

# NOTICES

## CAPITOL PRESERVATION COMMITTEE

### Request for Proposals

**CPC 23.188: Governor's Suite Chandeliers.** This project involves the following: restoration and refinishing of existing historic light fixtures; fabrication of replication historic chandeliers utilizing various existing components, fabrication of selected missing fixture components, complete renewal of all electrical components and wiring, development and provision of a maintenance manual for each fixture. Work shall include removal of each existing fixture, crating, delivery, uncrating and suspension of each fixture from the storage rack system at the Commit-

tee's offsite storage facility and installation of new fixtures and preparatory work to remove and replace existing furniture to provide for installation access.

A mandatory preproposal conference and walk through will be held on March 8, 2024, in Room 630 of the Main Capitol at 9 a.m. The proposal receipt date is March 28, 2024, at 2 p.m. Project documents may be obtained on or after February 20, 2024, by contacting Tara Pyle at (717) 648-1918.

DAVID L. CRAIG,  
*Executive Director*

[Pa.B. Doc. No. 24-125. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending January 23, 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-bntrustrsuprvsninq@pa.gov. Comments must be received no later than 30 days from the date that the notice regarding acceptance of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240, or for credit unions or trust companies (717) 783-2253.

### APPLICATIONS FOR COMMENT

#### BANKING INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

### OTHER APPLICATION ACTIVITY

#### BANKING INSTITUTIONS

##### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
01-11-2024	Univest Bank and Trust Co. Souderton Montgomery County	689 West Main Street New Holland Lancaster County	Opened
01-16-2024	Community Bank Carmichaels Greene County	770 Tri-County Lane Belle Vernon Westmoreland County (Temporary Limited-Service Facility)	Opened
01-19-2024	Wayne Bank Honesdale Wayne County	983 Wyoming Avenue Forty Fort Luzerne County	Accepted

##### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
12-30-2023	Mifflinburg Bank and Trust Company Mifflinburg Union County	7874 State Route 304 Mifflinburg Union County	Closed

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
01-05-2024	Univest Bank and Trust Co. Souderton Montgomery County	4250 Oregon Pike Brownstown Lancaster County	Closed

**CREDIT UNIONS**

No activity.

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

WENDY S. SPICHER,  
*Secretary*

[Pa.B. Doc. No. 24-126. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Grant Funding for ATV or Snowmobile Projects and Programs

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation (Bureau) has available grant funding from the All-Terrain Vehicle (ATV) and Snowmobile Management Restricted Accounts for projects proposing land acquisition, planning, development, rehabilitation, maintenance, equipment purchase or educational programs for ATV or snowmobile trails and facilities.

Eligible applicants include for-profit organizations, non-profit organizations and municipalities in this Commonwealth.

Grant funding will be awarded through a competitive grant application process. Applicants can apply for this funding from Thursday, February 1, 2024, to 4 p.m. on

Friday, March 29, 2024, by means of the Department's online grant application portal at <https://apps.dcnr.pa.gov/grants>.

More information about these grant opportunities and the application process is available on the application portal. A grant application tutorial video is available on the Department's YouTube channel at [https://www.youtube.com/watch?v=9e\\_RAvYAg6o](https://www.youtube.com/watch?v=9e_RAvYAg6o).

For assistance with the portal, contact the Department's Grants Customer Service Center at (800) 326-7734 or [DCNR-Grants@pa.gov](mailto:DCNR-Grants@pa.gov).

Bureau staff is available to assist applicants with developing a competitive application. Staff contact information can be found on the Bureau's web site at [http://www.docs.cnr.pa.gov/cs/groups/public/documents/document/d\\_001184.pdf](http://www.docs.cnr.pa.gov/cs/groups/public/documents/document/d_001184.pdf).

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 24-127. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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## APPLICATIONS

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

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

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

<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>
2313802	Joint DEP/PFBC Pesticides Permit	Renewal	Aqua PA Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Springfield Township Delaware County	SERO
PA0021237	Minor Sewage Facility with CSOs Individual NPDES Permit	DEP-Initiated Minor Amendment	Newport Borough Municipal Authority 101 Mulberry Street Newport, PA 17074-1533	Newport Borough Perry County	SCRO
NOEXSW232	No Exposure Certification	New	Eloop LLC 1 Wesco Drive Export, PA 15632-3902	Murrysville Borough Westmoreland County	SWRO
PAG032420	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Phoenix Tube Co. Inc. 1185 Win Drive Bethlehem, PA 18017-7060	Bethlehem City Northampton County	NERO
PAG034075	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Blair County Recovery & Towing Inc. 142 Burchfield Lane Duncansville, PA 16635-4623	Blair Township Blair County	SCRO
PAG036572	PAG-03 NPDES General Permit for Industrial Stormwater	New	Veka Inc. 100 Veka Drive Fombell, PA 16123-1424	Marion Township Beaver County	SWRO
PAG048366	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Sprentz Joseph 533 Peterson Hollow Road Russell, PA 16345-3111	Pine Grove Township Warren County	NWRO
PAG048785	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Smith Jeremy M 153 N Good Hope Road Greenville, PA 16125-9250	West Salem Township Mercer County	NWRO
5124401	Pump Stations Individual WQM Permit	New	Philadelphia Water Department 1101 Market Street 6th Floor Philadelphia, PA 19107-2994	Philadelphia City Philadelphia County	SERO
PA0290165	Single Residence STP Individual NPDES Permit	Transfer	Geibel Timothy 5875 Old State Road Edinboro, PA 16412-9703	Franklin Township Erie County	NWRO
2521434	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Geibel Timothy 5875 Old State Road Edinboro, PA 16412-9703	Franklin Township Erie County	NWRO
4302401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Smith Jeremy M 153 N Good Hope Road Greenville, PA 16125-9250	West Salem 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>
6286404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Sprentz Joseph 533 Peterson Hollow Road Russell, PA 16345-3111	Pine Grove 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*

**PA0232963**, Industrial, SIC Code 4952, **American Truck Plazas, LLC**, 1460 N Ridge Road, Milton, PA 17847-7877. Facility Name: Penn 80 Milton. This existing facility is located in Turbot Township, **Northumberland 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), Limestone Run (WWF, MF) is located in State Water Plan watershed 10-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001—004 are based on a design flow of 0 MGD.

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

The proposed effluent limits for Outfall 005 are based on a design flow of 0.075 MGD.

<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	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report Inst 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	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	Report
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Daily Max	XXX	30
E. Coli (No./100 ml)	XXX	XXX	XXX	15	XXX	XXX
				Avg Qrtly	Report	XXX
				XXX		

The proposed effluent limits for Outfall 104 are based on a design flow of N/A MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Daily Maximum</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Internal Monitoring Point						
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Internal Monitoring Point						
Depth to Water Level (In, In)	XXX	Report	XXX	Report	XXX	XXX
Internal Monitoring Point						

The proposed effluent limits for Outfall 105 are based on a design flow of N/A MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Daily Maximum	Maximum	
Depth to Water Level (In, In) Internal Monitoring Point	XXX	Report	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

Northeast Regional Office

**PA0061603**, Sewage, SIC Code 4952, **Eagle Lake Community Association**, P.O. Box 305, Gouldsboro, PA 18424-0305. Facility Name: Eagle Lake Community Association WWTP. This existing facility is located in Covington Township, **Lackawanna County**.

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

The receiving stream(s), Unnamed Tributary to Tamarack Creek (EV, MF), is located in State Water Plan watershed 2-A and is classified for Exceptional Value Waters and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD—Interim Limits.

(From Permit Effective Date to Three Years After Permit Effective Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Ammonia-Nitrogen Nov 1 - Apr 30	31.5	XXX	XXX	7.5	XXX	15.0
May 1 - Oct 31	10.5	XXX	XXX	2.5	XXX	5.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD—Final Limits.

(From Three Years After Permit Effective Date to Permit Expiration Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Ammonia-Nitrogen Nov 1 - Apr 30	17.5	XXX	XXX	4.2	XXX	8.1
May 1 - Oct 31	5.8	XXX	XXX	1.4	XXX	2.7

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

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	7.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.04
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	42.0	XXX	XXX	10.0	XXX	20.0
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub> Minimum % Removal (%)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	42.0	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	42.0	XXX	XXX	10.0	XXX	20.0
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	4.2	XXX	XXX	1.0	XXX	2.0
Total Dissolved Solids	XXX	XXX	XXX	1,000	XXX	XXX
				Avg Qrtly		

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

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

- Solids Management
- Ammonia-Nitrogen Effluent Limits Compliance Schedule

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

The EPA Waiver is in effect.

*Northeast Regional Office*

**PA0062588**, Industrial, SIC Code 4941, **Pennsylvania American Water Company**, 2699 Stafford Avenue, Scranton, PA 18505. Facility Name: Ceasetown WTP. This existing facility is located in Jackson Township, **Luzerne 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, Pikes Creek (HQ-CWF, MF), is located in State Water Plan watershed 5-B and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.601 MGD.

Parameters	Mass Units (lbs/day)		Instant. 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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.23	XXX	0.53
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	5.0	10.0	XXX	1.0	2.0	2.5
Iron, Total	XXX	XXX	XXX	2.0	4.0	5.0
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Copper, Total	XXX	XXX	XXX	Report	Report	XXX

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

- Sedimentation Basin Cleaning

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.

*Northwest Regional Office*

**PA0295477**, Sewage, SIC Code 8800, **Amy Bruno**, 522 Branchton Road, Slippery Rock, PA 16057-3214. Facility Name: Amy Bruno SRSTP. This proposed facility is located in Slippery Rock Township, **Butler County**.

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

The receiving stream(s), McDonald Run (CWF), is located in State Water Plan watershed 20-C 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 .0004 MGD.—Limits.

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

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0295612**, Sewage, SIC Code 8800, **Jacob Fye**, 474 S 2nd Avenue, Clarion, PA 16214-1428. Facility Name: Jacob Fye SRSTP. This proposed facility is located at 291 Spring Road, Summerville, PA 15864 in Limestone Township, **Clarion County**.

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

The receiving stream(s), Little Piney Creek (CWF), is located in State Water Plan watershed 17-B 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 .0004 MGD.—Limits.

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

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0035718 A-1**, Industrial, SIC Code 2022, 5400, 5451, **John Koller & Son, Inc.**, 1734 Perry Highway, Fredonia, PA 16124-2720. Facility Name: Fairview Swiss Cheese. This existing facility is located in Fairview Township, **Mercer County**.

Description of Existing Activity: The application is for an amendment to an NPDES permit for an existing discharge of treated Industrial Waste to extend the final compliance schedule to meet water quality-based effluent limitations for Total Cobalt, Total Copper, and Total Nickel.

The receiving stream, an Unnamed Tributary to the Neshannock Creek (TSF), is located in State Water Plan watershed 20-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 0.05 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Cobalt, Total	Report	Report	XXX	Report	Report	XXX
Copper, Total	Report	Report	XXX	Report	Report	XXX
Nickel, Total	Report	Report	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Cobalt, Total	0.013	0.021	XXX	0.019	0.029	0.047
Copper, Total	0.012	0.018	XXX	0.016	0.026	0.042
Nickel, Total	0.065	0.1	XXX	0.093	0.146	0.234

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Biochemical Oxygen Demand (BOD <sub>5</sub> )	9.4	22.2	XXX	10.0	20.0	58
Total Suspended Solids	13.5	31.4	XXX	10.0	20.0	82



Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	XXX
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	0.5	1.0	XXX	0.5	XXX	3
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Water Quality-Based Effluent Limitations for Toxic Pollutants
- Chemical Additives
- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0294021**, Storm Water, SIC Code 2951, **Russell Standard Corporation**, 285 Kappa Drive, Pittsburgh, PA 15238-2814. Facility Name: Russell Standard—Chambersburg. This proposed facility is located in Greene Township, **Franklin County**.

