Operating Permit includes emission limitations, operating requirements, monitoring requirements, work practice standards, testing, reporting, and recordkeeping requirements for the site. Application received: May 25, 2023. Deemed administratively complete: June 9, 2023.

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**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.**

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

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

**37-00243: American Metal Recycling, LLC**, One American Drive, Ellwood City, PA 16117, Ellwood City Borough, **Lawrence County**. The Title V Permit was administratively amended to incorporate the change of ownership, responsible official, and permit contact. Application received: October 3, 2024. Revised: November 1, 2024.

**24-00161: Greentree LDFL Gas Co.**, 5087 Junction Rd, Lockport, NY 14094-9601, Horton Township, **Elk County**. The State Only Permit was administratively amended to incorporate the change of responsible official. Application received: September 16, 2024. Revised: November 12, 2024.

**33-00016: Mersen USA GS-NAC Corp.**, 314 Elk Run Ave., Punxsutawney, PA 15767-1622, Punxsutawney Borough, **Jefferson County**. The State Only Permit was administratively amended to incorporate the change of ownership into the permit. Application received: October 4, 2024. Revised: November 12, 2024.



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

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

**38-05011: Plain N Fancy Custom Cabinetry Acquisition Co.**, 2550 Stiegel Pike, Schaefferstown, PA 17088, Heidelberg Township, **Lebanon County**. For the wood kitchen cabinet manufacturing facility. The Title V permit was administratively amended in order to reflect a change of ownership. Application received: September 19, 2024. Issued: November 6, 2024.

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

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

**63-00642: Equitrans, LP**, 4111 Finleyville-Elrama Road, Finleyville, PA 15332, Union Township, **Washington County**. On November 13, 2024, the Department of Environmental Protection issued a modified natural minor State-Only Operating Permit to Equitrans, LP's Hartson Compressor Station located in Union Township, Washington County to remove a Reasonably Available Control Technology (RACT I) requirement via a SIP revision. No other revisions to the Operating Permit were proposed with this modification. The air quality Operating Permit includes emission limitations, operating requirements, monitoring requirements, work practice standards, reporting, and recordkeeping requirements for the site. Application received: May 25, 2023. Deemed administratively complete: June 9, 2023.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

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

**30-00258: ECC Windsor, Inc.**, 1919 14th St, Suite 700, Boulder, CO 80302, Richhill Township, **Greene County**. On October 10, 2024, ECC Windsor Inc. (1919 14th Street, Suite 700, Boulder, CO 80302), submitted a request for a Request for Determination at its Bailey Mine, Buckland Flare Site located in Richhill Township, Greene County. This Notice is published per 25 Pa. Code Section 127.449(i). The site contains two existing, (2) independent, enclosed, flare stacks, venting and combusting mine gas containing methane from the Bailey coal mine. The project is to construct two (2) limited-use, electrical generator sets, each powered by a diesel engine (22.3-bhp & 59-bhp). These proposed diesel engines would be utilized if utility electrical power becomes unstable or unavailable to the site. Annual operation of each generator engine is limited to a maximum of 4,380-hours per year. ECC Windsor Inc. will comply with requirements in eRFD # 10400. Currently operation of the flare site is authorized by SOOP-30-00258.

The following table shows emission changes at the flare site since its permanent operation was authorized by SOOP-30-00258:

**Table 1—Change in Potential Emissions since Authorization for Operation by SOOP-30-00258 on May 30, 2022.**

**ECC Windsor Inc.—Buckland Flare Site**

Action	Date	Source	NO <sub>x</sub>	CO	VOC	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2e</sub>
(tpy)								
Potential Facility Emissions at SOOP Issuance								
SOOP-30-00258	5/30/22	Facility	13.18	32.94	2.74	4.34	4.34	34,395
Previous Potential Emission Changes								
None			0.00	0.00	0.00	0.00	0.00	0
Current Potential Emission Change								
10400	10/31/24	Addition of limited-use, 22.3-bhp engine.	0.46	0.10	0.12	0.01	0.01	56
		Addition of limited-use, 59-bhp engine.	0.76	0.01	0.32	0.01	0.01	149
Sum of Potential Emission Changes			1.22	0.11	0.44	0.02	0.02	205
Potential Facility Emissions Following Changes			14.40	33.05	3.18	4.36	4.36	34,600

Under item Number “6 Source(s) qualifying under § 127.449 as Internal Combustion Engines. . .” of “Section 127.14(a)(8) Exemptions that do not require the submission of an RFD form” in the Department’s Plan Approval and Operating Permit Exemption List (275-2101-003/July 1, 2021) on Page 4, the change is exempt from requiring

Department authorization. However, the upgrade and operation of the equipment are subject to certain requirements for this exemption to be effective. The constructed equipment and these requirements will be incorporated into the Operating Permit at a later time.



## 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*

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

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

**Mining Permit No. 54150102. Lone Eagle Coal Co., Inc.**, 2068 Old Phoenix Road, Pottsville, PA 17901, Foster and Frailey Townships, **Schuylkill County**. Renewal of Reclamation Activities Only of an anthracite surface mine operation affecting 147.6 acres. Receiving stream: Mahanoy Creek. Application received: March 25, 2024. Renewal issued: November 8, 2024.

**Mining Permit No. 54930102. NPDES Permit No. PA0223492. Rausch Creek Coal Mining Good Spring South, LLC**, 978 Gap Street, Valley View, PA 17983, Porter Township, **Schuylkill County**. Renewal of an anthracite surface mine operation and NPDES Permit affecting 564.3 acres. Receiving stream: UNT to East Branch Rausch Creek. Application received: November 13, 2023. Renewal issued: November 12, 2024.

**Mining Permit No. 49180201. Susquehanna Coal Co.**, P.O. Box 27, Nanticoke, PA 18634, Coal Township, **Northumberland County**. Renewal of an anthracite coal refuse reprocessing and coal refuse disposal operation affecting 45.5 acres. Receiving stream: Coal Run. Application received: October 11, 2023. Renewal issued: November 15, 2024.

### *Noncoal Permits*

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

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

**Mining Permit No. 49232801. GP104 Permit No. PAM123017. Jared D. Musser, d/b/a Hampe's Trucking & Coal Yard**, 315 Broadway, Milton, PA 17847, Delaware Township, **Northumberland County**. Coverage under the General NPDES Stormwater Permit for

stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Delaware Run. Application received: May 18, 2023. Coverage issued: November 15, 2024.

**Mining Permit No. 58242507. NPDES Permit No. PA0226459. Thomas J. Kazmierczak, Sr.**, 1000 Union Street, Taylor, PA 18517, New Milford Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 quarry operation affecting 9.3 acres and NPDES Permit for discharge of treated mine drainage. Receiving stream: tributary to Salt Lick Creek. Application received: April 17, 2024. Permit issued: November 15, 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. 52244104. Holbert Explosives, Inc.**, 237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435, Blooming Grove Township, **Pike County**. Construction blasting for Hemlock Farms, 107 Long Spur Lane waterline and septic tank. Application received: November 1, 2024. Permit issued: November 7, 2024. Expiration date: November 8, 2025.

**Permit No. 35244114. Holbert Explosives, Inc.**, 237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435, Roaring Brook Township, **Lackawanna County**. Construction blasting for Stag Construction Foundation. Application received: November 5, 2024. Permit issued: November 12, 2024. Expiration date: November 5, 2025.

**Permit No. 36244134. Douglas Explosives Services, LLC**, 2052 Bigler Highway, Philipsburg, PA 16886, Manheim Township, **Lancaster County**. Construction blasting for Parkside Reserve Phase 4. Application received: November 8, 2024. Permit issued: November 12, 2024. Expiration date: April 15, 2025.

**Permit No. 36244135. J Roy's, Inc.**, P.O. Box 125, Bowmansville, PA 17507, Manheim Township, **Lancaster County**. Construction blasting for 2001 E. Oregon Road, Lititz. Application received: November 12, 2024. Permit issued: November 12, 2024. Expiration date: November 15, 2025.

**Permit No. 38244116. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, Cornwall Borough, **Lebanon County**. Construction blasting for PRL Industrial Warehouse. Application received: November 1, 2024. Permit issued: November 12, 2024. Expiration date: November 1, 2025.

**Permit No. 48244109. Valley Rock Solutions, LLC**, P.O. Box 246, Macungie, PA 18062, Bethlehem Township and Freemansburg Borough, **Northampton County**. Construction blasting for Barndale Associates swale reconstruction. Application received: November 1, 2024. Permit issued: November 12, 2024. Expiration date: March 31, 2025.

**Permit No. 15244113. Rock Work, Inc.,** 1257 Dekalb Pike, Blue Bell, PA 19422, Upper Uwchlan Township, **Chester County.** Construction blasting for Eagleview Lot 1A. Application received: November 12, 2024. Permit issued: November 13, 2024. Expiration date: December 1, 2025.

**Permit No. 15244114. Valley Rock Solutions, LLC,** P.O. Box 246, Macungie, PA 18062, Uwchlan Township, **Chester County.** Construction blasting for Gray Farm. Application received: November 12, 2024. Permit issued: November 13, 2024. Expiration date: April 30, 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.**

*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.*

**E3502123-009. PA Department of Transportation, Eng District 4-0,** 55 Keystone Industrial Park, Dunmore, PA 18512, Elmhurst Township, **Lackawanna County.** U.S. Army Corps of Engineers Baltimore District.

To authorize the following water obstructions and encroachments associated with the SR 0435 Sections 251-253 Project: Structure Replacements: 1. To remove the existing structures and to construct and maintain a 37' wide single span box culvert carrying Front Street (T-733) across a tributary to Roaring Brook (CWF, MF) having a 14' normal clear span and a 5' minimum underclearance and to construct and maintain appurtenant structure features. (Impact S\_384\_CULV\_1); 2. To remove the existing structure and to construct and maintain a 90' wide single span box culvert carrying Lackawanna Railroad across a tributary to Roaring Brook (CWF, MF) having a 14' normal clear span and a 5' minimum underclearance and to construct and maintain appurtenant structure features. (S\_384\_CULV\_2); 3. To remove the existing structure and to construct and maintain a 45' wide two-span bridge carrying SR 435 across a tributary to Roaring Brook (CWF, MF) having a 290' normal clear span and a 22' minimum underclearance and to construct and maintain appurtenant structure features. (S\_384\_BRG1); 4. To remove the existing structure and to construct and maintain a 58.5' wide single span bridge carrying SR 435 across Roaring Brook (CWF, MF) having a 68' normal clear span and an 18.6' minimum underclearance and to construct and maintain appurtenant structure features. (S\_479\_BRG1) Outfalls; 5. To construct and maintain an outfall in the floodway of a tributary to Roaring Brook (CWF, MF) consisting of a riprap channel. (S\_384\_OF1); 6. To construct and maintain an outfall in the floodway and watercourse of a tributary to Roaring Brook (CWF, MF) consisting of an outfall pipe, an endwall and riprap outlet protection. (S\_384\_OF2); 7. To construct and maintain an outfall in the floodway of a tributary to Roaring Brook (CWF, MF) consisting of an outfall pipe and riprap outlet protection (S\_384\_OF3); 8. To construct and maintain an outfall in the watercourse and floodway of Roaring Brook (CWF, MF) consisting of a riprap channel (S\_479\_OF1) Other Impacts; 9. To place 0.08 acre of fill in the floodway of a tributary to Roaring Brook (CWF, MF) for the purpose of the relocation of an access road. (S\_384\_IMP6); 10. To place 0.05 acre of fill in the floodway of a tributary to Roaring Brook (CWF, MF) for the purpose of Front Street (TR-733) full depth reconstruction. (S\_384\_IMP8); and 11. To place 0.08 acre of fill in the floodway along 140-LF of a Roaring Brook (CWF, MF) for the purpose of streambank protection and stabilization. (S\_479\_SBP1) The proposed project is located along SR 0435 and extends from approximately 200' south of the SR 435/Gardner Road intersection (southern terminus) to the intersection of SR 0435/G.C. Smither Street (northern terminus) (Moscow and Olyphant, PA Quadrangles, Latitude: 41.371548°; Longitude: -75.542946° to Latitude: 41.377910°; Longitude: -75.544594°) in Elmhurst Township, Lackawanna County. Latitude: 41.371548°; Longitude: -75.542946°. Application received: December 8, 2023. Issued: November 12, 2024.

**E4502224-008. Ingo Fernandes de Abreu**, 3 Stone Lane, Marlboro, NJ 07746, Tobyhanna Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District.

This project is proposing to construct and maintain the following water obstructions and encroachments associated with De Abreu Fence and Dock project: 1. A 96 sq. ft. aluminum frame compost decking dock supported by aluminum posts within Arrowhead Lake (EV-MF). An upper 4 sq. ft. portion of the dock to be anchored on the shore within PEM wetlands (EV). 2. A 54 sq. ft. natural wooden privacy fence within PEM wetlands (EV). The proposed activity will result in 0.003 acre of permanent impacts to PEM wetlands. 41°, 09', 10", -75°, 34', 29" Latitude: 41°, 09', 10"; Longitude: -75°, 34', 29". Application received: August 13, 2024. Issued: November 8, 2024.

*Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

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

**E0308224-008. PennEnergy Resources, LLC**, 3000 Westinghouse Drive, Suite 300, Cranberry Twp, PA 16066, North Buffalo Township, **Armstrong County**. U.S. Army Corps of Engineers Pittsburgh District. Latitude: 40.783056°, Longitude: -79.688333°. Application received: July 23, 2024. Issued: November 14, 2024.

The applicant will construct, operate, and maintain two temporary 4' x 4' intake structures with 6" intake lines and a 12" temporary above-ground waterline to convey fresh water from Buffalo Creek to the existing W47 Well Development Impoundment in North Buffalo Township, Armstrong County. Buffalo Creek is classified as a high-quality trout stocked fishery (HQ-TSF).

The project will result in 51 linear feet of temporary stream impacts, and 0.093 acre of temporary floodway impacts with the installation of the intake system.

Resource Name	Aquatic Resource Type	Activity	Chapter 93 Designation	Latitude/ Longitude	Impact Area Temp. (LF)	Impact Area Perm. (LF)	Impact Area Temp. (Ac)	Impact Area Perm. (Ac)
Buffalo Creek	Perennial	Intake Structure	HQ-TSF	40.783389, -79.688640	8	N/A	0.001	N/A
Buffalo Creek	Perennial	Intake Structure	HQ-TSF	40.783362, -79.688657	8	N/A	0.001	N/A
Buffalo Creek	Perennial	Utility Line Crossing	HQ-TSF	40.783332, -79.688529	35	N/A	0.060	N/A
Buffalo Creek Floodway	Floodway	Utility Line Crossing/ Temporary Road Crossing	HQ-TSF	40.783332, -79.688529	51	N/A	0.093	N/A

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

*Contact: 717-705-4802.*

**E0703124-003. PA Department of Transportation Engineering District 9-0**, 1620 N. Juniata Street, Hollidaysburg, PA 16648, Allegheny Township, **Blair County**. U.S. Army Corps of Engineers Baltimore District.

SR3013-10B To remove existing structures and to install and maintain a 90.7560 linear foot 26-foot x 8-foot box with 1-foot uniform depression in Dry Run (WWF, MF) with riprap scour protection. This is for the purpose of improving transportation safety in Alleghany Township, Blair County (40.4171°, -78.4382°). The project proposes to permanently impact 161 linear feet of stream channel with 40 linear feet of temporary stream channel impacts and 480 sq. feet of permanent wetland (EV) impacts. SR3013-09B To remove existing structures and to install and maintain a 74-foot x 71-foot 4.5-inch bridge over Blair Gap Run (TSF, MF) with Riprap scour protection. This is for the purpose of improving transportation safety in Alleghany Township, Blair County (40.4206°, -78.4394°). The project proposes to permanently impact 104 linear feet of stream channel with 54 feet of temporary stream channel impacts and 193 sq. feet of tempo-

rary wetland (EV) impacts. Latitude: 40.4171 and 40.4206°, Longitude: -78.4382 and -78.4394°. Application received: February 23, 2024. Authorized: November 14, 2024.

**E3803224-001. Darren Zimmerman**, 134 Michters Road, Newmanstown, PA 17073-8973, Jackson Township, **Lebanon County**. U.S. Army Corps of Engineers Baltimore District.

To install and maintain a 2.0-inch DR-11 HDPE sanitary sewer force main under and across exceptional value palustrine emergent/scrub shrub wetlands and an unnamed tributary to Tulpehocken Creek (CWF, MF) via directional bore, all impacting 8.0-linear feet of stream and 31 square feet of wetlands, all for the purpose of constructing a proposed car wash. The project is located at 651 West Lincoln Avenue (Latitude: 40.367231° N; Longitude: 76.340592° W) in Jackson Township, Lebanon County. Wetland loss will not occur, and replacement is not required. Latitude: 40.367231° N, Longitude: -76.340592° W. Application received: February 29, 2024. Issued: November 15, 2024.

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

*Contact: Dana Drake, Program Manager.*



**E6505123-015. PennDOT District 12-0**, 825 N. Galatin Avenue Ext., Uniontown, PA 15401, Rostraver Township, **Westmoreland County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: November 6, 2023. Issued: November 5, 2024.

The applicant has been given consent to:

1. Remove 5-LF of the existing 90-LF long, 10' by 6.5' concrete arch culvert, and to construct and maintain a 22-LF upstream extension and a 19-LF downstream extension, in kind. The new total length of the stream enclosure is 126-LF, having a permanent impact of 197 LF and temporary impact of 215 LF to a UNT (SN9) to Cedar Creek (TSF).

2. Construct and maintain two (2) new 18" RCP stormwater outfalls, namely OF P-1 and OF Q-1, including rock aprons, having a combined permanent impact of 18 LF and temporary impact of 50 LF to a UNT (SN9) to Cedar Creek (TSF).

3. Construct maintain a 19-LF upstream extension, to the existing 186-LF long, 6' by 6' R/C box culvert, in kind, for a total length of 205-LF, having a permanent impact of 251 LF and temporary impact of 274 LF to a UNT (SN1) to Cedar Creek (TSF), as well as a permanent impact of 9 LF to a UNT (SN3) to Cedar Creek (TSF) and a temporary impact of 66 LF to a UNT (SN2) to Cedar Creek (TSF).

4. Construct and maintain a new 18" RCP stormwater outfall, namely OF V-1, and to construct and maintain a new 24" RCP stormwater outfall, namely OF U-1, including end walls and rock aprons, having a combined permanent watercourse impact of 8 LF, temporary watercourse impact of 12 LF, and temporary floodplain impact of approximately 0.003 acre, to a UNT (SN1) to Cedar Creek (TSF).

5. Construct and maintain an extension of 19-LF upstream, to the existing 222-LF long, 54" CMP/RCP culvert, in kind, for a total length of 238-LF, including new end walls, inlet and outlet protection, and to construct and maintain 36-LF of perennial channel relocation upstream from the culvert, having a permanent impact of 322 LF and temporary impact of 328 LF to a UNT (SS5) to Cedar Creek (TSF). This activity will also result in a permanent impact of 7 LF and temporary impact of 17 LF to a UNT (SS10) to Cedar Creek (TSF).

6. Construct and maintain a new 24" RCP stormwater outfall, namely OF H-1, having a permanent impact of 10 LF and temporary impact of 20 LF to a UNT (SS5) to Cedar Creek (TSF).

7. Remove 105-LF of the existing 18" RCP culvert from UNT (SN5) to Cedar Creek (TSF), and to place and maintain fill within this section of watercourse plus an additional 149-LF of this perennial stream channel, having a total permanent impact of 254 LF to SN5.

8. Place and maintain fill within 232-LF of a UNT (SN8) to Cedar Creek (TSF), and to construct and maintain a 247-LF channel relocation of this watercourse, for a net gain of 15 LF of perennial channel.

9. Construct and maintain a new end-wall for the existing 24" RCP stormwater outfall, namely OF A-4, having a permanent impact of 15 LF and a temporary impact of 45 LF to a UNT (SS16) to Speers Run (WWF).

10. Abandon in place approximately 137 LF of the existing 18" RCP/CMP culvert, which conveys a portion of a UNT (SS20) to Speers Run (WWF). This existing pipe will be cut, capped, and filled. Then, fill be placed within

262 LF of SS20, in association with the construction of a new Stormwater Management (SWM) Basin, namely Basin # 1, and to construct and maintain a 216 LF 18" RCP enclosure, and 173 LF of new channel to convey the relocated SS20. This activity will result in a loss of 89 LF of open channel.

11. Construct and maintain a new 54" RCP stormwater outfall, namely OF A-14, to tie-in to Basin # 1, including end walls and rock apron, having a permanent impact of 3 LF and a temporary impact of 7 LF to a UNT (SS20) to Speers Run (WWF).

12. Place and maintain fill within 221 LF of a UNT (SN27) to Speers Run (WWF), and to construct and maintain a 42-LF channel relocation, for a net loss of 179 LF of ephemeral channel.

13. Place and maintain fill within 966 LF of a UNT (SN24) to Speers Run (WWF), which consists of 436 LF of open channel, 70 LF of 36" CMP, 191 LF of 36" CMP, 151 LF of 24" CMP, and 118 LF of 48" CMP. These existing pipes will be abandoned in place by cutting, capping, and grouting. Then, to construct and maintain 1,459 LF of relocated channel within a 324-LF long 36" RCP culvert, 880-LF long 42" RCP culvert, and 116-LF long 48" RCP culvert, each including end walls and rock aprons, resulting in the loss of 436 LF of open channel, and having a combined permanent impact of 966 LF and a combined temporary impact of 979 LF to a UNT (SN24) to Speers Run (WWF). The temporary impacts are associated with erosion and sedimentation control measures during construction.

14. Construct and maintain three (3) new 18" RCP stormwater outfalls, namely OF D-2, OF D-13, and OF D-26, having a combined permanent impact of 6 LF and a temporary impact of 21 LF to a UNT (SN24) to Speers Run (WWF).

15. Construct and maintain a new 24" RCP stormwater outfall with end walls and rock apron, namely OF D-4, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SN24) to Speers Run (WWF).

16. Place and maintain fill within 15 LF of a UNT (SN25) to Speers Run (WWF).

17. Place and maintain fill within 40 LF of a UNT (SN23) to Speers Run (WWF), and to construct and maintain a 74 LF channel relocation, for a net gain of 34 LF of open intermittent channel, having a temporary impact of 44 LF and a permanent impact of 40 LF to SN23.

18. Place and maintain fill within 40 LF of a UNT (SS15) to Speers Run (WWF).

19. Place and maintain fill within 400 LF of a UNT (SN21) to Speers Run (WWF), consisting of 117 LF of open channel, and 25 LF of existing 12" CPP culvert, and 258 LF of 24" a combined CPP/CMP/RCP culvert. These pipes will be abandoned in place by cutting, capping, and grouting. This activity will have a combined permanent impact of 400 LF to SN21.

20. Place and maintain fill within 807 LF of a UNT (SS18) to Speers Run (WWF), consisting of 207 LF of open channel, 10 LF of an existing 18" RCP culvert, which will be removed, as well as 590 LF of an existing 36" CMP/RCP culvert, which will be abandoned in place by cutting, capping, and grouting. Then, to construct and maintain 507 LF of relocated channel, consisting of 74-LF open channel, 51 LF 30" RCP, and a 382 LF 36" RCP culvert, each with new end-walls and rock aprons, resulting in the loss of 133 LF of open channel, and having a



combined permanent impact of 807 LF and a temporary impact of 850 LF to SS18. The temporary impacts are associated with erosion and sedimentation control measures during construction.

21. Construct and maintain a new 30" RCP stormwater outfall, namely OF F-6, including an end-wall and rock apron, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SS18) to Speers Run (WWF).

22. Construct and maintain a new 18" RCP stormwater outfall, namely OF F-7, including an end-wall and rock apron, having a permanent impact of 2 LF and a temporary impact of 7 LF to a UNT (SS18) to Speers Run (WWF).

23. Remove an existing 15" CMP stormwater pipe and outfall, and to construct and maintain a replacement 15" RCP stormwater outfall, namely OF Y-6, including end walls and a rock apron, having a combined permanent impact of 8 LF and a temporary impact of 36 LF to a UNT (SS18) to Speers Run (WWF).

24. Place and maintain fill within 78 LF of a UNT (SN20) to Speers Run (WWF).

25. Place and maintain fill within 139 LF of a UNT (SN22) to Speers Run (WWF).

26. Place and maintain fill within 1,304 LF of a UNT (SN19) to Cedar Creek (TSF), consisting of 249 LF of open channel, approximately 100 LF of existing 18" RCP, 300 LF of 24" RCP, and 210 LF of 12" RCP, which will be abandoned in place by cutting, capping, and grouting. Then, to construct and maintain 838 LF of relocated channel, consisting of 502-LF of open channel, 35 LF of 18" RCP culvert, and 285 LF 24" RCP culvert, including end walls and rock aprons, resulting in a gain of 253 LF of open channel, and having a combined permanent impact of 1,304 LF and a temporary impact of 1,335 LF to SN19. The temporary impacts are associated with erosion and sedimentation control measures during construction.

27. Construct and maintain a new 30" RCP stormwater outfall, namely OF G-6, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SN19) to Cedar Creek (TSF).

28. Place and maintain fill within 547 LF of a UNT (SS22) to Cedar Creek (TSF), consisting of 13 LF of open channel, approximately 88 LF of 36" RCP, 407 LF of 24" VCP, and 39 LF of 18" CPP, which will be abandoned in place by cutting, capping, and grouting. Then, to construct and maintain 547 LF of relocated channel, consisting of 7 LF of open channel and 504 LF of 36" RCP and 36 LF of 53" x 34" Elliptical RCP, including end walls and rock aprons, resulting in a net loss of 6 LF of open channel, and having a combined and a permanent impact of 547 LF and a temporary impact of 551 LF to SS22.

29. Construct and maintain a new 18" RCP stormwater outfall, namely OF G-2, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SS22) to Cedar Creek (TSF).

30. Place and maintain fill within 102 LF of a UNT (SN18) to Cedar Creek, and to construct and maintain 6-LF of relocated channel, a new Stormwater Management (SWM) Basin # 3, and a new 18" RCP stream outfall with end walls and rock apron, resulting in the loss of 96 LF of open channel, and having a combined permanent impact of 102 LF and a temporary impact of 106 LF to SN18. The temporary impacts are associated with erosion and sedimentation control measures during construction.

31. Abandon in place approximately 630 LF of 18" RCP/CMP, which will be cut, capped, and filled, and to construct and maintain 68 LF of relocated channel, consisting of 40 LF of open channel and 28 LF 36" CMP culvert, including end walls and rock apron, having a combined permanent impact of 1,048 LF and a temporary impact of 1,055 LF to a UNT (SN17) to Cedar Creek (TSF). The temporary impacts are associated with erosion and sedimentation control measures during construction.

32. Place and maintain fill within 10 LF of a UNT (SN16) to Cedar Creek (TSF), having temporary impact of 26 LF to SN16. The temporary impacts are associated with erosion and sedimentation control measures during construction.

33. Place and maintain fill within 39 LF of a UNT (SS9) to Cedar Creek (TSF), and to construct and maintain a new 18-LF 24" RCP culvert, including end-walls and a rock apron, resulting in the loss of 39 LF of open channel, and having a permanent impact of 39 LF and a combined temporary impact of 76 LF to SS9. The temporary impacts are associated with erosion and sedimentation control measures during construction.

34. Place and maintain fill within 226 LF of a UNT (SS7) to Cedar Creek (TSF), consisting of 100 LF of open channel, and 126 LF 18" CMP culvert, which will be abandoned in place by cutting, capping, and grouting, resulting in the loss of 100 LF of open channel, and having a combined permanent impact of 226 LF to SS7.

35. Place and maintain fill within 61 LF of a UNT (SN31) to Cedar Creek (TSF), and to remove 117 LF of an existing 18" CMP culvert, resulting in the loss of 61 LF of open channel, and having a combined permanent impact of 178 LF to SN31.

36. Abandon in place approximately 95 LF of existing 30" RCP culvert, which will be cut, capped, and filled. Then, to construct and maintain a replacement 130 LF 30" RCP culvert, including end walls and a rock apron, having a combined permanent impact of 150 LF and a temporary impact of 216 LF to a UNT (SN30) to Cedar Creek (TSF). The temporary impacts are associated with erosion and sedimentation control measures during construction.

37. Construct and maintain a new 18" RCP stormwater outfall, namely OF M-5, having a permanent impact of 2 LF and a temporary impact of 7 LF to a UNT (SN30) to Cedar Creek (TSF).

38. Place and maintain fill within 23 LF of a UNT (SN10) to Cedar Creek (TSF).

39. Place and maintain fill within 212 LF of a UNT (SN11) to Cedar Creek (TSF).

40. Place and maintain fill within 30 LF of a UNT (SS2) to Cedar Creek (TSF), and to remove 93 LF of existing 36" RCP culvert. Then, to construct and maintain a replacement 121-LF 24" RCP, including end walls and a rock apron, resulting in the loss of 30 LF of open channel, and having a combined permanent impact of 123 LF and a temporary impact of 129 LF to SS2. The temporary impacts are associated with erosion and sedimentation control measures during construction.

41. Construct and maintain a new 18" RCP stormwater outfall, namely OF R-4, having a permanent impact of 3 LF and a temporary impact of 8 LF to a UNT (SS2) to Cedar Creek (TSF).

42. Place and maintain fill within 62 LF of a UNT (SN4) to Cedar Creek (TSF).

43. Construct and maintain fill within 0.035 acre of a Palustrine Emergent (PEM) Wetland, namely WN3, in association with the construction of a new 'Westbound' acceleration ramp for SR 70, namely Ramp A.

44. Place and maintain fill within 0.012 acre of a Palustrine Emergent (PEM) Wetland, namely WS11.

45. Place and maintain fill within 0.034 acre of a Palustrine Scrub Shrub (PSS) Wetland, namely WS12.

4. Place and maintain fill within 0.076 acre of a Palustrine Emergent (PEM) Wetland, namely WN2.

47. Place and maintain fill within 0.051 acre of a Palustrine Emergent (PEM) Wetland, namely WS7.

48. Construct and maintain a new stormwater drainage swale by excavating within 0.005 acre of a Palustrine Emergent (PEM) Wetland, namely WS6.

49. Place and maintain fill within 0.060 acre of a Palustrine Emergent (PEM) Wetland, namely, WN1, and also having a temporary impact of 0.027 acre to WN1.

50. Place and maintain fill within 0.013 acre of a Palustrine Forested (PFO) Wetland, namely WS3.

51. Mitigation for stream impacts will be provided by constructing 1,600 LF of perennial stream channel restoration within Cedar Creek (TSF), including mud sills, cross vanes, root wads, toe logs, as well as appurtenant grading and planting. Mitigation for wetland impacts will be provided by the use of credits from the PennDOT District 12-0 SGL # 297 Wetland Mitigation Bank.

For the purpose of reconstructing and widening section D10 of Interstate (SR) 0070, including both on and off-alignment improvements, intersection reconfigurations, and a full depth roadway reconstruction. The project will have a cumulative and permanent impact to 8,503 LF of watercourses, and an approximate and cumulative temporary impact to 6,422 LF of watercourses. The project will also have 0.286 acre of permanent impact and 0.027 acre of temporary impact on wetlands.