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

The receiving stream(s), Conococheague Creek (WWF, MF), is located in State Water Plan watershed 13-C 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:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Daily Maximum	Average Monthly	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	23.0	15.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	10.0	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max Report Daily Max	XXX

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs), including applicable BMPs from Appendix M from the PAG-03 (effective 3/24/2023)
  - Routine Inspections
  - Preparedness, Prevention, and Contingency (PPC) Plan
  - Stormwater Monitoring Requirements
  - Other Requirements

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0294233**, Storm Water, SIC Code 5169, **Brenntag Northeast LLC**, 5083 Pottsville Pike, Reading, PA 19605-9724. Facility Name: Brenntag Northeast Snyder Rd Facility. This existing facility is located in Ontelaunee Township, **Berks County**.

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

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

The proposed effluent limits for Outfall 001:

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
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs), including applicable BMPs from Appendix F from the PAG-03 (effective 3/24/2023)
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmarks for pH, BOD<sub>5</sub>, COD, TSS, and Nitrate-Nitrite as N)
- Other Requirements

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0294306**, Storm Water, SIC Code 5411, 5541, 7538, **Love's Travel Stops & Country Stores Inc.**, P.O. Box 26210, Oklahoma City, OK 73126-0210. Facility Name: Love's Travel Stop # 407 Carlisle. This existing facility applying for permit coverage for the first time is located in Middlesex Township, **Cumberland County**.

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

The receiving stream(s), Letort Spring Run (HQ-CWF, MF), is located in State Water Plan watershed 7-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001:

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

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs), including applicable BMPs from Appendix L from the PAG-03 (effective 3/24/2023)
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmarks for TSS, Oil and Grease)
- Other Requirements

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PAS803501**, Storm Water, SIC Code 4581, **Susquehanna Area Region Airport Authority**, 1 Terminal Drive, Middletown, PA 17057-5045. Facility Name: Harrisburg International Airport. This existing facility is located in Lower Swatara Township, **Dauphin County**.

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

The receiving stream(s), Susquehanna River (WWF, MF) and Unnamed Tributary to Susquehanna River (WWF, MF), is located in State Water Plan watershed 7-C 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—013 (Stormwater Outfalls):

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

The proposed effluent limits for Outfall 105 (Internal Monitoring Point):

<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 Quarterly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	75.0	XXX	187
Benzene	XXX	XXX	XXX	0.005	XXX	0.0125
1,2-cis-Dichloroethylene	XXX	XXX	XXX	0.07	XXX	0.175
Trichloroethylene	XXX	XXX	XXX	0.005	XXX	0.0125
Vinyl Chloride	XXX	XXX	XXX	0.002	XXX	0.005

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

- I. Stormwater Outfalls and Authorized Non-Stormwater Discharges
- II. Best Management Practices (BMPs)
- III. Stormwater Monitoring Requirements including the following Benchmarks:

<i>Pollutant</i>	<i>Benchmark Values</i>
pH (S.U.)	9.0
5-Day Biochemical Oxygen Demand (BOD <sub>5</sub> ) (mg/L)	30
Chemical Oxygen Demand (COD) (mg/L)	120
Total Suspended Solids (TSS) (mg/L)	100
Oil and Grease (mg/L)	30

- IV. Routine Inspections
- V. Preparedness, Prevention and Contingency (PPC) Plan
- VI. Other Requirements

A. The permittee shall conduct the required monitoring during the deicing season, which is defined for the purpose of Outfalls 001—013 as the period from October 1—March 31. One sample must be collected during the period October 1—December 31 (to be submitted on a DMR due January 28) and one sample must be collected during the period January 1—March 31 (to be submitted on a DMR due July 28). Additional monitoring outside of the deicing season is optional.

B. Storm water discharges associated with aircraft deicing activities shall be controlled to prevent, or minimize to the maximum extent feasible, deicing materials from flowing or being carried by storm water runoff into waters of the Commonwealth.

C. Owners or operators of storm water discharges from airport runways and taxiways subject to deicing operations shall develop and implement a program of BMPs designed to minimize the runoff of deicing and anti-icing materials from airport runways and taxiways to the waters of the Commonwealth.

D. *Airfield pavement deicing*. There shall be no discharge of airfield pavement deicers containing urea. To comply with this limitation, any existing point source must certify annually that it does not use airfield deicing products that contain urea or alternatively, airfield pavement discharges at every discharge point must achieve the numeric limitations for ammonia in Table I, prior to any dilution or commingling with any non-deicing discharge. (40 CFR 449.10)

Table I—BAT Limitations

<i>Wastestream</i> Airfield Pavement Deicing	<i>Pollutant</i> Ammonia as Nitrogen	<i>Daily Maximum</i> 14.7 mg/L.
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a. *Aircraft deicing fluid (ADF)* means a fluid (other than hot water) applied to aircraft to remove or prevent any accumulation of snow or ice on the aircraft. This includes deicing and anti-icing fluids. (40 CFR 449.2)

b. *Airfield pavement* means all paved surfaces on the airside of an airport. (40 CFR 449.2)

c. *Airside* means the part of an airport directly involved in the arrival and departure of aircraft, including runways, taxiways, aprons, and ramps. (40 CFR 449.2)

d. *Deicing* mean procedures and practices to remove or prevent any accumulation of snow or ice on:

- (1) An aircraft; or
- (2) Airfield pavement. (40 CFR 449.2)

E. The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights by easement or otherwise, providing for the satisfactory construction, operation, maintenance or replacement of all structures associated with the herein approved discharge in, along, or across private property, with full rights of ingress, egress and regress.

F. Collected screenings, slurries, sludges, and other solids shall be handled, recycled and/or disposed of in compliance with the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), 25 Pa. Code Chapters 287—289, 291, 295, 297, and 299 (relating to requirements for landfilling, impoundments, land application, composting, processing, and storage of residual waste), Chapters 261a, 262a, 263a, and 270a (related to identification of hazardous waste, requirements for generators and transporters, and hazardous waste, requirements for generators and transporters, and hazardous waste permit programs), Federal regulation 40 CFR Part 257, The Clean Streams Law, and the Federal Clean Water Act and its amendments. Screenings collected at intake structures shall be collected and managed and not be returned to the receiving waters.

The permittee is responsible to obtain or assure that contracted agents have all necessary permits and approvals for the handling, storage, transport and disposal of solid waste materials generated as a result of wastewater and stormwater treatment.

G. If the applicable standard or effluent guideline limitation relating to the application for Best Available Technology (BAT) Economically Achievable or to Best Conventional Technology (BCT) is developed by DEP or EPA for this type of industry, and if such standard or limitation is more stringent than the corresponding limitations of this permit (or if it controls pollutants not covered by this permit), DEP may modify or revoke and reissue the permit to conform with that standard or limitation.

VII. COPERMITTEES

The following companies, as tenants of the Harrisburg International Airport, are the copermittees jointly and severally responsible for compliance with the terms, conditions, and requirements in this permit:

<i>Company</i>	<i>Address</i>
American	One Terminal Drive Middletown, PA 17057
Allegiant	One Terminal Drive Middletown, PA 17057
Avlight Harrisburg	603 and 517 Airport Drive 3 Terminal Drive Middletown, PA 17057
Delta	One Terminal Drive Middletown, PA 17057
Federal Express	100 Airport Drive Middletown, PA 17057
Frontier	One Terminal Drive Middletown, PA 17057
Hershey Leading Ops	605 Airport Drive Middletown, PA 17057
MI Windows	604 Airport Drive Middletown, PA 17057
Piedmont Airlines	601 Airport Drive Middletown, PA 17057
United Airlines	One Terminal Drive Middletown, PA 17057
UPS	100 Airport Drive Middletown, PA 17057

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*

**PA0051713**, Industrial, SIC Code 2819, **Evonik Corporation**, 1200 West Front Street, Chester, PA 19013-3438. Facility Name: Evonik Chester PA Facility. This existing facility is located in Chester City, **Delaware County**.

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

The receiving stream, Delaware River (WWF, MF), is located in State Water Plan watershed 3-G 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 1.8 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>		<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	1,501	3,002	XXX	100	200	250
Total Dissolved Solids	450,360	480,384	XXX	30,000.0	32,000.0	33,000
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>		<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Toxicity, Acute - Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	8.4	XXX
Toxicity, Acute - Pimephales Survival (TUa)	XXX	XXX	XXX	XXX	8.4	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow.—Limits.

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

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permits Condition
- D. Applicable BAT if Developed
- E. TMDL/WLA Analysis
- F. TSS Removal per DRBC
- G. Thermal Requirement
- H. WET Testing
- I. Chemical Additives
- J. Stormwater Outfall Condition
- K. PCB/PMP Requirement

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0053554**, Storm Water, SIC Code 2499, 2875, **Hyponex Corporation**, 944 Newark Road, Avondale, PA 19311-1133. Facility Name: Scotts Company Potting Soil Facility. This existing facility is located in New Garden Township, **Chester County**.

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

The receiving stream, Unnamed Tributary of West Branch Red Clay Creek (TSF, MF) is located in State Water Plan watershed 3-I 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 an average stormwater flow.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	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
Pentachlorophenol	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on an average stormwater flow.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
4,4-DDD	XXX	XXX	XXX	XXX	Report	XXX
4,4-DDT	XXX	XXX	XXX	XXX	Report	XXX
4,4-DDE	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
4,4-DDD	XXX	XXX	XXX	XXX	Report	XXX
4,4-DDT	XXX	XXX	XXX	XXX	Report	XXX
4,4-DDE	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	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
Pentachlorophenol	XXX	XXX	XXX	XXX	Report	XXX

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

- A. Stormwater Outfalls
- B. Best Management Practices (BMPs)
- C. Stormwater Monitoring Requirements
- D. Routine Inspections
- E. Preparedness, Prevention and Contingency Plan
- F. Acquire Necessary Property Rights
- G. Sludge Disposal Requirement
- H. BAT/BCT Reopener
- I. Remedial Measures if Public Nuisance
- J. Dust Suppression
- K. Groundwater Monitoring

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

The EPA Waiver is not in effect.

*Southwest Regional Office*

**PA0217751**, Industrial, SIC Code 4941, **Sewickley Borough Water Authority**, 900 Ohio River Boulevard, Sewickley, PA 15143-2024. Facility Name: Sewickley Borough Water System. This existing facility is located in Sewickley Borough, **Allegheny 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), Ohio River (WWF), is located in State Water Plan watershed 20-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.296 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for IMP 101:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for IMP 201:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

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

The EPA Waiver is in effect.

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

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#### *Northeast Regional Office*

Applicant: **Charles E Peters Estate**

Applicant Address: 1660 Valley Center Parkway, Suite 10, Bethlehem, PA 18017

Application Number: **PAD520013**

Application Type: Renewal

Municipality/County: Lehman Township, **Pike County**

Project Site Name: Bushkill Falls Parking Improvements

Total Earth Disturbance Area (acres): 10.30 acres

Surface Waters Receiving Stormwater Discharges: Little Bush Kill Creek and Wetlands of Little Bush Kill Creek, Exceptional Value (EV)

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

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

Project Description: The Bushkill Falls Site Improvements project is primarily focused on formalizing existing and adding gravel parking to the campus, adding a maintenance access and service area, and improving pedestrian circulation and parking in the central campus. The total parking area is 24.82 acres, and the total earth disturbance is 10.30 acres. All new work is proposed in previously disturbed areas. No structures are impacted in any areas.

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

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

#### *Northeast Regional Office*

Applicant: **PPL Electric Utilities Corporation, c/o Eric Beaver**

Applicant Address: 527 Hausman Road, GENN 4, Allentown, PA 18104-9392

Application Number: **PA390003D**

Application Type: New



Municipality/County: Allentown City, South Whitehall Township, Upper Macungie Township, Whitehall Township, **Lehigh County**

Project Site Name: Wescosville-Allentown 1&2 138kV Line Project

Total Earth Disturbance Area (acres): 25.0 acres

Surface Waters Receiving Stormwater Discharges: Cedar Creek (HQ-CWF, MF), Jordan Creek (TSF, MF), Lehigh River (WWF, MF), Little Lehigh Creek (HQ-CWF, MF) & Little Lehigh River (HQ-CWF, MF)

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

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

Project Description: The PPL EU Wescosville-Allentown 1&2 138kV Line is the installation of avian guarding equipment on existing structures, totaling approximately 10.5 miles in length. This project begins at the Wescosville Substation, west of Service Plaza Road and travels north, ending at structure 60793S47714. The line then begins again at the South Whitehall Substation, off of Focht Avenue, and travels north and then southeast, ending at the Sumner Substation, west of N. 13th Street. The last section of this line starts at the Allentown Substation, east of Riverside Drive, heading southwest, ending at structure 63522S47000. The entire project is located within Lehigh County, PA.

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

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

*Southeast Regional Office*

Applicant: **Morning Development**

Applicant Address: 132-A Veterans Lane # 362, Doylestown, PA 18901-3424

Application Number: **PAD090094**

Application Type: New

Municipality/County: Dublin Borough, **Bucks County**

Project Site Name: Morning Development

Total Earth Disturbance Area (acres): 3.46 acres

Surface Waters Receiving Stormwater Discharges: UNT to Morris Run via wetlands (TSF)

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

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

Project Description: Proposed development of two (2) 15,000 SF mixed use buildings, associated parking facilities, landscaping, utilities, lighting and stormwater management infrastructure, and the realignment of the existing stream traversing the site. Wetlands onsite shall not be impacted.

Special Conditions: N/A

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

*Northcentral Regional Office*

Applicant: **Jersey Shore Borough**

Applicant Address: 232 Smith Street, Jersey Shore, PA 17740

Application Number: **PAD410027**

Application Type: New

Municipality/County: Jersey Shore Borough, **Lycoming County**

Project Site Name: Municipal Garages

Total Earth Disturbance Area (acres): 1.38 acres

Surface Waters Receiving Stormwater Discharges: Nichol's 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: A new building is proposed for the Borough Public Works Department for storage of their municipal vehicles and winter road treatment materials.

Special Conditions: N/A

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

*Southwest Regional Office*

Applicant: **Hammond Power Solutions Inc.**

Applicant Address: 11020 Parker Drive, Irwin, PA 15642

Application Number: **PAD650043**

Application Type: New

Municipality/County: North Huntingdon Township, **Westmoreland County**

Project Site Name: Mesta Electronics Inc.

Total Earth Disturbance Area (acres): 1.66 acres

Surface Waters Receiving Stormwater Discharges: Stewartsville Road Run (HQ-TSF)

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

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

Project Description: Expansion of existing Mesta Electronics Building and associated parking and infrastructure.

Special Conditions: N/A

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

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

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

<b>Application No. 1424504</b> , Construction, Public Water Supply.	
Applicant	<b>Kearns Campground</b>
Address	137 Kearns Road Spring Mills, PA 16875
Municipality	Spring Mills
County	<b>Centre County</b>
Responsible Official	Robert A Kearns Jr 137 Kearns Road Spring Mills, PA 16875
Consulting Engineer	Charles A Kehew II 18 South George Street Suite 300 York, PA 17401
Application Received	January 12, 2024
Description	Addition of Chlorine contact tanks to achieve 4 log treatment of viruses.

<b>Application No. 1424505</b> , Construction, Public Water Supply.	
Applicant	<b>PA American Water—Philipsburg</b>
Address	1912 Tyrone Pike Philipsburg, PA 16866
Municipality	Philipsburg Borough
County	<b>Centre County</b>

Responsible Official Bruce Aiton  
852 Wesley Drive  
Mechanicsburg, PA 17055

Consulting Engineer Steven Donohue  
207 Senate Avenue  
Camp Hill, PA 17011

Application Received January 17, 2024

Description Construction of a new clearwell  
and finished water storage tank.

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

*Contact: Lorrie Fritz, Clerical Assistant 2, 570-830-3048.*

**Application No. 4024501**, Construction, Public Water Supply.

Applicant **Farmers Inn & Tavern LLC**

Address 205 Follies Rd  
Dallas, PA 18612

Municipality Jackson Township

County **Luzerne County**

Responsible Official Justin Donaldson  
Farmers Inn & Tavern LLC  
205 Follies Rd  
Dallas, PA 18612

Consulting Engineer Rebecca S. Peterson, PE  
Folsom Engineering LLC  
4361 SR 87  
Mehoopany, PA 18629

Application Received January 17, 2024

Description Application proposes the  
construction of a softener and a  
manganese treatment system.

**Application No. 3523504**, Construction, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**

Address 1 Aqua Way  
White Haven, PA 18661

Municipality Thornhurst Township

County **Lackawanna County**

Responsible Official David Hoogstad  
Area Manager  
Aqua Pennsylvania, Inc.  
1 Aqua Way  
White Haven, PA 18661

Consulting Engineer Daniel Hopkins, PE  
Entech Engineering, Inc.  
474 N. Centre St.  
Floor 2  
Pottsville, PA 17901

Application Received September 25, 2023

Description Application proposes the  
installation of general corrosion  
control treatment at their Laurel  
Well Station.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

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

*Contact: Eric Supey, Environmental Program Manager.*

**Former Omega Tool**, Primary Facility ID # **746647**, 4136 Church Street, Portland, PA 18351, Upper Mount Bethel Township, **Northampton County**. Envirosearch Consulting, P.O. Box 940, Springhouse, PA 19477 on behalf of Turkey Ridge Properties, P.O. Box 753, Far Hills, NJ 07931, submitted a Notice of Intent to Remediate. Soil was contaminated with polyaromatic hydrocarbons from historic site operations. The Notice of Intent to Remediate was published in *Free Weekly Press* on January 4, 2024. Application received: January 22, 2024.

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

*Contact: Charline Bass, Administrative Assistant, 484-250-5787.*

**6150 Lancaster Avenue**, Primary Facility ID # **871538**, 6150 Lancaster Avenue, Philadelphia, PA 19151, City of Philadelphia, **Philadelphia County**. Gregory Firely, AMO Environmental Decisions, Inc., 875 North Easton Road, Suite 10, Doylestown, PA 18902 on behalf of Jerome Shabazz, Jastech Development Services, Inc., 6134 Lancaster Avenue, Philadelphia, PA 19151, submitted a Notice of Intent to Remediate. Soil on the site has been found to be contaminated with lead, 2-methylnaphthalene, and 1,1-biphenyl. The planned reuse for the site is an Environmental Education Center. The proposed cleanup standard for the site is the State-wide health standard/site-specific standard. The Notice of Intent to Remediate was published in the *Philadelphia Tribune* on December 5, 2023. Application received: December 6, 2023.

#### RESIDUAL WASTE GENERAL PERMITS

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

*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.*

**WMGR011-NE001. Tri State Fluids Inc.**, 413 Edwin Lane, Stroudsburg, PA 18360, Hamilton Township, **Monroe County**. A permit renewal application for continued coverage under General Permit WMGR011 for the processing of spent antifreeze in mobile processing units for the purpose of reconditioning and reuse. Application received: December 29, 2023. Supplemental information: January 12, 2024. Deemed administratively complete: January 17, 2024.

Comments or questions concerning the application should be directed to Roger Bellas, Environmental Program Manager, 570-826-2201, 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.

#### 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.**

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

*Contact: Waste Management Program Manager.*

**WMGM024SW001. PennDOT District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017, Harmar Township, **Allegheny County**. This application is for the renewal of General Permit No. WMGM024SW001 for the processing and beneficial use of concrete and asphalt waste at the SR 0028 Harmar Interchange Infield. Application received: November 22, 2023. Deemed administratively complete: January 12, 2024.

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

#### 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 publica-

tion will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

### PLAN APPROVALS

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

*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.*

**CORRECTION**—previously published on December 16, 2023.

**22-03102B: Derry Township Municipal Authority, 670 Clearwater Road, Hershey, PA 17033, Derry Township, Dauphin County.** Application received: May 18, 2023. For the installation of an Ecoremedy gasifier and dryer system to produce syngas (that will be combusted for process heat) and Class A biosolids. The proposed process will treat solids downstream of the existing anaerobic digester. The gasification process will convert organic solids into syngas and ash residuals. The process will be controlled by a multiclone, venturi wet scrubber and packed bed scrubber at the municipal waste facility. The expected increases in facility potential emissions as a result of the changes proposed are: NO<sub>x</sub> 41.65 tpy, CO

23.87 tpy, SO<sub>x</sub> 9.55 tpy, PM 21.02 tpy, VOC 4.47 tpy and HAPs 2.14 tpy. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 61 Subpart E—National Emission Standards for Mercury. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

*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.*

**46-0026L: Global Packaging, Inc., 209 Brower Ave, Oaks, PA 19456, Upper Providence Township, Montgomery County.** Application received: September 22, 2023. This plan approval is for installation and operation of a new regenerative thermal oxidizer (RTO) that will control volatile organic compound (VOC) and hazardous air pollutant (HAP) emissions from the facility's flexographic printing presses at their facility. The primary pollutants of concern are VOCs and HAPs; VOC emissions generated by this RTO are estimated to be: 0.14 tpy, and HAP emissions are estimated to be 0.0484; the permit limits sitewide VOC emission to 24.99 tpy and individual and total HAP emissions to 9.99 tpy and 24.99 tpy respectively. The plan approval includes monitoring, recordkeeping and reporting requirements designed to address all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person previously listed in the header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEOAQPUBLIC@pa.gov.

### OPERATING PERMITS

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

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

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

**48-00047, Highway Materials, Inc./Nazareth Asphalt Plant, 409 Stenton Avenue, Flourtown, PA 19031-1327, Upper Nazareth Township, Northampton County.** Application received: August 24, 2023. The Department intends to issue a renewal State-Only (Synthetic Minor) Permit for the manufacture of Asphalt Paving Mixtures and Blocks facility in Upper Nazareth Township, Northampton County. The primary sources consist of a Hot Mix Asphalt Plant, portable crusher, elevators, screens, bins, and diesel IC engines. The control devices are a knockout box, baghouse, and water sprays. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds

(VOC) emissions. The proposed 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.

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

**39-00103, Bosch Rexroth Corp.**, 2315 City Line Road, Bethlehem, PA 18017-2131, City of Bethlehem, **Lehigh County**. Application received: January 8, 2024. The Department intends to issue a renewal State-Only Operating Permit (synthetic minor) for sources such as their paint booths and an auto paint spray gun with equipment parts washer. Sources also include filter panels for the paint booths used as control devices. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**48-00049, FedChem LLC**, 275 Keystone Drive, Bethlehem, PA 18020-9464, Lower Nazareth Township, **Northampton County**. Application received: January 12, 2024. The Department intends to issue a renewal State-Only Operating Permit (natural minor) for sources such as their reactors and emergency generator. Sources also include condensers used as control devices. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**62-00162, Elkhorn Gas Processing LLC/Keystone**, 4613 E 91st St, Tulsa, OK 74137-2852, Pleasant Township, **Warren County**. Application received: January 13, 2023. The Department intends to issue a renewal of a Natural Minor Operating Permit to operate a natural gas processing plant. The facility's primary emission sources include a Tri-Ethylene Glycol dehydration unit, combustion emissions for the dehydration unit, a hot oil heater, an 800 HP refrigerant compressor, an emergency generator, potential equipment leaks, product storage tanks and loading. The refrigerant compressor engine is subject to 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Units. The dehydration unit is subject to 40 CFR 63 Subpart HH—NESHAPs from Oil and Natural Gas Production Facilities. The actual emissions reported from the facility for 2022 were 5.55 TPY CO, 2.06 TPY NO<sub>x</sub>, 0.15 TPY PM<sub>10</sub>, 0.01 TPY SO<sub>x</sub>, and 21.7 TPY VOC. For this renewal, ministerial updates to Subparts ZZZZ and HH are incorporated.