The project site is located along SR 70, between the intersection of SR 70 and SR 3011, and the intersection of SR 70 and SR 51 (Donora, PA USGS topographic quadrangle; N: -40°, 8', 42.5032"; W: -79°, 48', 53.8498"; Sub-basin 19G; USACE Pittsburgh District), in Rostraver Township, Westmoreland County.

**E1105224-002. Jackson Township Supervisors**, 513 Pike Road, Johnstown, PA 15909, Jackson Township, **Cambria County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: May 30, 2024. Issued: November 5, 2024.

The applicant has been given consent to:

Construct and maintain a stormwater outfall channel, which is 3 ft deep with a bottom width of 5 ft and a top width of 17 ft, along Laurel Run (HQ-CWF).

For the purpose of discharging managed stormwater from the development of Jackson Court in the Jackson Township Business Park. The project will permanently impact 17 linear feet of stream and 1,020 square feet of floodway. The project will temporarily impact 30 linear feet of stream and 1,800 square feet of floodway.

The project site is located southeast of the intersection of Laurel Ridge Road and Chickaree Hill Road, within the Jackson Township Business Park (Vintondale, PA USGS topographic quadrangle; N: 40°, 26', 57"; W: -78°, 53', 19"; Sub-basin 18D; USACE Pittsburgh District), in Jackson Township, Cambria County.

## ENVIRONMENTAL ASSESSMENTS

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

*Contact: Joshua Fair, Water Program Specialist, 717-772-5988.*

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

The Department has reviewed and approved a proposal to restore approximately 1,100 linear feet of Lititz Run (CWF-MF) by removing approximately 16,000 cubic yards of legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 1,100 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 5.4 acres. The project proposes to restore approximately 4.2 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. The restoration project is located east of Warwick Road, beginning before Warwick Road intersects with Ballstown Road, and continuing downstream until reaching an existing dam in Warwick Township, PA. Latitude: 40.139444°, Longitude: -76.261667°. Application received: May 17, 2024. Accepted: November 8, 2024/November 12, 2024.

## EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

*Eastern District: Oil and Gas Management Program,  
208 West Third Street, Williamsport, PA 17701-6448.*

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

ESCGP # 3 **ESG290824020-00**  
Applicant Name **Chesapeake Appalachia LLC**  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
Township(s) Towanda Township  
County **Bradford County**  
Receiving Stream(s) and Classification(s) UNT to French  
Run (CWF, MF), French Run (CWF, MF)  
Application received: October 10, 2024  
Issued: November 12, 2024

ESCGP # 3 **ESG291224002-00**  
Applicant Name **Seneca Resources Co LLC**  
Contact Person Douglas Kepler  
Address 51 Zents Blvd  
City, State, Zip Brookville, PA 15825  
Township(s) Shippen Township and Jones Township  
County **Cameron County and Elk County**  
Receiving Stream(s) and Classification(s) EX Channel  
(EV), Lockwood Hollow (EV), Bingman Hollow (EV),  
UNT to Bingman Hollow (EV)  
Application received: August 28, 2024  
Issued: November 12, 2024

ESCGP # 3 **ESG290821045-01**  
Applicant Name **Chesapeake Appalachia LLC**  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
Township(s) Wilmot Township  
County **Bradford County**  
Receiving Stream(s) and Classification(s) Foster Branch  
(CWF, MF), UNT Sugar Run (CWF, MF)  
Application received: October 11, 2024  
Issued: November 12, 2024

ESCGP # 3 **ESG290824022-00**  
Applicant Name **Chesapeake Appalachia LLC**  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
Township(s) Orwell Township and Rome Township  
County **Bradford County**  
Receiving Stream(s) and Classification(s) Johnson Creek  
(CWF, MF), Taylers Creek (CWF, MF), S-MRK-001 to  
Johnson Creek (CWF, MF)  
Application received: October 11, 2024  
Issued: November 14, 2024

*Northwest Region: Oil and Gas Management Program,  
230 Chestnut Street, Meadville, PA 16335-3481, 814-332-  
6945.*

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

ESCGP # 3 **ESG080324010-00**  
Applicant Name **Pennenergy Resources LLC**  
Contact Person Cody Salmon  
Address 3000 Westinghouse Drive, Suite 300  
City, State, Zip Cranberry, PA 16066  
Township(s) North Buffalo Township  
County **Armstrong County**  
Receiving Stream(s) and Classification(s) Buffalo Creek  
(HQ-TSF)  
Application received: September 11, 2024  
Issued: November 7, 2024

ESCGP # 3 **ESG084224001-00**  
Applicant Name **Casella Waste Management of PA  
Inc.**

Contact Person Don Shonts  
Address 25 Green Hills Lane  
City, State, Zip Rutland, VT 05701-3804  
Township(s) Sergeant Township  
County **McKean County**  
Receiving Stream(s) and Classification(s) Little Sicily Run  
(CWF), Sevenmile Run (HQ-CWF), Sicily Run (CWF)  
and UNT to Sicily Run (S8-T1) (CWF)  
Application received: August 29, 2024  
Issued: November 14, 2024

ESCGP # 3 **ESG082424002-00**  
Applicant Name **Pin Oak Energy Partners LLC**  
Contact Person Christine Shepard-Desai  
Address 388 South Main St, Suite 401  
City, State, Zip Akron, OH 44311  
Township(s) Ridgway Township  
County **Elk County**  
Receiving Stream(s) and Classification(s) Johnson Run  
(CWF) UNT to Little Mill Creek (HQ-CWF)  
Application received: June 25, 2024  
Issued: November 14, 2024

*Southwest District: Oil and Gas Management Program,  
400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: RA-EPSW-OGSUBMISSION@pa.gov.*

ESCGP # 3 **ESG070420003-01**  
Applicant Name **ETC Northeast FLD SVC LLC—  
B25 Pipeline**  
Contact Person Nicholas Bryan  
Sr. Director—E&C Environmental  
(570) 505-3740  
nick.bryan@energytransfer.com  
Address 962 Route 989  
City, State, Zip Freedom, PA 15042  
Township(s) New Sewickley Township  
County **Beaver County**  
Receiving Stream(s) and Classification(s) 001. Lat  
40.71284, Long -80.17566, UNT to Trib 34824 to Brush  
Creek, Ch 93 Class WWF 002. Lat 40.71201, Long  
-80.17623, UNT to Brush Creek, Ch 93 Class WWF  
003. Lat 40.70961, Long -80.17864, UNT to Crows Run,  
Ch 93 Class WWF 004. Lat 40.70954, Long -80.18063,  
Trib 36572 to Crows Run, Ch 93 Class WWF 005. Lat  
40.70975, Long -80.18055, UNT 1 to 34820 to Brush  
Creek, Ch 93 Class WWF 006. Lat 40.70918, Long  
-80.18316, UNT 2 to 34820 to Brush Creek, Ch 93  
Class WWF 007. Lat 40.70789, Long -80.18755, Trib  
36571 to Pine Run, Ch 93 Class WWF 008. Lat  
40.70681, Long -80.18909, Trib 36571 to Pine Run, Ch  
93 Class WWF 009. Lat 40.70757, Long -80.19242, UNT  
to Pine Run, Ch 93 Class WWF  
Application received: October 11, 2024  
Permit modification issued: November 13, 2024

ESCGP # 3 **ESG076324012-00**  
Applicant Name **Range Resources Appalachia LLC—  
Jon Day to Bedillion Day TWL**  
Contact Person Karl Matz, (724) 873-3090  
kmatz@rangeresources.com  
Address 0.5 mile West of Johnson Road and South Main  
Street Extension  
City, State, Zip Washington, PA 15301  
Township(s) Amwell Township  
County **Washington County**



Receiving Stream(s) and Classification(s) 001. Lat 40.11883, Long -80.22121, Little Tenmile Creek, Ch 93 Class TSF 002. Lat 40.11905, Long -80.22088, UNT to Little Tenmile Creek, Ch 93 class TSF  
 Application received: August 30, 2024  
 Issued: November 14, 2024

ESCGP # 3 **ESG070424008-00**  
 Applicant Name **Pennenergy Resources LLC—Fritsch to B25 Temporary Aboveground Waterline**  
 Contact Person Cody Salmon, Project Manager  
 (412) 598-0674  
 clsalmon@pennenergyresources.com  
 Address 0.03 mile south of Blacks Woods Road and Fezell Road PA 15074

Township(s) New Sewickley Township  
 County **Beaver County**

Receiving Stream(s) and Classification(s) 001. Lat 40.71551, Long -80.21551, Snake Run, Ch 93 Class WWF 002. Lat 40.71643, Long -80.20680, UNT to Trib 36567 to Snake Run, Ch 93 Class WWF 003. Lat 40.71635, Long -80.20660, UNT to Trib 36567 to Snake Run, Ch 93 Class WWF 004. Lat 40.71167, Long -80.20280, UNT to Trib 36567 to Snake Run, Ch 93 Class WWF 005. Lat 40.70625, Long -80.19727, Pine Run and UNTs to Pine Run, Ch 93 Class WWF  
 Application received: October 9, 2024  
 Issued: November 15, 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.

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

*Contact: Gregory Bowman, Environmental Group Manager 717-705-4705.*

**Sandys Warm Spring Self Serve**, Storage Tank Facility ID # **28-60906**, 1080 Lincoln Way West, Chambersburg, PA 17202-1912, Hamilton Township, **Franklin County**. August Mack Environmental, Inc., 806 Fayette Street, Conshohocken, PA 19428, on behalf of Janmangal Property, LLC, 1080 Lincoln Way West, Chambersburg, PA 17202, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

**Penelec Altoona OFC**, Storage Tank Facility ID # **07-18310**, 405 W Plank Road, Altoona, PA 16603, City of Altoona, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of First Energy Corporation, 800 Cabin Hill Drive, Greensburg, PA 15601, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

*Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.*

**7 ELEVEN 40075**, Storage Tank Facility ID # **15-32322**, 2200 Pottstown Pike, Pottstown, PA 19465, South Coventry Township, **Chester County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health 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, P.G., Environmental Program Manager, 570-327-3716.*

**21 Susquehanna Mall Drive Property**, Storage Tank Facility ID # **55-98129**, 21 Susquehanna Valley Mall Drive, Selinsgrove, PA 17870, Monroe Township, **Snyder County**. LaBella Associates, PC, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Susquehanna Valley Medical & Surgical Park, LLC, 270 Susquehanna Valley Mall Drive, Suite 300, Selinsgrove, PA 17870, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded and leaded gasoline. The report demonstrated attainment of the residential Statewide health standards and was approved by DEP on October 7, 2024.

**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 was acceptable to meet the residential Statewide health standards and was approved by DEP on October 31, 2024.

**Quick Shop 7**, Storage Tank Facility ID # **55-09006**, 960 Route 522, Selinsgrove, PA 17870, Penn Township, **Snyder County**. Synergy Environmental, Inc., 155 Railroad Plaza 1st Fl, Royersford, PA 19468, 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 was acceptable to meet the residential Statewide health standards and was approved by DEP on October 31, 2024.

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

*Contact: Cherie M. Campbell, Soils Scientist, 717-705-4705.*

**Sandys Warm Spring Self Serve**, Storage Tank Facility ID # **28-60906**, 1080 Lincoln Way West, Chambersburg, PA 17202-1912, Hamilton Township, **Franklin**

**County**. August Mack Environmental, Inc., 806 Fayette Street, Conshohocken, PA 19428, on behalf of Janmangal Property, LLC, 1080 Lincoln Way West, Chambersburg, PA 17202, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report demonstrated attainment of the nonresidential Statewide health standards and was approved by DEP on November 14, 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.*

**Wawa Food Mkt 288**, Storage Tank Facility ID # **09-38151**, 5854 Eaton Rd., Pipersville, PA 18947, Plumstead Township, **Bucks County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Wawa, Inc., 260 W. Baltimore Pike, Wawa, PA 19063, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the nonresidential Statewide health and site-specific standards and was approved by DEP on November 4, 2024.

**Hogg Island Wharf**, Storage Tank Facility ID # **23-11556**, Old Hogg Island Rd, Tinicum, PA 19153, Tinicum Township, **Delaware County**. Aquaterra Technologies, Inc., 901 S. Bolmar Street, Suite A, West Chester, PA 19382, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with crude oil, heating oil, and leaded/unleaded gasoline. The plan was acceptable to meet the nonresidential Statewide health and site-specific standards and was approved by DEP on November 6, 2024.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Janelle Hromyak, Clerical Assistant 2, 412-442-4091.*

**Worldcom Stewarton PLT**, Storage Tank Facility ID # **26-81980**, 685 Stewarton Road, Mill Run, PA 15464, Springfield Township, **Fayette County**. EnviroTrac Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Cheryl Houghton, Verizon-Worldcom, 966 South Matlack Street, West Chester, PA 19382, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with diesel. The report demonstrated attainment of the nonresidential Statewide health standards and was approved by DEP on November 15, 2024.

[Pa.B. Doc. No. 24-1705. Filed for public inspection November 27, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Technical Guidance

The Department of Environmental Protection (Department) announces the availability of the technical guidance documents (TGD) listed in this notice. TGDs are available on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us).

depgreenport.state.pa.us/elibrary/. The “Technical Guidance Final Documents” heading is the link to a menu of the various Department bureaus where each bureau’s final TGDs are posted. The “Technical Guidance Draft Documents” heading is the link to the Department’s draft TGDs.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department’s draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department’s documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to TGDs*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

#### *Draft TGD: Substantial Revision*

**DEP ID:** 394-2125-004. **Title:** Public Water Supply Manual—Part II: Community Water System Design Standards. **Description:** This TGD provides detailed design and construction standards for community water systems, and information on the procedures to be followed to obtain a Public Water Supply Permit. The standards outlined within this manual conform to accepted standards of engineering and design in the water supply industry and align with standards of the American Water Works Association and the Great Lakes—Upper Mississippi River Board’s Ten States Standards. The revisions to this manual reflect the updates to 25 Pa. Code Chapter 109 (relating to safe drinking water), changes in engineering practices and technologies and modifications to the Ten States Standards. Revisions also provide clarification of existing design standards and provide a detailed plan for Public Water Supply Permits. Prior to these revisions, Part II had not received any major revisions since May 2006. See 36 Pa.B. 2223 (May 6, 2006).

**Written Comments:** Interested persons may submit written comments on this draft revised TGD on or before Wednesday, January 15, 2025. Commentators are encouraged to use the Department’s online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can be e-mailed to [ecomment@pa.gov](mailto:ecomment@pa.gov) or mailed to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Comments, including comments submitted by electronic mail, must include the originator’s name and address.

**Contact:** Questions regarding this TGD can be directed to Michael Hess at [michess@pa.gov](mailto:michess@pa.gov) or (717) 772-5679.

**Effective Date:** Upon publication of notice as final in the *Pennsylvania Bulletin*.

JESSICA SHIRLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 24-1706. Filed for public inspection November 27, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Federal Consistency under the Coastal Zone Management Act; FDR Park—Nature Phase Environmental Restoration

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C. § 1455(d)(14)), regarding public participation in consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that the City of Philadelphia (applicant) is proposing to restore the Environmental/Ecological Core in the western portion of Franklin Delano Roosevelt (FDR) Park, as described in the FDR Park Plan as the Nature Phase Environmental Restoration (Project).

The applicant proposes to provide higher quality natural areas than the areas that currently exist in FDR Park. The existing site is a former golf course and is bound by Pattison Avenue to the north, Gateway Drive to the west, Interstate 95 to the south and other areas of FDR Park to the east. The Project site is primarily flat and flanks the Shedbrook Creek, which runs north to south across the property. The applicant proposes to establish several ecological zones within FDR Park including riparian restoration, forested wetland, emergent/broadleaf emergent wetland, pollinator meadow, meadow, border meadow, reforestation and stream restoration. The proposed wetland and stream impacts associated with the implementation of the Nature Phase project are intended to result in either the creation of meadow or create enhancement of that resource’s function. The applicant is seeking a Federal authorization from the United States Army Corps of Engineers under section 404 of the Federal Clean Water Act (33 U.S.C. § 1344) to perform this work.

This Project is subject to Department review for Federal consistency because it is an activity requiring a Federal license or permit and will have reasonably foreseeable effects on this Commonwealth’s coastal resources or uses.

In accordance with section 307 of the CZMA (16 U.S.C. § 1456) and the National Oceanic and Atmospheric Administration (NOAA) regulations at 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), the applicant has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth’s NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, at (717) 772-2196 or by e-mail to [RA-Fed\\_Consistency@pa.gov](mailto:RA-Fed_Consistency@pa.gov).

The Department will consider all comments received on or before Monday, December 16, 2024. Commentators are encouraged to submit comments using the Department’s online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063. Comments,

including comments submitted by electronic mail, must include the originator's name and address.

JESSICA SHIRLEY,  
Acting Secretary

[Pa.B. Doc. No. 24-1707. Filed for public inspection November 27, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Break the Ice Fast Play Game 5264

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the Progressive Top Prize Fast Play lottery game is Pennsylvania Break the Ice ("Break the Ice"). The game number is PA-5264.

#### 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) *ICE-BREAKER BONUS*: When three Pickaxe symbols appear in the "YOUR NUMBERS" area the player wins a prize of \$150. ICE-BREAKER BONUS is played separately.

(e) *ICE MELT 1*: One of two play symbols located in the "ICE MELT MATCH" area at the top of a Break the Ice Ticket. The player wins the current "PROGRESSIVE TOP PRIZE" when the ICE MELT 1 play symbol matches the "ICE MELT 2" play symbol.

(f) *ICE MELT 2*: One of two play symbols located in the "ICE MELT MATCH" area at the top of a Break the Ice Ticket. The player wins the current "PROGRESSIVE TOP PRIZE" when the "ICE MELT 1" play symbol matches the ICE MELT 2 play symbol.

(g) *ICE MELT MATCH*: The area at the top of a Break the Ice ticket containing an "ICE MELT 1" play symbol and an "ICE MELT 2" play symbol. The player wins the current "PROGRESSIVE TOP PRIZE" when the "ICE MELT 1" play symbol matches the "ICE MELT 2" play symbol. ICE MELT MATCH is played separately.

(h) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(i) *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.

(j) *Play*: A chance to participate in a particular Fast Play lottery game.

(k) *Play Area*: The area on a ticket which contains one or more play symbols.

(l) *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.

(m) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(n) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(o) *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.

(p) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(q) *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 Break the Ice ticket is \$10.

4. *Description of the Break the Ice Fast Play lottery game*:

(a) The Break the Ice lottery game is an instant win game printed from a Lottery Terminal. With the exception of the "PROGRESSIVE TOP PRIZE," all prizes are predetermined, and the player does not have the ability to select their own play symbols. Break the Ice 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) Break the Ice 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. A bet slip is not used to play this game.

(c) Break the Ice is also played by matching the "ICE MELT 1" play symbol with the "ICE MELT 2" play symbol in the "ICE MELT MATCH" area. The player will win the current "PROGRESSIVE TOP PRIZE" amount when the "ICE MELT 1" play symbol matches the "ICE MELT 2" play symbol. "ICE MELT MATCH" is played separately.

(d) Break the Ice is also played by finding three Pickaxe symbols in the "YOUR NUMBERS" area. The player will win an "ICE-BREAKER BONUS" prize of \$150 when three Pickaxe symbols appear in the "YOUR NUMBERS" area. "ICE-BREAKER BONUS" is played separately.

(e) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(f) Break the Ice tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(g) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and



verbally request a Break the Ice ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(h) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Break the Ice ticket and select the Break the Ice 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. *Break the Ice ticket characteristics:*

(a) Break the Ice tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Break the Ice tickets will contain one play area, consisting of a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and an "ICE MELT MATCH" area containing an "ICE MELT 1" play symbol and an "ICE MELT 2" play symbol. 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 located in the "ICE MELT MATCH" area are: Snowflake symbol, Snowman symbol, Tree symbol, Cabin symbol, Mug symbol, Ice Skate symbol, Igloo symbol and a Penguin symbol. The "ICE-BREAKER BONUS" play symbol located in the "YOUR NUMBERS" area is a Pickaxe symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area, are: \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$75<sup>00</sup> (SVY FIV), \$150 (ONEHUNFTY), \$500 (FIV HUN) and \$1,000 (ONE THO).

(d) *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$30, \$40, \$50, \$75, \$150, \$500, \$1,000 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$125,000 and increases by \$0.65 every time a Break the Ice ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$125,000. 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 600,000 tickets will be available for sale for the Break the Ice lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Break the Ice prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which the "ICE MELT 1" play symbol matches the "ICE MELT 2" play symbol, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as

of the time the winning ticket was purchased. The amount won will be a minimum of \$125,000.

(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 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.

(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 \$150 (ONEHUNFTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(f) Holders of tickets upon which three Pickaxe symbols appear in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$150.

(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 \$75<sup>00</sup> (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.

(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 \$50<sup>00</sup> (FIFTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$40<sup>00</sup> (FORTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$30<sup>00</sup> (THIRTY) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(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 \$15<sup>00</sup> (FIFTEEN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(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 \$10<sup>00</sup> (TEN DOL) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

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>"ICE-BREAKER BONUS":</i>	<i>"ICE MELT MATCH":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$10			\$10	7.35	81,600
\$15			\$15	13.51	44,400
\$10 × 3			\$30	100	6,000
\$15 × 2			\$30	90.91	6,600
\$30			\$30	100	6,000
\$10 × 4			\$40	250	2,400
(\$15 × 2) + \$10			\$40	250	2,400
\$30 + \$10			\$40	250	2,400
\$40			\$40	500	1,200
\$10 × 5			\$50	500	1,200
(\$10 × 2) + \$30			\$50	1,000	600
(\$15 × 2) + (\$10 × 2)			\$50	1,000	600
\$40 + \$10			\$50	500	1,200
\$50			\$50	500	1,200
\$15 × 5			\$75	2,000	300
(\$10 × 2) + \$40 + \$15			\$75	1,714	350
(\$15 × 3) + (\$10 × 3)			\$75	1,714	350
(\$30 × 2) + \$15			\$75	1,714	350
\$50 + \$15 + \$10			\$75	1,714	350
\$75			\$75	2,000	300
\$30 × 5			\$150	24,000	25
\$50 × 3			\$150	24,000	25
\$75 × 2			\$150	12,000	50
(\$15 × 2) + \$50 + \$40 + \$30			\$150	12,000	50
\$75 + \$50 + \$15 + \$10			\$150	12,000	50
	\$150 w/ THREE PICKAXE SYMBOLS		\$150	126.32	4,750
\$150			\$150	12,000	50
(\$75 × 5) + (\$50 × 2) + \$15 + \$10			\$500	120,000	5
(\$150 × 3) + \$50			\$500	120,000	5
(\$30 × 5) + (\$10 × 5) + \$150	\$150 w/ THREE PICKAXE SYMBOLS		\$500	20,000	30
(\$50 × 4) + (\$30 × 5)	\$150 w/ THREE PICKAXE SYMBOLS		\$500	20,000	30
(\$75 × 4) + \$40 + \$10	\$150 w/ THREE PICKAXE SYMBOLS		\$500	24,000	25
(\$150 × 2) + \$50	\$150 w/ THREE PICKAXE SYMBOLS		\$500	24,000	25
\$500			\$500	100,000	6

Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS" To Win Prize Shown Under That Match. Win With:	"ICE-BREAKER BONUS":	"ICE MELT MATCH":	Win:	Approximate Chances Of Winning Are 1 In:	Approximate No. Of Winners Per 600,000 Tickets:
\$500 × 2			\$1,000	120,000	5
(\$40 × 5) + (\$30 × 5) + \$500	\$150 w/ THREE PICKAXE SYMBOLS		\$1,000	60,000	10
(\$50 × 2) + \$500 + \$150 + \$75 + \$15 + \$10	\$150 w/ THREE PICKAXE SYMBOLS		\$1,000	60,000	10
(\$150 × 2) + \$500 + \$50	\$150 w/ THREE PICKAXE SYMBOLS		\$1,000	60,000	10
(\$150 × 5) + (\$50 × 2)	\$150 w/ THREE PICKAXE SYMBOLS		\$1,000	60,000	10
\$1,000			\$1,000	120,000	5
		\$125,000 w/ ICE MELT MATCH	\$125,000	200,000	3

ICE-BREAKER BONUS: Find three "Pickaxe" symbols in the YOUR NUMBERS area to win \$150 instantly! ICE-BREAKER BONUS is played separately.

ICE MELT MATCH: Match the ICE MELT 1 symbol to the ICE MELT 2 symbol to win the current PROGRESSIVE TOP PRIZE amount instantly! ICE MELT MATCH is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *“PROGRESSIVE TOP PRIZE” restrictions:*

(a) An amount of \$0.65 from the sale of each Break the Ice Progressive ticket will be accumulated in the “PROGRESSIVE TOP PRIZE” pool.

(b) *Prize Amount:* The amount of the “PROGRESSIVE TOP PRIZE” at the time a ticket is purchased can only be verified through the Lottery’s Central Computer System. Any advertisement or any materials describing the amount of the “PROGRESSIVE TOP PRIZE” are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Break the Ice Progressive game, this notice and the data contained in the Lottery’s Central Computer System shall govern.

(c) The “PROGRESSIVE TOP PRIZE” and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a “PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e., \$0.65 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PRO-

GRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Break the Ice 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 Break the Ice 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 Break the Ice or through normal communications methods.

20. *Applicability:* This notice applies only to the Break the Ice lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-1708. Filed for public inspection November 27, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Firework Fortune Fast Play Game 5265

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the Progressive Top Prize Fast Play lottery game is Pennsylvania Firework Fortune (“Firework Fortune”). The game number is PA-5265.

2. *Definitions*:

(a) *5X FIREWORK*: The area at the top of a Firework Fortune ticket containing one play symbol. The player multiplies the total won in the “YOUR NUMBERS” area by 5 when a 5X (5TIMES) symbol appears in the 5X FIREWORK area.

(b) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(c) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(d) *FIREWORK FINALE*: A feature of the Firework Fortune game where the player wins the current “PROGRESSIVE TOP PRIZE” amount when all 12 of the “YOUR NUMBERS” play symbols appear printed in a Firework symbol. FIREWORK FINALE is played separately and is not eligible for additional main game wins.

(e) *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.

(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) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(m) *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 Firework Fortune ticket is \$5.

4. *Description of the Firework Fortune Fast Play lottery game*:

(a) The Firework Fortune lottery game is an instant win game printed from a Lottery Terminal. With the exception of the “PROGRESSIVE TOP PRIZE,” all prizes are predetermined, and the player does not have the ability to select their own play symbols. Firework Fortune tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Firework Fortune 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 5X (5TIMES) symbol appears in the “5X FIREWORK” area the player will multiply the total prize amount won in the “YOUR NUMBERS” area by 5 and win that amount. A bet slip is not used to play this game.

(c) Firework Fortune also has a “FIREWORK FINALE” feature. When all 12 of the “YOUR NUMBERS” play symbols appear printed in a Firework symbol the player will win the “PROGRESSIVE TOP PRIZE” amount. “FIREWORK FINALE” is played separately and is not eligible for additional main game wins.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Firework Fortune 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 Firework Fortune 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 Firework Fortune ticket and select the Firework Fortune option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Firework Fortune ticket characteristics*:

(a) Firework Fortune tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Firework Fortune tickets will contain one play area, consisting of a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “5X FIREWORK” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17



(SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN) and 30 (THIRT). The play symbols and their captions located in the "YOUR NUMBERS" area and that are not printed in a Firework symbol are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN) and 30 (THIRT). The play symbols and their captions, located in the "YOUR NUMBERS" area and that are printed in a Firework symbol are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN) and 30 (THIRT). The play symbols located in the "5X FIREWORK" area are: Explosion (NOMULT) symbol, Star (NOMULT) symbol, Firework (NOMULT) symbol, Sparkler (NOMULT) symbol and a 5X (5TIMES) symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area, are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15<sup>.00</sup> (FIFTEEN), \$25<sup>.00</sup> (TWY FIV), \$50<sup>.00</sup> (FIFTY), \$75<sup>.00</sup> (SVY FIV), \$100 (ONE HUN), \$200 (TWO HUN) and \$1,000 (ONE THO).

(d) *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$25, \$50, \$75, \$100, \$200, \$1,000 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$50,000 and increases by \$0.35 every time a Firework Fortune ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$50,000. 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 ten times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 720,000 tickets will be available for sale for the Firework Fortune lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Firework Fortune prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which all 12 of the "YOUR NUMBERS" play symbols appear printed in a Firework symbol, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$50,000.

(c) Holders of tickets upon which any one 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 one of the "YOUR NUMBERS" play symbols match any of the

"WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, and upon which a 5X (5TIMES) play symbol appears in the "5X FIREWORK" area, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any four of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the Prize area under all four of the matching "YOUR NUMBERS" play symbol, and upon which a 5X (5TIMES) play symbol appears in the "5X FIREWORK" area, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the Prize area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any three of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in the Prize area under one of the matching "YOUR NUMBERS" play symbols, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the Prize area under one of the matching "YOUR NUMBERS" play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the Prize area under one of the matching "YOUR NUMBERS" play symbols, and upon which a 5X (5TIMES) play symbol appears in the "5X FIREWORK" area, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which any four of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15<sup>.00</sup> (FIFTEEN) appears in the Prize area under two of the matching "YOUR NUMBERS" play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the Prize area under two of the matching "YOUR NUMBERS" play symbols, and upon which a 5X (5TIMES) play symbol appears in the "5X FIREWORK" area, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any four of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the Prize area under all four of the matching "YOUR NUMBERS" play symbols, and upon which a 5X (5TIMES) play symbol appears in the "5X FIREWORK" area, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which any one 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.

(k) Holders of tickets upon which any two of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15<sup>.00</sup> (FIFTEEN) appears in the Prize area under one of the matching "YOUR NUMBERS" play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the Prize area under one of the matching "YOUR NUMBERS" play symbols, and upon which a 5X (5TIMES) play symbol appears in the "5X FIREWORK" area, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any two of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the Prize area under both of the matching “YOUR NUMBERS” play symbols, and upon which a 5X (5TIMES) play symbol appears in the “5X FIREWORK” area, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any four of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the Prize area under all four of the matching “YOUR NUMBERS” play symbols, and upon which a 5X (5TIMES) play symbol appears in the “5X FIREWORK” area, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$75<sup>00</sup> (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.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which a 5X (5TIMES) play symbol appears in the “5X FIREWORK” area, on a single ticket, shall be entitled to a prize of \$75.

(p) Holders of tickets upon which any two of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the Prize area under one of the matching “YOUR NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the Prize area under one of the matching “YOUR NUMBERS” play symbols, and upon which a 5X (5TIMES) play symbol appears in the “5X FIREWORK” area, on a single ticket, shall be entitled to a prize of \$75.