**42-00181, Lewis Run Gas Plant LLC/Lewis Run Gas Plant**, 4613 E 91st St, Tulsa, OK 74137-2852, Bradford Township, **McKean County**. Application received: January 13, 2023. The Department intends to issue a renewal of a Natural Minor Operating Permit to operate a natural gas processing plant. The facility's primary emission sources include a dehydration unit, combustion emissions for the dehydration unit, a fractionation skid with an associated combustion heater, an inlet compressor (rated at 700 HP) a 265 HP refrigeration compressor, potential equipment leaks, product storage tanks and loading, and an emergency natural gas genera-

tor. The inlet compressor and refrigeration compressor are 4 stroke rich burn engines equipped with catalytic converters. These two engines are subject to 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Units. The dehydration unit is subject to 40 CFR 63 Subpart HH—NESHAPs from Oil and Natural Gas Production Facilities. The emergency engine is subject to 40 CFR 60 Subpart JJJJ. The actual emissions reported from the facility for 2022 were 3.31 TPY CO, 1.31 TPY NO<sub>x</sub>, 0.03 TPY PM<sub>10</sub>, < 0.01 TPY SO<sub>x</sub>, and 11.9 TPY VOC. For this renewal, one 840 HP natural-gas fired compressor engine is incorporated into the operating permit (this source was installed via general plan approval in 2022 and is currently operating under a General Permit).

**10-00047, Ascensus Specialties Callery, LLC**, 1424 Mars Evans City Rd, Evans City, PA 16033-9360, Forward Township, **Butler County**. Application received: November 14, 2022. The Department intends to issue the renewal State Only Natural Minor Operating Permit for the industrial organic and inorganic chemical manufacturing facility. The facility's primary emission sources include two natural gas-fired boilers (10.5 mmBtu/hr and 14.288 mmBtu/hr), miscellaneous natural gas combustion, building 24 alkylborane production, hood 1B, building 31 product & process development, building 31 R&D, building 37 boranes derivatives, building 37 bag filling station, building 37 boranes derivatives hydrogen vent, heated t-butanol storage tanks, building 44 alcoholates production, building 44 dryers & powder packaging, building 44 pilot plant, building 44 filter deactivation, building 64 potassium production, building 86 cylinder cleaning, building 94 powder packaging dust collection, building 98 tank farm & truck station, miscellaneous emergency generators (5), and miscellaneous storage tanks. The potential emissions of the primary pollutants from the facility after permit limitations are as follows: 27.29 TPY NO<sub>x</sub>, 19.47 TPY CO, 45.40 TPY VOC, 3.92 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, 0.48 TPY SO<sub>x</sub>, 11.49 TPY combined HAPs, 3.62 TPY methanol, 0.54 TPY toluene, and 6.19 TPY hexane; thus, the facility is a natural minor. The building 72 boiler is subject to 40 CFR 60 Subpart Dc, NSPS for Small Industrial-Commercial-Institutional Steam Generating Units. The tank farm is subject to 40 CFR 60 Subpart Kb, NSPS for Storage Vessels. Four of the emergency generators are subject to 40 CFR 63, Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The gatehouse emergency generator is subject to 40 CFR 60, Subpart JJJJ, NSPS for Stationary Spark Ignition Internal Combustion Engines. A 550-gallon gasoline storage tank permitted under miscellaneous storage tanks is subject to 40 CFR 63, Subpart CCCCC, NESHAP for Gasoline Dispensing Facilities. The renewal permit will contain restrictions related to the quantities of materials consumed or processed, which are enforceable as a practical matter; and associated emission limits, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**42-00095, Georgia-Pacific Bradford**, 1 Owens Way, Bradford, PA 16701-3750, Bradford Township, **McKean County**. Application received: January 17, 2023. The Department intends to issue the renewal State Only Natural Minor Operating Permit for the corrugated container manufacturing facility. The facility's primary emission sources include two natural gas-fired boilers (15.7 mmBtu/hr and 20.9 mmBtu/hr), miscellaneous process equipment, an outdoor starch silo, a metal parts degreaser, and finishing operations. The potential emis-

sions of the primary pollutants from the facility are as follows: 15.73 TPY NO<sub>x</sub>, 13.21 TPY CO, 12.68 TPY VOC, 7.74 TPY total HAPs, 23.79 TPY PM<sub>10</sub>, 8.38 TPY PM<sub>2.5</sub>, and 0.09 TPY SO<sub>x</sub>; thus, the facility is a natural minor. The boilers are subject to recordkeeping requirements of 40 CFR Part 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. 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 Hanlon, PE, East Permit Section Chief, 717-705-4862.*

**67-05141, IWM International, LLC**, 500 E Middle St., Hanover, PA 17331, Hanover Borough, **York County**. Application received: June 12, 2023. For operation of a wire mesh manufacturing facility. The facility actual emissions for 2022 are 1.42 tons of CO, 1.81 tons of NO<sub>x</sub>, 0.14 ton of PM, 0.01 ton of SO<sub>x</sub>, 4.75 tons of VOC, 0.12 ton of combined HAP's. 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 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 25 Pa. Code § 129.52d Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings.

**22-03055, Rausch Creek Drying & Packaging, LLC**, 401 Machamer Avenue, P.O. Box 1, Wiconisco, PA 17097, Wiconisco Township, **Dauphin County**. Application received: October 23, 2023. For its coal preparation facility. This is for renewal of the existing State-Only Permit. The subject facility has the potential to emit 30.6 tpy PM<sub>10</sub>, 8.4 tpy of CO, 14.5 tpy NO<sub>x</sub>, 1.7 tpy SO<sub>x</sub>, & 1.1 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation and Processing Plants.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19011, 484-250-5900.*

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

**09-00104, Daniel C. Tanney Inc.**, 3268 Clive Avenue, Bensalem, PA 19020, Bensalem Township, **Bucks County**. Application received: April 14, 2023. This action is for the renewal of the Natural Minor Permit. There are no new sources. The source at the facility is a burn-off oven. The facility is an area source of VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM emissions. Potential to emit are 0.189 ton/year of VOC, 3.282 tons/year of NO<sub>x</sub>, 2.641 tons/year of CO, 0.031 ton/year of SO<sub>x</sub>, and 0.440 ton/year of PM. The facility is subject to regulations under the Pennsylvania Air Pollution Control Act. The permit contains monitoring, recordkeeping, reporting, 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 con-

tact 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.*

**65-00623, Wabtec Rubber Products, Inc.**, 269 Donahoe Road, Greensburg, PA 15601, Hempfield Township, **Westmoreland County**. Application received: July 18, 2023. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal Wabtec Rubber Products, Inc./Products, a division of Wabtec Components LLC to authorize the production of rubber products for railroad applications. The facility is located in Hempfield Township, Westmoreland County. The operation process at this facility include a urethane spray booth controlled by particulate filters, a mixing area controlled by two dust collectors, a few natural gas-fired heating sources, and one small rubber grinder. Facility-wide potential emissions are projected to be 9.16 TPY VOC, 4.50 TPY NO<sub>x</sub>, 3.78 TPY CO, 3.10 TPY HAP, 0.34 TPY PM<sub>10</sub>, and 0.03 TPY SO<sub>x</sub>. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (65-00623) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly. All comments must be received prior to the close of business 30 days after the date of this publication.

**63-00565, Washington Penn Plastics Co.**, 480 Johnson Road, Washington, PA 15301, South Strabane Township, **Washington County**. Application received: July 31, 2023. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Washington Penn Plastics/Arden Division to authorize the production of custom polyolefin compounds. The facility is located in South Strabane, Washington County. The operation process at this facility include ten extrusion lines, blenders, mixers, silos, an emergency generator, and several dust collectors to control emissions. The facility has the potential to emit 47.91 tpy PM<sub>10</sub> and less than 1 ton per year of NO<sub>x</sub>, VOC, CO, and SO<sub>x</sub>. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chap-

ters 121–145, 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (63-00565) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based. The application, DEP’s Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP’s Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP’s website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly. All comments must be received prior to the close of business 30 days after the date of this publication.

**COAL & NONCOAL MINING ACTIVITY APPLICATIONS**

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

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (DEP). A copy of the application is available for inspection at the District Mining Office

indicated above each application. Requests for 401 Water Quality Certifications are included in individual application only if noted.

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

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

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

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

*Coal Applications*

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

Table 1

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

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

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

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**Mining Permit No. 65221301. NPDES No. PA0236586 and GP12-65221301. Unity Mines LLC, P.O. Box 11, 198 West Main Street, New Alexandria, PA 15670, Derry Township, Westmoreland County.** A new coal mine permit and related NPDES permit that was previously known as C & D Coal Company, Inc., Kingston-West Mine (56091301). Includes authorization request for an air quality GPA/GP12 general permit. Affecting 10.0 proposed surface acres, 999.0 proposed underground acres and 971.4 proposed subsidence control plan acres. Receiving stream(s): Unnamed Tributaries to Loyalhanna Creek, classified for the following uses: WWF. Application received: August 26, 2022. Accepted: October 19, 2022. Denied: October 24, 2023.



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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 17753180. NPDES No. PA0609439. Penn Coal Land, Inc.,** P.O. Box 68, Boswell, PA 15531, Boggs Township, **Clearfield County**. Permit renewal application for a bituminous surface coal mine and associated NPDES permit affecting 140 acres. Remaining mining activities consist of operation and maintenance of a post-mining mine drainage water treatment system and reclamation only. Receiving stream(s): Laurel Run classified for the following use(s): CWF, MF. Application received: January 11, 2024. Accepted: January 22, 2024.

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

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

**Mining Permit No. 54830104. Hardway Coal Company,** 44 Keystoker Lane, Schuylkill Haven, PA 17972, Cass Township, **Schuylkill County**. Renewal of an anthracite surface mine and coal preparation plant operation affecting 61.5 acres. Receiving stream: West Branch Schuylkill River, classified for the following uses: CWF, MF. Application received: January 16, 2024.

#### *Noncoal Applications*

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

Table 2

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

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

*Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.*

**Mining Permit No. 10120303. NPDES No. PA0259322. Allegheny Mineral Corporation,** P.O. Box 1022, Kittanning, PA 16201, Worth Township, **Butler County**. Renewal of NPDES Permit No. PA0259322. Application received: December 21, 2023.

**Mining Permit No. 10120303. Allegheny Mineral Corporation,** P.O. Box 1022, Kittanning, PA 16201, Worth Township, **Butler County**. Revision to an existing surface mine to include post mining land use change and changes to the reclamation plan. Application received: December 21, 2023.

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 08240301. GP-104 NPDES No. PAM224001. DeCristo, Inc.,** 9070 Route 414, Canton, PA 17724, Sheshequin Township, **Bradford County**. Applications for a new large noncoal (industrial minerals) surface mine and associated NPDES permit affecting 31.7 acres. A variance is included to conduct mining and support activities within 100 feet of Mallory Creek and to conduct mining activities within 100 feet of public roads Ridge Road (SR 1052) and Sheshequin Road (SR 1043). Encroachment activities consist of mining support activities and mineral extraction. Receiving stream(s): Mallory Creek and Susquehanna River classified for the following use(s): WWF, MF. Application received: December 27, 2023. Accepted: January 17, 2024.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

#### *Effluent Limits for Coal Mining Activities*

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

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

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

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

*Noncoal NPDES Draft Permits*

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

*Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.*

**NPDES No. PA0280631. Mining Permit No. 62100801. William D. Jackson**, 64 Shady Avenue, Corry, PA 16407, Spring Creek Township, **Warren County**. Renewal of an NPDES permit. Application received: December 22, 2023.

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

*Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8200.*

**NPDES No. PA0118001. Mining Permit No. 1479401 & Mining Permit No. 14120302. Graymont (PA), Inc.**, 375 Graymont Road, Bellefonte, PA 16823, Spring Township, **Centre County**. Application received: December 18, 2023.

Renewal of an NPDES permit for discharge of water resulting from surface mining of industrial minerals affecting 257.8 acres (Gentzel Quarry) and 67.3 acres (Tressler Quarry). Receiving stream(s): Logan Branch, classified for the following use(s): CWF, MF.

The following outfalls discharge to Logan Branch (via sink holes and karst system):

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Ponds to Eby Sink	Intermittent (Pumped)
002	Existing	Sediment Pond to Eby Sink	Precipitation Induced
003	Existing	Treatment Ponds to McJunkin Injection Wells	Intermittent (Pumped)

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

<i>Outfalls: 001 and 003 (All Discharges)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Total Suspended Solids (mg/L)	25.0	45.0	62.0
Flow (gpm)		Monitor Only	
Turbidity (NTU)		Monitor Only	
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

<i>Outfalls: 002 (All Discharges)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Total Suspended Solids (mg/L)	25.0	45.0	62.0
Flow (gpm)		Monitor Only	
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

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

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

**NPDES Permit No. PA0225789. Mining Permit No. 6575SM5. Heidelberg Materials US Cement, LLC**, 7660 Imperial Way, Allentown, PA 18195, Ross Township, **Monroe County**. Renew NPDES permit affecting 37.4 acres. Receiving stream: Aquashicola Creek, classified for the following uses: HQ-CWF, MF. Non-

Discharging Best Management Practices will be in effect. Application received: August 23, 2023.

**FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA)

(33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office noted above the application.

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

##### Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

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

**E400224-002. Kurt Jones**, 3122 Lakeside Drive, Harveys Lake, PA 18618, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 12, 2024.

To replace and maintain an existing 389 ft<sup>2</sup>, pile-supported dock and to construct and maintain a 540 ft<sup>2</sup>, pile-supported dock at Pole # 281 within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located at 3122 Lakeside Drive, approximately 0.1 mile northeast of the intersection of Outlet Road and Robin Road (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 2"; Longitude: -76° 2' 50") in Harveys Lake Borough, Luzerne County. Latitude: 41° 21' 2", Longitude: -76° 2' 50".

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

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

**E1606123-002. PADOT Engineering District 10-0**, 2550 Oakland Avenue, Indiana, PA 15701, Clarion Township and Monroe Township, **Clarion County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: November 21, 2023.

The applicant proposes a roadway improvement project along SR 0068, Section 376 (Dolby Street) in Clarion and Monroe Townships, Clarion County, which includes 0.8-mile of capacity and safety improvements, roadway

widening, new sidewalks and stormwater control basins resulting in the following regulated impacts: 1. to remove the existing structure and to construct and maintain a concrete box culvert having a 9.0-foot span by 8.5-foot (7.5-foot effective with baffles) underclearance with a length of 57.48-feet over Trout Run (CWF). 2. to remove the existing structure and to construct and maintain a 60-inch diameter reinforced concrete pipe stream enclosure with a length of 158-feet over UNT Trout Run (CWF) and to relocate approximately 75-feet of the upstream channel to improve stream alignment. Approximately 100-feet of existing stream channel will be filled to accommodate the proposed roadway widening. 3. to construct and maintain a stormwater control basin and an 18-inch diameter stormwater outfall along the floodway of Trout Run (CWF). 4. to construct and maintain a stormwater control basin and an 18-inch diameter stormwater outfall along the floodway of UNT Trout Run (CWF). The project will result in a total of 326-feet of permanent stream impacts and an additional 297-feet of temporary stream impacts. No wetland impacts are proposed. Latitude: 41.200833°, Longitude: -79.390000°.

**E1006223-002. Penn Acres LLC**, 1552 Barrington Drive, Wexford, PA 15090, Middlesex Township, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: August 15, 2023.

To conduct the following activities associated with development of a mixed-use community featuring single family homes, offices, and small businesses along the south side of SR 228 east of Weatherburn Drive: Permanent impact to 0.059 acre of PEM wetland associated with general site grading construct a 24-inch diameter stormwater outfall adjacent to the right side of UNT Glade Run Construct a sanitary sewer line crossing of UNT Glade Run resulting in 400 square feet of permanent stream impact, 920 square feet of PEM wetland impact, and 2,595 square feet of temporary floodway impact. Applicant proposes purchase of credits from Land Reclamation Group, LLC (LRG) Furnace Run Mitigation Bank (Permit # MB990565-0001) as mitigation for wetland impacts. Latitude: 40.696907°, Longitude: -79.960246°.

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

*Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.*

**E4601224-001. Commerce Pursuit Capital, LP**, 1300 Virginia Drive, Fort Washington, PA 19034, Upper Dublin Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 3, 2024.

To construct and maintain a multi-story 225-unit apartment building (+/- 77, 105 SF) and required miscellaneous amenities within the floodway/floodplain of UNT to Pine Run (TSF-MF) and Rapp Run (TSF-MF) associated with the commercial business. The project will include a flood storage area and establishment of five outfall structures for stormwater management facilities. The project is located at 225 Virginia Drive (Ambler, PA USGS Quadrangle) in Upper Dublin Township, Montgomery County. Latitude: 40.136435°, Longitude: -75.191001°.

**E4601224-002. Provco Pinegood Stowe, LLC**, 795 East Lancaster Avenue, Villanova, PA 19085, West Pottsgrove Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 5, 2024.

Procco Pinewood Stowe, LLC proposes to develop an existing 2.9-acre tract with a new Wawa Food Market facility. The project proposes to permanently impact approximately 0.59 acre of palustrine emergent wetlands and 0.25 acre of forested wetlands. The site is located near the intersection of an Old Reading Pike and Cross-town Road (Pottstown, PA USGS map) in West Pottsgrove Township, Montgomery County. Latitude: 40.243741°, Longitude: -75.691389°.

**E4601224-003. Yerkes Station Associates, LLC**, 261 Old York Road, Jenkintown, PA 19046, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 12, 2024.

Yerkes Station Associates is proposing the following activities in and along the 100-year floodway of Donny Brook Creek (WWF, MF) and Leaf Creek (WWF, MF) associated with the construction of 224 residential units. The proposed work will include two minor stream crossings, ten outfall structures, and three utility line stream crossings, impacting approximately 1.35 acres of temporary and permanent wetlands. The site is located near the intersection of Collegeville Road (SR 29) and Yerkes Road (SR 4008), (Collegeville, PA USGS map) in Upper Providence Township, Montgomery County. Latitude: 40.10180°, Longitude: -75.27500°.

#### ENVIRONMENTAL ASSESSMENTS

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

*Contact: 717-705-4802.*

**EA3803224-001. Doc Fritchey Trout Unlimited**, P.O. Box 227, Palmyra, PA 17078, South Annville Township, **Lebanon County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 11, 2024.

To conduct a stream restoration project along 1,375 feet of Killinger Creek (TSF, MF) and its floodway including 1.) the regrading and maintenance of 2,700 feet of streambank (left and right banks); 2.) the installation and maintenance of six toe wood and soil lift structures; 3.) the installation and maintenance of ten constructed riffles totaling 329 feet in length; 4.) the installation and maintenance of twelve boulder runs; 5.) the installation and maintenance of two cross vanes; 6.) the installation and maintenance of six j-hook vanes; and 7.) the installation and maintenance of five toe benches totaling 600 feet in length, all impacting 2.15 acres of palustrine emergent wetlands and all for the purposes of reducing sediment loading to the stream, and enhancing instream and wetland habitat. The project is located at 118 Killinger Road (Latitude: 40.30820°N; Longitude: 76.55025°W) in South Annville Township, Lebanon County. The impacted wetlands will be re-established onsite. Latitude: 40.30820°, Longitude: -76.55025°.

#### DAM SAFETY

*Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-783-5784.*

*Contact: Josh Fair, Water Program Specialist, 717-772-5988.*

**D36-318EA. Melvin Beiler**, 225 N Hollander Rd, Gordonville, PA 17529, Leacock Township, **Lancaster County**. Applicant proposes to remove the Beiler Dam to eliminate a threat to public safety and to restore approximately 80 feet of stream channel to a free-flowing condi-

tion. The dam is two feet high. The proposed restoration project includes the construction of two grade control riffles. The project is located across a tributary to Muddy Run (WWF, MF) (New Holland, PA Quadrangle, Latitude: 40.0546°, Longitude: 76.1018°). Application received: January 8, 2024.

**D22-127, D22-128, D22-129, D22-130, D22-131(EA). Steve Houser, Construction Director, Milton Hershey School**, 1201 Homestead Lane, Hershey, PA 17033, Derry Township, **Dauphin County**. Applicant proposes to remove five small, low-head dams, which are 2.5-4 feet in height, on the Milton Hershey School property, to eliminate multiple threats to public safety and to restore approximately 1,000 feet of stream channel to a free-flowing condition. The projects are located across a tributary to Spring Creek (WWF, MF) (Hershey and Palmyra, PA Quadrangles, Respective Latitudes/Longitudes for dams as previously ordered are as follows: 40.2654, 76.6303; 40.2783, -76.6329; 40.2785, -76.6330; 40.2825, -76.6360; 40.2840, -76.6350), Latitude: 40.2654, 40.2783, 40.2785, 40.2825, 40.2840°, Longitude: -76.6303, -76.6329, -76.6330, -76.6360, -76.6350°. Application received: January 4, 2024.

#### EROSION AND SEDIMENT CONTROL

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

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

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

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

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

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

**STORAGE TANKS  
SITE-SPECIFIC INSTALLATION PERMITS**

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

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

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

SSIP Application No.	<b>24001</b>
Applicant Name	<b>Jack Rich, Inc.</b>
Address	617 Altamont Blvd
City, State, Zip	Frackville, PA 17931
County	<b>Schuylkill County</b>
Municipality	Port Carbon Borough
Tank Type	Six ASTs storing petroleum products
Tank Capacity	48,000 gallons total
Application Received	January 18, 2024

**ACTIONS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA630007D	Chapter 102 Individual NPDES Permit	Issued	Peoples Natural Gas Co. LLC 375 North Shore Drive Suite 600 Pittsburgh, PA 15212-5866	Amwell Township Washington County	SWRO
PAD090098	Chapter 102 Individual NPDES Permit	Issued	Kinder Morgan Inc. 1000 South Port Road Fairless Hills, PA 19030-5004	Falls Township Bucks County	SERO
PAD150104	Chapter 102 Individual NPDES Permit	Issued	Chad Byers 35 Wyndemere Lake Drive Chester Springs, PA 19425	West Vincent Township Chester County	SERO
PAD160008	Chapter 102 Individual NPDES Permit	Issued	Kokosing Const Co. Inc. 6235 Westerville Road Westerville, OH 43081-4041	Beaver Township Clarion County	NWRO
PAD330010	Chapter 102 Individual NPDES Permit	Issued	Brookville Area School District 96 Jenks Street Brookville, PA 15825-1074	Brookville Borough Jefferson County	NWRO
PAD360029	Chapter 102 Individual NPDES Permit	Issued	Weaver James 135 Herr Drive Peach Bottom, PA 17563-9677	Fulton Township Lancaster County	SCRO
PAD400053	Chapter 102 Individual NPDES Permit	Issued	Hunlock Township 33 Village Drive Hunlock Creek, PA 18621	Hunlock Township Luzerne County	NERO
PAD450173	Chapter 102 Individual NPDES Permit	Issued	Amire LLC 117 Pipher Lane Stroudsburg, PA 18360-7491	Pocono Township Monroe County	NERO
PAD500005	Chapter 102 Individual NPDES Permit	Issued	Dark Holw LP 115 Brook Lane Marysville, PA 17053-9500	Carroll Township Perry County	SCRO
PAD630021	Chapter 102 Individual NPDES Permit	Issued	Galway Land Partners LP 2543 Washington Road Pittsburgh, PA 15241	North Strabane Township Washington 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>
PA0217395	Industrial Stormwater Individual NPDES Permit	Issued	Danzer Veneer Americas Inc. 119 Aid Drive Darlington, PA 16115-1637	Darlington Township Beaver County	SWRO
PA0266001	Industrial Stormwater Individual NPDES Permit	Issued	Brenntag Northeast LLC 5083 Pottsville Pike Reading, PA 19605-9724	Ontelaunee Township Berks County	SCRO
0823801	Joint DEP/PFBC Pesticides Permit	Issued	Bridge Street Hill Rod & Gun Club P.O. Box 82 Towanda, PA 18848-0082	Towanda Township Bradford County	NCRO
0823802	Joint DEP/PFBC Pesticides Permit	Issued	Snyder Neal 1175 Old Saw Mill Road Towanda, PA 18848-7572	Wysox Township Bradford County	NCRO
5723801	Joint DEP/PFBC Pesticides Permit	Issued	Ganoga Lake Homeowners Assoc 114 Yale Avenue Swarthmore, PA 19081-2021	Colley Township Sullivan County	NCRO
0906412	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Wrightstown Township 2203 2nd Street Pike Newtown, PA 18940-9690	Wrightstown Township Bucks County	SERO
PA0020567	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Northumberland Borough 175 Orange Street Northumberland, PA 17857-1669	Northumberland Borough Northumberland County	NCRO
PA0043681	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Valley Joint Sewer Authority 1 S River Street Athens, PA 18810-1701	Athens Borough Bradford County	NCRO
0915403	Major Sewage Treatment Facility Individual WQM Permit	Issued	Chalfont New Britain Township Joint Sewer Authority 1645 Upper State Road Doylestown, PA 18901-2624	Doylestown Township Bucks County	SERO
1015403	Major Sewage Treatment Facility Individual WQM Permit	Issued	Cranberry Township 2525 Rochester Road Cranberry Township, PA 16066-6420	Cranberry Township Butler County	NWRO
PA0042579	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Atlas Metal Conversion 780 Route 519 Eighty Four, PA 15330	Somerset Township Washington County	SWRO
PA0061069	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Schott North American Inc. 400 York Avenue Duryea, PA 18642-2036	Duryea Borough Luzerne County	NERO
PA0218502	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	US Acoc Pittsburgh District 1811 Schoonmaker Avenue Monessen, PA 15062-1060	Charleroi Borough Washington County	SWRO