(q) Holders of tickets upon which any three of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the Prize area under all three of the matching “YOUR NUMBERS” play symbols, and upon which a 5X (5TIMES) play symbol appears in the “5X FIREWORK” area, on a single ticket, shall be entitled to a prize of \$75.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which a 5X (5TIMES) play symbol appears in the “5X FIREWORK” area, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which any two of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the Prize area under both of the matching “YOUR NUMBERS” play symbols, and upon which a 5X (5TIMES) play symbol appears in the “5X FIREWORK” area, on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, and upon which a 5X (5TIMES) play symbol appears in the “5X FIREWORK” area, 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 \$15<sup>00</sup> (FIFTEEN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(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 \$10<sup>00</sup> (TEN DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 \$5<sup>00</sup> (FIV DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

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>“FIREWORK FINALE”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
\$5		\$5	8.33	86,400
\$5 × 2		\$10	20	36,000
\$10		\$10	333.33	2,160
\$5 × 3		\$15	100	7,200

<i>Match Any Of "YOUR NUMBERS" To Any Of The "WINNING NUMBERS" To Win Prize Shown Under That Match. Win With:</i>	<i>"FIREWORK FINALE":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
\$10 + \$5		\$15	100	7,200
\$15		\$15	100	7,200
\$5 × 5		\$25	2,000	360
(\$10 × 2) + \$5		\$25	2,000	360
5X FIREWORK w/ \$5		\$25	43.48	16,560
\$25		\$25	1,000	720
\$10 × 5		\$50	12,000	60
\$25 × 2		\$50	12,000	60
(\$15 × 2) + (\$5 × 4)		\$50	12,000	60
\$25 + \$15 + \$10		\$50	12,000	60
5X FIREWORK w/ (\$5 × 2)		\$50	373.83	1,926
5X FIREWORK w/ \$10		\$50	120	6,000
\$50		\$50	12,000	60
\$15 × 5		\$75	12,000	60
(\$10 × 5) + (\$5 × 5)		\$75	12,000	60
\$50 + \$15 + \$10		\$75	12,000	60
5X FIREWORK w/ (\$5 × 3)		\$75	6,000	120
5X FIREWORK w/ (\$10 + \$5)		\$75	6,000	120
5X FIREWORK w/ \$15		\$75	6,000	120
\$75		\$75	12,000	60
\$25 × 4		\$100	24,000	30
(\$10 × 4) + (\$5 × 4) + \$25 + \$15		\$100	24,000	30
\$50 + \$25 + \$15 + \$10		\$100	24,000	30
5X FIREWORK w/ (\$5 × 4)		\$100	6,000	120
5X FIREWORK w/ (\$10 × 2)		\$100	6,000	120
5X FIREWORK w/ (\$15 + \$5)		\$100	6,000	120
\$100		\$100	24,000	30
\$50 × 4		\$200	120,000	6
\$100 × 2		\$200	120,000	6
5X FIREWORK w/ (\$10 × 4)		\$200	40,000	18
5X FIREWORK w/ ((\$15 × 2) + (\$5 × 2))		\$200	40,000	18
5X FIREWORK w/ (\$25 + \$10 + \$5)		\$200	60,000	12
\$200		\$200	120,000	6
\$200 × 5		\$1,000	720,000	1
5X FIREWORK w/ (\$50 × 4)		\$1,000	240,000	3
5X FIREWORK w/ \$200		\$1,000	240,000	3
\$1,000		\$1,000	720,000	1
	\$50,000 w/ FIREWORK FINALE	\$50,000	180,000	4

5X FIREWORK: Find a "5X" (5TIMES) symbol in the 5X FIREWORK area to multiply the TOTAL WON in the YOUR NUMBERS area by 5 TIMES!

FIREWORK FINALE: Win the current PROGRESSIVE TOP PRIZE amount when ALL of YOUR NUMBERS are in a "FIREWORK" symbol! FIREWORK FINALE is played separately and not eligible for additional main game wins.



Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$0.35 from the sale of each Firework Fortune ticket will be accumulated in the "PROGRESSIVE TOP PRIZE" pool.

(b) *Prize Amount:* The amount of the "PROGRESSIVE TOP PRIZE" at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the "PROGRESSIVE TOP PRIZE" are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Firework Fortune Progressive game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The "PROGRESSIVE TOP PRIZE" and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a "PROGRESSIVE TOP PRIZE" being reset without the actual sale of a "PROGRESSIVE TOP PRIZE" winning ticket, all prize money that had accumulated into the "PROGRESSIVE TOP PRIZE" pool (i.e., \$0.35 from the sale of each ticket) shall be awarded as part of the next "PROGRESSIVE TOP PRIZE" won.

(d) Prizes payable to "PROGRESSIVE TOP PRIZE" winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to "PRO-



GRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Firework Fortune lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Firework Fortune lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Firework Fortune or through normal communications methods.

20. *Applicability:* This notice applies only to the Firework Fortune lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-1709. Filed for public inspection November 27, 2024, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

State Route 0015-013, Tax ID 38G12-0075-000, Lots A and B, Straban Township, Adams County. Zoned: EC-1 economic development—commercial. This parcel contains approximately 0.8085 acre of unimproved land situated on York Road, SR 0030, Gettysburg, PA.

This property will be sold in as-is condition. The estimated fair market value is \$520,000. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public entities are invited to express their interest in purchasing the property within 30 calendar days from the date of publication of this notice to Edward Hartman, Property Manager, PennDOT Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103, edhartman@pa.gov, (717) 783-5149.

MICHAEL CARROLL,  
Secretary

[Pa.B. Doc. No. 24-1710. Filed for public inspection November 27, 2024, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following list of properties is available for sale by the Department.

1. State Route 0291, Chester City, Delaware County. This parcel contains approximately 9,917 square feet of unimproved land situated at 1205, 1207, 1209, 1211, 1213, 1215, 1217, 1219, 1221, 1223 and 1233 West 2nd Street, Chester City, PA. The property will be sold in as-is condition. The estimated fair market value of the parcels is \$62,000.

2. State Route 0291 Section A10, Parcel Nos. 248—250, 255, 256, 257, 258, 270—272, 274—277, 283, 284 and 540, Chester City, Delaware County. This parcel contains approximately 29,208 square feet of unimproved land situated along the 200 and 300 block of West 2nd Street, Chester City, PA. The property will be sold in as-is condition. The estimated fair market value of the parcels is \$189,000.

3. State Route 0291, Chester City, Delaware County. This parcel contains approximately 7,435 square feet of unimproved land situated at 709, 711, 713, 715 and 717

West 2nd Street, Chester City, PA. The property will be sold in as-is condition. The estimated fair market value of the parcels is \$197,000.

4. State Route 0291, Chester City, Delaware County. This parcel contains approximately 5,340 square feet of unimproved land situated at 1401, 1403, 1405, 1407, 1409, 1411, 1413 and 1415 West 2nd Street, Chester City, PA. The property will be sold in as-is condition. The estimated fair market value of the parcels is \$ TBD.

It has been determined that these lands are no longer needed for present or future transportation purposes.

Interested public agencies are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Barbara DiCianno, Right-of-Way Administrator, Department of Transportation, Engineering District 6.0, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, (610) 205-6504.

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 24-1711. Filed for public inspection November 27, 2024, 9:00 a.m.]

Information will also be provided on the Board’s webpage, found through the Public Participation tab on the Department of Environmental Protection’s (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select “Public Participation,” then “Environmental Quality Board”).

Individuals are encouraged to visit the Board’s webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Board can be directed to Laura Griffin at [laurgriffi@pa.gov](mailto:laurgriffi@pa.gov) or (717) 783-8727.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-8727 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JESSICA SHIRLEY,  
*Acting Chairperson*

[Pa.B. Doc. No. 24-1713. Filed for public inspection November 27, 2024, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Penn Color, Inc. v. Department of Environmental Protection; EHB Docket No. 2024-169-L

Penn Color, Inc. has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0245674 authorizing a discharge to an Unnamed Tributary to West Branch Neshaminy Creek from the Penn Color Hatfield Plant located in Hatfield Township, Montgomery County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested person through the Board’s web site at [www.ehb.pa.gov](http://www.ehb.pa.gov). If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board’s rules of practice and procedure are available online and upon request from the Board.

STEVEN C. BECKMAN,  
*Chairperson*

[Pa.B. Doc. No. 24-1712. Filed for public inspection November 27, 2024, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Proposed Removal of Lower Woods Pond Big Bass Program

The Fish and Boat Commission (Commission) has approved guidelines regarding encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates or redesignates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations and redesignations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission’s guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Board of Commissioners.

At the next Commission meeting on January 27, 2025, the Commission will consider taking the following action with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective upon publication in the *Pennsylvania Bulletin*.

58 Pa. Code § 65.9. Big bass

The Commission will consider removing the following water from its list of “Big bass” waters regulated and managed under 58 Pa. Code § 65.9 (relating to big bass):

County	Water
Wayne	Lower Woods Pond

Persons with comments, objections or suggestions concerning the designation are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The December 10, 2024, meeting of the Environmental Quality Board (Board) is cancelled. The next Board meeting is not yet scheduled. Information about the next meeting will be published in a future issue of the *Pennsylvania Bulletin*.

*Pennsylvania Bulletin*. Comments may also be submitted electronically to RA-pfbceregulations@pa.gov.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 24-1714. Filed for public inspection November 27, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On November 15, 2024, the Insurance Department received from the Coal Mine Compensation Rating Bureau (Bureau) a filing for a loss cost level change for workers' compensation insurance. This filing was made in accordance with section 705 of the Workers' Compensation Act (77 P.S. § 1035.5).

The Bureau requests an overall 13.2% decrease in loss costs, effective April 1, 2025, on a new and renewal basis. Additionally, the Bureau has calculated the Employer Assessment Factor effective April 1, 2025, to be 2.22%, as compared to the currently approved provision of 2.42%.

The entire April 1, 2025, loss cost filing is available for review on the Bureau's web site at [www.cmcrbpa.com](http://www.cmcrbpa.com) under "Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, 1326 Strawberry Square, Harrisburg, PA 17120, [gzhou@pa.gov](mailto:gzhou@pa.gov), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-1715. Filed for public inspection November 27, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### 2026 Total Resource Cost (TRC) Test

Public Meeting held  
November 7, 2024

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

*2026 Total Resource Cost (TRC) Test; M-2024-3048998*

### Final Order

*By the Commission:*

Act 129 of 2008, 66 Pa.C.S. § 2806.1, directs the Pennsylvania Public Utility Commission (Commission) to analyze the benefits and costs of the energy efficiency and conservation (EE&C) plans that certain electric distribution companies (EDCs) are required to file. Our 2026 TRC Test Tentative Order entered August 1, 2024, at this docket proposed methodology and requested comments on a 2026 TRC Test for use in planning for and during a potential Phase V of Act 129. This Order finalizes the

specific refinements to the 2026 TRC Test for use in Phase V of Act 129, that, if approved, would begin June 1, 2026.<sup>1</sup>

### Background and History

Act 129 of 2008, P.L. 1592, requires electric distribution companies (EDCs)<sup>2</sup> with 100,000 or more customers to adopt an energy efficiency and conservation (EE&C) plan, subject to approval by the Commission, to reduce electric consumption. The initial EE&C plans, effective from June 1, 2009, to May 31, 2013, were designated Phase I of Act 129 (Phase I). For Phase I, Act 129 required that an analysis of the benefits and costs of each EDC's EE&C plan, in accordance with a TRC Test, be approved by the Commission. Act 129 required each EDC to demonstrate that its plan was cost-effective using the TRC Test and required that the EDC provide a diverse cross-section of alternatives for customers of all rate classes. 66 Pa.C.S. § 2806.1(b)(1)(i)(I).

Similarly, for subsequent phases, the Commission is charged with determining whether to establish conservation and peak demand reduction requirements and, if so established, to determine if EDCs have met the requirements.<sup>3</sup> Act 129 also addresses energy efficiency (EE) and demand reduction targets from June 1, 2013, forward. 66 Pa.C.S. §§ 2806.1(c)(3) and 2806.1(d)(2).<sup>4</sup>

For Phase II of Act 129 (Phase II), which covered the period from June 1, 2013, to May 31, 2016, the Commission adopted three-year consumption reduction requirements, as recommended by the Phase I Statewide Evaluator (SWE),<sup>5</sup> that varied by EDC based on the specific mix of program potential, acquisition costs, and funding available under the 2% limitation stipulated by Act 129.<sup>6</sup> The SWE produced an Energy Efficiency Market Potential Study<sup>7</sup> to document the methodology, assumptions, inputs, and analytical methods used to arrive at the recommended consumption reduction goals for each EDC.

The Commission directed the Phase I SWE to study the cost-effectiveness of current and potential future demand response (DR)<sup>8</sup> programs. On November 1, 2013, the Phase I SWE's Act 129 Demand Response Study was released.<sup>9</sup> For Phase II, there were no DR requirements, however, the Commission also directed the Phase II SWE<sup>10</sup> to study the cost-effectiveness of potential future

<sup>1</sup> The currently assigned docket for matters relating to the Commission's consideration of a potential Phase V is Release of the Act 129 Statewide Evaluator Energy Efficiency Baseline Studies at Docket No. M-2023-3044490. The 2026 Technical Reference Manual (TRM) is at Docket No. M-2023-3044491.

<sup>2</sup> The four EDCs affected by Act 129 are: Duquesne Light Company (Duquesne Light), FirstEnergy Pennsylvania Electric Company (FirstEnergy), PPL Electric Utilities Corporation (PPL), and PECO Energy Company (PECO). FirstEnergy was granted approval for consolidation by the PUC, at the December 7, 2023 public meeting, of the four independent Pennsylvania EDCs it owned: Metropolitan Edison Company (Met-Ed), Pennsylvania Electric Company (Penelec), Pennsylvania Power Company (Penn Power), and West Penn Power Company (West Penn). These former four EDCs are now Rate Districts that comprise the FirstEnergy EDC. Due to timing issues, studies performed to inform this Order, and discussed herein, were conducted as if the Rate Districts were still independent EDCs.

<sup>3</sup> After 2013, the Commission has had the option to determine what test to use. 66 Pa.C.S. § 2806.1(m).

<sup>4</sup> Section 2806.1(c)(3) states that, based on a review to be concluded by November 30, 2013, if "the Commission determines that the benefits of the program exceed the costs, the Commission shall adopt additional incremental reductions in consumption."

<sup>5</sup> The SWE is a team of technical consultants. They are engaged by the Commission under contract pursuant to a request for proposal process.

<sup>6</sup> Act 129 sets a limit on the cost of an EDC's EE&C plan at 2% of the EDC's annual revenue as of December 31, 2006. See 66 Pa.C.S. § 2806.1(g).

<sup>7</sup> See [http://www.puc.pa.gov/electric/pdf/Act129/Act129-PA\\_Market\\_Potential\\_Study051012.pdf](http://www.puc.pa.gov/electric/pdf/Act129/Act129-PA_Market_Potential_Study051012.pdf). The EE Market Potential Study is dated May 10, 2012, and was released May 11, 2012.

<sup>8</sup> Demand Response is a change in electric usage by end-use customers from their normal consumption patterns in response to a signal. Usually, incentive payments are offered to customers to induce lower electric consumption at times of high wholesale market prices or when system reliability is jeopardized. Examples include turning up the temperature on the thermostat to reduce air conditioning loads or slowing down/stopping production at an industrial facility temporarily.

<sup>9</sup> See GDS Associates, Inc. (Phase I SWE), Act 129 Demand Response Study (dated May 13, 2013). <http://www.puc.pa.gov/pdocs/1256728.docx>.

<sup>10</sup> The SWE for Phase II consisted of GDS Associates, Inc., and its subcontractors.



DR programs. On February 27, 2015, the Phase II SWE's Demand Response Potential Study<sup>11</sup> was released. In both studies, the SWE collected data and documentation from EDCs to aid in performing an analysis of the cost-effectiveness of compliance with the current legislative DR requirements and of potential improvements to the DR program design.

Act 129 also required that the Commission determine if EE and DR goals should be established beyond the Phase II goals. 66 Pa.C.S. §§ 2806.1(c)(3) and 2806.1(d)(2). Phase III goals were determined in the Phase III Implementation Order at Docket No. M-2014-2424864.<sup>12</sup> To support implementation and the benefit/cost (B/C) analyses for Phase III of Act 129, the Commission adopted the 2016 TRC Test Order at Docket No. M-2015-2468992 on June 22, 2015.<sup>13</sup> Phase III covered June 1, 2016, to May 31, 2021.

During planning for Phase IV of Act 129 the Commission determined that EE goals would remain in place but dispatchable DR goals would be removed from consideration in favor of peak demand reduction goals, which could be met with coincident demand reductions from EE measures. The goal of this change was to allow more focus on long-lasting everyday reductions from energy efficiency measures rather than have funds be split between EE programs and dispatchable DR programs.<sup>14</sup> Phase IV goals were determined in the Phase IV Implementation Order at Docket No. M-2020-3015228.<sup>15</sup> To support implementation and the B/C analyses for Phase IV of Act 129, the Commission adopted the 2021 TRC Test Order at Docket No. M-2019-3006868 on December 19, 2019.<sup>16</sup> Phase IV covers June 1, 2021, to May 31, 2026.

If the Commission decides to proceed with Phase V of Act 129, it will be necessary to address the B/C measurements for Phase V. To allow for adequate planning, the Commission put forth a Tentative Order regarding a 2026 TRC Test, building on the five previous Pennsylvania TRC Test Orders and industry documents such as the California Standard Practice Manual: Economic Analysis of Demand-Side Programs and Projects<sup>17</sup> (California Manual), for the B/C analysis of EE&C plans for a potential Phase V. The Commission also adopted a 2026 Technical Reference Manual (TRM) at Docket No. M-2023-3044491 (Final Order entered September 12, 2024), for use if we decide to proceed with a Phase V.

Pennsylvania conducts the requisite B/C analyses using a TRC Test. The TRC Test for Phase I of Act 129 was adopted by Commission Order at Docket No. M-2009-2108601 on June 23, 2009 (2009 TRC Test Order). The TRC Test was refined at the same docket on August 2, 2011 (2011 TRC Test Order), and on August 30, 2012, at Docket No. M-2012-2300653 (2013 TRC Test Order). The TRC Test was updated for use during Phase III of Act 129 on June 22, 2015, at Docket No. M-2015-2468992 (2016 TRC Test Order). The TRC Test was most recently updated for Phase IV of Act 129 on December 19, 2019, at Docket No. M-2019-3006868 (2021 TRC Test Order).

### *2026 Technical Reference Manual*

The 2026 Technical Reference Manual (TRM) is the guide to measure and verify applicable EE and Demand

Side Management (DSM) measures used by EDCs to meet the Act 129 consumption and peak demand targets. While its use will continue to provide the necessary information that establishes the evaluation process to monitor and verify data collection, quality assurance, and the results of each EDC's EE&C plan, it also provides information that will assist EDCs in their TRC calculations. The Commission proposed an updated 2026 TRM on May 9, 2024 at Docket No. M-2023-3044491 for use during a potential Phase V, and the final version was adopted on September 12, 2024.<sup>18</sup>

### *TRC Test Explained*

Act 129 defines a TRC Test as "a standard test that is met if, over the effective life of each plan not to exceed 15 years, the net present value (NPV) of the avoided monetary cost of supplying electricity is greater than the NPV of the monetary cost of energy efficiency conservation measures." 66 Pa.C.S. § 2806.1(m). Thus, the TRC Test is a critical measuring tool in determining the cost-effectiveness of an EDC's EE&C plan. Historically, the TRC Test has been a regulatory test. It is not a static, one-size-fits-all tool. It can incorporate different factors and evaluate variables in different ways, as determined by the jurisdictional entity using it. Pennsylvania has tailored its TRC Test over time to evaluate EDC progress in meeting the requirements of Act 129, consistent with the policy objectives of the Commonwealth within the statutory directives of Act 129.

The purpose of using a TRC Test to evaluate EE&C programs is to track the relationship between the benefits to the Commonwealth and the costs incurred to obtain those benefits. Sections 2806.1(c)(3) and 2806.1(d)(2), as well as the definition of the TRC Test in Section 2806.1(m) of Act 129, provide that a TRC Test be used to determine whether ratepayers received more benefits (in reduced electric energy, capacity, and non-electric resources) than the total costs of the EE&C plans.

In Pennsylvania, the TRC Test considers the combined effects of EE&C plans on both participating and non-participating customers based on the costs incurred by the EDC and participating customers. In addition, the benefits calculated for use in the TRC Test include the avoided supply costs, such as the reduction in energy production valued at marginal cost for the periods when there is a consumption reduction, and the avoided cost of generation, transmission, and distribution capacity for measures that reduce peak demand. In addition to the avoided cost of supplying electricity, the avoided cost of supplying fossil fuel and water are included in the algorithms for calculating TRC benefits. These avoided costs apply to EE&C measures that impact consumption of those resources. Avoided supply costs, depending on the mandate in each jurisdiction, can be calculated using either gross or net program savings. In Pennsylvania, we have primarily looked at avoided supply costs from the perspective of gross program savings, which is how Act 129 compliance targets are measured.

Further, the costs used in the TRC Test include the costs of the various programs paid by an EDC or its Conservation Service Provider (CSP) and the participating customers<sup>19</sup> and reflect any net change in supply costs for the periods in which consumption is increased in the event of load-shifting. Equipment, installation, operation and maintenance (O&M) costs, cost of removal (less

<sup>11</sup> The DR Potential Study, dated February 25, 2015, was released February 27, 2015. See <https://www.puc.pa.gov/pedocs/1345077.docx>.

<sup>12</sup> See <https://www.puc.pa.gov/pedocs/1367313.docx>.

<sup>13</sup> See <https://www.puc.pa.gov/pedocs/1367195.docx>.

<sup>14</sup> See <https://www.puc.pa.gov/pedocs/1666981.docx> at page 68.

<sup>15</sup> See <https://www.puc.pa.gov/pedocs/1666981.docx>.

<sup>16</sup> See <https://www.puc.pa.gov/pedocs/1648126.docx>.

<sup>17</sup> The California Standard Practice Manual-Economic Analysis of Demand-Side Programs and Projects, July 2002, p. 18. See [http://www.calmac.org/events/SPM\\_9\\_20\\_02.pdf](http://www.calmac.org/events/SPM_9_20_02.pdf).

<sup>18</sup> See <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/technical-reference-manual/>.

<sup>19</sup> In this regard, we note that the 2026 TRC Test will continue to use the incremental measure costs of services and equipment. This matter is discussed in more detail below, in the segment addressing incentive payments from an EDC.



salvage value), and administrative costs, are included—regardless of who pays for them.

The results of the TRC Test are expressed as both a present value of net benefits (PVNB) and a B/C ratio. The PVNB is the present value of the net benefits (benefits minus costs) of this test over a specified period (i.e., the expected useful life of the EE&C measure or program). The PVNB is a measure of the change in the total resource costs due to the program. A PVNB above zero indicates that the program is a less expensive resource than the supply options upon which the marginal cost forecast is based. A discount rate must be established to calculate the NPV. In the first three phases of Act 129, the discount rate for the Pennsylvania TRC Test was the EDC's weighted average cost of capital. In Phase IV of Act 129, the Commission updated its discount guidance to reflect a 3% real discount rate for all EDCs. See 2021 TRC Test Order at 17—21.

The B/C ratio (or TRC ratio) is the ratio of the discounted total benefits of the program to the discounted total costs over the expected useful life (up to a maximum of 15 years) of the energy efficiency measure, program, or portfolio. The B/C ratio gives an indication of the rate of return of this program to the utility and its ratepayers. A B/C ratio greater than one indicates that the program is beneficial to the utility and its ratepayers on a TRC basis.<sup>20</sup> The explicit formulae for use in Pennsylvania are set forth in Appendix A of this order.

As discussed in prior TRC Test Orders, the California Manual was the starting point for the Pennsylvania TRC Test but does not address all issues specific to Pennsylvania. For this reason, the Commission will continue to explore how best to structure and apply the TRC Test for Pennsylvania.<sup>21</sup> In preparation of this Order, the Commission and the SWE<sup>22</sup> have reviewed industry literature on benefit-cost analysis to refine the TRC Test to meet Pennsylvania policy objectives. The TRC Test for Phase V, if implemented, would be applicable throughout the course of Phase V, potentially concluding May 31, 2031. However, many issues involved in EE&C plans, program implementation, and operation of the TRC Test are ongoing in nature, and future updates may be proposed by stakeholders, or the Commission as needed. This Final Order regarding the 2026 TRC Test sets forth constraints that the Phase IV SWE will need to finalize the Phase V Market Potential Study.

On August 1, 2024, the 2026 TRC Test Tentative Order was entered and provided to stakeholders for comment. It set forth a proposed 2026 TRC Test for Phase V of Act 129. Notice of the 2026 TRC Test Tentative Order and the comment/reply comment periods was published in the *Pennsylvania Bulletin* on August 17, 2024, at 54 Pa.B. 5313. Stakeholders were encouraged to provide input on the proposed 2026 TRC Test through the formal comment and reply comment process. This Final Order summarizes stakeholder comments and issues final dispositions on all aspects of the 2026 TRC Test for Phase V.

Comments in response to the 2026 TRC Test Tentative Order were due September 6, 2024. The following parties filed comments: Duquesne Light Company (Duquesne Light); Coalition for Affordable Utility Service and Energy

Efficiency in Pennsylvania (CAUSE-PA); PPL Electric Utilities Corporation (PPL); PECO Energy Company (PECO); Northeast Energy Efficiency Partnerships (NEEP); Keystone Energy Efficiency Alliance (KEEA); Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company (collectively, FirstEnergy); and Center for Coalfield Justice, Ceres, Community Legal Services of Philadelphia, Conservation Voters of PA, Green Building United, Housing Alliance of Pennsylvania, Keystone Energy Efficiency Alliance, National Housing Trust, PA Jewish Earth Alliance, PennFuture, Pennsylvania Utility Law Project, Pennsylvania Solar & Storage Industries Association, Philadelphia Solar Energy Association, POWER Interfaith, and Vote Solar (collectively, the Joint Energy Advocates).

Reply Comments were due September 16, 2024. One party, FirstEnergy, filed reply comments by the due date.

#### A. General Issues

##### 1. TRC Test Assumptions In Other Matters

The TRC Test requires EDCs to make numerous financial and technical assumptions about the costs of operating an electric power system, future market structures, and the time-value of money. Consistent with our determination in prior TRC Test Orders, the Commission proposed in the 2026 TRC Test Tentative Order to maintain the provision that TRC Test assumptions are used exclusively for Act 129 related matters. TRC Test assumptions are not presumed to be binding in other regulatory matters such as prudence, cost-of-service, or other inquiries. Stakeholder comments on the 2021 TRC Test Tentative Order encouraged the Commission to synchronize the methodologies used for the avoided costs of natural gas with the calculation of these benefit streams in the EE&C plans filed by natural gas distribution companies (NGDCs). The Commission agreed that consistency across EE&C plans filed by different utilities that serve Pennsylvania customers is desirable, but the differing statutory requirements and goals of NGDCs ultimately make this synchronization infeasible. See 2021 TRC Test Order at 9—11. If there are significant differences between the assumptions used in the TRC Test and the assumptions or facts at issue in such other proceedings, parties may inquire into the validity and underlying rationale of the differences in EE&C plan proceedings.

##### a. Comments

The Commission received no comments on this topic.

##### b. Disposition

For Phase V, the Commission maintains the provision that EDCs and other parties are not bound by the TRC Test assumptions in prudence, cost-of-service, or other inquiries.

##### 2. Frequency Of Review Of The TRC Test

Consistent with our determination in past TRC Test Orders, the Commission proposed in the 2026 TRC Test Tentative Order to maintain the provision that the 2026 TRC Test apply for the entirety of Phase V. This would promote consistency across the Market Potential Studies, EE&C plan development, and annual benefit-cost reporting during the entire phase. The Commission recognized that this 2026 TRC Test was developed almost two years prior to the beginning of a potential Phase V, and it is possible that new issues will arise that were not considered in this Order. Consequently, we proposed to reserve the right to update or modify the 2026 TRC Test during a potential Phase V or to direct the Phase V SWE to

<sup>20</sup> See Appendix A—TRC Definitions and Formulae of this Order for detailed methodology to calculate the PVNB and B/C ratio of the 2026 TRC Test.

<sup>21</sup> After November 30, 2013, and every five years thereafter, the Commission is to evaluate the costs and benefits of the EE&C program established under Section 2806.1(a) and of the approved EE&C plans using a TRC Test or a benefit/cost analysis of the Commission's determination. 66 Pa.C.S. § 2806.1(c)(3).

<sup>22</sup> The SWE for Phase IV is NMR Group, Inc. and its subcontractors. The SWE for Phase V has not been determined at the time of this Order.

develop guidance memos on such topics to promote consistency across EDCs and TRC Test results that are in line with Act 129 and the policy objectives of the Commonwealth.

In the 2021 TRC Test Order, the Commission directed the Phase IV SWE to include in its Final Annual Reports a comparison of forecast avoided costs of supplying electricity to actual market conditions. See 2021 TRC Test Order at 30-31. During PY13 of Phase IV, actual avoided costs deviated substantially from the Phase IV forecasted values. The major cause of the deviations from the expected values were from increases in the prices of natural gas due to ongoing global conflicts. The Phase IV SWE team cautioned the Commission against updating its long-term avoided cost forecast based on this volatility and recommended the Commission wait to see if market conditions returned to more normal levels.<sup>23</sup> This forbearance turned out well as PY14 market conditions returned to levels that were closely aligned with the Phase IV avoided cost forecast.<sup>24</sup> As was the case in Phase IV of Act 129, the Commission continues to see value in annual comparisons between avoided cost projections and actual market prices for informational purposes, but cautions against any over reactions to short-term market volatility from year to year.

a. *Comments*

FirstEnergy, PECO, and PPL comment that the 2026 TRC Test assumptions should be fixed and not change during Phase V to ensure that any comparisons made with filed EE&C plans are done using consistent assumptions. FirstEnergy Comments at 2, PECO Comments at 1, PPL Comments at 3.

PECO also comments that any changes to the TRC assumptions during the phase could necessitate development of new EE&C plans. PECO Comments at 1.

b. *Disposition*

The Commission agrees with the comments made by FirstEnergy, PECO, and PPL that it is desirable for 2026 TRC Test assumptions and methodologies to remain fixed during Phase V to ensure that any comparisons made with EE&C plans are done using consistent assumptions. The Commission also agrees with PECO that any changes made to the assumptions of the 2026 TRC Test could necessitate development of new EE&C plans during the phase.

The Commission has considered the parties' positions and concludes that the methodologies set forth in the 2026 TRC Test shall apply for the entirety of Phase V. However, the Commission continues to see value in comparing the forecasted avoided costs with actual market conditions throughout Phase V and therefore reserves the right to update or modify the 2026 TRC Test assumptions during a potential Phase V or to direct the Phase V SWE to develop guidance memos on such topics to promote consistency across EDCs and TRC Test results that are in line with Act 129 and the policy objectives of the Commonwealth. The Commission will not make any decision to update assumptions of the 2026 TRC Test Order lightly as demonstrated by the decision to hold the Phase IV avoided cost forecast constant despite early deviations in market conditions during Phase IV.

<sup>23</sup> See [https://www.puc.pa.gov/media/2152/py13\\_swe\\_annual\\_report120522final.pdf](https://www.puc.pa.gov/media/2152/py13_swe_annual_report120522final.pdf) at page 106.

<sup>24</sup> See [https://www.puc.pa.gov/media/2688/swe\\_py14\\_final\\_annual\\_report120123.pdf](https://www.puc.pa.gov/media/2688/swe_py14_final_annual_report120123.pdf) at page 101.