## NOTICES

529

<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>
PA0219312	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Chance Gas & Oil LLC 416 Kirkland Road Clymer, PA 15728-6318	Mount Pleasant Township Westmoreland County	SWRO
PA0275841	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Curtiss Wright EPD 1185 Feather Way Bethlehem, PA 18015	Bethlehem City Northampton County	NERO
PA0031305	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Summit School Inc. P.O. Box 13 839 Herman Road Herman, PA 16039-0013	Summit Township Butler County	NWRO
PA0082651	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Landisburg Municipal Authority 77 W High Street Landisburg, PA 17040-8000	Tyrone Township Perry County	SCRO
PA0050920	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	ER Frazer LLC P.O. Box 232 Kulpsville, PA 19443	East Whiteland Township Chester County	SERO
PA0060135	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Shickshinny Borough Sewer Authority 908 Loop Trail Road Shickshinny, PA 18655-5502	Shickshinny Borough Luzerne County	NERO
6503201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Chance Gas & Oil LLC 416 Kirkland Road Clymer, PA 15728-6318	Mount Pleasant Township Westmoreland County	SWRO
NOEXSE019	No Exposure Certification	Issued	Ferro Corp 416 E Church Road King of Prussia, PA 19406-2625	Upper Merion Township Montgomery County	SERO
PAG030124	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Master Bldr Solutions Const System US LLC 6450 Bristol Pike Levittown, PA 19057-4916	Bristol Township Bucks County	SERO
PAG030154	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Waste Management PA Inc. 1224 Hayes Boulevard Bristol, PA 19007-2913	Bristol Township Bucks County	SERO
PAG030195	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Allegheny Iron & Metal Co. Tacony Street and Adams Avenue Philadelphia, PA 19124	Philadelphia City Philadelphia County	SERO
PAG030230	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Eldredge Inc. 898 Fernhill Road West Chester, PA 19380-4202	West Goshen Township Chester County	SERO
PAG030233	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	BFI Waste Service of PA LLC 372 S Henderson Road King of Prussia, PA 19406-2408	Upper Merion Township Montgomery County	SERO



<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG030272	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	BFI Waste Service of PA LLC 220 Saulin Boulevard King Of Prussia, PA 19406	Upper Merion Township Montgomery County	SERO
PAG030303	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Atlantic Concrete Products Inc. 8900 Old Route 13 Tullytown, PA 19007	Tullytown Borough Bucks County	SERO
PAG032210	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	DG Yuengling & Son Inc. 310 Mill Creek Avenue Pottsville, PA 17901-8692	Port Carbon Borough Schuylkill County	NERO
PAG032260	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	CSC PA LLC 151 Commerce Drive Hazleton, PA 18202-4817	Hazle Township Luzerne County	NERO
PAG033551	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Chucks Auto Salvage Inc. 1150 Greenwood Road York, PA 17408-4708	West Manchester Township York County	SCRO
PAG033769	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Chucks Auto Salvage Inc. 6867 Boyertown Pike Douglassville, PA 19518-8902	Amity Township Berks County	SCRO
PAG033782	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ecore International 76 Acco Drive York, PA 17403	York Township York County	SCRO
PAG033789	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Daedalus Investment LLC d/b/a Tech Cast Limited 1126 Ridgeview Avenue Dayton, OH 45409-1229	Myerstown Borough Lebanon County	SCRO
PAG033812	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Johnson & Johnson Consumer Inc. 400 W Lincoln Avenue Lititz, PA 17543-8701	Lititz Borough Lancaster County	SCRO
PAG033888	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sylvin Tech Inc. P.O. Box 308 84 Denver Road Denver, PA 17517-0308	East Cocalico Township Lancaster County	SCRO
PAG033954	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	EZ Recycling 13004 Sandy Mount Road Orrstown, PA 17244-9630	Letterkenny Township Franklin County	SCRO
PAG033958	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	PA Department of Military & Veterans Affairs Air National Guard Station 62 Olmstead Boulevard Middletown, PA 17057-5062	Middletown Borough Dauphin County	SCRO
PAG033971	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Melrose Ind Plc Acco Material Handling Solutions 76 Acco Drive York, PA 17402-4668	York Township York County	SCRO
PAG033972	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Everett RR Co. 424 2nd Avenue Duncansville, PA 16635-9471	Greenfield Township Blair County	SCRO

<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>
PAG033994	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Donsco Inc. P.O. Box 2001 Wrightsville, PA 17368-0040	Wrightsville Borough York County	SCRO
PAG033996	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Donsco Inc. 100 South Jacob Street Mount Joy, PA 17552	Mount Joy Borough Lancaster County	SCRO
PAG034003	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Loves Travel Stops & Country Stores Inc. P.O. Box 26210 Oklahoma City, OK 73126-0210	Upper Bern Township Berks County	SCRO
PAG034882	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Digger Specialties Inc. 3639 Destiny Drive Bremen, IN 46506-9076	Montgomery Borough Lycoming County	NCRO
PAG034889	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Wheeland Lumber Co. Inc. 3558 Williamson Trail Liberty, PA 16930-9065	Jackson Township Lycoming County	NCRO
PAG034952	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Staiman Bros Inc. 201 Hepburn Street Williamsport, PA 17701-6501	Williamsport City Lycoming County	NCRO
PAG035028	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Truck Accessories Group LLC 3560 Housels Run Road Milton, PA 17847-9006	Milton Borough Northumberland County	NCRO
PAG036174	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Wilson Home Heating Inc. 232 Center Gas Road Smock, PA 15480	Redstone Township Fayette County	SWRO
PAG036193	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Tomsons Scrap Metal 2100 Karns Road Natrona, PA 15065	Harrison Township Allegheny County	SWRO
PAG036218	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Watco Transloading LLC 2000 Napor Boulevard Pittsburgh, PA 15205	Pittsburgh City Allegheny County	SWRO
PAG036302	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Amazon Com Service LLC P.O. Box 80842 Attn: NA Environmental Dept Seattle, WA 98108-0842	Findlay Township Allegheny County	SWRO
PAG036386	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Dura Bond Ind Inc. 5790 Kennedy Avenue Export, PA 15632	Duquesne City Allegheny County	SWRO
PAG036392	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	ECM Transportation LLC P.O. Box 45659 Omaha, NE 68145-0659	South Strabane Township Washington County	SWRO
PAG036464	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Daniels & Miller Inc. P.O. Box 848 242 N Hamilton Avenue Greensburg, PA 15601-0848	Greensburg City Westmoreland County	SWRO
PAG036530	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Wilbert Funeral Service Inc. 3500 College Boulevard Leawood, KS 66211-1901	Mount Pleasant Borough 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>
PAG038304	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Allegheny Structural Components Inc. 3778 Oneida Valley Road Emlenton, PA 16373-2514	Allegheny Township Butler County	NWRO
PAG038310	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	A Stucki Co. d/b/a Independent Draft Gear P.O. Box 298 Farrell, PA 16121-0298	Farrell City Mercer County	NWRO
PAG038311	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	A Stucki Co. d/b/a American Ind 1 American Way Sharon, PA 16146-2177	Sharon City Mercer County	NWRO
PAG038415	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Glacial Sand & Gravel Co. P.O. Box 1022 Kittanning, PA 16201-5022	East Franklin Township Armstrong County	NWRO
PAG038430	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Quanex Bldg Products Corp 62 Brush Run Road Greenville, PA 16125-8310	Pymatuning Township Mercer County	NWRO
PAG038434	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Baillie Lumber Co. Inc. 4002 Legion Drive Hamburg, NY 14075-4508	Oil Creek Township Crawford County	NWRO
PAG038466	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Lake Erie Biofuels LLC 1540 E Lake Road Erie, PA 16511-1090	Erie City Erie County	NWRO
PAG038478	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JSP International 150 Eastbrook Lane Butler, PA 16002-1024	Summit Township Butler County	NWRO
PAG038540	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Custom Engineering Co. 2800 McClelland Avenue Erie, PA 16510-2544	Erie City Erie County	NWRO
PAG041244	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Kusich George 382 Fredonia Road Greenville, PA 16125-9755	Hempfield Township Mercer County	NWRO
PAG041246	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Bardwell Marjorie 2839 Hershey Road Erie, PA 16506-5002	Summit Township Erie County	NWRO
PAG056269	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	Ashland Inc. 1979 Atlas Street Columbus, OH 43228-9645	Freedom Borough Beaver County	SWRO
PAG136366	PAG-13 NPDES General Permit for MS4s	Waived	Stowe Township 555 Broadway Avenue McKees Rocks, PA 15136-3027	Stowe Township Allegheny County	SWRO
1114403	Sewer Extensions WQM Individual Permit	Issued	Greater Johnstown Water Authority 640 Franklin Street Johnstown, PA 15901-2630	Westmont Borough Cambria County	SWRO
1180401	Sewer Extensions WQM Individual Permit	Issued	Greater Johnstown Water Authority 640 Franklin Street Johnstown, PA 15901-2630	Westmont Borough Cambria 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>
PA0240176	Single Residence STP Individual NPDES Permit	Issued	Strick Gene A 641 Clermont Road Mount Jewett, PA 16740-2213	Hamlin Township McKean County	NWRO
PA0245101	Single Residence STP Individual NPDES Permit	Issued	Price Jeffery P 709 Forest Grove Road Wycombe, PA 18980	Buckingham Township Bucks County	SERO
2523423	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bardwell Marjorie 2839 Hershey Road Erie, PA 16506-5002	Summit Township Erie County	NWRO
4323415	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Kusich George 382 Fredonia Road Greenville, PA 16125-9755	Hempfield 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>
PAC400193 A-2	PAG-02 General Permit	Issued	Cumulus Data LLC Kevin Dalton 600 Hamilton Street Suite 600 Allentown, PA 18101	Salem Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC150359	PAG-02 General Permit	Issued	Downingtown Area School District 540 Trestle Place Downingtown, PA 19335	Downingtown 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 A-1	PAG-02 General Permit	Issued	Sycamore International, Inc. 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
PAC150367	PAG-02 General Permit	Issued	Branchport Capital LLC 43 General Warren Boulevard Malvern, PA 19355	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
PAC350165	PAG-02 General Permit	Issued	Lands of Guariglia, Inc. 423 White Birch Drive Archbald, PA 18403-1565	Scott Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Rd. South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC350147	PAG-02 General Permit	Issued	Langen Development Economics, LLC 203 West Monroe Street Easton, PA 18042-1713	Carbondale Township and Mayfield Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC350148	PAG-02 General Permit	Issued	Langen Development Economics, LLC 203 West Monroe Street Easton, PA 18042-1713	Carbondale Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC370077	PAG-02 General Permit	Issued	Keystone Compliance 131 North Columbus Interbelt New Castle, PA 16101	City of New Castle Lawrence County	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
PAC250206	PAG-02 General Permit	Issued	Julia Hospice and Palliative Care P.O. Box 353 McKean, PA 16426	McKean Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC040054	PAG-02 General Permit	Issued	Adam's Place, LLC Robert Sapsara 3555 Washington Road McMurray, PA 15317	Big Beaver Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701
PAC630300	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15017	East Bethlehem Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC630310	PAG-02 General Permit	Issued	Commonwealth Charter Academy 1 Innovation Way Harrisburg, PA 17110	City of Monongahela Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC630304	PAG-02 General Permit	Issued	Allegheny Energy Supply Company, LLC 800 Cabin Hill Drive Greensburg, PA 15601	Union Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC440027	PAG-02 General Permit	Issued	L & O Development P.O. Box 153 Mifflintown, PA 17059	Derry Township Mifflin County	Mifflin County Conservation District 20 Windmill Hill Suite 4 Burnham, PA 17009 717-248-4695