3. *Level At Which To Calculate And Report TRC Test Results*

Prior TRC Test Orders provided that “compliance will be measured separately going forward in any phase for which there will be DR or EE goals.” The Commission proposed in the 2026 TRC Test Tentative Order to maintain this requirement for Phase V if separate goals are established for dispatchable DR programs. However, the Phase V Tentative Implementation Order may include a more integrated EE/DR program design that includes “daily load-shifting” rather than an event-based DR program design. Peak demand impacts from a daily load-shifting style of DR are much like coincident demand reductions from energy efficiency, and it may be possible to have a single peak demand reduction goal that could be satisfied by either coincident demand reductions from EE or daily load-shifting DR programs (see Section G.2). If Phase V goals follow this more integrated structure, the Commission proposed to determine cost-effectiveness at the EE&C plan level rather than separately for EE and DR.

EDCs are required to develop and implement a portfolio of programs wherein the benefits of the portfolio are greater than the cost. Conducting TRC testing at the plan level gives new programs and technologies an adequate opportunity to establish whether they can contribute to the EE and DR goals of Act 129. Comments on past TRC Test Orders suggested conducting TRC Tests at the measure level but were rejected. Screening cost-effectiveness at the measure level could lead to adverse outcomes where EDCs are forced to limit the scope of efficiency projects within homes and businesses based on assumptions about avoided costs and incremental measure costs (IMCs) that each carry a degree of uncertainty.

As in prior phases, the Commission proposed in the 2026 TRC Test Tentative Order to continue applying the TRC Test at the plan level and to continue to reserve the right to reject any program with a low TRC ratio. EDCs are required to estimate and report program-level TRC ratios in their EE&C plans and in each final annual report. TRC ratios should also be reported for the EE and dispatchable DR portfolios, if applicable, as well as the entire EE&C plan (including both EE and DR).

a. *Comments*

PECO, PPL, CAUSE-PA, and Duquesne Light agree with the Commission's proposal to continue applying the TRC Test at the EE&C plan level. PECO Comments at 2, PPL Comments at 3, CAUSE-PA Comments at 4, Duquesne Light Comments at 2.

PPL also recommends that the Commission provide additional examples of qualifying “daily load-shifting” measures, programs, or both. PPL Comments at 3.

Duquesne Light requests that the Commission consider the additional costs associated with separate compliance goals if the Commission elects to establish a separate, dispatchable demand response program. Duquesne Light Comments at 2.

b. *Disposition*

The Commission agrees with PECO, PPL, CAUSE-PA, and Duquesne Light's comments that the TRC Test should continue to be applied at the EE&C plan level.

The Commission also agrees with PPL that further examples of “daily load-shifting” measures would be helpful context. Examples of daily load-shifting programs the Phase IV SWE plans to investigate include electric vehicle managed charging, daily water heater control, ther-

mostat optimization, behind-the-meter battery storage, and select commercial auto-DR options.

The Commission agrees with Duquesne Light that the additional costs associated with establishing a separate goal for dispatchable DR programs should be considered.

The Commission concludes that the determination of cost effectiveness for Phase V of Act 129 will remain at the EE&C plan level if no separate dispatchable DR goals are set for Phase V. If separate goals for EE and DR portfolios are set in the Implementation Order for Phase V, then cost effectiveness will be calculated at the EE portfolio level and the DR portfolio level, respectively. The Commission continues to reserve the right to reject any program with a low TRC ratio.

#### 4. Discount Rate

A discount rate is the percentage used to calculate the present value of future costs and benefits. Discounting reflects the reality that, all else equal, people prefer benefits now rather than later, and vice versa for costs. When choosing a discount rate, it is important to consider whose preferences are reflected by the discount rate. In the case of energy efficiency programs and other public policy initiatives, the discount rate is typically selected to reflect the preferences of the public at large. Because Act 129 is an energy efficiency and conservation program, we proposed in the 2026 TRC Test Tentative Order to continue using a discount rate that reflects the preferences of the public at large. Act 129 did not set discount rates, but the 2021 TRC Test Order set a discount rate of 3% in real terms or 5% in nominal terms.

The Commission proposed to continue using a discount rate of 3% in real terms or 5% in nominal terms for Pennsylvania's EE&C programs in Phase V, the same discount rates as Phase IV. The difference between the real discount rate and nominal discount rate is the assumed rate of inflation. We further proposed a standard 2% inflation assumption be used by all EDCs for Phase V, based on the projections of the United States (US) Congressional Budget Office's 2024 to 2034 Budget and Economic Outlook.<sup>25</sup> A 3% real discount rate for the 2026 TRC Test is supported by economic theory of benefit-cost analysis that indicates that long-term gross domestic product (GDP) growth rates can be used as a rough proxy for the public's preference for tradeoffs over time. In the US, real GDP growth has averaged 3.15% since 1948, according to the US Bureau of Economic Analysis.<sup>26</sup>

##### a. Comments

The Commission received no comments on this topic.

##### b. Disposition

The Commission directs all EDCs subject to Act 129 to apply a common discount rate of 3% in real terms or 5% in nominal terms for Phase V EE&C programs. This guidance is consistent with the discount rates from Phase IV. The nominal discount rate of 5% includes a standard 2.0% inflation assumption discussed further in Section B.3.

#### 5. Effective Useful Life

As established in Act 129 and as discussed in prior TRC Test Orders, any given measure is limited to a maximum of 15 years of savings benefits. 66 Pa.C.S. § 2806.1(m). Measures that require recurring expenditures, such as increased natural gas consumption for combined heat and power (CHP) projects, are also limited to 15 years of

negative benefits. Typically, the costs of energy efficiency are front-loaded, and the benefits accrue over many years. This can result in a situation where benefits for a subset of the measure's technical life are compared to its full lifetime costs, since costs are incurred up front. In previous TRC Test Orders stakeholders have suggested various methodologies whereby costs are reduced proportionately to truncated lifetime benefits. The position of the Commission is unchanged on this issue. The Tentative Order proposed that such end effects adjustments are not acceptable for use in a potential Phase V. While certain technologies may have an expected useful life (EUL) greater than 15 years, Act 129 is clear about the 15-year limit, and any adjustment to the cost ledger would circumvent the legislative directive.

For some EE&C measures, a single baseline may not be appropriate for the duration of the mechanical life of the equipment. Although compliance with Act 129 goals has historically been based on "first-year" savings, lifetime savings are required for the calculation of TRC benefits. Dual baselines are appropriate when a known change in codes and standards lowers the savings opportunity in future years or the equipment that served as the baseline initially reaches the end of its useful life and a code-minimum baseline needs to be assumed for the remainder of the measure life. The latter situation is often appropriate for early replacement measures where it is not reasonable to assume the replaced equipment would continue to operate for the full EUL of the program-supported efficient equipment. In this situation, the remaining useful life (RUL) of the baseline equipment should be less than the EUL of the efficient equipment.

For the 2026 TRC Test, the Commission proposed that EDCs and their evaluation contractors continue to use dual baselines where appropriate and practical. Specifically, when an early replacement measure characterization is used to estimate first-year savings or a known change to codes and standards calls for a second savings level during the EUL. There are multiple ways to implement a dual baseline calculation within a benefit-cost model. The EDCs and their evaluation contractors should use professional judgment when selecting an implementation method based on the structure of their program tracking data, impact evaluation results, and TRC models.

##### a. Comments

PECO maintains that capping EULs at 15 years results in an asymmetric application of cost and benefits streams for long-life measures such as solar PV. If a 15-year cap on measure life is maintained, PECO suggests either (1) recognizing a measure's residual system value at 15 years or (2) prorating measure costs to reflect only those costs occurring in the first 15 years of the measure. PECO Comments at 2.

PPL maintains that there is still no adequate methodology to address the artificially reduced cost-effectiveness created by the 15-year EUL limit and recommends that the Commission reconsider proportionally reducing costs to align with benefits in these cases. PPL Comments at 3-4.

##### b. Disposition

The Commission does not disagree with PECO and PPL that the legislative 15-year EUL limit disadvantages technologies with a mechanical life of more than 15 years. However, the Commission's position on the topic is unchanged from prior TRC Test Orders or the 2026 TRC Test Tentative Order. Deliberate adjustment of equipment

<sup>25</sup> See <https://www.cbo.gov/system/files/2024-02/59710-Outlook-2024.pdf> at page 5.

<sup>26</sup> See <https://tradingeconomics.com/united-states/gdp-growth>.



cost assumptions designed to balance out truncated TRC benefits violates the legislative intent of the Act and cannot be changed via a TRC Test Order.

#### 6. *Low-Income Programs*

The Commission proposed a modification to the avoided costs for low-income programs by incorporating into Phase V avoided cost forecasts the benefit of EDC's financial savings from their Act 129 low-income EE programs (see Section B.12). The Commission did not propose any special B/C reporting requirements for low-income programs. Like any other EE&C program, low-income programs are not required to have a TRC ratio greater than 1.0. If an EDC has multiple low-income programs, there is no need to aggregate the cost effectiveness results across low-income programs for reporting purposes.

##### a. *Comments*

KEEA, NEEP, PPL, CAUSE-PA, and the Joint Energy Advocates are all supportive of the inclusion of the benefit of EDC's financial savings from their Act 129 low-income EE programs into Phase V avoided cost forecasts. KEEA Comments at 2, NEEP Comments at 2, PPL Comments at 4, CAUSE-PA Comments at 4-5, Joint Energy Advocates Comments at 2.

KEEA recommends considering broadening the application of cost-effectiveness testing by incorporating elements of other cost test models across all EE programs, with a particular emphasis on low-income programs. For example, KEEA recommends including additional benefits such as customer satisfaction. KEEA Comments at 2.

CAUSE-PA recommends including reduced energy usage and resulting energy bills of Customer Assistance Program (CAP) participants as a reduced cost as these savings result in a direct reduction in the cost of providing rate assistance to CAP participants. CAUSE-PA urges the Commission and SWE to evaluate reductions in universal service program costs in future TRC Test studies. CAUSE-PA Comments at 4-5.

NEEP suggests including an adder for low-income non-energy impacts (NEIs) of at least 10% to capture the potential benefits of reducing hardship, improving health, lowering air emissions, and increasing comfort in the home, arguing that a 10% adder is in line with what other states have included in their cost-effectiveness testing. NEEP Comments at 2.

##### b. *Disposition*

The Commission recognizes the concerns of parties who highlight the exclusion of potential health, safety, and comfort benefits in the TRC Test. However, in reviewing the information provided in comments, our own research, and research performed by the SWE, we are not persuaded to allow the inclusion of adders for these potential benefits in the TRC benefits, especially given the large variance in the size of benefits among states that do quantify health, safety, and comfort benefits.

The Commission determined that CAUSE-PA's comments regarding EDC low-income programs, reduced energy usage and resulting energy bills of CAP participants and the subsequent reduction in the cost of providing rate assistance to CAP participants warrant further investigation. We will direct TUS staff to further investigate the validity of the potentially reduced costs of providing rate assistance to CAP participants attributable to EDC low-income programs. Based on the outcome of that initial investigation, we will make recommendations regarding further study to quantify these potential impacts for use in a potential Phase VI.

#### 7. *Basis Of TRC Test Impacts*

In the 2026 TRC Test Tentative Order, the Commission proposed no changes and to continue the process established in Phases III and IV, under which EDCs are required to report verified gross savings, verified net savings, and actual costs in their final annual reports. See 2016 TRC Test Order at 46 and 2021 TRC Test Order at 26-27. Compliance would continue to be based on verified gross kWh and kW electric savings, and costs would continue to be based on actual costs. Because EDCs use net savings for planning purposes, they would continue to report net savings for each program and the total portfolio of programs as well as describe how such net savings are calculated. In addition, EDCs would continue to report TRC ratios in EE&C plans in two ways: (1) based on projected gross savings and (2) based on projected net savings. Actual costs are not known at the time of EE&C plan submission, so all cost values would also be projected.

##### a. *Comments*

The Commission received no comments on this topic.

##### b. *Disposition*

For Phase V of Act 129, EDCs will continue to report verified gross savings, verified net savings, and actual costs in their final annual reports. Compliance will continue to be based on verified gross kWh and kW electric savings, and costs will continue to be based on actual costs.

#### 8. *Measures Supported By Both Act 129 Programs And Other Funding Streams*

The Commission did not propose any changes regarding this issue from its position established in prior TRC Test Orders. Outside incentives, whether they are rebates from other program administrators or tax credits, reduce the participating customers' costs; therefore, the reduction must be reflected in lower IMCs and be factored into the EDCs' TRC Test calculations. The Commission recognizes that tracking non-Act 129 incentives paid to EDC customers may be difficult as some customers may not be inclined to provide the requested information or may not have access to it. Consistent with prior TRC Test Orders, the Commission proposed in the 2026 TRC Test Tentative Order that EDCs only need to factor in, as reductions to cost, the non-Act 129 incentives that are reasonably quantifiable by the EDC at the time the Act 129 transaction is recorded. Examples of reasonably quantifiable non-Act 129 incentives include energy efficiency rebate programs administered by the Pennsylvania Department of Environmental Protection (DEP) and grants from the Alternative and Clean Energy Program jointly administered by the Pennsylvania Department of Community and Economic Development (DCED) and DEP. EDCs can continue to include the full benefits determined by the gross verified calculations of the TRC Test for measures that include incentives from non-Act 129 funding sources if any portion of the measure is attributable to Act 129. The availability of non-Act 129 funding streams for a measure may increase the estimates of free-ridership, which would reduce benefits in the net verified calculations for the measure. See 2013 TRC Test Order at 21.

##### a. *Comments*

PECO and PPL request that the Commission clarify how incentives, benefits, or both from Federal funding mechanisms such as the Inflation Reduction Act (IRA)<sup>27</sup>

<sup>27</sup> Pub.L. 117-169, 136 Stat. 1818.



or the Infrastructure Investment and Jobs Act (IIJA)<sup>28</sup> as well as Reducing Industrial Sector Emissions in Pennsylvania program (RISE PA)<sup>29</sup>, will be treated from a TRC Test perspective. PECO Comments at 2, PPL Comments at 4. PPL comments that the plan for incentive stacking, attribution, and other issues remains unresolved by the 2026 TRC Test Tentative Order. PPL Comments at 4.

CAUSE-PA and the Joint Energy Advocates support the Commission's proposal to continue the current policy allowing EDCs to factor in non-Act 129 incentives and funding that is "reasonably quantifiable by the EDC" to reduce the cost of the measure used in the TRC calculation. However, CAUSE-PA and the Joint Energy Advocates oppose allowing EDCs to count the full savings for measures that receive non-Act 129 funding unless the Act 129 savings targets incorporate savings potential from non-Act 129 funding. CAUSE-PA and the Joint Energy Advocates support adopting a negotiated attribution framework for Phase V to determine what portion of savings from measures that receive outside funding can count toward the Act 129 savings targets. CAUSE-PA Comments at 5, Joint Energy Advocates Comments at 2.

CAUSE-PA, the Joint Energy Advocates, and NEEP recommend the Commission meet with stakeholders or open a proceeding to develop an attribution framework for projects that receive non-Act 129 funding. CAUSE-PA Comments at 5, Joint Energy Advocates Comments at 2, NEEP Comments at 5.

In Reply Comments, FirstEnergy agrees with commenters that the Commission should continue its current policy allowing EDCs to factor in non-Act 129 incentives and funding streams that are "reasonably quantifiable by the EDC" to reduce the cost of the measure used in the TRC calculation. FirstEnergy, however, disagrees with commenters that the non-Act 129 funding should be considered when attributing energy savings to Act 129 programs. Instead, the full savings of a project or measure that is installed with Act 129 funding should count towards the EDC's targets. FirstEnergy also opposes incorporating non-Act 129 funds when setting the energy savings targets for Phase V. FirstEnergy notes that increasing EDC targets to reflect potential additional funding effectively circumvents the Act 129 maximum allowable budgets upon which the EDC targets are based. FirstEnergy also opposes the recommendation for the Commission to conduct a technical workshop, proceeding, and/or stakeholder process, commenting that this separate process is unnecessary given the established Act 129 processes. FirstEnergy Reply Comments at 2.

#### b. Disposition

The Commission agrees with commenters and agrees with FirstEnergy's reply comment that reasonably quantifiable outside incentives, including Federal funding mechanisms such as the Inflation Reduction Act, reduce the participating customers' costs and therefore, the reduction will be treated as a reduction in incremental cost for Phase V of Act 129.

The Commission, however, disagrees with commenters that the non-Act 129 funding should be considered when attributing energy savings to Act 129 programs. Instead, the full savings of a project or measure that is installed with Act 129 funding should count towards the EDC's targets. Regarding the proposal to incorporate non-Act 129 funds when setting the energy savings targets for

Phase V, we note that the SWE plans to consider the availability of non-Act 129 funds when estimating incremental measure costs and adoption rates in the Market Potential Study (MPS). Finally, the Commission disagrees with commenters who proposed conducting a separate technical workshop, proceeding, and/or stakeholder process for considering non-Act 129 funding for attribution of energy savings. The Commission rejects the commenters' proposal for a separate proceeding and agrees with FirstEnergy that a separate process is unnecessary given the established Act 129 processes.

#### B. Avoided Costs Of Supplying Electricity

The Commission proposed to continue using the status quo Act 129 methodology to develop forecasted avoided costs of electricity for use in the 2026 TRC Test. In the 2021 TRC Test Order, the Commission proposed the use of a statewide Avoided Cost Calculator<sup>30</sup> (2021 ACC), developed by the Phase III SWE, that implemented the methodologies outlined within the 2021 TRC Test Order. The intention was that more detailed instructions would improve consistency across EDCs and lead to better alignment with market conditions. The Commission proposed in the 2026 TRC Test Tentative Order the use of an updated ACC (2026 ACC), developed by the Phase IV SWE, for use in Phase V and that EDCs must utilize this standard tool when developing avoided costs for Phase V.

The 2026 ACC is Exhibit 1 of this Order and is located on the Commission's website at: [http://www.puc.pa.gov/filing\\_resources/issues\\_laws\\_regulations/act\\_129\\_information/total\\_resource\\_cost\\_test.aspx](http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/total_resource_cost_test.aspx).

The following paragraphs are the topics of changes and continuation from prior TRC Test Orders as they relate to avoided costs of supplying electricity.

##### 1. Vintage Of Avoided Cost Forecasts

The Commission proposed in the 2026 TRC Test Tentative Order that EDCs continue to develop a single forecast of avoided costs for use in Phase V EE&C plans and in all cost-effectiveness reporting in Phase V annual reports. For simplicity and consistency with EE&C plans, EDCs are not expected to update avoided costs mid-phase. However, the Commission plans to direct the Phase V SWE to include in its annual reports a comparison of forecasted avoided costs of supplying electricity to actual market conditions for each EDC service area. The Commission reserved the right to require a mid-phase update and noted that the EDCs may request updating depending on market changes.

##### a. Comments

The Commission received no comments on this topic.

##### b. Disposition

As previously stated in section A.2.b., Frequency of Review of the TRC Test, the Commission maintains its position that a single forecast of avoided costs should be the foundation of Phase V EE&C plans and annual reports. However, we see value in periodically assessing the accuracy of the forecast to understand the alignment of forecast with market conditions. The Commission directs the Phase V SWE to include in its final annual reports a comparison of forecasted avoided costs of electricity to load weighted real time locational marginal prices (LMPs) and a comparison of forecasted avoided cost generation capacity costs to Base Residual Auction (BRA) clearing prices for each EDC service area. Should significant differences between the Phase V avoided cost fore-

<sup>28</sup> Pub.L. 117-58, 135 Stat. 429.

<sup>29</sup> [https://www.dep.pa.gov/Business/Energy/OfficeofPollutionPrevention/Pages/RISE\\_PA.aspx](https://www.dep.pa.gov/Business/Energy/OfficeofPollutionPrevention/Pages/RISE_PA.aspx).

<sup>30</sup> See <https://www.puc.pa.gov/pdocs/1648144.xlsx>.

cast and actual experienced market prices be found, the Commission may reconsider the appropriateness of a static forecast of avoided costs. The Commission reserves the right to require a mid-phase update of avoided cost forecasts should the variance between EE&C plan projections and current market conditions become large enough to fundamentally alter the B/C results at the portfolio level.

## 2. *Avoided Cost Of Electric Energy*

The proposed methodology entailed the use of a 20-year period for calculating avoided electricity energy costs and is dissected into three segments. Forecasted avoided energy costs should be calculated in a time-differentiated format with a minimum of six distinct seasonal periods per annum, as defined by the 2026 TRM, Volume 1, Table 1—3.<sup>31</sup>

*The first segment, years one through four:* The proposed methodology for segment one (calendar years 2026 through 2029) utilizes New York Mercantile Exchange (NYMEX) PJM electricity futures prices for on-peak and off-peak periods as a basis. It is the Commission's preference to utilize market-based electricity prices whenever possible. NYMEX futures prices should be obtained at the PJM Interconnection Western Hub location with an EDC/Rate District zonal basis adjustment based on the 2024 PJM State of the Market Report, Chapter 11. The zonal adjustment factor shall be defined as the ratio of zone-specific real-time load-weighted average locational marginal price (LMP) against the Western Hub real-time load-weighted average LMP for the prior 5-years (2020 through 2024). The same zonal adjustment shall be used for both on-peak and off-peak price periods. The prompt month for NYMEX PJM electricity futures is established three months prior to the EE&C plan filing date.<sup>32</sup>

*The second segment, years five through ten:* The methodology for segment two (calendar years 2030 through 2035) should be based on NYMEX natural gas futures converted into electricity costs. Medium-term NYMEX natural gas futures shall be blended with the longer-term US Energy Information Administration Annual Energy Outlook (EIA AEO) projected natural gas costs across the second segment period to shift from market-based conditions to a more stable model that is public and transparent. Natural gas costs shall be converted into an electric energy price, with an additional spark price spread<sup>33</sup> using the following calculation steps:

i. Collect monthly NYMEX natural gas futures at Henry Hub for years one through ten. The prompt month for NYMEX futures is established as three months prior to the EE&C plan filing date.

ii. Use the differential between the Henry Hub as the source and TETCO M-3 as the destination for the locational basis adjustment to the natural gas prices for EDCs/Rate Districts west of the Susquehanna River. The locational basis adjustment to the natural gas prices for EDCs/Rate Districts east of the Susquehanna River is the basis differential between the Henry Hub as the source and Transco Zone 6 non-New York as the destination. For EDCs that have service territory on both sides of the river, such as PPL and FirstEnergy, the location should

<sup>31</sup> On-peak is defined as 7am to 11pm on weekdays. Off-peak is defined as 11pm to 7am on weekdays and all weekend and holiday hours. Summer includes May—September. Winter includes December—February. The shoulder period includes March, April, October, and November.

<sup>32</sup> For instance, if the EDC EE&C plan is due in November 2025, the prompt month will be August 2025.

<sup>33</sup> "Spark price spread" refers to the difference between the price of electricity sold by a generator and the price of the fuel used to generate it, adjusted for equivalent units. See [https://en.wikipedia.org/wiki/Spark\\_spread](https://en.wikipedia.org/wiki/Spark_spread).

be based where most of the electric load is present. Adjustments shall be based on the average of adjustment prices in years one and two and applied to NYMEX natural gas futures at Henry Hub for years one through ten.

iii. Gather annual forecasted natural gas costs from the 2025 U.S. Energy Information Administration Annual Energy Outlook (EIA AEO) projected costs for Electric Power Users in the Mid-Atlantic region using nominal dollars. Annual AEO natural gas costs shall be converted into monthly or seasonal periods that align with the TRM utilizing adjustment factors derived from zone location adjusted NYMEX natural gas futures prices from years one and two.

iv. Derive final natural gas costs by blending NYMEX natural gas futures and EIA AEO projected natural gas costs over the segment two horizon. This shall be executed by adding one-seventh of the differential between EIA AEO natural gas costs and locational adjusted NYMEX natural gas futures for each segment year starting in year five to the zone location adjusted NYMEX natural gas futures.

v. Convert final natural gas costs into electricity costs utilizing assumed heat rates for the average existing natural gas generating station. The heat rates of a gas turbine shall be utilized for on-peak periods and the heat rate of a combined cycle unit shall be utilized for off-peak periods. The proposed heat rate for on-peak shall be 11,030 BTU/kWh, and off-peak shall be 7,596 BTU/kWh.<sup>34</sup>

vi. Add a spark spread cost to the avoided energy costs for segment two. The spark spread shall be determined as the average difference between the zone location adjusted NYMEX PJM electricity futures and zone locational adjusted electricity costs based on NYMEX natural gas futures for years one through three.

*The third segment, years eleven through twenty:* The methodology for segment three (calendar years 2036 through 2045) shall be a similar methodology as for the second segment but based solely on long-term EIA AEO projected natural gas costs. Natural gas projected costs shall be converted into an electric energy price using a spark price spread calculation, with the following calculation steps:

i. Gather annual forecasted natural gas costs from the 2025 US EIA AEO projected costs for Electric Power Users in the Mid-Atlantic region using nominal dollars. Annual AEO natural gas costs shall be converted into monthly or seasonal periods that align with the TRM utilizing adjustment factors derived from zone location adjusted NYMEX natural gas futures prices for years one and two.

ii. Convert final natural gas costs into electricity costs utilizing the same heat rates for on-peak and off-peak periods as the second segment.

iii. Add the spark spread cost to the avoided energy costs for segment three. The spark spread shall be the same as determined in the second segment.

### a. *Comments*

The Commission received no comments on this topic.

### b. *Disposition*

Given the absence of stakeholder comments or alternative proposals, the Commission directs the EDCs to

<sup>34</sup> 2023 EIA AEO source for the average existing natural gas prime mover in the US.

forecast the avoided cost of electric energy as proposed in Section B.2. of this Order. The 2026 ACC (Exhibit 1) codifies each step of this process in a transparent Microsoft Excel workbook. Since the formulas and assumptions of the 2026 ACC are consistent with this Order, forecasts developed using the 2026 ACC are considered to be aligned with the guidance of the 2026 TRC Test Order.

### 3. *Nominal Vs. Real Dollars*

The Commission proposed in the 2026 TRC Test Tentative Order that for Phase V, EDC avoided cost forecasts should continue to be developed in nominal dollars (e.g., the avoided cost of supplying electricity in 2040 should be expressed in 2040 dollars). A nominal discount rate is used to calculate the NPV of benefits in the base year (2026). The Commission proposed an inflation rate of 2.0%, consistent with the US Congressional Budget Office assumptions.<sup>35</sup>

#### a. *Comments*

The Commission received no comments on this topic.

#### b. *Disposition*

For Phase V of Act 129, the Commission directs the EDCs to develop avoided costs in nominal dollars and calculate the NPV of benefits and costs using a 2026/2027 (Act 129 Program Year 18) base year, assuming an inflation rate of 2.0%.

### 4. *Line Losses*

The algorithms and assumptions in the 2026 TRM calculate energy and demand savings at the customer meter. Similarly, EDC CSPs and evaluation contractors produce savings estimates for custom projects at the meter level. When calculating TRC benefits, these resource savings must be scaled to the system level to account for losses during transmission and distribution (T&D). Volume 1 of the 2026 TRM<sup>36</sup> provides line loss factors by EDC and customer class. The Commission proposed in the 2026 TRC Test Tentative Order that EDCs/Rate Districts continue to use these values to calculate system-level electric energy and peak demand impacts and to determine TRC benefits.

#### a. *Comments*

Duquesne Light supports the establishment of clear, agreed-upon line loss rates for each customer class for each EDC. Duquesne Light also requests that, should the TRC Test Order reference the 2026 TRM for published line losses, the 2026 TRM should be updated, consistent with Duquesne Light's comments in that proceeding. Duquesne Light Comments at 2.

#### b. *Disposition*

The Commission agrees with Duquesne Light's support for establishing clear, agreed upon line loss rates for each customer class at each EDC. The Commission notes that Volume 1 of the 2026 TRM contains the line loss factors requested by Duquesne Light in its comments on the proposed 2026 TRM. For Phase V of Act 129, EDCs are directed to use the line loss factors as codified in the 2026 TRM to calculate system-level electric energy and peak demand impacts prior to determining TRC benefits.

### 5. *Escalation Rate*

The Commission proposed in the 2026 TRC Test Tentative Order that any avoided electricity costs that require

escalation from a given year shall utilize the Bureau of Labor Statistics' (BLS) Electric Power Generation Transmission Distribution (GTD) sector price index<sup>37</sup> (BLS factor: NAICS<sup>38</sup> 221110) as a proxy rate. The electric escalation statistic would be derived from the compound average growth rate (CAGR) of the average annual values of the prior five years with data for all twelve months.

The Commission highlighted that the electric escalation rate should not be confused with the rate of inflation. The escalation rate deals with the rate of increase in costs in real dollars. The escalation rate plus the inflation rate captures the increase in cost projections in nominal dollars. Because the GTD BLS price index is inclusive of inflation, historical inflation across the same five-year period should be removed to isolate the electric escalation rate. Because of recent inflationary volatility, if in the event the calculated escalation rate is less than zero, the Commission proposed that the escalation rate should be set to zero percent.

#### a. *Comments*

The Commission received no comments on this topic.

#### b. *Disposition*

For Phase V of Act 129, we direct that the escalation rate be equal to the five-year CAGR of the BLS Electric Power GTD sector price index or zero, whichever is greater.

### 6. *Allocation Of Avoided Capacity Costs Between Summer And Winter Peak*

Act 129 reporting of peak demand impacts and the associated capacity benefits have historically relied exclusively on reductions in summer peak demand. In the 2026 TRM Final Order<sup>39</sup> the Commission chose to bifurcate the Act 129 peak demand definition to include both summer peak and winter peak. To support this transition, the 2026 TRM provides the algorithms and assumptions needed to estimate winter peak demand impacts as well as summer peak demand impacts. The transition to a seasonal peak demand definition raised a critical question for the estimation of capacity benefits within the TRC Test. Specifically, how should annual capacity value (\$/kW-year) be prorated across the two seasons?

For the avoided cost of generation capacity, the Commission proposed in the 2026 TRC Test Tentative Order a 50/50 allocation between summer and winter demand. The same 50/50 allocation would apply to the generation capacity Demand Reduction Induced Price Effects (DRIPE) discussed in Section B.10 of this Order. If the avoided cost of generation capacity for an EDC zone in PY18 is \$60/kW-year, EDCs and their evaluation contractors would value each kW of summer peak demand reduction at \$30/kW-year and each kW of winter peak demand reduction at \$30/kW-year. Alternatively, the EDCs could average the summer and winter kW reductions from a program or measure and multiply the average by \$60/kW-year.

The proposed 50/50 allocation method is simple and avoids taking a strong position on long-term trajectories of load growth and generation mix in the region. Jurisdictions like New York with aggressive policies to electrify space heating and water heating end uses might consider the transition to a winter-peaking system a foregone

<sup>35</sup> See <https://www.cbo.gov/publication/60419>.

<sup>36</sup> See 2026 Technical Reference Manual, Volume 1 at Docket No. M-2023-3044491, entered September 12, 2024. Page 13. <https://www.puc.pa.gov/pcdocs/1848562.pdf>.

<sup>37</sup> See <https://data.bls.gov/timeseries/PCU221110221110>.

<sup>38</sup> North American Industry Classification System.