<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>
PAC021009	PAG-02 General Permit	Issued	The Bradley Center 5180 Campbells Run Road Pittsburgh, PA 15205	Robinson Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC021004	PAG-02 General Permit	Issued	Marshall Township 525 Pleasant Hill Road Suite 100 Wexford, PA 15090	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005
PAC021034	PAG-02 General Permit	Issued	City of Pittsburgh Department of Mobility and Infrastructure 414 Grant Street Room 301 Pittsburgh, PA 15219	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020005A-4	PAG-02 General Permit	Issued	Almono LP 225 Fifth Ave Pittsburgh, PA 15219	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
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
PAC020318	PAG-02 General Permit	Issued	Fayette Farms LP 120 West Allegheny Road Imperial, PA 15126	North Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC021063	PAG-02 General Permit	Issued	Brentwood Borough School District 3601 Brownsville Road Pittsburgh, PA 15227	Brentwood Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC010256	PAG-02 General Permit	Issued	Chris Hobbs 15932 Hibiscus Drive Hagerstown, MD 21740	Liberty Borough Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC021049	PAG-02 General Permit	Issued	Findlay Township Municipal Authority 90 Strous Road Imperial, PA 15126	Findlay Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020668A-1	PAG-02 General Permit	Issued	Baldwin Whitehall School District 4900 Curry Road Pittsburgh, PA 15236	Baldwin Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005

<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>
PAC021026	PAG-02 General Permit	Issued	Giant Eagle Inc 101 Kappa Drive Pittsburgh, PA 15238	City of McKeesport Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020411A-1	PAG-02 General Permit	Issued	Alex E. Paris Contracting Co Inc. 1595 Smith Township State Road Atlasburg, PA 15004	South Park Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020169	PAG-02 General Permit	Issued	The Buncher Company Penn Liberty Plaza 1 1300 Penn Ave Suite 300 Pittsburgh, PA 15222	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC021038	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15107	South Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020953	PAG-02 General Permit	Issued	Littles Landscaping LLC 116 Sturgeon Street McDonald, PA 15057	McDonald Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020870A-3	PAG-02 General Permit	Issued	Allegheny County Airport Authority Landslide Terminal 4th Floor Mezzanine Suite 1050 Pittsburgh, PA 15231	Findlay Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC021072	PAG-02 General Permit	Issued	Sheetz Inc 417 S. Craig Street 3rd Floor Pittsburgh, PA 15213	Neville Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC02090A-3	PAG-02 General Permit	Issued	Carnegie Mellon University 417 S. Craig Street 3rd Floor Pittsburgh, PA 15213	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC021075	PAG-02 General Permit	Issued	Duquesne Light Company 2841 New Beaver Avenue Pittsburgh, PA 15223	Moon Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005

**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>
Nathan Martin Turkey Farm 170 Daugherty Road York, PA 17404	York County	11.5	522.96	Turkeys	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

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

**Construction Permit No. 4123503MA**, Minor Amendment, Public Water Supply.

Applicant	<b>Jersey Shore Area Joint Water Authority</b>
Address	1111 Bardo Avenue Jersey Shore, PA 17740
Municipality	Anthony Township
County	<b>Lycoming County</b>
Consulting Engineer	David E Pedersen 3121 Fairway Drive Altoona, PA 16602
Application Received	October 25, 2023
Permit Issued	January 18, 2024
Description	This permit authorizes the permittee to change the coagulation chemical from Polyaluminum Chloride to DelPAC 2020 and install 2 new STENNER peristaltic chemical feed pumps, Model No. 85MJL5A1STG1, NSF 61 certified, 150 gallon day tank with containment in Anthony Township, Lycoming County.



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

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

**Water Allocation Permit No. WA 28-518C**, Public Water Supply.

Applicant	<b>Mont Alto Municipal Authority</b>
Address	P.O. Box 427 3 North Main Street Mont Alto, PA 17237
Municipality	Mont Alto Borough
County	<b>Franklin County</b>
Application Received	December 12, 2023
Permit Issued	January 10, 2024
Description	Issuance of a limited duration Modification Order, allowing for a reduction of the instream flow requirement under certain conditions to meet the essential water use needs of the public water system.

**Operation Permit No. 3620540**, Public Water Supply.

Applicant	<b>City of Lancaster</b>
Address	120 North Duke Street P.O. Box 1599 Lancaster, PA 17608
Municipality	City of Lancaster
County	<b>Lancaster County</b>
Application Received	January 4, 2024
Permit Issued	January 11, 2024
Description	Operation of individual/combined permeate replacement turbidimeters, 1st and 2nd stage Veolia Zeeweed 500d replacement membrane modules, removal of ultraviolet disinfection, operation of a new sodium bisulfite tank, and recoating of the concrete membrane train tanks at the Conestoga Membrane Filtration Plant.

**Operation Permit No. 2819501**, Public Water Supply.

Applicant	<b>Waynesboro Borough Authority</b>
Address	55 East Main Street P.O. Box 310 Waynesboro, PA 17268
Municipality	Quincy Township
County	<b>Franklin County</b>
Consulting Engineer	Gannett Fleming, Inc. P.O. Box 67100 Harrisburg, PA 17106
Application Received	January 10, 2024
Permit Issued	January 17, 2024

Description	Operation of Filters 1—4, chemical feed modifications, replacement turbidimeters, replacement chlorine analyzers, giardia inactivation designation, and pump modifications.
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**Operation Permit No. 0519507**, Public Water Supply.

Applicant	<b>Hyndman Borough</b>
Address	243 Clarence Street Hyndman, PA 15545
Municipality	Londonderry Township
County	<b>Bedford County</b>
Consulting Engineer	Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Application Received	December 11, 2023
Permit Issued	January 2, 2024
Description	CFE sample tap relocation, pH adjustment for aluminum removal, filter media replacement, and automatic plant shutdown capabilities.

**Operation Permit No. 5020502**, Public Water Supply.

Applicant	<b>Newport Borough Water Authority</b>
Address	497 North Front Street Newport, PA 17074
Municipality	Newport Borough
County	<b>Perry County</b>
Consulting Engineer	Barton & Loguidice, DPC 3901 Hartzdale Drive Suite 101 Camp Hill, PA 17011
Application Received	December 8, 2023
Permit Issued	December 29, 2023
Description	Zinc orthophosphate and caustic soda addition for lead corrosion control at the River Filtration Plant.

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

**Transfer Permit No. 7360055**, Public Water Supply.

Applicant	<b>Triple J MHP LLC</b>
Address	10045 Baltimore National Pike A-7 # 303 Ellicott City, MD 21042
Municipality	Leacock Township
County	<b>Lancaster County</b>
Application Received	October 13, 2023
Permit Issued	January 11, 2024
Description	Transfer of all public water supply permits for PWS ID No. 7360055 to Triple J MHP, LLC.

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

**Construction Permit No. 0923509**, Major Amendment, Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 Address 852 Wesley Drive  
 Mechanicsburg, PA 17055-4436  
 Municipality Lower Makefield Township  
 County **Bucks County**  
 Consulting Engineer Gannett Fleming, Inc.  
 207 Senate Avenue  
 Camp Hill, PA 17011-2316  
 Application Received June 5, 2023  
 Permit Issued December 12, 2023  
 Description Existing water storage tank and booster pump station will be replaced in kind.

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

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

**Construction Permit No. 1522526**, Major Amendment, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc. (West Chester)**  
 Address 762 W. Lancaster, Inc.  
 Bryn Mawr, PA 19010-3402  
 Municipality East Bradford and East Marlborough Twps.  
 County **Chester County**  
 Consulting Engineer BCM Engineers/Atlas Technical Consultants  
 920 Germantown Pike  
 Suite 200  
 Plymouth Meeting, PA 19462  
 Application Received October 17, 2022  
 Permit Issued October 17, 2023  
 Description Install two-line applications points at IMWTP and installation of a corrosion inhibitor system at WWH.

**Construction Permit No. 1521528**, Major Amendment, Public Water Supply.

Applicant **PA American (Shady Lane)**  
 Address 852 Wesley Drive  
 Mechanicsburg, PA 17055-4436  
 Municipality East Vincent Township  
 County **Chester County**  
 Consulting Engineer Gannett Fleming, Inc.  
 207 Senate Avenue  
 Camp Hill, PA 17011-2316  
 Application Received December 30, 2021  
 Permit Issued May 8, 2023

Description New water treatment plant will be constructed on a green field site near the existing water treatment plant. The new WTP will utilize conventional water treatment (flocculation, sedimentation, gravity sand filtration) plus UV treatment.

**Construction Permit No. 0922522**, Major Amendment, Public Water Supply.

Applicant **Warwick House**  
 Address 1460 Meetinghouse Road  
 Hartsville, PA 18974-1070  
 Municipality Warwick Township  
 County **Bucks County**  
 Consulting Engineer Suburban Water Technology, Inc.  
 1697 Swamp Pike  
 Gilbertsville, PA 19525  
 Application Received October 14, 2022  
 Permit Issued August 23, 2023  
 Description Adding pH adjustment to existing system.

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

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

**NCWSA Construction Permit 7220859**. PWSID No. **7220859**. **East Hanover Township**, 8848 Jonestown Rd, Grantville, PA 17028, East Hanover Township, **Dauphin County**. Application received: November 20, 2023. Permit Issued: January 18, 2024. This action authorizes the construction of a new public water supply at the East Hanover Township Public Works Building, including a well, flow meter, cartridge filter, ultraviolet light disinfection, pressure tank, and distribution.

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

Contact: Renee Diehl, Program Manager, ra-epswsdw@pa.gov.

**Operation Permit 2624501**. PWSID No. **5260036**. **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672, New Stanton, **Westmoreland County**. Application received: November 3, 2023. Permit Issued: January 18, 2024. 160,000-gallon West Leechburg # 1 water storage tank including a new interior coating system, mixer, and power vent.

## WATER ALLOCATIONS

**Actions Taken on Applications Received Under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) Relating to the Acquisition of Rights to Divert Waters of the Commonwealth.**

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

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

**WA-15-1006A, Water Allocations. University of Pennsylvania (New Bolton)**, 382 West Street Road, Kennett

Square, PA 19348, East Marlborough Township, **Chester County**. The University of Pennsylvania need to have a peak flow of 300,000 gpd. Application received: October 25, 2023. Issued: November 16, 2023

### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as Amended, 35 P.S. § 750.5.

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

*Contact: Lindsay Graeff, Sewage Planning Specialist, 717-705-4866.*

#### Plan Location:

Municipality	Address	County
Greenwich Township	775 Old Route 22 Lenhartsville, PA 19534	Berks County

#### Plan Description:

**JVI, LLC Krumsville Warehouse (WWTP) Development**, A3-06933-231-3. The proposed development is located on the west side of Krumsville Road near the intersection of Long Lane Road in Greenwich Township and consists of constructing a commercial warehouse/distribution facility with sewage flows of 15,000 gallons per day to be served by a package wastewater treatment facility with a discharge to an unnamed tributary to Maiden Creek.