<sup>39</sup> See 2026 TRM Final Order, at Docket No. M-2023-3044491, entered September 12, 2024 (2026 TRM Final Order). Page 7-8. <https://www.puc.pa.gov/pcdocs/1848423.pdf>.



conclusion. PJM's 2024 Load Forecast Report<sup>40</sup> projects winter peak demand to grow more rapidly than summer demand over the next 15 years, bringing the seasonal peaks closer together in magnitude, but the system is still forecast to be summer peaking in 2039. However, recent modeling by PJM shows a higher risk of unserved energy and loss of load in the winter season.<sup>41</sup> The extent to which PJM States adopt electrification policies, and the success of those initiatives, is still very uncertain. Thus, the Commission felt a neutral position on this issue was prudent. Additionally, current valuation procedures for energy efficiency resources recognized in the Forward Capacity Market require that resources deliver both summer and winter capacity or get "matched up" with a complementary resource. When resources match up, the value is split by days (\$/MW-day) with an effective 50/50 split between the summer and winter resource.

In comments<sup>42</sup> to FERC in response to PJM's October 2023 Capacity Market Reforms to Accommodate the Energy Transition While Maintaining Resource Adequacy filing, the Commission expressed support for a seasonal capacity construct with separate accreditation and price signals for summer and winter capacity. The Commission recognized the administrative complexities of a seasonal design but encouraged PJM to move toward a seasonal structure. To date, PJM has not adopted a seasonal construct for its scheduled auctions. However, if PJM elects to formally bifurcate the capacity market, resulting in separate resource clearing prices for summer capacity resources and winter capacity resources, our proposed 50/50 allocation would be unnecessary. If market rules change, and separate resource clearing prices exist by season in time for EDCs to reflect those values in potential Phase V EE&C plans, we proposed in the 2026 TRC Test Tentative Order that the EDCs use those values rather than allocate the annual value across seasons using assumed shares.

For the avoided cost of transmission and distribution values (see Section B.8), the Commission proposed EDC-specific values split by season based on historic and projected peaking conditions. If the proposed specific allocations are utilized, a top-down allocation of annual value is not necessary for transmission capacity or distribution capacity.

#### a. Comments

PPL recommends a graded escalation of demand for each program year of Phase V instead of a flat 50/50 split because the winter peak is increasing as heating demand shifts towards electric and the progressive approach also aligns with the 15-year load forecast. PPL supports the Commission's statement that "if PJM elects to formally bifurcate the capacity market, resulting in separate resource clearing prices for summer capacity resources and winter capacity resources," then the "proposed 50/50 allocation would be unnecessary." PPL Comments at 5-6.

Duquesne Light recommends that the allocation of avoided cost of capacity be based on the annual system peak of each individual EDC. Given the low penetration of electric space and water heating within its territory, the mix of measures likely to be offered and incentivized during Phase V is expected to produce lower winter than summer peak demand reductions. Duquesne Light believes that a 50/50 allocation will understate avoided

capacity costs and harm the cost-effectiveness of the Company's portfolio of programs. Duquesne Light asserts that the avoided cost of capacity is driven by the annual system peak, not the average of summer and winter peaks. Duquesne Light's system is overwhelmingly summer-peaking, with 97% of substations peaking in the summer, and "a strongly summer-peaking EDC, like Duquesne Light, sees minimal avoided T&D benefit from winter peak demand reductions." Duquesne Light Comments at 3.

The Joint Energy Advocates support the addition of winter peak demand as this could help ease the transition to electrification of heat and hot water, creating a more cost-effective transition from deliverable fuel or other inefficient electric heat to installation of high-efficiency air source heat pumps. Joint Energy Advocates Comments at 5.

#### b. Disposition

PPL's suggestion of a dynamic split over the horizon of Phase V and the EUL of measures installed in Phase V is an interesting concept. However, absent a specific suggestion of the changing ratio over time, this is not a comment the Commission can support without making significant assumptions about PPL's intent. A forecast that begins with 60% allocation to summer and 40% allocation to winter in the 2026/2027 delivery year and ends with 40% allocation to summer and 60% allocation to winter in the 2045/2046 delivery year is a "graded escalation." Alternatively, a forecast that starts at 100% summer and ends with 100% winter is also a graded escalation. Duquesne Light's suggestion also has potential merit but lacks the specificity needed for the Commission to approve and incorporate into this Final Order and the 2026 ACC.

Since no stakeholder put forth a clear alternative proposal, the avoided cost of generation capacity and generation capacity DRIPE will follow a 50/50 allocation between the summer and winter seasons for Phase V of Act 129. If PJM elects to formally bifurcate the capacity market, the 50/50 allocation will be unnecessary. If market rules change, and separate resource clearing prices exist by season in time for EDCs to reflect those values in potential Phase V EE&C plans, EDCs are directed to use those values rather than allocate the annual value evenly across seasons.

#### 7. Avoided Cost Of Generation Capacity

Generation capacity for the region is procured through PJM's forward capacity auction process—the Reliability Pricing Model. The BRAs happen approximately three years prior to the beginning of the delivery year, so the actual generation capacity values for the first years of the forecast horizon are known.<sup>43</sup>

When available, the actual zonal BRA clearing price should be used as the value for the avoided cost of generation capacity. When projecting further into the future than the known values, the Commission proposed in the 2026 TRC Test Tentative Order the following methodology:

i. Take a simple average of the five most recent BRA clearing prices for the zone. The Commission's position is

<sup>40</sup> See <https://www.pjm.com/-/media/library/reports-notices/load-forecast/2024-load-report.ashx>.

<sup>41</sup> See <https://www.pjm.com/-/media/committees-groups/committees/pc/2024/20240216-special/elcc-education.ashx>.

<sup>42</sup> See [https://www.puc.pa.gov/media/2655/ferc\\_comments-pjm\\_er24-99-110923.pdf](https://www.puc.pa.gov/media/2655/ferc_comments-pjm_er24-99-110923.pdf), Section A.

<sup>43</sup> Due primarily to litigation before FERC in recent years, PJM postponed a number of BRAs. To return to the normal BRA schedule, PJM truncated the ordinary practice of holding the BRA three years in advance of the delivery year for the 2025/2026 and 2026/2027 delivery years. Accordingly, the BRA for the 2025/2026 delivery year was held in July 2024, with the BRA for the 2026/2027 delivery year currently scheduled for December 2024. On October 15, 2024, PJM filed a motion seeking permission from FERC to implement a 6-month delay of BRAs through the 2029/2030 delivery year in *Sierra Club, et al. v PJM Interconnection, L.L.C.*, Docket No. EL24-148-000.



that taking a five-year average is prudent because clearing prices vary from year-to-year, and an average will dampen this volatility. For Phase V EE&C plans, EDC/Rate Districts are expected to have actual BRA clearing price values for the 2026/2027 and 2027/2028 delivery years (Act 129 PY18 and PY19).

ii. Use the averaged value as the avoided cost of capacity for the first year that BRA clearing pricing prices are not available.

iii. Escalate using a compound annual growth rate of the BLS index for the power sector to calculate the avoided cost of generation capacity in real dollars for the remainder of the forecast horizon.

iv. Apply the electric escalation and inflation rates to convert real dollars to nominal dollars.

a. *Comments*

PECO disagrees with the proposed use of a five-year average from the PJM BRA clearing prices and instead recommends the use of a fixed three-year average of actual auction results for the entire phase. PECO Comments at 3.

PPL notes the recent 2025/2026 PJM BRA clearing prices were extremely high (\$269.92/MW-day) based on a combination of market factors. PPL questions how potential future volatility in the PJM BRA clearing prices will affect the avoided cost of generation capacity. PPL Comments at 6.

b. *Disposition*

While PJM's Base Residual Auction schedule continues to face delays, it is expected that there will be at least one additional BRA auction (2026/2027) completed prior to the development of EDC EE&C plans for Phase V. While the 2025/2026 BRA clearing price is a notable difference from recent auctions, there is uncertainty regarding whether these high prices are the new normal or a temporary spike. EDC inclusion of the upcoming auction results within the Phase V avoided cost of generation capacity calculation will be an important mechanism to capture any market shifts.

Regarding the three-year versus five-year average, the Commission prefers a consistent time horizon of five years for any TRC parameters that are based on historical data. A five-year period is an appropriate horizon to balance variability caused by unique events such as the COVID-19 pandemic. Therefore, the Commission directs the EDCs to use the average of the five most recent PJM BRA clearing prices to calculate the avoided capacity for the first year that BRA clearing pricing prices are not available.

8. *Avoided Cost Of Transmission And Distribution Capacity*

Starting in Phase III of Act 129, the avoided cost of transmission and distribution capacity has been valued on a \$/kW-year rather than a \$/kWh basis. See 2016 TRC Test Order at 34-35. The Commission maintains that investments in T&D infrastructure are driven by the need to accommodate peak demand rather than the volume of energy sales and proposed that EDCs continue to calculate the avoided T&D benefits of Act 129 EE&C plans using the gross and net verified peak demand reductions.

As discussed in previous TRC Test Orders, the Commission proposed in the 2026 TRC Test Tentative Order that no avoided cost of distribution capacity be calculated for EE or DR peak demand reductions from participants in the Large Commercial and Industrial (C&I) class that

receive service at high voltage. Peak demand reductions achieved by these facilities are presumed unlikely to avoid or defer load growth-related investments in an EDC distribution system because these accounts take service directly from the sub-transmission network. The Commission recognized that EDC tariffs vary, so Large C&I customers will possibly map more cleanly to the rate codes of some EDCs than to the rate codes of other EDCs. As a rule, we proposed EDCs apply the avoided cost of distribution capacity to residential customers and non-residential customers who take service at secondary voltage and omit the distribution capacity benefit stream for Large C&I customers that take service at primary voltage (13 kV and above).

The methodology used to estimate avoided T&D costs has been the subject of much discussion in comments and reply comments to prior TRC Test Orders. For Phases III and IV of Act 129, the Commission proposed a simplified system wide value wherein the cost of growth-related capital investments is divided by system-level load growth. Challenges were identified with this approach in the face of flat or declining load growth. See 2021 TRC Test Order at 46. We also agreed with stakeholder comments that expressed concerns regarding the amount of variation in avoided distribution capacity costs and directed the Phase IV SWE, in collaboration with EDC system planners, to develop a more granular alternative methodology that is not predicated on load growth at the zonal level. See 2021 TRC Test Order at 49.

Listed in Section H, Exhibit 4, is the SWE's Avoided Cost of Transmission and Distribution Capacity Study. The Commission recognized the efforts of the EDC's planners to assemble the large volume of data required for this study and the collaborative work to help the SWE understand the nuances of their distribution systems. The Commission asserts that the SWE's T&D study represents a methodological improvement over the status quo approach and proposed the EDCs use the avoided T&D values presented in Table 1 of Exhibit 4 to calculate avoided T&D benefits for a potential Phase V of Act 129. The proposed 2026 ACC (Exhibit 1 to the Tentative Order) contained a full 20-year forecast with adjustments for inflation and escalation by EDC/Rate District and season. As described in Section B.6. of this Order, the SWE study recommends separate values for summer and winter demand impacts, so no assumed split is required.

In addition to presenting forecasts of avoided T&D benefits by EDC, the SWE T&D study raises several methodological topics that could potentially influence the application of avoided T&D costs and Phase V planning. Specifically, the Commission invited comments on the following observations by the SWE:

- The heat maps of deferral value for each EDC clearly show that avoided T&D benefits are concentrated in specific locations that are highly loaded and or expected to grow. Other locations have little or no deferral value. Taking a load-weighted average across an EDC territory simplifies the accounting but may mute important price signals regarding where load relief would be most beneficial. In the Conclusions and Recommendations section of its report, the SWE describes a low-medium-high value location taxonomy that could preserve some of the locational value. This suggestion would add a spatial component to EE&C program tracking or require EDCs to map participants to distribution circuit after the fact.
- Similarly, the SWE study notes that individual locations tend to be summer-peaking or winter-

peaking, but rarely both. A load-weighted average at the EDC/Rate District territory level assigns a mix of summer and winter value to all demand reductions. Like the low-medium-high suggestion above, a seasonal classification scheme would help match EE&C plan measures with system need. A seasonal classification could justify more aggressive marketing or incentives on cooling equipment in summer-peaking areas and focus outreach for electric heating conservation or load-shifting measures in winter-peaking areas.

- The SWE also raises the possibility of a non-wires alternative (NWA) demonstration project for the EDCs. We see this as a logical conclusion based on the concentration of deferral value in certain pockets of a territory. The goal of an NWA would be to assess if EE&C resources, in combination with other resources, can be used to modify the load shapes, bend the growth, and avoid or defer likely upgrades.

#### a. *Comments*

Each of the four EDCs subject to Act 129 provided comments on this topic and presented similar positions. FirstEnergy expressed concern over the differential between the proposed Phase V values and the approved Phase IV values. FirstEnergy opposes variation (seasonal and sub-locational granularity) in avoided T&D costs due to uncertainty in where and how peak loads will grow, and the capital investments needed to support that load growth. FirstEnergy suggests that attempts to be more precise could introduce greater error. In addition, FirstEnergy comments that the increased administrative costs associated with tracking locational T&D benefits would reduce the available customer incentives under allowable Act 129 budgets. Lastly, FirstEnergy requests a single set of avoided cost values for the FirstEnergy EDC rather than separate values for Met-Ed, Penelec, Penn Power, and West Penn Power. FirstEnergy Comments at 2–4.

PECO opposes the addition of more granular inputs (e.g., spatial, seasonal) into the methodology for determining the avoided cost of transmission and distribution capacity because the additions will impose substantial new costs with uncertain energy reduction benefits. PECO notes that it would have to change its data collection and other processes to support more granular calculations and suggests that these new costs would reduce funding for customer incentives. PECO recommends adopting a flexible approach that allows EDCs to voluntarily pursue NWA projects. If NWA projects become a mandated element of Phase V, PECO urges the Commission to consider the associated expenses in the target-setting process. PECO Comments at 3-4.

PPL agrees with the inclusion of the SWE T&D Study (Exhibit 4) results provided the Commission adopts the load-weighted average values from Table 1 of Exhibit 4 to simplify accounting and reporting. PPL prefers not to map Act 129 participants to distribution circuits. PPL does not recommend seasonal classification due to perceived customer incentive equity issues across the service territory. Lastly, PPL recommends that any NWA demonstration project be optional for Phase V. PPL Comments at 7-8.

Duquesne Light recommends not incorporating spatial or seasonal differentiation into avoided T&D benefits as more work is needed to evaluate the feasibility and impacts. Some EDCs, including Duquesne Light, might struggle with technology issues and high costs for imple-

menting this proposal in Phase V due to the need for extensive mapping and system integration. Additionally, EDCs may lack information on where some measures are installed, like those from upstream programs. Duquesne Light believes the costs and administrative burden of using locational values outweigh the benefits currently. Achieving Phase V goals may also be harder as easier measures are no longer available. Duquesne Light supports encouraging EDCs to explore non-wires alternatives or limited locational avoided cost pilots but requests that this be optional and that the Commission allow each EDC to design projects as needed. Duquesne Light Comments at 3-4.

#### b. *Disposition*

The EDCs' perspectives on the three observations raised by the SWE in its T&D study report were valuable as the Commission weighed its final disposition on this topic. For Phase V of Act 129, the avoided cost of T&D capacity will be the load-weighted seasonal values from Table 1 of the SWE's T&D study as shown in the 2026 ACC. Avoided distribution capacity benefits will not be applied to savings by participants taking primary service (13 kV and above).

The Commission recognizes that FirstEnergy will need to calculate weighted averages across the Met-Ed, Penelec, Penn Power, and West Penn Power service areas. Section I.1 of this Final Order provides instructions on how to calculate weighted average values across the four legacy EDCs for avoided T&D benefits and other TRC Test input values. The Commission has made no determination regarding the inclusion of the NWA projects in Phase V but the EDC preference for optionality and flexibility is noted.

#### 9. *Compliance with Alternative Energy Portfolio Standards Act (AEPS)*

In Phases I and II, the Commission required that the costs of compliance with the AEPS Act<sup>44</sup> that are known and knowable be included in the TRC Test calculation. The cost was applicable to all the power "avoided." Further, for Phase II, it was noted that a reduction in electric consumption would reduce an EDC's costs of complying with the AEPS Act requirements. See 2013 TRC Test Order at 44-45.

Because no EDCs had included AEPS Act costs through Phase III, beginning in Phase IV, the Commission provided the EDCs with Alternative Energy Credit (AEC) pricing to ensure uniform valuation of AECs (and hence avoided cost estimates) by EDCs in their EE&C plans and their cost-effectiveness calculations. The Commission has access to several subscription-based services that forecast AEC pricing, including Marex.<sup>45</sup> Using forecast data from May 1, 2024, for the year 2026, the Commission proposed that the AEPS Act avoided costs be \$6.88 per MWh for the first year of Phase V and escalated by the BLS escalation factor and the 2% inflation rate every year thereafter.<sup>46</sup>

In addition, the Commission plans to direct the Phase V SWE to include a summary of the AEPS costs with its Phase V annual reports for comparison purposes. If this comparison reveals significant differences between the

<sup>44</sup> See 73 P.S. §§ 1648.1–1648.8 and 66 Pa.C.S. § 2814. See also 52 Pa. Code §§ 75.1-75.72.

<sup>45</sup> Marex is a United Kingdom-based broker of financial instruments and provider of market data services across the metals, agricultural and energy markets. See <https://www.marex.com/about-us/>.

<sup>46</sup> The AEPS Act avoided cost is established using a price of \$37.25 for solar photovoltaic sources at 0.5% of retail sales; \$34.20 for Tier I sources at 8% of retail sales; and \$39.63 for Tier II sources at 10% of retail sales. Obligations are set in <https://www.pabulletin.com/secure/data/vol38/38-51/2286.html>.

assumed forecasted AEPS costs and the actual future AEPS costs, the Commission reserves the right to require a mid-phase update to avoided cost forecasts should the variance become large enough to fundamentally alter the benefit/cost results at the portfolio level.

a. *Comments*

KEEA recommends encouraging Act 129 EE programs and program participants to seek AEPS certification. KEEA proposes integrating energy efficiency into AEPS compliance to provide a revenue stream for energy efficiency programs. KEEA Comments at 4.

Duquesne Light notes that the monetary value of compliance with the AEPS is stated as \$6.88 MWh on page 28 of the Tentative Order but is stated as “\$6.88 cents per MWh” in Appendix C: Summary of Proposed Continuations/Changes/Clarifications/New Items. Duquesne Light requests clarification of the cost assigned to compliance with AEPS. Duquesne Light Comments at 4.

In reply comments, FirstEnergy opposes KEEA’s recommendation to encourage Act 129 and other energy efficiency programs to seek AEPS certification as a potential revenue stream. FirstEnergy argues that the recommendation is misplaced and should instead be considered as part of the Commission’s Tentative Phase V Implementation Order to have the benefit of input by all interested stakeholders. FirstEnergy further comments that this should be carefully considered and understood in recognition of the competitive market to avoid unnecessary costs and competition and to avoid any unintended consequences. FirstEnergy Reply Comments at 4.

b. *Disposition*

While the Commission agrees that Act 129 programs and program participants should be encouraged to seek AEPS certification for Act 129 projects, the Commission agrees with FirstEnergy that the issue of providing a potential revenue stream should be carefully considered as part of the Commission’s Tentative Phase V Implementation Order to have the benefit of input by all interested stakeholders.

Regarding Duquesne Light’s comment about the monetary value of compliance with the AEPS, the Commission clarifies that the value is \$6.88 (six dollars and eighty-eight cents) per MWh.

10. *Price Suppression Effects*

In organized markets, such as the capacity, energy, and ancillary services markets operated by PJM, reductions in demand tend to place downward pressure on the supply side of the market and can potentially lower the market equilibrium price. These wholesale price suppression effects are also known as demand reduction induced price effects (DRIPE). The Commission directed the Phase IV SWE to conduct an updated study to quantify the value of DRIPE under current market conditions. The SWE used methodologies of nearby jurisdictions such as Maryland and New England.<sup>47</sup> Evidence of price suppression effects were found for both avoided electric energy and avoided generation capacity.

This issue has been investigated previously by the SWE and discussed in prior Commission Orders. In a Secretarial Letter, dated May 17, 2013, the Commission released the Act 129 Demand Response Study—Final Report at Docket No. M-2012-2289411.<sup>48</sup> The Commission

held a DR Study Stakeholder Meeting on Tuesday, June 11, 2013. At the suggestion of stakeholders, the Commission directed the Phase II SWE to conduct a Preliminary Wholesale Price Suppression and Prospective TRC Test Analysis of the DR program. The Phase II SWE’s Act 129 Demand Response Study—Final Report; Amended November 1, 2013<sup>49</sup> was released for comment on November 14, 2013.<sup>50</sup> Following a review of comments, the Commission issued its Peak Demand Reduction Cost Effectiveness Determination Final Order, which directed the Phase II SWE to perform a DR Potential Study.<sup>51</sup> In the Peak Demand Reduction Cost Effectiveness Determination Final Order, the Commission was persuaded by stakeholder comments opposing further price suppression research and directed the Phase II SWE to perform a DR Potential Study for Phase III without inclusion of price suppression benefits. Therefore, no price suppression benefits were included in the 2016 TRC Test Order for energy efficiency or DR.

The 2021 TRC Test Order stated that avoided costs for Phase IV of Act 129 would not include any DRIPE but directed the Phase IV SWE to monitor the issue and provide recommendations regarding a study to re-examine capacity and/or energy DRIPE in the Commonwealth. See 2021 TRC Test Order at 55. In preparation for the 2026 TRC Test Tentative Order and Phase V planning, the SWE completed an analysis of price suppression effects and developed a recommended set of DRIPE values. The SWE’s Pennsylvania Demand Reduction Induced Price Effects Study is included in Section H, Exhibit 3.

Based on review of the SWE’s DRIPE study, the Commission proposed in the 2026 TRC Test Tentative Order to include price suppression effects in the TRC benefit calculations for Phase V of Act 129. The SWE’s analysis showed that these benefits exist in the wholesale capacity and energy markets operated by PJM and are a real avoided cost of supplying electricity. While there is uncertainty in the DRIPE benefits estimated by the SWE, every component of the avoided cost forecast is based on estimates that contain uncertainty. The NGDCs of Pennsylvania include the value of DRIPE in their set of avoided costs used in benefit cost analysis.<sup>52</sup> Inclusion of DRIPE in the avoided cost of supplying electricity will promote alignment between electric and natural gas conservation programs.

As discussed in Exhibit 3, the Commission directed the SWE to only include price suppression benefits that accrue to Pennsylvania ratepayers and exclude effects on neighboring states. The 2026 ACC (Exhibit 1) reflects the specific price suppression effects values recommended in Chapter 4 of the SWE’s DRIPE study. Consistent with the directions for generation capacity in Section B.6. of this Order, the Commission directed the SWE to split the annual generation capacity DRIPE value from its study evenly between summer and winter. The Commission proposed that these values be used by each EDC for TRC Benefit calculations in Phase V of Act 129.

<sup>49</sup> The May 2013 and November 2013 versions of the SWE’s Act 129 Demand Response Study—Final Report are available on the Commission’s website at [http://www.puc.pa.gov/filing\\_resources/issues\\_laws\\_regulations/act\\_129\\_information/act\\_129\\_statewide\\_evaluator\\_swe.aspx](http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/act_129_statewide_evaluator_swe.aspx).

<sup>50</sup> See Energy Efficiency and Conservation Program Tentative Order, Docket Nos. M-2012-2289411 and M-2008-2069887 (entered November 14, 2013).

<sup>51</sup> See Energy Efficiency and Conservation Program Final Order, Docket Nos. M-2012-2289411 and M-2008-2069887 (entered Feb. 20, 2014) (PDR Cost Effectiveness Determination Final Order).

<sup>52</sup> See Philadelphia Gas Works (PGW) ENERGYSSENSE DSM Portfolio Implementation Plan FY 2024—2026 at Docket No. 2014-2459362 (Entered June 16, 2023) <https://www.puc.pa.gov/pdocs/1790192.pdf>. Page 13.

<sup>47</sup> <https://www.synapse-energy.com/sites/default/files/AESC%202024.pdf>. See page 227.

<sup>48</sup> See Release of the Act 129 Demand Response Study—Final Report and Stakeholder Meeting Announcement, at <https://www.puc.pa.gov/pdocs/1230514.docx>.



a. *Comments*

PPL supports the inclusion of DRIPE into the avoided costs for Phase V. PPL Comments at 13.

b. *Disposition*

As proposed in the 2026 TRC Test Tentative Order, the Commission directs the EDCs to use the values in the 2026 ACC, which reflect the specific price suppression effect values recommended in Chapter 4 of the SWE's DRIPE study.

11. *End-Use Adjustments*

In Section B.2., the Commission laid out a time-differentiated approach to valuing the avoided cost of electric energy. That valuation approach aligned with Table 1-3 (Periods for Energy Savings) in the 2026 TRM in defining six mutually exclusive costing periods.<sup>53</sup> The six periods are summer on-peak, summer off-peak, winter on-peak, winter off-peak, shoulder on-peak, and shoulder off-peak. The Commission proposed in the 2026 TRC Test Tentative Order continued use of end-use profiles, when available, for EE&C technologies or programs using a time-differentiated format consistent with the avoided energy costs. EDCs and their evaluation CSPs can use end-use profiles to partition the annual kWh savings from EE&C measures into the six energy savings periods. EDCs can then apply period-specific avoided energy cost projections or compute a weighted average avoided cost of energy specific to the measure type when estimating TRC benefits.

To support the EDCs and their CSPs in applying end-use profiles, the proposed 2026 ACC included a tab named "Six Period Load Shapes" containing profiles organized by sector, building type, and end use. Each profile contains six values that sum to 100%. Profiles for the lighting end use came from the Act 129 SWE Commercial and Residential Light Metering Study.<sup>54</sup> Other end use profiles were developed using load shape data produced by the National Renewable Energy Laboratory (NREL) and organized in its ResStock and ComStock datasets.<sup>55</sup> The Commission leveraged the NREL load shapes in development of summer and winter demand savings assumptions for the 2026 TRM so the application of end-use profiles in the TRC Test promotes consistency between the TRM and TRC Test.

The NREL ComStock dataset has a slightly different roster of commercial building types from the 2026 TRM. For ease of use, the SWE mapped the NREL building types to the business types in the TRM. The Commission proposed to include a "Composite Commercial" building type that is a floorspace-weighted average of all commercial building types for use when building type is unknown or for planning purposes when the distribution of business types is unknown. Similarly, the NREL ResStock dataset includes load shapes for five distinct residential building types. The Commission proposed in the 2026 TRC Test Tentative Order to simplify this in the 2026 ACC and include profiles for Single Family, Multi Family, and a "Composite Residential" building type that is a floorspace-weighted average of the five underlying residential building types.

In addition, the Commission proposed the end-use load shapes in the 2026 ACC be considered optional resources for the EDCs and their evaluation CSPs. EDCs and their

CSPs should exercise professional judgment in cases where they believe alternative end-use profiles are more relevant or accurate. Where primary data collection from impact evaluations returns project or measure-specific profiles, that data is clearly preferred. When end-use profiles are not available, or the EE&C measure savings are not expected to follow an end-use profile, the use of class average premise loads will continue to be acceptable.

a. *Comments*

PPL agrees with the Commission's proposal to make the end-use load shapes in the 2026 ACC optional resources for EDCs and evaluation CSPs. PPL Comments at 8.

b. *Disposition*

As proposed in the 2026 TRC Test Tentative Order, the Commission directs the EDCs to use end-use profiles to time-differentiate annual energy savings into the six energy costing periods in the 2026 ACC when estimating electric energy benefits in the TRC Test. The end-use load shapes in the 2026 ACC will be considered as optional resources for Phase V. EDCs and their CSPs should exercise professional judgment in cases where they believe alternative end-use profiles are more relevant or accurate.

12. *Reductions In Arrearages And Collection Costs*

In the 2021 TRC Test Order, stakeholders pointed out that the arrearages and uncollected debt were a cost of supplying electricity and suggested the Commission quantify potential reductions of these costs as benefits in the TRC Test for low-income programs. In its disposition, the Commission stated:

Therefore, we determined that PA-EEFA's comments regarding reduced arrearages and uncollected debt merit further investigation, particularly for programs offered to the low-income sector, and will direct the Phase IV SWE to study the impacts of EDC low-income programs on collections. We will make, at a later time, recommendations regarding the appropriateness and magnitude of such a benefit for consideration in future TRC Test Orders.<sup>56</sup>

Utilities can realize financial savings from their low-income EE programs. The efficient technologies installed by EE programs often result in reduced energy bills for participants, which can decrease the likelihood that customers will experience difficulties paying their utility bills. In turn, utilities may realize reduced costs associated with arrearages and late payments, uncollectible bills and bad debt write-offs, service terminations and reconnections, bill-related customer calls, and the bill collections process.

The SWE conducted a study to quantify and monetize EDCs' financial savings through an analysis of EDC data on customer arrearages, shutoffs, and collections actions for Act 129 low-income program participants. The Commission proposed in the 2026 TRC Test Tentative Order to incorporate the benefit of EDCs' financial savings from their Act 129 low-income EE programs, quantified in the SWE's study, into Phase V avoided cost forecasts. The SWE recommended adopting EDC-specific results for PECO, PPL, and Duquesne Light and the statewide average values for FirstEnergy. The benefits apply for the EUL of the installed measures.

<sup>53</sup> See the 2026 Technical Reference Manual, Volume 1, Docket No. M-2023-3044491 (Entered September 12, 2024) <https://www.puc.pa.gov/pcdocs/1848562.pdf>, Page 10.

<sup>54</sup> See Act 129 SWE Commercial and Residential Light Metering Study, at Docket M-2014-2424864, entered February 4, 2015. Appendix A and Appendix B display 8760 load shapes for the residential and commercial sectors, respectively.

<sup>55</sup> See <https://www.nrel.gov/buildings/end-use-load-profiles.html>.

<sup>56</sup> See 2021 TRC Test Final Order, at Docket No. M-2019-3006868, entered December 19, 2019. Page 73.



The SWE's recommendation, shown in Table 1, presents the per MWh values in 2026 dollars, adjusted for line losses and inflation, for each EDC/Rate District.

**Table 1: EDC/Rate District Financial Savings from Their Low-Income EE Programs**

<i>EDC/Rate District</i>	<i>Total Annual Benefit Per MWh, \$2026</i>
PECO	\$58.14
PPL	\$44.87
Duquesne Light	\$18.67
FE: Met-Ed	\$18.10
FE: Penelec	\$18.10
FE: Penn Power	\$18.10
FE: West Penn Power	\$18.10

a. *Comments*

KEEA, CAUSE-PA, PPL, and the Joint Energy Advocates express support for including an EDC's financial savings from reduced customer arrearages, shutoffs, and collections actions attributable to the EDC's Act 129 low-income programs. KEEA Comments at 2, CAUSE-PA Comments at 7–10, Joint Energy Advocates Comments at 2, PPL Comments at 8 and 12.

CAUSE-PA comments that including these benefits in TRC calculations will help to improve the variety of measures available through Act 129 low-income programs. CAUSE-PA supports a follow-up study to evaluate the avoided cost impact of Act 129 low-income EE&C programs on universal service program costs. Specifically, CAUSE-PA suggests the SWE should quantify the reduction in CAP costs attributable to reductions in energy usage by Act 129 low-income program participants who are enrolled in CAP. CAUSE-PA also supports a follow-up study of reduced customer arrearages, shutoffs, and collections actions for the FirstEnergy Rate Districts. CAUSE-PA Comments at 7–10.

PECO encourages including health and safety improvements as a recognized benefit stream for low-income EE programs. PECO notes that its Phase IV Health and Safety Pilot resulted in significant benefits to participating customers. Due to the cost of health and safety measures, PECO recommends budgetary allocations to undertake health and safety measures that would enable utilities to implement more comprehensive energy-efficiency measures. PECO Comments at 4.

PPL comments that the SWE did not analyze the change in the number of reconnections because the EDCs would not realize any financial savings from reduced reconnections. However, PPL recommends calculating those savings for the Final TRC Order because those customer benefits from the EE&C programs should be considered. PPL Comments at 12.

In reply comments, FirstEnergy opposes the further study of reduced customer arrearages, shutoffs, and collections actions for FirstEnergy proposed by CAUSE-PA and instead recommends the Commission adopt the SWE's recommendation of using the statewide average values for FirstEnergy. FirstEnergy Reply Comments at 4.

b. *Disposition*

The Commission adopts the SWE's recommended EDC financial savings from reduced customer arrearages, shutoffs, and collections actions attributable to the EDC's Act

129 low-income programs as shown in Table 2. The values are presented as dollars per MWh using 2026 dollars, adjusted for line losses and inflation, for each EDC. The Commission has included a value for FirstEnergy, which is simply the statewide average value and identical to the individual FirstEnergy EDCs/Rate District values in Table 1.

**Table 2: EDC Financial Savings from Their Low-Income EE Programs**

<i>EDC</i>	<i>Total Annual Benefit Per MWh, \$2026</i>
PECO	\$58.14
PPL	\$44.87
Duquesne Light	\$18.67
FirstEnergy	\$18.10

As noted previously in Section A.6., the Commission will direct TUS staff to further investigate the validity of the potential reduced costs of providing rate assistance to CAP participants attributable to EDC low-income programs and report back to the Commission.

As also noted in Section A.6. above, the Commission recognizes PECO's concerns of the exclusion of potential health and safety benefits in the TRC Test. However, in reviewing information provided in comments, our own research, and research performed by the SWE, we are not persuaded to allow inclusion of these potential benefits in the TRC benefits at this time. The Commission declines PPL's suggestion to calculate the potential customer benefits from changes in the number of reconnections attributable to Act 129 programs, however, the Commission will direct TUS staff to further investigate the validity of this potential customer benefit.

C. *Other TRC Benefits*

While the focus of Act 129 programming is the reduction of electric consumption and peak demand, EE&C measures often impact homes and businesses in other ways, such as fossil fuels or water usage. Fossil fuel and water impacts can be both positive and negative. For example, attic insulation upgrades to a home with central air conditioning and a natural gas furnace will conserve natural gas during the winter heating season in addition to the reduced electric consumption during the summer cooling season. Conversely, a combined heat and power project will reduce consumption of electricity from the grid, but it will increase the amount of fossil fuel consumed on-site by a business. EE&C measures can also reduce or increase the operation and maintenance costs for a participating customer. Lastly, EE&C measures can create societal benefits such as reduced greenhouse gas (GHG) emissions.

This section addresses each category of potential non-electric TRC benefits. Previous Act 129 TRC Test Orders limited inclusion of non-electric benefits to reasonably quantifiable impacts. Guidance and clarification regarding impacts that are reasonably quantifiable or not are provided below. In each area, the Commission proposed in the 2026 TRC Test Tentative Order symmetric handling of increases and decreases in other resource types.

1. *Quantifying Water Impacts*

Several common EE&C measures achieve reductions in electricity consumption from domestic hot water end use by reducing the volume of hot water used for various tasks. For a potential Phase V TRC Test, the Commission proposed in the 2026 TRC Test Tentative Order that any

measure whose TRM algorithm relies on a calculated change in gallons has reasonably quantifiable water savings that EDCs should include in their calculation of TRC benefits. The algorithms for measures 2.3.6 (Low-Flow Faucet Aerators), 2.3.7 (Low-Flow Showerheads), and 2.3.8 (Thermostatic Shower Restriction Valves) of the 2026 TRM include estimation of water volume savings as an intermediate step in the energy savings calculations. Other TRM measures that provide enough information for an EDC or its evaluation contractor to estimate annual water savings with some basic secondary assumptions include 2.4.8 (ENERGY STAR Clothes Washers), 2.4.10 (ENERGY STAR Dishwashers), and 3.4.2 (Low-Flow Pre-Rinse Sprayers for Retrofit Programs and Time of Sale Programs). If a custom project scope includes annual water impacts developed by the participant or contractor, the Commission proposed that it is reasonable for EDCs to include those estimates in the calculation of TRC benefits.

a. *Comments*

The Commission received no comments on this topic.

b. *Disposition*

As proposed in the 2026 TRC Test Tentative Order, for Phase V of Act 129, the EDCs are directed to quantify water impacts and estimate the TRC benefits with those water impacts for measures that the 2026 TRM provides all or most of the necessary inputs and assumptions to calculate them. If a custom project scope includes annual water impacts developed by the participant or contractor, the EDCs are to include those estimates in the calculation of TRC benefits.

2. *Monetizing Water Impacts*

In the first two years of Phase IV (PY13 and PY14), water benefits accounted for approximately \$80 million of the \$972 million (8.2%) in TRC benefits statewide.<sup>57,58</sup> Based on the relative importance of water savings in the Phase IV TRC Test results, it is important that EDCs continue to monetize changes in water consumption in the TRC Test for a potential Phase V of Act 129.

In the 2021 TRC Test Final Order, the Commission directed EDCs to monetize water impacts at a rate of \$0.01 per gallon (2021 dollars) with a loss factor of 24.5% (1.32 multiplier). The value of \$0.01 per gallon was based on an estimated marginal cost to treat and pump an extra gallon of water. Adjusted for inflation, this translates to approximately \$0.011 per gallon (2026 dollars).

In preparation for this Order, Commission staff conducted an analysis of the retail rates of the Class A water utilities over which the PUC has jurisdiction. These include Aqua PA, Pennsylvania American Water, Audubon Water, Columbia Water, Community Utilities, Newtown Artesian, York Water Company and Pittsburgh Water and Sewer Authority. The analysis also included some water utilities that the PUC does not have jurisdiction over, specifically Philadelphia Water Department, Lancaster City Water Authority, and Lehigh County Authority.

Many of the water utilities included in the analysis offer declining block rates where the cost per gallon is lower for billing cycles that exceed a specific volume. The Commission's analysis uses the second block in such cases, assuming that it better approximates the marginal

cost of an additional gallon to the system. Once compiled, the price per gallon was averaged across the residential, commercial, and industrial classes for each water utility. After assigning an approximate number of customers to each utility, Commission staff computed a weighted average for the Commonwealth of 1.057 cents per gallon. Adjusted for inflation, this exercise also returns an estimate of \$0.011 per gallon in 2026 dollars.

Based on the consistency of these results with prior orders and Phase IV TRC testing, the Commission proposed in the 2026 TRC Test Tentative Order that the EDCs monetize water savings at a rate of 1.1 cents per gallon for Phase V of Act 129. Under the proposal, this rate would be increased yearly with the same inflation rate assumed throughout the TRC model and adjusted by a loss factor of 24.5% (1.32 multiplier).

a. *Comments*

The Commission received no comments on this topic.

b. *Disposition*

For Phase V of Act 129, the EDCs and their evaluation contractors are directed to monetize annualized water savings at a rate of 1.1 cents per gallon (\$2026). This rate increases yearly with the same inflation rate assumed throughout the TRC model and adjusted by a loss factor of 24.5% (1.32 multiplier).

3. *Quantifying Fossil Fuel Impacts*

In the 2021 TRC Test Order, the Commission directed the EDCs to quantify the fossil fuel impacts of EE&C measures for inclusion in the calculation of TRC benefits. This was consistent with the 2016 TRC Test Order and a 2018 SWE guidance memo. The Commission noted that specific instructions regarding fossil fuel impact calculations for all Act 129 EE&C measures are not practical given the diversity of measures, program delivery models, and data collection practices. Accordingly, the EDC evaluation contractors are expected to use professional judgment when developing estimates. Considering this, the Commission proposed the following general guidance be used in a potential Phase V for certain measure categories.

- For building shell, whole home, or heating, ventilation, and air conditioning (HVAC) measures that reduce space heating consumption in homes with fossil fuel heat, the 2026 TRM generally provides adequate information to estimate fossil fuel savings for homes with non-electric space heating. EDCs should assume a natural gas furnace with a thermal efficiency of 88% and capacity of 78,000 BTU/hour in the calculations based on the results of the 2023 Residential Baseline Study.<sup>59</sup>
- Faucet aerators, low-flow showerheads, and thermostatic shower restriction valves reduce fossil fuel use when they are implemented in homes with non-electric water heating. The 2026 TRM assumes 47% of homes have electric water heat, indicating the remaining 53% have natural gas, propane, or fuel oil. Consistent with prior TRC Test Orders, the Commission proposed a simplified assumption that all non-electric domestic hot water savings be monetized using natural gas avoided costs for a potential Phase V at an assumed 80% recovery efficiency.

<sup>57</sup> See Act 129 SWE Phase IV Program Year 13 Final Annual Report. Submitted to the Commission on December 5, 2022, [https://www.puc.pa.gov/media/2152/py13\\_swe\\_annual\\_report120522final.pdf](https://www.puc.pa.gov/media/2152/py13_swe_annual_report120522final.pdf), Table 21 on page 48.

<sup>58</sup> See Act 129 SWE Phase IV Program Year 14 Final Annual Report. Submitted to the Commission on December 1, 2023, [https://www.puc.pa.gov/media/2688/swe\\_py14\\_final\\_annual\\_report120123.pdf](https://www.puc.pa.gov/media/2688/swe_py14_final_annual_report120123.pdf), Table 21 on page 46.

<sup>59</sup> See NMR Group for the Pennsylvania Public Utility Commission. 2023 Pennsylvania Statewide Act 129 Residential Baseline Study. Submitted March 25, 2024, at Docket No: M-2023-304490. [https://www.puc.pa.gov/media/2883/2023\\_pa\\_residential\\_baseline\\_study.pdf](https://www.puc.pa.gov/media/2883/2023_pa_residential_baseline_study.pdf).

a. *Comments*

NEEP recommends that avoided costs for delivered fuels, such as fuel oil and propane, be accounted for separately from natural gas. NEEP cites an EPA determination that heating oil emits 40% more CO<sub>2</sub> than natural gas and thus suggests that the two fuels need to be assessed separately for accuracy. NEEP Comments at 4.

In its reply comments, FirstEnergy disagrees with NEEP's suggestion to separate fuel oil and propane savings from natural gas. It states that natural gas accounts for the majority of fossil fuel space heating in Pennsylvania, and suggests the administrative burden required to separate the different fuel types would be high. FirstEnergy supports the Commission's proposal to use natural gas as a proxy for all fuels in the Phase V TRC Test. FirstEnergy Reply Comments at 5-6.

b. *Disposition*

The Commission rejects NEEP's suggestion to require separate avoided cost forecasts for delivered fuels and natural gas. Act 129 programs are focused on electricity savings and are funded by cost recovery on electric bills. While this does not mean fossil fuel impacts should be ignored in the TRC Test, the Commission does not agree that the additional tracking and reporting complexity required to differentiate fossil fuel types is justified for electric EE&C plans. Further, the 2026 TRM does not provide default assumptions by fossil fuel type, which would be needed to implement NEEP's proposal at scale. NEEP's point about the additional emissions intensity of delivered fuels versus natural gas is well-taken, but in a TRC Test, which does not monetize emissions benefits, this granularity would not impact the B/C results of the programs. While the Commission will not require fossil fuel differentiation by the EDCs for Phase V or to incorporate separate avoided cost forecasts for delivered fuels in the 2026 ACC, the EDCs should have the flexibility to adopt differential tracking and benefit calculations in their Phase V EE&C plans if the perceived benefits to program design and delivery outweigh the increased administrative costs.

4. *Interactive Effects*

Lighting interactive effects are a specific form of fossil fuel impacts that the TRC Test must consider. Installation of light emitting diode (LED) lighting reduces the amount of waste heat produced by the lighting end-use. TRM protocols quantify the impacts on electric HVAC systems, so the electric interactive effects are reflected in the calculation of TRC benefits. In the case of homes or businesses with fossil fuel heating systems, the increased heating fuel consumption should continue to be treated as a negative benefit in the TRC Test.

As part of the 2026 TRM, the SWE developed residential and non-residential lighting interactive effects calculators. The outputs of these Microsoft Excel tools were the basis of the proposed electric interactive effects in the 2026 TRM Tentative Order.<sup>60</sup> That modeling effort also included estimates of fossil fuel heating penalties on a MMBtu per kWh of lighting savings basis. Table 3 shows the Commission's proposed default residential lighting interactive effects by EDC/Rate District, considering the weather patterns of each service territory and the heating fuel saturations from the 2023 Residential Baseline Study.

<sup>60</sup> See 2026 TRM Tentative Order, Docket No. M-2023-304491 (entered May 9, 2024), Page 15, <https://www.puc.pa.gov/pcdocs/1828766.pdf>.

**Table 3: Residential Interactive Effects By EDC/Rate District**

<i>EDC/Rate District</i>	<i>IF<sub>fossil fuel</sub></i>
PECO	-0.0009
PPL	-0.0006
Duquesne Light	-0.0012
FE: Met-Ed	-0.0007
FE: Penelec	-0.0009
FE: Penn Power	-0.0010
FE: West Penn Power	-0.0007

The Act 129 Lighting Audit & Design Tool for Commercial and Industrial Projects (2026 TRM Appendix C) collects HVAC configuration so heating fuel is known for most retrofit lighting projects. Table 4 shows the Commission's proposed default non-residential lighting interactive effects by HVAC configuration based on the SWE's modeling efforts.

**Table 4: Non-Residential Interactive Effects By HVAC Configuration**

<i>HVAC Scenario</i>	<i>IF<sub>fossil fuel</sub></i>
AC with Fossil Fuel Heat	-0.0010
AC with Electric Heat	0.0000
Fossil Fuel Heat Only	-0.0010
Electric Heat Only	0.0000
Unknown—Use Market Average	-0.0008

The Commission proposed in the 2026 TRC Test Tentative Order to simplify the approach of monetizing all fossil fuel impacts. As discussed in the following section and consistent with prior TRC Test Orders, the Commission proposed using the avoided cost of natural gas rather than requiring a separate avoided cost forecast for fuel oil and propane and tracking heating fuel distributions among EE&C plan participants with fossil fuel heat.

a. *Comments*

The Commission received no comments on this topic.

b. *Disposition*

For Phase V of Act 129, the EDCs and their evaluation contractors are directed to quantify and report both electric and non-electric interactive effects associated with installation of high-efficiency lighting in homes, businesses, and agricultural applications. The 2026 TRM provides default assumptions for electric interactive effects. Table 3 and Table 4 of this Order provide default assumptions for fossil fuel interactive effects on a MMBtu per kWh saved basis. The EDCs and their evaluation contractors are encouraged to utilize site-specific interactive effect calculations where practical if the necessary data is available.

5. *Monetizing Fossil Fuel Impacts*

The Commission proposed in the 2026 TRC Test Tentative Order that all resources be monetized using a marginal cost to reflect what is reduced (or increased) by an EE&C measure. Other fixed costs embedded in retail rates will still be recovered. The marginal cost of natural gas is used as an input to the avoided cost of electricity forecast, as described in Section B.2. of this Order. The Commission proposed that the EDCs use natural gas values in this forecast, collapsed to a single annual value,



to monetize changes in fossil fuel consumption due to installation of EE&C measures. The proposed methodology entails the use of a 20-year period for calculating avoided natural gas costs and is dissected into three segments.

*The first segment, years one through four:* The methodology for segment one should utilize short-term market-based NYMEX natural gas futures prices.

i. Use NYMEX natural gas futures prices at Henry Hub for years one through four. The prompt month for NYMEX futures is established as three months prior to the filing date.

ii. Use the differential between Henry Hub as the source and TETCO M-3 as the destination for the locational basis adjustment to the natural gas prices for EDC/Rate Districts west of the Susquehanna River. The locational basis adjustment to the natural gas prices for EDC/Rate Districts east of the Susquehanna River uses the basis differential between Henry Hub as the source and Transco Zone 6 non-New York as the destination.

iii. Average monthly NYMEX natural gas prices to create a single annual value.

*The second segment, years five through ten:* The methodology for segment two should be based on NYMEX natural gas futures. Medium-term NYMEX natural gas futures should be blended with the longer-term EIA AEO projected natural gas costs across the segment two period to shift from market-based conditions to a more stable model that is public and transparent.

i. Gather NYMEX natural gas futures at Henry Hub for years five through ten. The prompt month for NYMEX futures is established as three months prior to the filing date. Monthly NYMEX natural gas prices shall be averaged to create a single annual value.

ii. Use the differential between the Henry Hub as the source and TETCO M-3 as the destination for the locational basis adjustment to the natural gas prices for EDC/Rate Districts west of the Susquehanna River. The locational basis adjustment to the natural gas prices for EDC/Rate Districts east of the Susquehanna River uses the differential between the Henry Hub as the source and Transco Zone 6 non-New York as the destination. For EDCs that have service territory on both sides of the river, such as PPL and FirstEnergy, the location shall be based where most of the electric load is present.

iii. Gather annual forecasted natural gas costs from the 2025 EIA AEO projected costs for Electric Power Users in the Mid-Atlantic region using real dollars.

iv. Derive final natural gas costs by blending NYMEX natural gas futures and EIA AEO projected natural costs over the segment two horizon. The Commission proposed that this shall be calculated by adding one-seventh of the differential between EIA AEO natural gas costs and locational adjusted NYMEX natural gas futures for each segment year starting in year five to the zone location adjusted NYMEX natural gas futures.

*The third segment, years eleven through twenty:* The methodology for segment three should utilize long-term market-based EIA AEO projected natural gas costs.

The 2026 TRM does not include loss rates for natural gas; however, natural gas companies also experience losses in their distribution networks. The Commission proposed EDCs use a natural gas loss factor of 4% (1.04167) based on the SWE's calculations from data provided by the Pipeline and Hazardous Materials Safety Administration.

#### a. *Comments*

The Commission received no comments on this topic.

#### b. *Disposition*

The Commission directs the EDCs to calculate the avoided cost of fossil fuels as described above. The 2026 ACC (Exhibit 1) codifies each step of this process in a Microsoft Excel workbook. Since the formulas and assumptions of the 2026 ACC are consistent with this Order, the Commission views avoided cost of fossil fuels forecasts developed using the 2026 ACC as aligned with the guidance of the 2026 TRC Test Order.

### 6. *O&M Benefits*

The Commission's position on operation and maintenance (O&M) benefits has been largely unchanged since Phase I. O&M benefits, including avoided future replacement costs and labor, should be included as TRC benefits where such benefits are quantifiable and material. In cases where such costs were challenging to quantify, or unquantifiable, the Commission permitted the EDCs to omit such costs from TRC calculations.

O&M benefits can be positive or negative. CHP and solar photovoltaic (PV) systems, for example, will often have negative O&M benefits. If a project has ongoing maintenance costs relative to the baseline equipment, those costs should continue to be included as negative O&M benefits. For some measures, the SWE provides default O&M assumptions in its latest version of the incremental measure cost database (hereafter, 2026 IMCD, Exhibit 5 to this Order). In previous versions of the IMCD, the SWE proposed default O&M assumptions for LED lighting measures to reflect the longer rated lifetime of LED products compared to inefficient lighting equipment. Based on the rapid transformation of lighting markets and uncertainty in the availability of non-LED products for certain equipment categories, the SWE did not provide default O&M values for LED lighting measures in the proposed 2026 IMCD. The EDCs may still assign O&M benefits to LED lighting measures if market conditions suggest that avoided future replacement costs are appropriate to include in the TRC benefits ledger.

#### a. *Comments*

The Commission received no comments on this topic.

#### b. *Disposition*

For Phase V of Act 129, the Commission directs the EDCs to continue to include O&M benefits in the TRC Test. O&M savings are expressed as positive TRC benefits and increased O&M costs are considered negative TRC benefits. EDCs and their evaluation contractors should attempt to quantify O&M benefits where the impacts are quantifiable and material.

### 7. *Societal Benefits*

In the 2021 TRC Test Order, the Commission concluded, consistent with prior TRC Test Orders, that the TRC Test would not include societal benefits such as greenhouse gas emissions reductions, other environmental benefits, or any other non-energy impacts (NEIs) beyond the quantifiable fossil fuel, water, and O&M impacts detailed elsewhere in this section.

Pennsylvania's participation in the Regional Greenhouse Gas Initiative (RGGI) is currently on hold. The Commonwealth Court declared Pennsylvania's involvement in RGGI to be unconstitutional in a decision issued



on November 1, 2023.<sup>61</sup> While there are still ongoing appeals in the state judicial system on the matter, it is not likely that the Commonwealth will become involved with the initiative absent new legislation. If, in the future, the state legislature moves towards enacting legislation that would allow for involvement in RGGI or a similar initiative focused on greenhouse gas emissions reductions, or other environmental goals, the Commission reserves the right to revisit the position of societal benefits and their inclusion in B/C testing in Phase V of Act 129.

The TRC Test, traditionally, does not include explicit accounting of general societal benefits. Where societal benefits are embedded in the cost of supplying energy, such as compliance with the AEPS Act or reduced arrearages and collection costs, those benefits are included in the TRC calculations. The Commission proposed in the 2026 TRC Test Tentative Order to continue to omit the explicit accounting of additional societal benefits in the TRC Test in Phase V of Act 129.

#### a. *Comments*

NEEP, CAUSE-PA, and the Joint Energy Advocates comment that societal benefits, including the cost of carbon, should be included in cost-effectiveness testing. NEEP Comments at 2 and 4, CAUSE-PA Comments at 11, The Joint Energy Advocates Comments at 4.

KEEA notes that inclusion of societal benefits would make the TRC Test more holistic, especially with respect to low-income communities. KEEA Comments at 4.

NEEP recommends the Commission reverse its decision to exclude non-energy impacts such as health, economic development, comfort, and additional non-energy impacts. NEEP recommends the inclusion of a 5–10% non-energy benefit adder. NEEP Comments at 2 and 4.

PPL comments that societal benefits should be included in cost effectiveness testing. PPL also comments that potential alternative legislation, such as RGGI, should not directly impact decisions related to Act 129. PPL comments at 9.

CAUSE-PA comments that the inclusion of societal benefits will help support an equitable energy transition—allowing greater inclusion of comprehensive efficiency for low-income families. CAUSE-PA Comments at 11.

The Joint Energy Advocates comment that GHG emissions reductions in low-income and environmental justice areas should be factored into the 2026 TRC Test to help foster targeted distribution of program funds to areas most in need of comprehensive efficiency services. The Joint Energy Advocates Comments at 4.

Duquesne Light supports the Commission's decision to exclude societal benefits from the 2026 TRC Test. Duquesne Light also comments that the Commission should avoid any mid-phase changes related to societal benefits. Duquesne Light Comments at 5.

#### b. *Disposition*

The Commission disagrees with the commenters that the social cost of carbon should be included in the 2026 TRC Test. Act 129, as written, directs parties to only consider the costs of supplying electricity when considering cost effectiveness. The social cost of carbon or other greenhouse gas emissions is not currently valued in the cost of supplying electricity in PJM, which is the electric-

ity market that all Pennsylvania EDCs participate in. If, in the future, this pricing position changes in the PJM marketplace then it would be appropriate to revisit the position of societal benefits and their inclusion in cost effectiveness testing in Phase V of Act 129.

The Commission disagrees with comments that argue for the inclusion of health and safety and economic development benefits in the 2026 TRC Test. In reviewing the information provided in comments, our own research, and research performed by the SWE, the most common approach other jurisdictions use to monetize these benefits is through “adders” that increase TRC benefits by some amount. We are not persuaded to allow inclusion of adders in the TRC benefits, especially given the large variance in the size of benefits among states that do quantify health benefits.

The Commission maintains its position and directs the EDCs to continue to omit the explicit accounting of additional societal benefits in the TRC Test in Phase V of Act 129.

#### D. *TRC Costs*

As shown in Appendix A of this Order, there are fewer categories of TRC costs than TRC benefits. Almost all TRC costs can be classified as either program administration and overhead or IMCs. However, complications arise with respect to classifying different cost components based on the EE&C program delivery mechanism and which party incurs the costs. In this section, guidance is provided for calculating and reporting TRC costs during a potential Phase V of Act 129.

##### 1. *Program Administration And Overhead*

The administration and overhead costs of delivering an EE&C plan are costs in the TRC Test, on both a net and gross basis, as the costs would not occur absent the program. These costs should be carefully tracked for cost recovery purposes and straightforward to report. The Commission proposed in the 2026 TRC Test Tentative Order that all program administration and overhead costs continue to be treated as TRC costs regardless of whether they are incurred by EDCs, CSPs, or the evaluation contractor. Common categories of administration costs are program design, management, technical assistance, marketing, program delivery, and evaluation. The SWE audit costs should also be classified as program administration and overhead costs. CSP contracts and EDC cost tracking should be structured in a way that provides maximum stakeholder visibility into non-incentive cost elements.

Some administrative costs, like a program tracking system or legal counsel, are challenging to allocate to specific programs. EDCs will continue to have the flexibility to incorporate these cross-cutting costs at the portfolio level or allocate them across programs using energy savings, budget, or some other logical allocation method. The treatment of cross-cutting costs, as well as a breakdown of cross-cutting cost components, will continue to be included in the EDC EE&C plans and final annual reports.

In the 2021 TRC Test Order, the Commission reconsidered its perspective on the categorization of equipment costs for direct installation programs relative to previous phases. The Commission directly addressed the handling of kit measures in the 2021 TRC Test Order. While the treatment of kit and directly installed equipment costs do not affect the TRC calculation because the incremental cost is unaffected, the Commission recognized that the categorization of costs is a common area of interest for stakeholders. The share of costs used for administration

<sup>61</sup> See [https://www.pacourts.us/assets/opinions/Commonwealth/out/247MD22\\_11-1-23.pdf?cb=1](https://www.pacourts.us/assets/opinions/Commonwealth/out/247MD22_11-1-23.pdf?cb=1), Page 2-10.

rather than incentives was so important that the Commission required at least 50% of Phase IV EE&C plan spending to come from incentives and less than 50% to be attributed to non-incentive cost categories. See Phase IV Implementation Order at 126-127. For Phase IV of Act 129, kit and directly installed equipment costs were to be treated as IMCs and incentives rather than program administration costs. See 2021 TRC Test Order at 75. To maintain the requested visibility into the share of program expenses devoted to administration versus incentives, the Commission proposed to continue this handling of kit and directly installed equipment costs for a potential Phase V of Act 129. The shipping cost of the kits would still be treated as a non-incentive program delivery cost. The labor cost to directly install equipment would be included in the IMC and categorized as a participant incentive.

a. *Comments*

Duquesne Light supports the continued treatment of kit measures, directly installed equipment, and direct installation labor cost as an incentive to the participant. Duquesne Light Comments at 5. PPL recommends that the Commission categorize the delivery costs for kits as a participant incentive since kits often contain important

educational materials and instructions associated with the shipped products that would normally be conveyed via ICSP labor. PPL Comments at 10.

b. *Disposition*

The Commission recognizes PPL's assertion that shipping costs for kits displace CSP labor to transport efficient equipment to participating homes and businesses and provide guidance on installation and efficient operation. For Phase V of Act 129, both the cost of the kit itself and the shipping cost to deliver the kit to the participating home or business will be categorized as a participant incentive. As proposed, both the cost of directly installed equipment and the labor to perform the direct installation will be categorized as participant incentives.

2. *Incremental Costs*

The IMC of an EE&C plan measure varies by measure type, and the assumptions about the baseline—or what costs the participant would have incurred absent program participation. Table 5 is adapted from the Pennsylvania Evaluation Framework<sup>62</sup> and provides a useful summary of common measure types. It is important that the methodology EDCs use to compute incremental costs continues to be aligned with the methodology used to calculate energy savings.

**Table 5: Incremental Cost by Measure Type**

<i>Type of Measure</i>	<i>IMC (\$/Unit)</i>	<i>Impact Measurement (kWh/yr/Unit)</i>
New Construction	Cost of efficient device minus cost of baseline device.	Consumption of baseline device minus consumption of efficient device.
Replace on Burnout (ROB)	Cost of efficient device minus cost of baseline device.	Consumption of baseline device minus consumption of efficient device.
Retrofit: An additional piece of equipment or process is retrofit to an existing system. (e.g., additional insulation or duct sealing)	Cost of efficient device plus installation costs.	Consumption of old device minus consumption of efficient device.
*Early Replacement: Replacement of existing functional equipment with new efficient equipment	Present value of efficient device (plus installation costs). If a dual baseline is used, subtract the present value of the baseline device assumed to be installed at the end of the remaining useful life of the existing equipment (plus installation costs).	During remaining life of old device: Consumption of old device minus consumption of efficient device.  After remaining life of old device: Consumption of baseline device minus consumption of efficient device.
Early Retirement (No Replacement)	Cost of removing old device.	Consumption of old device
*The early replacement case is essentially a combination of the simple retrofit treatment (for the time period during which the existing measure would have otherwise remained in service) and the failure replacement treatment for the years after the existing device would have been replaced.		

In preparation for Phase II, the Commission directed the Phase I SWE to complete an IMCD by December 31, 2012, to support EE&C plan development and uniform calculation of TRC costs across EDCs. See 2013 TRC Test Order at 25. The Commission also recognized that EDC EE&C plans may include measures that are not adequately addressed by the SWE IMCD or other industry resources. Since the initial development of the SWE's IMCD, the SWE has conducted research to update cost assumptions for various measures.

The Phase IV SWE is currently working on the EE MPS for a potential Phase V of Act 129. IMC assumptions for EE&C measures are a key part of the economic

screening step of the EE MPS. Since the timing of the 2026 TRC Test Tentative Order fell at approximately the same time that the SWE began economic screening, the Commission directed the SWE to complete its updates to the IMCD for inclusion as an exhibit. As listed in Section H, Exhibit 5, is version 5.1 of the IMCD. Measure information is organized to align with the 2026 TRM. The Commission invited stakeholders to present recommendations for alternative measure cost assumptions via comments if they have better data on equipment and labor costs in the Commonwealth.

<sup>62</sup> See [https://www.puc.pa.gov/media/1584/swe-phaseiv\\_evaluation\\_framework\\_071621.pdf](https://www.puc.pa.gov/media/1584/swe-phaseiv_evaluation_framework_071621.pdf) at page 86.

As in prior phases, the Commission proposed in the 2026 TRC Test Tentative Order that the SWE IMCD remains an optional resource for EDCs and their evaluation contractors. EDCs may elect to use the cost assumptions in the IMCD or other reputable industry sources in their EE&C plans and annual TRC reporting. The source of all IMC assumptions should be documented. EDCs should use actual project costs where available and practical (e.g., retrofit projects).

a. *Comments*

Duquesne Light supports the descriptions of incremental costs by measure type presented in Table 5 but suggests the Commission adopt industry-standard language for these types of measures. Specifically, Duquesne Light states that the “Replace on Burnout” measure type is more widely known as “Normal Replacement.” Duquesne Light reiterates its concerns from the 2026 TRM Final Order<sup>63</sup> about establishing any measure type other than “Replace on Burnout” or Normal Replacement as the default for a given delivery channel. Duquesne Light Comments at 5.

Duquesne Light questions the appropriateness of using a single entry based on fixture wattage in the Incremental Measure Cost Database for all LED lighting under TRM sections 3.1.1 and 3.1.7. Duquesne Light comments that additional factors affect price, such as form factor (e.g., high-bay versus troffer) and intended use (e.g., standard versus explosion-proof). Duquesne Light Comments at 6.

b. *Disposition*

Consistent with our determination in the 2026 TRM Final Order, the Commission declines to rename the “Replace on Burnout” measure type “Normal Replacement”. The Commission finds the term “Replace on Burnout” is more descriptive and intuitive than “Normal Replacement” and disagrees with Duquesne Light’s suggestion that there is an industry standard terminology with which Pennsylvania is misaligned. For Phase V of Act 129, the Commission adopts the SWE 2026 IMCD (Exhibit H.5) as an optional resource for EDCs and their evaluation contractors. EDCs may elect to use the 2026 IMCD or other reputable industry sources in their EE&C plans and annual TRC reporting. When actual project costs are available for retrofit projects, EDCs should use those costs in lieu of assumptions from the 2026 IMCD.

The Commission reminds Duquesne Light that the SWE-developed IMCD is an optional resource for EDCs and their evaluation contractors. EDCs may elect to use the cost assumptions in the 2026 IMCD or other reputable industry sources in their EE&C plans and annual TRC reporting. Duquesne Light is encouraged to develop and utilize more granular IMC assumptions for commercial lighting measures if it feels the weighted average values in the SWE 2026 IMCD could bias Phase V B/C results. The source of all IMC assumptions should be documented. EDCs should use actual project costs where available and practical (e.g., retrofit projects).

3. *Act 129 Incentives*

Incentives to program participants are transfer payments intended to offset the IMC of efficient equipment. They are a cost to the EDC and a benefit to the participant, so they are neither a cost nor a benefit in the TRC Test. An exception to this rule occurs when the incentive amount is greater than the IMC. If the incen-

tive amount is greater than the IMC, the incentive amount should be used as the TRC cost instead of the IMC. Incentives may be greater than the IMC when an EDC elects to make the efficient option the lowest cost option for participants. Incentives can also exceed incremental cost when there is no clear measure cost, such as for Appliance Recycling programs.

Consistent with the 2021 TRC Test Order, the Commission proposed in the 2026 TRC Test Tentative Order to categorize the cost of kits and directly installed equipment as an incentive to program participants. The labor cost to directly install equipment in homes and businesses should also be categorized as an incentive. Prior to the 2021 TRC Test Order, the Commission defined an incentive as “a payment made to a program participant by an EDC to encourage the customer to participate in an energy efficiency program and to help offset some, or all, of the participant’s costs to purchase and install an energy efficiency measure.” See 2013 TRC Test Order at 16. It is the Commission’s position that kits and directly installed equipment encourage customers to participate in programs and offset some or all the cost of installing energy efficient equipment. Kits and direct install programs do not require the participant to pay the upfront cost and then recover a portion of that cost via a second financial transaction with the EDC. This does not affect the underlying program mechanism whereby an EDC program reduces the participant cost for measure installation.

In summary, the Commission proposed that the EDCs continue to treat incentive costs as neither a cost nor a benefit in the TRC Test, except when the incentive amount is greater than the IMC, in which case the incentive amount should be used as the TRC cost instead of the IMC. In addition, the Commission proposed that EDCs continue to categorize the cost of kits and directly installed equipment as an incentive to program participants.

a. *Comments*

The Commission received no comments on this topic.

b. *Disposition*

As proposed, the Commission directs the EDCs to continue to treat incentive costs as neither a cost nor a benefit in the TRC Test, unless the incentive amount is greater than the IMC, in which case the incentive amount should be used as the TRC cost instead of the IMC. EDCs will also continue to categorize the cost of kits and directly installed equipment as incentives to program participants.

4. *Incentives From Outside Of Act 129*

In the TRC Test formulae for Phases I, II, and III, outside incentives appeared as the factor “TC<sub>t</sub>” or tax credits in year t. This term was counted towards the program benefits. In Phase IV, the Commission proposed treating incentives from outside of Act 129 as a reduction in costs, not as a benefit of the program, and proposed using the term “OI<sub>t</sub>” or outside incentives in year t in the formulae. The Commission proposed to continue to treat incentives from outside of Act 129 as a reduction in costs.

As noted in Section A.8 above, EDCs only needed to factor in, as reductions to cost, the non-Act 129 incentives that are reasonably quantifiable by the EDC. The Commission interprets “reasonably quantifiable” to include any non-Act 129 incentive, such as a rebate, tax credit, or grant, where the EDC has direct data on the amount of the incentive and the fact that the customer made use of

<sup>63</sup> See 2026 Technical Reference Manual Final Order at Docket No. M-2023-3044491, entered September 12, 2024. Page 25. <https://www.puc.pa.gov/pdocs/1848423.pdf>.



the funds. For example, if a participant completes a \$500,000 retrofit project and receives a \$100,000 grant from outside funding sources, the EDC should include the \$100,000 as a cost reduction and use \$400,000 as the IMC. Another example of reasonably quantifiable non-Act 129 incentives is energy efficiency rebates from programs administered by DEP. Federal tax credits to individuals for energy-efficient equipment, also supported by Act 129 incentives, would be an example of an incentive that the Commission would consider not reasonably quantifiable. The EDC would not have a way of knowing if a customer claimed the credit or what the actual impact was on their ultimate tax liability.

#### a. *Comments*

As noted in Section A.8. above, PECO and PPL request that the Commission clarify how incentives from federal funding mechanisms such as the IRA and IIJA, or RISE PA, will be treated from a TRC Test perspective. PPL comments that the plan for incentive stacking, attribution, and other issues remains unresolved by the Tentative TRC Order. PECO Comments at 2, PPL Comments at 4 and 10.

PECO disagrees with the Commission's proposal that tax credits are not reasonably quantifiable. PECO argues that it would be reasonable and justifiable to recognize some level of impact from these federal tax incentives when assessing the cost-effectiveness and affordability of EE measures, including the newly added solar measure in Phase V. PECO Comments at 5.

#### b. *Disposition*

As discussed in the disposition of Section A.8., Measures Supported by Both Act 129 Programs and Other Funding Streams, reasonably quantifiable outside incentives, including Federal funding mechanisms such as the IRA, reduce the participating customers' costs and therefore, the reduction will be treated as a reduction in incremental cost for Phase V of Act 129. Regarding PECO's comment about assuming zero impact of tax credits, the Commission clarifies that its interpretation of "reasonably quantifiable non-Act 129 incentives" does not preclude an EDC from quantifying tax incentives. The Commission agrees with PECO that it is reasonable and justifiable to recognize some level of impact from these federal tax incentives when assessing the cost-effectiveness and affordability of EE measures such as solar photovoltaics. The Commission encourages the EDCs to quantify customer-claimed tax credits, particularly for solar measures.

In response to PPL's request for additional clarity regarding incentive stacking and attribution, the Commission wishes to make clear that EDCs may claim the full gross verified savings for any EE&C project they support. Projects supported by other entities are an important consideration for net savings as the free rider-ship rate could likely be higher for offerings where the EDC is not the only project sponsor. EDC evaluation contractors are expected to explore this issue as part of net-to-gross research in Phase V, but gross verified compliance savings are not affected by attribution results in the net savings analysis.

### E. *Fuel Switching*

#### 1. *ENERGY STAR Requirement*

In Phases I, II, III, and IV EDCs were allowed to support fuel switching measures that convert equipment from electricity to fossil fuel, but the fossil fuel equipment must meet or exceed the current US Environmental

Protection Agency (EPA) minimum ENERGY STAR performance standard. The ENERGY STAR status of some fossil fuel equipment, such as gas furnaces, is in a state of uncertainty as they were being considered for removal from the ENERGY STAR specification. However, the EPA recently announced a proposal to update rather than sunset the ENERGY STAR specification for furnaces. The proposed new specifications are still in development.<sup>64</sup>

If an EDC wishes to incentivize a fuel switching measure in Phase V, the Commission proposed that the EE&C plan should state a proposed minimum standard and provide justification for the threshold. For example, if an EE&C plan includes CHP systems as a measure, the EE&C plan should specify the minimum system efficiency to receive program support.

#### a. *Comments*

KEEA, NEEP, CAUSE-PA and the Joint Energy Advocates all oppose continuing to allow incentives for electric-to-gas fuel switching within the Act 129 program. They argue that fuel-switching is counter to state and federal policies that support a shift towards decarbonization and reducing greenhouse gas emissions. KEEA Comments at 5. NEEP Comments at 4, CAUSE-PA Comments at 11, Joint Energy Advocates Comments at 5.

The Joint Energy Advocates note that Pennsylvania's climate goals call for reductions of GHG emissions by 26% by 2025 and 80% by 2050 from 2005 levels and that other states with similar climate goals have eliminated fuel switching from their energy efficiency programs to better align efficiency investments with climate goals. Joint Energy Advocates Comments at 5. CAUSE-PA adds that switching a home from an electric to gas furnace will increase emissions and will work at a cross purpose to other goals to improve health and safety of individuals, families, and communities. CAUSE-PA recommends that, should fuel switching still be included, the EDC must prove that such a switch will be cost effective for the household and will improve energy savings. CAUSE-PA Comments at 11.

#### b. *Disposition*

The Commission is aware of the state climate goals and policies that support a shift towards decarbonization and reducing greenhouse gas emissions, and we note that fuel-switching measures have been removed from the 2026 TRM. However, the Commission declines to issue a general statement in this proceeding that fuel-switching measures should be discontinued within Act 129. The purpose of the TRC Test Order is to provide technical guidance on B/C testing so it is important that this Order specifies how to calculate TRC costs and benefits from fuel switching in case an approved Phase V EE&C plan includes fuel switching measures. If an EDC wishes to incentivize a fuel switching measure in Phase V, the Commission directs the EDCs to include in their EE&C plan a proposed minimum standard and provide justification for the threshold to receive program support.

#### 2. *Increased Fuel Consumption*

For Phase IV of Act 129, the Commission directed the EDCs to treat increased fuel consumption from fuel switching as a negative TRC benefit. See 2021 TRC Test Order at 82. In previous phases increased fuel consumption from fuel switching was considered a TRC cost. Positive costs and negative benefits lead to identical PVNB results, but different TRC ratios. Since the in-

<sup>64</sup> US EPA. (2023, May 18). ENERGY STAR Furnaces and Central Air Conditioners: Sunset Proposal Memo, Weblink US EPA (2024, April 16), ENERGY STAR Version 5.0 Furnaces Draft 1 Cover Letter. Weblink.



creased fuel consumption is an output of program efforts, the Commission believes the benefits ledger is more appropriate. Monetizing increased fuel consumption from fuel switching measures as TRC benefits alongside reductions in fossil fuel consumption from measures that conserve fossil fuel promotes symmetry in TRC Tests and allows EDCs to report overall impacts on fuel consumption. For a potential Phase V of Act 129, the Commission proposed in the 2026 TRC Test Tentative Order that EDCs treat any increased fuel consumption from fuel switching measures as a negative TRC benefit.

CHP projects both increase fuel consumption to power the electricity generation equipment and offset fuel consumption by recovering useful heat from the generation process. The fuel consumption offset by CHP should be estimated to calculate the net change in fuel consumption from fuel switching.

The Commission proposed in the 2026 TRC Test Tentative Order to continue using the marginal system cost of the fuel to monetize the projected fuel consumption over time if the fuel consumed is natural gas. The forecast methodology for natural gas is outlined above in Section C.5. A forecast of projected retail costs from the EIA AEO, or similar reputable industry source, should be used for delivered fuels such as gasoline or propane. For on-site fuels, such as biogas, the Commission proposed that EDCs use the estimated production cost over the EUL of the measure.

a. *Comments*

The Commission received no comments on this topic.

b. *Disposition*

For Phase V of Act 129, the EDCs and their evaluation contractors are directed to treat any increased fuel consumption from fuel switching measures as a negative TRC benefit. If an EE&C plan includes CHP, the fuel consumption offset from heat recovery should be netted out of the fuel consumption required to power the CHP system to calculate and report the net change in fuel consumption. In addition, the EDCs are to continue to use the marginal system cost of natural gas outlined in Section C.5. to monetize the projected fuel consumption over time if the fuel consumed is natural gas. A forecast of projected retail costs from the US EIA, or similar reputable industry source, should be used for any fuel switching to delivered fuels such as gasoline or propane. For on-site fuels, such as biogas, the EDCs are directed to use the estimated production cost over the EUL of the measure.

F. *Net-To-Gross (NTG) Issues*

1. *Use Of NTG Research*

In the 2016 TRC Test Order, the Commission required that EDCs report TRC ratios in EE&C plans in two ways: (1) based on projected gross savings and (2) based on projected net savings. See 2016 TRC Test Order at 46-47. The Commission proposed no changes to this requirement for Phase IV, and the Commission proposed no changes to this requirement for Phase V. EDC evaluation contractors shall continue to conduct NTG research, use the results for program planning purposes, report net verified savings, and calculate the TRC Test results on a net basis.

a. *Comments*

The Commission received no comments on this topic.

b. *Disposition*

The EDCs and their evaluation contractors are directed to continue to conduct NTG research in Phase V and to

use the results for program planning purposes. EE&C plans and annual reports are to include estimates of net verified savings and present TRC Test results on both a net and gross basis. NTG research shall be applied to the TRC Test only for the purposes of program planning.

2. *Treatment Of Incentives To Free-Riders*

The Commission proposed in the 2026 TRC Test Tentative Order to maintain the current Phase IV position on the treatment of incentives for free-riders for Phase V, which is that free-rider incentives shall not be included as an additional program cost when considering a net TRC Test perspective. Free-rider participant costs would have occurred even in the absence of a program and are not part of net program costs. Spillover, the opposite of the free-rider effect, occurs when customers adopt measures because they are influenced by program-related information and marketing efforts, but they do not actually participate in the program. Consequently, the participant costs shall be reduced by the NTG value.

The Commission is aware that the inclusion of costs for incentives to free-riders in the calculation of a TRC Test was addressed by the California Public Utilities Commission in the 2007 Clarification Memo. However, in prior TRC Test Orders, this clarification to include free-rider incentives as a program cost was rejected as it was determined to overstate TRC costs and contradict the underlying rationale of the TRC Test perspective, which ignores incentive payments as they are a transfer between the program administrator and participant.

a. *Comments*

The Commission received no comments on this topic.

b. *Disposition*

As proposed in the 2026 TRC Test Tentative Order, incentives to free-riders are not to be included as an additional program cost when calculating and reporting TRC Test from the net perspective. EDCs and their evaluation contractors should continue to reduce participant costs by the NTG ratio to reflect only those incremental measure costs that would not have been incurred absent program efforts.

3. *Treatment Of NTG For TRC Benefits*

The Commission proposed in the 2026 TRC Test Tentative Order no changes to the treatment of NTG ratios for TRC benefits for a potential Phase V, but reminded EDCs that NTG ratios shall be applied to all benefits in the TRC Test. The benefits include, but are not limited to, avoided energy and capacity costs, O&M, interactive effects, and secondary resource impacts such as fossil fuel and water. NTG research shall only be applied to the TRC Test for the purposes of reporting and program planning. EE&C plans are not required to be cost-effective on a net basis.

a. *Comments*

The Commission received no comments on this topic.

b. *Disposition*

The Commission's proposed treatment of NTG ratios for the calculation of TRC Benefits will continue for Phase V. NTG ratios will be applied to all benefits in the net TRC Test and NTG research will only be applied to the 2026 TRC Test for the purposes of reporting and program planning.

### G. Demand Response

#### 1. DR Testing If DR Is Included In Phase V

The Commission has not yet determined DR (or EE) targets for a potential Phase V of Act 129. Currently, the Commission expects to release the Phase IV SWE's DR MPS in early 2025. The results of that analysis will inform the decision relative to a potential Phase V. If it is determined to proceed with Phase V, the Commission anticipates a Phase V Implementation Tentative Order in Spring 2025 and a Final Phase V Implementation Order in summer 2025. Additionally, the Commission has made no determination regarding the frequency, duration, or notification time of DR events. The Commission expects the SWE's DR MPS to include a recommendation on these issues as these parameters have significant impacts on the amount of DR potential in an EDC service territory and the cost to acquire it.

This docket does not address issues related to whether DR should be included in or excluded from a potential Phase V. Stakeholders were invited to comment on the proposed cost-effectiveness methodology for DR in this proceeding. Our discussion and guidance herein, as well as any stakeholder comments in this docket, merely presume for discussion and comment purposes that a potential Phase V will include DR. The Commission proposed in the 2026 TRC Test Tentative Order guidance on how to calculate the TRC costs and benefits for DR if Phase V EE&C plans include DR programming.

##### a. Comments

PPL recommends either a coincident peak demand target or dispatchable DR programs, but not both, for Phase V. PPL recalled the Commission's stated preference in the Phase IV Implementation Order for the long-term benefits of EE over DR and expressed concern about the lack of consistency related to coincident peak demand versus dispatchable DR from phase to phase of Act 129. PPL Comments at 11-12.

##### b. Disposition

As noted in the 2026 TRC Test Tentative Order, the purpose of the TRC Test Order is to provide the EDCs with clear instructions on how to compute benefits and costs in the TRC Test for a potential Phase V. The Commission has made no determination regarding whether there will be a Phase V and if so whether the Phase V programs will include DR (or EE) targets is outside the scope of this Order. PPL's suggestion to limit the focus of a potential Phase V to one type of demand reduction is noted.

#### 2. Calculation Of TRC Benefits

DR programs are designed to reduce peak demand, so the dominant benefit streams are the avoided cost of generation, transmission, and distribution capacity on a \$/kW-year basis. For the 2026 TRC Test, the Commission proposed that EDCs average the gross verified demand reductions over each hour of performance and apply a line loss adjustment factor to estimate the magnitude of the peak demand reduction. The calculation should be performed separately for summer and winter peaks given the proposed transition to seasonal capacity values described in Sections B.7. and B.8. of this Order. The seasonal demand reduction value(s) would be multiplied by either two or three avoided cost of capacity values, depending on the participating customer sector. The notable exception, consistent with our guidance in Section B.8. of this Order, is that no avoided distribution capacity benefits should be calculated for peak demand reductions at facilities that

take electric service directly from the transmission or sub-transmission system (generally, Large C&I accounts that take service at primary voltage). These sites are not served by the EDCs' distribution systems so reductions in their peak loads should not avoid or defer investments to distribution system infrastructure. See 2016 TRC Test Order at 53.

In Phase III, peak demand reductions from dispatchable DR programs were monetized in the TRC Test using the full avoided cost of capacity. For Phase IV of Act 129, the Commission revisited the assumption that dispatchable DR programs create a 1:1 reduction in generation capacity requirements and directed the EDCs to use a set of derate factors when calculating TRC benefits. See 2021 TRC Test Order at 96-97. The Commission based the derate factors on modeling results from PJM for a hypothetical program design that the Phase III SWE expected to result in approximately 24 event hours per summer. See 2021 TRC Test Order at 94-95. The average derate factor statewide was approximately 60% so the Commission directed the EDCs to use a 60% derate factor for T&D benefits along with the EDC-specific derate values for avoided generation capacity. Ultimately, the Commission set no dispatchable DR targets for Phase IV or Act 129, and no EDC EE&C plans included dispatchable DR programs so the guidance in the 2021 TRC Test Order has been unused to date in Phase IV TRC modeling.

The Commission maintains its position from the 2021 TRC Test Order that dispatchable DR programs that are only activated on a limited number of days merit a derate factor unless they are formally recognized as capacity resources at the wholesale level. The Phase V DR MPS is currently underway, and the Commission expects any event-based DR programs identified by the SWE will have a derate factor based on the expected frequency and duration of calls associated with the event trigger. If the Commission chooses to propose dispatchable DR targets based on one or more program designs identified by the SWE in the Phase V DR MPS, the Commission will specify the associated derate factor(s) in the Phase V Tentative Implementation Order.

In its work plan for the Phase V DR MPS, the SWE presented a "daily load-shifting" DR program design (rather than event-based) that the Commission believes has promise for Act 129. One of the historic policy challenges with Act 129 DR is the interaction with DR options at PJM and concerns about dual enrollment or "double-dipping." A daily load-shifting program that is active each weekday during the summer and/or winter peak season is fundamentally different from the event-based DR options at PJM. This type of DR program design could complement existing PJM DR offerings rather than compete with them by targeting solutions capable of more frequent but likely less aggressive curtailment methods. The SWE plans to model electric vehicle managed charging, daily water heater control, thermostat optimization, behind-the-meter battery storage, and select commercial auto-DR options under a daily load-shifting design.

Peak demand impacts from a daily load-shifting program are much like coincident demand reductions from energy efficiency because they are in place each day of the Act 129 peak demand definition. In fact, it may be possible to have a single peak demand reduction goal that could be satisfied by either coincident demand reductions from EE or daily load-shifting DR programs. Given the similarity of a daily load-shifting program to coincident

demand reductions from EE, the Commission proposed no derate factor be applied to peak demand reductions from daily load-shifting programs. Rather, the guidance presented in Sections B.6. through B.8. for the calculation of capacity benefits from coincident demand reductions from EE applies to any daily load-shifting programs offered by the EDCs in a potential Phase V of Act 129. The verified demand reduction scaled for losses from the daily load-shifting program during the summer season would be applied to summer avoided capacity costs and the verified demand reduction scaled for losses from the daily load-shifting program during the winter season would be applied to winter avoided capacity costs.

a. *Comments*

FirstEnergy opposes the decision not to apply a derate factor to daily load-shifting DR program reductions. FirstEnergy points out that programs typically allow participants to “opt-out” of load-shifting and rely on internet connectivity, which may be intermittent, and posits that these factors create uncertainty that daily load-shifting measures will generate demand reductions. FirstEnergy recommends applying a derate factor to these types of measures as not all connected customer devices will always be available and controllable. FirstEnergy Comments at 4-5.

b. *Disposition*

The Commission agrees with FirstEnergy that device connectivity and operability are key considerations for many daily load-shifting program options. However, these factors should be embedded in the gross verified demand reductions measured by the EM&V contractor. Since the observed kW reductions achieved by the program will be derated based on these factors, it would be inappropriate to further derate the capacity benefits. The Commission likens this issue to the “in-service rate” parameter in the TRM for many EE measures where the kWh and kW savings are derated to reflect the fact that less than 100% of program participants install the measure. Because the underlying resource savings are adjusted downwards, EE measures with in-service rates of less than 100% are not treated any differently in the calculation of TRC benefits.

For Phase V of Act 129, no derate factor shall be applied to peak demand reductions from daily load-shifting programs. The guidance presented in Sections B.6. through B.8. for the calculation of capacity benefits from coincident demand reductions from EE applies to any daily load-shifting programs offered by the EDCs in a potential Phase V of Act 129. The verified demand reduction scaled for losses from the daily load-shifting program during the summer season would be applied to summer avoided capacity costs and the verified demand reduction scaled for losses from the daily load-shifting program during the winter season would be applied to winter avoided capacity costs. If the Commission chooses to propose dispatchable DR targets based on one or more program designs identified by the SWE in the Phase V DR MPS, the Commission will specify the associated derate factor(s) in the Phase V Tentative Implementation Order. No avoided distribution capacity benefits will be assigned to peak demand reductions at Large C&I facilities that take electric service directly from the transmission or sub-transmission system.

3. *Participant Cost Assumption*

As established in Phase I, customer incentives in a DR program are intended to compensate participants for the sacrifices they make to consume less electricity during peak periods. Such sacrifices can take the form of being

less comfortable in the case of a residential Direct Load Control (DLC) program or a disruption in production for a business that shuts down a manufacturing process. In recognition of these sacrifices, the Commission directed EDCs in Phase I to include the full incentive payment amount as a cost to the participant as a monetary proxy for participant costs. See 2011 TRC Test Order at 13-14. There were no DR requirements in Phase II.

In the 2016 TRC Test Order, the Commission revisited the participant cost issue. Setting the participant cost equal to the incentive amount implies a break-even arrangement for the participant, where the benefits are identical to the costs. The Commission rejected the break-even assumption, instead adopting the perspective that customers are generally rational and would likely only participate in a DR program if they felt the benefits of participation outweighed the costs. As a result, for Phase III, the Commission adopted the 75% participant cost assumption set forth in California’s 2016 DR Cost-Effectiveness Protocols<sup>65</sup> as a solution. Under this protocol, 75% of the customer incentive payment is used as a proxy for the participant cost when calculating the TRC ratio for DR programs. The Commission recognizes that many EDCs would elect to use CSPs to implement DR programs and that the exact incentive payment from the CSP to the participant might, therefore, be unknown. The Commission, therefore, directed EDCs to use 75% of the payment amount to the CSPs as a cost in the 2016 TRC Test for Phase III.

The Commission proposed no changes in the 2021 TRC Test Tentative Order regarding the use of DR incentive amounts to estimate participant costs for Phase IV and received no stakeholder comments on the issue. Given the lack of dissenting perspectives or alternative suggestions in that docket, the Commission proposed in the 2026 TRC Test Tentative Order that EDCs continue to use the 75% participant cost assumption for any potential Phase V DR programming.

a. *Comments*

The Commission received no comments on this topic.

b. *Disposition*

For Phase V of Act 129, the EDCs are directed to include 75% of the customer incentive payment as a TRC Cost for all dispatchable DR or daily load-shifting programs. The 75% assumption acts as a proxy for the participant’s cost of sacrificing electric consumption during performance hours. In a program design where an EDC pays a CSP to deliver peak demand reductions and the exact incentive arrangement between the CSP and program participant is unknown to the EDC, the EDC may use 75% of the CSP payment to approximate the TRC Cost of the program. The 75% rule only applies to participation incentives. If an EDC program design includes cost subsidization of DR-capable equipment such as batteries or connected thermostats, the TRC Test should consider the full cost of the equipment.

4. *Measure Life*

DR is a broad category of programs and measures that may or may not involve equipment installed at the participating customer’s location. For load curtailment programs, participation involves a financial incentive between the EDC, or its CSP, and the program participant. As specified in the 2026 TRM, the measure life for load curtailment programs is one year. The 2026 TRM

<sup>65</sup> See <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/energy-division/documents/demand-response/cost-effectiveness/2016-dr-cost-effectiveness-protocols-clean.docx>. California refers to this component as the “value of service lost.”



provides that the measure life of behavioral DR programs, which include neither incentives nor equipment, will be assumed to be one year.

For DR programs where the utility pays some or all the cost of DR equipment, the 2026 TRM provides an 11-year default measure life.<sup>66</sup> Examples of DR equipment include a Wi-Fi-connected “smart” thermostat, a water heater or air conditioner cycling switch, an electric vehicle charger that the EDC can control, and other similar equipment that the EDC (or CSP) can control. For this class of DR programs, the Commission proposed in the 2026 TRC Test Tentative Order an adjusted measure life shorter than the mechanical life of the equipment equivalent to the remaining years of Phase V. This approach is consistent with our disposition on the issue in the 2021 TRC Test Order and recognizes that certain types of DR equipment typically won’t generate load reductions without program incentives or administration and there is no guarantee the Commission will establish DR targets for future phases of Act 129.

When a multi-year measure life is assumed for DR, consistent with prior TRC Test requirements, the Commission proposed in the 2026 TRC Test Tentative Order that EDCs also account for expected incentive costs over the remainder of the phase. For example, in a traditional air conditioner cycling program, where the EDC (1) purchases and installs the DLC equipment and (2) pays the participant \$50 per summer in exchange for continued participation in the program, the recurring annual \$50 incentive cost must be factored in. To realize the multi-year benefits of the equipment, annual costs are incurred. If a measure life equal to the five-year phase length is applied to the load control equipment when calculating benefits, five years of assumed incentive costs should also be factored in.

The Commission reminds the EDCs that any DR equipment purchased in a previous phase cannot be included in the TRC Test for a potential Phase V. Those expenses were accounted for as costs in a previous TRC Test and to consider them as TRC costs again would be “double counting.”

#### a. *Comments*

FirstEnergy opposes setting the measure life for customer equipment (smart thermostats, etc.) equivalent to the remaining years of Phase V due to uncertainty about whether a measure will generate savings for the term because customers can opt-out. Therefore, FirstEnergy recommends that the measure life should be based on the program design to avoid overcounting benefits. For programs that enroll customers every year, such as with annual participation incentives, the measure life should align and be set at one year. Whereas, for programs that enroll customers for a longer term, such as by contract for an extended period, the measure life should be set to the length of the contract, not to exceed the length of Phase V. FirstEnergy Comments at 5-6.

#### b. *Disposition*

FirstEnergy’s comment highlights an important consideration regarding the measure life of DR programs. While the measure life of a DR offering that relies on recurring participation incentives should not exceed the length of Phase V, it is not equal to the length of Phase V by default. The Commission agrees with FirstEnergy that the measure life for a DR offering should be governed by the program design. For Phase V of Act 129, the EDCs

are directed to use a one-year measure life for behavioral DR programs and load curtailment or daily load-shifting programs in the C&I sector. For equipment-based DR programs, the measure life shall equal the agreed-upon participation term with the program participant.

#### H. *Exhibits*

##### 1. *2026 Avoided Cost Calculator (2026 ACC)*

The 2026 Avoided Cost Calculator is available at the Public Utility Commission’s website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

##### 2. *Arrearages*

The Impact of Act 129 Low-income Programs on Arrearages and Collections Study is available at the Public Utility Commission’s website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

##### 3. *DRIFE*

The Pennsylvania Demand Reduction Induced Price Effects Study is available at the Public Utility Commission’s website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

##### 4. *T&D Study*

The Avoided Cost of Transmission and Distribution Capacity Study is available at the Public Utility Commission’s website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

##### 5. *2026 Incremental Measure Cost Database (2026 IMCD)*

The 2026 Incremental Measure Cost Database is available at the Public Utility Commission’s website at: <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

#### I. *Additional Matters*

Several parties raised issues that do not directly relate to sections of the 2026 TRC Test Tentative Order. We shall address each matter in turn. All parties had the opportunity to address these matters in their reply comments.

##### 1. *TRC Test Assumptions For The FirstEnergy EDC*

FirstEnergy notes that the Commission approved FirstEnergy Corp.’s request to merge the Met-Ed, Penelec, Penn Power, and West Penn Power operating companies into a single EDC (FirstEnergy EDC) in a December 7, 2023, Order.<sup>67</sup> FirstEnergy then requests that the Commission use TRC Test component values for the single FirstEnergy EDC in planning for and during a potential Phase V of Act 129. Additionally, FirstEnergy requests that references to “Rate District” either be removed or replaced with “EDC” or a single FirstEnergy value in the 2026 TRC Test Order and associated exhibits. FirstEnergy Comments at 6-7.

*Resolution*—The Commission has not formally addressed the consolidation of the four legacy FirstEnergy operating companies within the context of Act 129. However, we agree with FirstEnergy that Phase V benefit-cost analysis, reporting, goal setting, and compliance determination should be conducted at the FirstEnergy EDC level. In a Tentative Implementation for Phase V, the Commis-

<sup>66</sup> See 2026 TRM Volume 2, Docket No. M-2023-304491 (entered September 12, 2024) <https://www.puc.pa.gov/pdocs/1848563.pdf>, Page 231.

<sup>67</sup> Joint Application of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, West Penn Power Company, Keystone Appalachian Transmission Company, Mid-Atlantic Interstate Transmission, LLC, and FirstEnergy Pennsylvania Electric Company, Docket Nos. A-2023-3038771, et al. (Order entered December 7, 2023).



sion would present a single budget allocation and target(s) for FirstEnergy. Given the evolving nature of the merger, our direction to the Phase IV SWE has been to conduct all analyses in support of planning for a potential Phase V at the legacy EDC or Rate District level. This includes the 2026 TRM, 2026 TRC Test, and Phase V Market Potential Studies. This approach provides flexibility as parties can always aggregate results from the four legacy entities, while it would be far more difficult to disaggregate modeling results from the consolidated entity to the four legacy entities, if needed.

The Commission rejects FirstEnergy’s suggestion to modify the 2026 TRC Test Order Exhibits to remove all instances of the phrase “Rate District”. From the standpoint of Act 129 Phase IV when the studies were commissioned, it is appropriate to refer to Met-Ed, Penelec, Penn Power, and West Penn Power as Rate Districts. However,

FirstEnergy’s comment highlights the need for the Commission to provide clarity regarding the aggregation of TRC inputs for FirstEnergy. For any TRC assumption where the provided values are at the legacy EDC (Rate District) level, FirstEnergy should compute a weighted average across the four companies using 2024 retail sales (bundled and unbundled) as the weighting parameter.

Table 6 illustrates the guidance using values from Exhibit 4 (T&D Study) for the summer season avoided cost of distribution capacity and hypothetical retail sales values for calendar year 2024. By the time FirstEnergy needs to develop its avoided costs and EE&C plan for a potential Phase V, actual retail sales for 2024 will be known. The percentage of sales associated with each legacy EDC will act as the weighting factor when averaging the values.

**Table 6: Example Calculation of FirstEnergy Composite TRC Assumption Value**

<i>Legacy EDC/Rate District</i>	<i>Summer Avoided Cost of Distribution Capacity (\$/kW-year)</i>	<i>2024 GWh Sales</i>	<i>Share of Sales</i>
FE: Met-Ed	\$52.46	14,000	27.72%
FE: Penelec	\$37.18	13,000	25.74%
FE: Penn Power	\$43.52	4,500	8.91%
FE: West Penn Power	\$41.25	19,000	37.62%
FirstEnergy	\$43.51	50,500	100.00%

*2. Facilitating Data Sharing Between Utilities And State Agencies*

KEEA comments that enhanced data sharing between the EDCs, the DEP, and the DCED is essential for improving the implementation and oversight of energy efficiency programs. KEEA posits that New York offers a successful model of how mandated data sharing can lead to improved EE outcomes, transparency, and accountability. KEEA Comments at 3.

*Resolution*—The Commission generally agrees with KEEA that data-sharing and coordination among utilities and state agencies will be important as the Commonwealth seeks to leverage federal Inflation Reduction Act funding and stack benefits across program administrators. KEEA does not provide examples of the type of data that is not currently being shared or specify the types of data that would be most helpful to exchange in an enhanced sharing process. The Commission will discuss this matter with DEP and DCED as part of preparations for a potential Phase V and suggests that KEEA provide more specific recommendations for the type of data to share. Examples might include billing data, customer contact information, approved contractor lists, previous program participation histories, or planned outreach campaigns. Cyber security and protection of personally identifiable information will be a key element of any data-sharing process considered by the Commission.

*3. Formula Error In Appendix A*

PPL notes that the formula in Appendix A for gross TRC benefits is missing the term for capacity benefits. PPL Comments at 13.

*Resolution*—The Commission agrees with PPL that the gross TRC benefits formula was missing a term for capacity benefits. We have updated the formula in Appendix A of this Order to reflect the corrected formula.

*Conclusion*

With this Final Order, the Commission adopts the 2026 TRC Test for use in planning and evaluating the potential Phase V of Act 129. All stakeholder comments and reply comments have been duly considered. Any issues raised by stakeholders that have not been addressed herein are deemed denied.

This Final Order, the 2026 TRC Test Tentative Order, the associated Exhibits, and all filed comments and reply comments related to this Order will be available to the public on the Commission’s Act 129 Information web page<sup>68</sup>; *Therefore,*

*It Is Ordered That:*

1. The 2026 Pennsylvania Total Resource Cost Test be used for evaluating energy efficiency and conservation programs during Phase V of Act 129, if implemented, consistent with this Order.

2. A copy of this Order be served on the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission’s Bureau of Investigation and Enforcement, all jurisdictional electric distribution companies subject to the Energy Efficiency and Conservation Program requirements, all parties who commented on the 2021 TRC Test Order at Docket No. M-2019-3006868, and all parties who commented on the 2026 TRC Test Tentative Order at this docket.

3. The Secretary shall deposit a notice of this Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

<sup>68</sup> See <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

4. This Order be published on the Commission’s web-site at <https://www.puc.pa.gov/filing-resources/issues-laws-regulations/act-129/total-resource-cost-test/>.

5. The contact person for technical issues related to this Order and the 2026 Total Resource Cost Test for the potential Phase V of Act 129 is David Edinger, Bureau of Technical Utility Services, 717-787-3512 or [dedinger@pa.gov](mailto:dedinger@pa.gov). The contact person for legal and process issues

related to this Order and the 2026 Total Resource Cost Test for the potential Phase V of Act 129 is Tiffany Tran, Law Bureau, 717-783-5413 or [tiftran@pa.gov](mailto:tiftran@pa.gov).

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: November 7, 2024

ORDER ENTERED: November 7, 2024

**Appendix A**

The definitions and formulae to be used for the Pennsylvania-specific 2026 TRC Test, consistent with Act 129 of 2008, are set forth in this Appendix A.

**TRC Formulae, Calculations, and their Definitions**

Table 7 below lists electricity supply avoided costs, other TRC benefits, TRC costs, and other assumptions, and it summarizes TRC guidance for each TRC element. Formulae are detailed for each TRC element in the algorithms section. These are split into primary and supporting algorithms, where the supporting algorithms assist with the calculation of input values required for implementing the primary algorithms.

**Table 7: Definition of Terms**

<i>TRC Category</i>	<i>TRC Element</i>	<i>Units</i>	<i>Symbol</i>	<i>Guidance Summary</i>
Avoided Costs of Supplying Electricity	Electric Line Loss Factor	Unitless	$LLF_{elec}$	Table 1–5 of the 2026 TRM Volume 1 provides line loss factors by EDC and customer class.
	Electric energy (quantity)	kWh/year	$E$	Gross verified annual kWh.
	Electric energy (price)	\$/kWh (nominal)	$MCE$	Twenty-year forecast divided into years 1–4, 5–10, 11–20. See supporting MS-Excel spreadsheet calculation model. Inclusive of 4 years of energy DRIPE.
	Compliance with RPS/AEPS	\$/kWh (nominal)	$AEPS$	Electricity cost adder to reflect avoided compliance costs.
	Reduction in Arrearages and Collection Costs	\$/kWh (nominal)	$RACC$	Electricity cost adder for low-income customers to reflect avoided arrearages and collection costs
	G, T, D capacity (quantity)	kW/year	$D$	Gross or net verified peak demand savings (kW). Calculated separately for summer and winter.
	Generation capacity (price)	\$/kW-year	$MCD$	Actual and escalated PJM BRA clearing prices. Apply a derate factor for dispatchable DR programs. Inclusive of 4 years of capacity DRIPE. Separate values for summer and winter.
	Transmission capacity (price)			See supporting MS-Excel spreadsheet calculation model. Apply a derate factor for DR programs. Separate values for summer and winter.
	Distribution capacity (price)			See supporting MS-Excel spreadsheet calculation model. Apply a derate factor for DR programs. Does not apply to Large C&I. Separate values for summer and winter.

<i>TRC Category</i>	<i>TRC Element</i>	<i>Units</i>	<i>Symbol</i>	<i>Guidance Summary</i>
Other TRC Benefits	Water impacts (quantity)	Gallons	$H_{20}$	Savings are positive. Increased water consumption is negative.
	Marginal cost of water (price)	\$/gallon (nominal)	$MCH_{20}$	\$0.011/gal (2026 dollars), adjusted for inflation over forecast horizon.
	Fossil Fuel Impacts (quantity)	MMBTU/year	$F_{impact}$	Direct changes in fuel usage. Savings are positive, increases in fuel usage are negative.
	Marginal cost of fuel (price)	\$/MMBTU (nominal)	$MCF$	Twenty-year forecast divided into years 1–4, 5–10, 11–20. See supporting MS-Excel spreadsheet calculation model. Apply natural gas loss factor.
	Interactive Fuel Effects (Waste Heat)	MMBTU/year	$F_{waste}$	Secondary fuel impacts due to reduced waste heat from efficient lighting. Increased fuel usage recorded as a positive value.
	Societal Benefits			Do not include.
	O&M Benefits	\$ or \$/year (nominal)	$O\&M$	Incremental relative to baseline equipment. Note some measures (CHP) can produce negative O&M benefits.
TRC Costs	Program Admin & Overhead	\$(nominal)	$PA$	Allocated to specific programs where applicable. Common costs can be allocated to programs or incorporated at the portfolio level.
	Incremental costs	\$(nominal)	$IMC$	Maximum of IMC (relative to baseline) and incentive. IMC for DR programs assumed to be 75% of incentives.
	Incentives from Outside Act 129	\$(nominal)	$OI$	Incentives from outside of Act 129 considered as a reduction in costs, not as a benefit of the program.
Other Assumptions	Real discount rate	Unitless	$r$	3%
	Nominal discount rate	Unitless	$d$	5%
	Inflation rate	Unitless	$inf$	2%
	Escalation rate	Unitless		Growth in real dollars. Based on CAGR of BLS GTD sector price index (NAICS 221110).
	Gas Loss Factor	Unitless	$LLF_{gas}$	1.04167
	Water Loss Factor	Unitless	$LLF_{H_{20}}$	1.32
	Measure life	Years	$N$	Maximum 15 years. For DR programs, lifetime of hardware. One-year lifetime for behavioral DR and load curtailment.
	Free-ridership	Unitless	FR	Determined by evaluation contractor.
	Spillover	Unitless	SO	Determined by evaluation contractor.
	Market Effects (ME)	Unitless	ME	Determined by evaluation contractor.
	Low-Income Indicator	Unitless	LI	Indicator for low-income programs. Used to include the added value of reduction in arrearages and collection costs only for low-income program savings.

<i>TRC Category</i>	<i>TRC Element</i>	<i>Units</i>	<i>Symbol</i>	<i>Guidance Summary</i>
Calculated Inputs	NTG Ratio	Unitless	NTGR	See Table 9.
	Gross TRC benefits	\$	$\frac{TRC}{Benefits_{gross}}$	See Table 9.
	Gross TRC costs		$\frac{TRC}{Costs_{gross}}$	See Table 9.
	Net TRC benefits		$\frac{TRC}{Benefits_{net}}$	See Table 9.
	Net TRC costs		$\frac{TRC}{Costs_{net}}$	See Table 9.
	Electric energy benefits		$EB_t$	See Table 9.
	Capacity benefits		$DB_t$	See Table 9.
	Fuel benefits		$FB_t$	See Table 9.
	Water benefits		$H2OB_t$	See Table 9.

*Algorithms*

TRC ratios, net benefits, and levelized costs are detailed in Table 8. While some of the inputs are available in Table 7, other inputs must be calculated. These input formulae are provided in Table 9.



Table 8: Primary Algorithms

$TRC\ Ratio_{gross}$	$= \frac{TRC\ Benefits_{gross}}{TRC\ Costs_{gross}}$
$TRC\ Ratio_{net}$	$= \frac{TRC\ Benefits_{net}}{TRC\ Costs_{net}}$
$PV\ Net\ Benefits_{gross}$	$= TRC\ Benefits_{gross} - TRC\ Costs_{gross}$
$PV\ Net\ Benefits_{net}$	$= TRC\ Benefits_{net} - TRC\ Costs_{net}$
$Levelized\ Cost\ per\ kWh_{gross}$	$= \frac{TRC\ Costs_{gross}}{\left[ \sum_{t=1}^N \frac{\sum_{t=1}^n EB_t}{(1+d)^{t-1}} \right]}$
$Levelized\ Cost\ per\ kW_{gross}$	$= \frac{TRC\ Costs_{gross}}{\left[ \sum_{t=1}^N \frac{\sum_{t=1}^n DB_t}{(1+d)^{t-1}} \right]}$
$Levelized\ Cost\ per\ kWh_{net}$	$= \frac{TRC\ Costs_{net}}{\left[ \sum_{t=1}^N \frac{\sum_{t=1}^n EB_t * NTGR}{(1+d)^{t-1}} \right]}$
$Levelized\ Cost\ per\ kW_{net}$	$= \frac{TRC\ Costs_{net}}{\left[ \sum_{t=1}^N \frac{\sum_{t=1}^n DB_t * NTGR}{(1+d)^{t-1}} \right]}$

Table 9: Supporting Algorithms

$NTGR$	$= 1 - FR + SO + ME$
$TRC\ Benefits_{gross}$	$= \sum_{t=1}^N \frac{EB_t + DB_t + FB_t + H2OB_t + O\&M_t}{(1 + d)^{t-1}}$
$TRC\ Costs_{gross}$	$= \sum_{t=1}^N \frac{PA_t + IMC_t - OI_t}{(1 + d)^{t-1}}$
$TRC\ Benefits_{net}$	$= NTGR * (TRC\ Benefits_{gross})$
$TRC\ Costs_{net}$	$= \sum_{t=1}^N \frac{PA_t + (IMC_t - OI_t) * (NTGR)}{(1 + d)^{t-1}}$
$EB_t$ (Electric energy benefits in year $t$ summed across $p$ costing periods)	$= E_{t,p} * LLF_{elec} * (MCE_{t,p} + AEPS + (RACC * LI))$
$DB_t$ (Capacity benefits in year $t$ )	$= D_t * LLF_{elec} * MCD_t$
$FB_t$ (Fuel benefits in year $t$ )	$= (F_{impact_t} - F_{waste_t}) * LLF_{gas} * MCF_t$
$H2OB_t$ (Water benefits in year $t$ )	$= H2O_t * LLF_{H2O} * MCH2O_t$

## Appendix B

## List of Acronyms and Definitions

ACC: Avoided Costs Calculator MS-Excel spreadsheet calculation model  
AEC: Alternative Energy Credit  
AEO: Annual Energy Outlook  
AEPS: Alternative Energy Portfolio Standards  
B/C: Benefit/Cost  
BLS: Bureau of Labor Statistics  
BRA: Base Residual Auction  
BTU: British Thermal Unit  
CAGR: Compound Annual Growth Rate  
California Manual: 2002 California Standard Practice Manual  
CAP: Customer Assistance Program  
CHP: Combined Heat and Power  
C&I: Commercial and Industrial  
CSP: Conservation Service Provider  
DLC: Direct Load Control  
DR: Demand Response  
DRIPLE: Demand Reduction Induced Price Effects  
DSM: Demand Side Management  
EDC: Electric Distribution Company  
EE: Energy Efficiency  
EE&C: Energy Efficiency and Conservation  
EIA: Energy Information Administration  
EPA: Environmental Protection Agency  
EUL: Expected Useful Life  
FR: Free-Ridership, Free Rider  
GHG: Greenhouse Gas  
GTD: Generation, Transmission, and Distribution  
IE: Low-income  
IMC: Incremental Measure Cost  
IMCD: Incremental Measure Cost Database  
LED: Light Emitting Diode  
LMP: Locational Marginal Price  
MPS: Market Potential Study  
ME: Market Effects  
NAICS: North American Industry Classification System  
NEI: Non-Energy Impact  
NGDC: Natural Gas Distribution Company  
NPV: Net Present Value  
NREL: National Renewable Energy Laboratory  
NTG: Net-to-Gross  
NYMEX: New York Mercantile Exchange  
O&M: Operation and Maintenance  
Phase I: Act 129 requirements from June 1, 2009, through May 31, 2013  
Phase II: Act 129 requirements from June 1, 2013, through May 31, 2016  
Phase III: Act 129 requirements from June 1, 2016, through May 31, 2021  
Phase IV: Act 129 requirements from June 1, 2021, through May 31, 2026  
Phase V: Potential Act 129 requirements beginning June 1, 2026

- PV: Photovoltaic
- PJM: The regional transmission organization (RTO) covering, inter alia, Pennsylvania, New Jersey, and Maryland
- PUC: Public Utility Commission
- PVNB: Present value of net benefits
- RGGI: Regional Greenhouse Gas Initiative
- RPS: Renewable Portfolio Standard
- RTO: Regional Transmission Organization
- RUL: Remaining Useful Life
- SO: Spillover
- SWE: Statewide Evaluator
- T&D: Transmission and Distribution
- TRC: Total Resource Cost
- TRM: Technical Reference Manual
- US: United States
- WACC: Weighted Average Cost of Capital

**Appendix C**

**Summary of Continuations/Changes/Clarifications/New Items**

<i>Sub-section</i>	<i>Subsection Name</i>	<i>Summary of Proposed Continuation / Change / Clarification / New Item</i>
A—General Issues		
1	TRC Test Assumptions in Other Matters	TRC Test assumptions are used exclusively for Act 129 related matters. TRC Test assumptions are not presumed binding in other regulatory matters such as prudence, cost-of-service, etc.
2	Frequency of Review of TRC Test	TRC Test applies for the entirety of Phase V. The Commission reserves the right to update or modify during Phase V. Commission continues to direct the Phase V SWE to review avoided cost forecast annually.
3	Level at Which to Calculate and Report TRC Test Results	Continue cost-effectiveness reporting at plan level, not program level. EDCs are required to estimate and report program level TRC ratios in each annual report.
4	Discount Rate	Continue to use discount rate of 5% nominal (3% in real terms).
5	Effective Useful Life	Continue using statutorily mandated 15-year maximum even if the mechanical life of the technology exceeds that. Continue to develop dual baselines for technologies where appropriate.
6	Low-Income Programs	Directs EDCs to include financial benefits from the Low-Income Act 129 programs, which are detailed in section B.12, in cost-effectiveness testing. Continue reporting low-income programs as previously done.
7	Basis of TRC Test Impacts	Continue reporting verified gross savings, verified net savings, and actual costs in their final annual reports. Compliance will continue to be based on verified gross kWh and kW electric savings, and costs will continue to be based on actual costs.
8	Measures Supported by Act 129 Programs and Other Funding Streams	Continue tracking non-Act 129 incentives that are reasonably quantifiable.
B—Avoided Costs of Supplying Electricity		
n/a		Use 2026 Avoided Cost Calculator (2026 ACC) to aid in implementation of proposed methodology.
1	Vintage of Avoided Costs Forecasts	Continue to develop a single forecast of avoided costs for use in Phase V EE&C plans and cost-effectiveness reporting in annual reports. The Commission continues to reserve the right to require a mid-phase update to the avoided cost forecasts should the variance between EE&C plan projections and current market conditions become large enough to fundamentally alter the benefit/cost results at the portfolio level.
2	Avoided Cost of Electric Energy	Continue to forecast avoided energy costs in a seasonal- and time-differentiated format.



<i>Sub-section</i>	<i>Subsection Name</i>	<i>Summary of Proposed Continuation / Change / Clarification / New Item</i>
3	Nominal vs. Real Dollars	Continue to develop avoided costs forecasts in nominal dollars. Nominal discount rate to be used to calculate NPV.
4	Line Losses	Align assumptions with 2026 TRM values.
5	Escalation Rate	Use BLS Electric Power GTD sector price index, compounded by average growth rate of average annual values of prior 5 years. If the escalation rate is calculated to be less than zero, it should be treated as if it were zero.
6	Allocation of Avoided Capacity Costs Between Summer and Winter Peak	Instead of allocating 100% of avoided capacity to summer, the Commission directs EDCs to allocate avoided capacity on Phase V 50/50 between summer and winter.
7	Avoided Cost of Generation Capacity	Use actual values from Base Residual Auctions (BRA) for the years that the auctions have been completed. For all future years, use a simple average of the five most recently completed BRAs escalated using the escalation rate. This is a change from the three-year average used in the prior TRC Test Orders.
8	Avoided Cost of Transmission and Distribution Capacity	The Commission directs EDC to use the avoided T&D values calculated by the Phase IV SWE's T&D study. The Commission clarifies avoided costs in distribution should not be applied to EE measures for Large C&I customers taking service at primary voltage.
9	Compliance with AEPS	Statewide value of \$6.88 per MWh for first year of Phase V and increase yearly by BLS escalation factor and inflation.
10	Price Suppression Effects	Commission directs the EDCs to include Price Suppression effects from the Phase IV SWE's Price Suppression Effects study for both energy and capacity in TRC calculations in Phase V.
11	End Use Adjustments	Continue to use of end-use profiles, when available.
12	Reductions in Arrearages and Collection Costs	The Commission adopts the SWE's recommended EDC financial savings from reduced customer arrearages, shutoffs, and collections actions attributable to the EDC's Act 129 low-income programs
C—Other TRC Benefits		
1	Quantifying Water Impacts	Continue to account for water impacts from EE&C measures where the impacts are reasonably quantifiable.
2	Monetizing Water Impacts	Continue to monetize water impacts from Phase V EE&C measures.
3	Quantifying Fossil Fuel Impacts	Continue to use the TRM to inform fossil fuel savings by EE&C measure, where available. Where the TRM does not provide guidance on fossil fuel savings, EDCs and their evaluation contractors should use professional judgement when estimating impacts.
4	Interactive Effects	Directs EDCs to quantify and report both electric and non-electric interactive effects associated with installation of high-efficiency lighting in homes, businesses, and agricultural applications. Assumptions are provided in the TRM, but site-specific effects should be used where practical.
5	Monetizing Fossil Fuel Impacts	Continue to use natural gas values in Section B.2. (Avoided Cost of Electric Energy), collapsed into a single value. Continue to use 20-year period but propose that period is broken into three segments. Directs EDCs to use natural gas loss factor of 4%.
6	O & M Benefits	Continue to include O&M benefits whether they are positive or negative. EDCs and their evaluation contractors should attempt to quantify O&M benefits where the impacts are quantifiable and material.
7	Societal Benefits	Continue to omit the explicit accounting of societal benefits from TRC.
D—TRC Costs		
1	Program Administration and Overhead	Continue to treat all program administration and overhead expenses as a TRC cost. Continue to exclude kit and direct install costs from administrative costs and classify as incentives and IMC.
2	Incremental Costs	Continue to use SWE-developed 2026 IMCD as an optional resource for EDCs and evaluation contractors when actual project costs are not available or appropriate. Incremental costs should be documented regardless of source.

<i>Sub-section</i>	<i>Subsection Name</i>	<i>Summary of Proposed Continuation / Change / Clarification / New Item</i>
3	Act 129 Incentives	Continue to treat incentive costs as neither a cost nor a benefit in the TRC Test, unless the incentive amount is greater than the IMC, in which case the incentive amount should be used as the TRC cost instead of the IMC. Continue to treat kits and directly installed equipment costs as an incentive to the customer.
4	Incentives from Outside of Act 129	Continue to treat incentives from outside Act 129 as reduction in costs, not as benefit to program.
<b>E—Fuel Switching</b>		
1	ENERGY STAR Requirement	EDCs must propose and justify the minimum efficiency standard for any fuel switching measure they wish to include in a Phase V EE&C plan given the uncertainty in ENERGY STAR specifications for fossil fuel equipment.
2	Increased Fuel Consumption	Continue to treat increased fuel consumption as a negative TRC benefit.
<b>F—Net-to-Gross (NTG) Issues</b>		
1	Use of NTG Research	Continue NTG research, use results for program planning purposes, and report TRC Test ratios based on gross and net savings.
2	Treatment of Incentives to Free-Riders	Continue excluding free-rider incentives as a TRC cost when considering the net TRC perspective.
3	Treatment of NTG for TRC Benefits	Continue to apply NTG ratios to all benefits in 2026 TRC Test.
<b>G—Demand Response (DR)</b>		
1	Testing if DR is Included in Phase V	DR has not yet been determined, but proposed guidance to calculate TRC benefits and costs for DR is included.
2	Calculation of TRC Benefits	The commission directs EDCs to average gross verified demand reductions over each hour of performance and apply line loss adjustment factor. Use separate calculations for summer and winter peak demand. EDCs should use a derate factor based on the frequency of dispatch to monetize DR impacts, if DR uses a daily dispatch, then there will be not derate factor.
3	Participant Cost Assumption	Continue to use 75% participant cost assumption.
4	Measure Life	EDCs shall use a one-year measure life for behavioral DR programs and load curtailment or daily load-shifting programs in the C&I sector. For equipment-based DR programs, the measure life shall equal the agreed-upon participation term with the program participant. Clarify that DR equipment purchased in prior phase should not be counted in Phase V.
<b>I—Additional Matters</b>		
1	TRC Test Assumptions for the FirstEnergy EDC	The Commission provides the FirstEnergy EDC guidance on calculating composite values for use during Phase V.
2	Facilitating Data Sharing Between Utilities and State Agencies	The Commission plans to investigate ways to facilitate data sharing between utilities and State Agencies as part of preparations for a potential Phase V and suggests stakeholders submit constructive ways of doing so.
3	Formula Error in Appendix A	An error in Appendix A of the Tentative Order was pointed out to the Commission during the comment period and was subsequently corrected.

[Pa.B. Doc. No. 24-1716. Filed for public inspection November 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

December 16, 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 December 16, 2024. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be

honored. The documents filed in support of the application are only available for inspection through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the docket number as follows or by searching the applicant's web site.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2024-3051580. Indulge Home Care Agency, Inc., t/a Indulge Transportation** (2929 Arch Street, Suite 1700, Philadelphia, PA 19104-5094) in paratransit service, between points in Montgomery County, and the City and County of Philadelphia.

**A-2024-3051877. A&J Caring Hearts, LLC** (3 Clemson Drive, Camp Hill, Cumberland County, PA 17011) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Berks, Lancaster and York, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 24-1717. Filed for public inspection November 27, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due December 16, 2024, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

### Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Good Cab, LLC; Docket No. C-2024-3051152

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Good Cab, LLC, Respondent, maintains its principal place of business at 2304 Walnut Street, Harrisburg, PA 17103.

2. That Respondent was issued a certificate of public convenience to transport, as a common carrier, by motor vehicle, persons in call or demand service on June 22, 2005, at PUC number A-632578.

3. That on September 12, 2024, PUC Enforcement Supervisor Timothy Troxell, Officers' Travis Griffith, Matthew Ohlinger and David Drago, conducted a patrol operation in the city of Harrisburg.

4. That PUC Enforcement Officer Matthew Ohlinger conducted a Driver/Vehicle Compliance report (DVCR) on that date on Monroe Street, Harrisburg, Dauphin County, PA. The vehicle was a 2011 Chevrolet Impala, registration number TX50064 the last 4 digits of the vehicle identification number being 7111, odometer reading 416,598, being driven by Jeffrey Stickle. Multiple violations were noted as follows:

a. The vehicle age was greater than 12 years and the mileage exceeds 350,000.

b. Vehicle moves on a level surface when parking brake is fully applied.

c. Dent greater than 4 inches on right rear quarter panel.

d. Exhaust leak under vehicle, entering passenger compartment when accelerating.

e. No log sheets on board, violating 52 PA § 29.313(c).

f. Driver felony conviction for a violation of the controlled substance act on 9/30/2019, violating 52 PA § 505(b)(1)(D).

5. That following these inspections, Respondent was advised to submit criminal history and driver history reports. Officer Ohlinger did not receive those reports.

6. That Respondent allowed a vehicle to operate with a vehicle aged over 12 years and with mileage greater than 350,000 has violated 52 PA § 29.314(c). The penalty for this violation is \$500.

7. That Respondent allowed a vehicle to operate with a vehicle that moves on a level surface when parking brake is fully applied, has violated 52 PA § 29.402(1), 67 § 175.64(c)(1). The penalty for this violation is \$50.

8. That Respondent allowed a vehicle to operate a vehicle with a dent greater than 4" inches, has violated 52 PA § 29.403(6). The penalty for this violation is \$100.

9. That Respondent allowed a vehicle to operate with an exhaust leak which entered the passenger compartment, has violated 52 PA § 29.402(1), 67 § 175.75(b). The penalty for this violation is \$100.

10. That Respondent allowed a vehicle to operate without log sheets in the vehicle, has violated 52 PA § 29.313(c). The penalty for this violation is \$50.

11. That Respondent allowed a vehicle to be operated by a person with a felony conviction, has violated 52 PA § 505(b)(1)(i)(D). The penalty for this violation is \$1,000.

12. That Respondent failed to provide criminal history has violated 66 Pa.C.S 505. The penalty for this violation is \$100.

13. That Respondent failed to provide driver records has violated 66 Pa.C.S 505. The penalty for this violation for a total of \$100.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Good Cab, LLC, the amount of two thousand dollars (\$2000.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,  
 Brian B. Mehus, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 400 North Street  
 Harrisburg, PA 17120

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10 October 2024

Brian B. Mehus, Acting Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 400 North Street, 2nd Floor  
 Harrisburg, PA 17120

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement  
 Pennsylvania Public Utility Commission  
 400 North Street, 3rd Floor  
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 400 North Street, 2nd Floor  
 Harrisburg, PA 17120

D. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceedings shall be closed.

E. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
 Secretary

[Pa.B. Doc. No. 24-1718. Filed for public inspection November 27, 2024, 9:00 a.m.]

**PHILADELPHIA  
 PARKING AUTHORITY**

**Service of Notice of Motor Carrier Applications in  
 the City of Philadelphia**

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than December 16, 2024. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Heidi Robb at (215) 683-9799 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-24-11-01. Rahman786, LLC, d/b/a Ai Limousine Service** (655 Aronimink Place, Drexel Hill, PA 19026): An application for a limousine certificate of public convenience (CPC) to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David Temple, Esq., 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

**Doc. No. A-24-11-02. Gimbi Transport, Co.** (913 Bell Avenue, Yeadon, PA 19050): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Shintia Zaman Riva, Esq., 1914 Chandler Street, Philadelphia, PA 19111.

**Doc. No. A-24-11-03. YP Trans, LLC** (250 Beverly Boulevard, Apartment J200, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Shintia Zaman Riva, Esq., 1914 Chandler Street, Philadelphia, PA 19111.

RICH LAZER,  
 Executive Director

[Pa.B. Doc. No. 24-1719. Filed for public inspection November 27, 2024, 9:00 a.m.]



**STATE ATHLETIC COMMISSION****Public Meetings for 2025**

The State Athletic Commission (Commission) of the Department of State announces its schedule for regular meetings to be held at least once every 2 months in 2025 under 5 Pa.C.S § 103 (relating to duties of commission). These meetings will be held in the Eaton Room, 2525 North 7th Street, Harrisburg, PA 17110, at 11:30 a.m. These meetings are open to the public and are scheduled as follows:

February 26, 2025

April 30, 2025

June 25, 2025

August 27, 2025

October 29, 2025

December 22, 2025

Individuals with questions regarding these meetings should contact the Commission at (717) 787-5720.

EDWARD KUNKLE,  
*Executive Director*

[Pa.B. Doc. No. 24-1720. Filed for public inspection November 27, 2024, 9:00 a.m.]

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**END OF ISSUE**