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

*Contact: Brenden Valko, Sewage Planning Specialist, 412-442-4116.*

#### Plan Location:

Municipality	Address	County
New Sewickley Township	233 Miller Road Rochester, PA 15074	Beaver County

#### Plan Description:

**The Meadow Crest Development**, 04943-22-025. Component 3—The development consists of constructing a privately owned wastewater treatment facility to serve 248 proposed residential units, one clubhouse, and one existing house.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of

concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

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

The Department has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Former Omega Tool**, Primary Facility ID # **746647**, 4136 Church Street, Portland, PA 18351, Upper Mount Bethel Township, **Northampton County**. Envirosearch Consulting, P.O. Box 940, Springhouse, PA 19477, on behalf of Turkey Ridge Properties, P.O. Box 753, Far Hills, NJ 07931, submitted a Final Report concerning remediation of soil contaminated with polyaromatic hydrocarbons. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

*Contact: Charline Bass, Administrative Assistant, 484-250-5787.*

**Tyburn and Cedar Phase 3**, Primary Facility ID # **865169**, Tyburn and Cedar Roads, Fairless Hills, PA 19030, Falls Township, **Bucks County**. Christopher Reitman, PE, Montrose Environmental, 1140 Valley Forge Road, Phoenixville, PA 19481, on behalf of Kenny Koretsky, Jr., Hope Realty Development LLC, 950 West Trenton Avenue, Suite 775, Morrisville, PA 19067, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with heavy metals and SVOCs. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**2045 West Hunting Park Avenue**, Primary Facility ID # **841642**, 2023-2061 West Hunting Park Avenue, Philadelphia, PA 19140, City of Philadelphia, **Philadelphia County**. David G. Sherman, PG, Geosyntec Consultants, Inc., 930 Harvest Drive, Suite 220, Blue Bell, PA 19422, on behalf of Joseph Lang, GPI Interim, Inc., 70 Mechanic Street, C41-32, Foxboro, MA 02035, submitted a

Remedial Investigation Report/Cleanup Plan concerning remediation of 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.

**Sunoco Inc., Philadelphia Refinery (AOI 10)**, Primary Facility ID # **720775**, 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Colleen Costello, Sanborn, Head & Associates, Inc., 755 Business Center Drive, Suite 110, Horsham, PA 19044, on behalf of Tiffani L. Doerr, PG, Evergreen Resources Management, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Risk Assessment/Cleanup Plan concerning remediation of soil and groundwater contaminated with lead and organics. The Risk Assessment/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**Wawa Food Market No. 8107**, Primary Facility ID # **869501**, 3111 State Road, Croydon, PA 19021, Bristol Township, **Bucks County**. Geoff Kristof, PG, Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382, on behalf of Joseph W. Standen, Jr., PG, Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19063, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Kennett Square Mushroom Operations, LLC**, Primary Facility ID # **866592**, 8810 Gap-Newport Pike, Avondale, PA 19311, New Garden Township, **Chester County**. Mark E. Zunich, Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Matthew Cardile, Kennett Square Mushroom Operations, LLC, P.O. Box 299, Avondale, PA 19311, submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

**Sunoco Marcus Hook Refinery AOI-2**, Primary Facility ID # **778392**, 100 Green Street, Marcus Hook, PA 19061, Borough of Marcus Hook/Lower Chichester Township, **Delaware County**. Colleen Costello, Sanborn, Head & Associates, Inc., 755 Business Center Drive, Suite 110, Horsham, PA 19044, on behalf of Fiona Livingston, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Cleanup Plan concerning remediation of soil and groundwater contaminated with inorganics. The Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**202 Industrial Drive**, Primary Facility ID # **870293**, 202 Industrial Drive, Avondale, PA 19311, New Garden Township, **Chester County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Patrick Taylor, Taylor Oil & Propane, Inc., 216 Birch Street, Kennett Square, PA 19348, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**1420 Delmar Drive**, Primary Facility ID # **836635**, 1420 Delmar Drive, Folcroft, PA 19032, Folcroft Borough, **Delaware County**. Joseph Kraycik, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Clayton Manthorpe,

Cambo GP, LP, 1420 Delmar Drive, Folcroft, PA 19032, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**Cook Technologies Facility**, Primary Facility ID # **854212**, 1 North 2nd Street, Green Lane, PA 18954, Borough of Green Lane/Marlborough Township, **Montgomery County**. Mark A. Fortna, Penn E&R, Inc., 400 Old Dublin Pike, Doylestown, PA 18901, on behalf of Jonathan S. Goldstein, Cook Green Lane, LLC, 11 Church Road, Hatfield, PA 19440, submitted a Final Report concerning remediation of soil and groundwater contaminated with VOCs. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**9 Albert Street**, Primary Facility ID # **866206**, 9 Albert Street, Feasterville-Treose, PA 19053, Lower Southampton Township, **Bucks County**. Tim Moffitt, Trident Environmental, 1856 Route 9, Toms River, NJ 08755, on behalf of Emily Hodge, National Insurance, P.O. Box 8101, Wausau, WI 54402, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**2636 East York Street**, Primary Facility ID # **854895**, 2636 East York Street, Philadelphia, PA 19122, City of Philadelphia, **Philadelphia County**. Kevin J. Davis, PE, Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Lawrence McKnight, L&M Real Estate Development, LLC, 3020 Richmond Street, Philadelphia, PA 19134, submitted a Final Report concerning remediation of soil and groundwater contaminated with metals. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**Perry Residence**, Primary Facility ID # **793907**, 11 Caledonia Drive, Warminster, PA 18974, Warminster Township, **Bucks County**. Richard D. Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Erin M. Bydalek, Nationwide Insurance, 355 Maple Avenue, Harleysville, PA 19438, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with No. 2 fuel oil. 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.

## 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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Susan Well Pad**, Primary Facility ID # **862684**, 3508 State Route 3003, Laceyville, PA 18623, Auburn Township, **Susquehanna County**. Creston Environmental, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine). The Final Report demonstrated attainment of the Statewide health standards. Approved: January 17, 2024.

**Moore West Range Unit 45**, Primary Facility ID # **814301**, 16255 State Route 167, Montrose, PA 18801, Silver Lake Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of groundwater contaminated with production fluid (brine). The Final Report demonstrated attainment of the Statewide health standards. Approved: January 19, 2024.

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

*Contact: Charline Bass, Administrative Assistant, 484-250-5787.*

**Newtown Technology Center**, Primary Facility ID # **861340**, 201-375 Pheasant Run, Newtown, PA 18940, Newtown Township, **Bucks County**. Derek Grothusen, EnviroSure, Inc., 1 North Bacton Hill Road, Suite 208, Malvern, PA 19355, on behalf of Derek Grothusen, EnviroSure, Inc., 1 North Bacton Hill Road, Suite 208, Malvern, PA 19355, submitted a Final Report concerning remediation of groundwater contaminated with Derek Grothusen, EnviroSure, Inc., 1 North Bacton Hill Road, Suite 208, Malvern, PA 19355. The Final Report demonstrated attainment of the Statewide health standards. Approved: January 11, 2023.

*Contact: Charline Bass, Administrative Assistant, 484-250-5787.*

**Newtown Racquetball**, Primary Facility ID # **871092**, 114 Pheasant Run, Newtown, PA 18940, Newtown Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Brian Herman, Newtown Racquetball Associates, LLC, 120 Pheasant Run, Newtown, PA 18940, 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: January 5, 2024.

**National Construction Rental, Inc.**, Primary Facility ID # **829825**, 6401 West Passyunk Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Shian Knouse, TTI Environmental, Inc., 1253 North Church Street, Moorestown, NJ 08053, on behalf of Bill Baker, National Construction Rentals, Inc., 6416 Lakeview Road, Charlotte, NC 28269, submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with benzene, naphthalene, and lead. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: January 9, 2024.

**Holland Village**, Primary Facility ID # **841598**, 280 Middle Holland Road, Holland, PA 18966, Northampton Township, **Bucks County**. I. Scott Renneisen, Terraphase Engineering, Inc., 1100 East Hector Street, Suite 400, Conshohocken, PA 19428, on behalf of David Baker, Diakon Lutheran Social Ministries, 960 Century Drive, Mechanicsburg, PA 17055, submitted a Risk Assessment/Remedial Investigation/Final Report concerning remediation of soil and groundwater contaminated with No. 2 fuel oil. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: January 11, 2024.

**Exeter 6400 Bristol, LLC**, Primary Facility ID # **814727**, 6400 Bristol Pike, Levittown, PA 19057, Bristol Township, **Bucks County**. Michael D. Lattanze, Penn Environmental and Remediation, Inc., 400 Old Dublin Pike, Doylestown, PA 18901, on behalf of Jason A. Honesty, Exeter 6400 Bristol, LLC, 100 Matsonford Road, Wayne, PA 19087, submitted a Risk Assessment/Final Report concerning remediation of soil and groundwater contaminated with inorganics. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: January 8, 2024.

**Kennett Square Mushroom Operations, LLC**, Primary Facility ID # **866592**, 8810 Gap-Newport Pike,

Avondale, PA 19311, New Garden Township, **Chester County**. Mark E. Zunich, Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Matthew Cardile, Kennett Square Mushroom Operations, LLC, P.O. Box 299, Avondale, PA 19311, submitted a Final Report concerning remediation of soil contaminated with benzene, toluene, ethylbenzene, cumene, MTBE, naphthalene, 1,2,4-TMB, and 1,3,5-TMB. The Final Report demonstrated attainment of the Statewide health standards. Approved: January 18, 2023.

**6800 Essington Avenue**, Primary Facility ID # **853185**, 6800 Essington Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Julie Baniewicz, Apex Companies, LLC, 100 Arrandale Boulevard, Suite 203, Exton, PA 19153, on behalf of Liam Sullivan, 6800 Essington Partners, LLC, 414 South 16th Street, Suite 100, Philadelphia, PA 19146, submitted a Cleanup Plan concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, methylene chloride, MTBE, 1,2,4-TMB, tetrachloroethene, benzo(a)pyrene, arsenic, lead, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, and benzo(a)pyrene. The Report demonstrated attainment of the site-specific standards. Approved: January 17, 2023.

**Keystone Trade Center**—Lot 26, Primary Facility ID # **847825**, South Port Road, Fairless Hills, PA 19067, Falls Township, **Bucks County**. Jeffrey A. Smith, PG, Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 3300, Fairless Hills, PA 19067, on behalf of Andy Mace, NP Falls Township Industrial, LLC, 3315 North Oak Trafficway, Kansas City, MO 64116, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil contaminated with iron, lead and vanadium. The Report demonstrated attainment of the site-specific standards. Approved: January 18, 2023.

## AIR QUALITY

### Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

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

*Contact: Shailesh Patel, P.E., Environmental Group Manager, 570-826-2511.*

**GP14-45-003: Pocono Mobile Veterinary Service, LLC**, 2034 Route 209, Brodheadsville, PA 18322, Chestnuthill Township, **Monroe County**. Installation of a pet cremation unit. Application received: January 8, 2024. Issued: January 17, 2024.

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

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

**AG5A-10-00011A: Anegada Energy, LLC**, 697 Franklin Road, Slippery Rock, PA 16057, Slippery Rock Township, **Butler County**. Issued a GP-5A for the continued operation and addition of new emission sources at the Williams Wellpad. Facility was previously operating under Exemption 38, but now all existing and new equipment will be authorized under this GP-5A. The new equipment consists of a natural gas fired CAT G3306TA rich burn 203 BHP engine, and a natural gas fired CAT

G3304 NA rich burn 95 BHP engine. Existing sources include a 6 MMscfd TEG dehydration unit and 0.2 MMBtu/hr reboiler, an enclosed combustor, miscellaneous storage tanks, several GPU heaters, and loading, piping, and associated fugitive emission components. This permit expires November 30, 2028. Application received: August 28, 2023. Issued: December 7, 2023.

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

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

**GP4-36-03091: Ecore International, Inc.**, 715 Fountain Avenue, Lancaster, PA 17601, City of Lancaster, **Lancaster County**. For a burnoff oven, under GP4, at the facility. The general permit authorization was renewed. Application received: December 27, 2023. Issued: January 18, 2024.

**GP1-36-05027I: LSC Communications MCL, LLC**, 216 Greenfield Road, Lancaster, PA 17601, City of Lancaster, **Lancaster County**. For two existing natural gas-fired boilers, under GP1, at the former Lancaster East printing facility. Application received: December 27, 2023. Issued: January 18, 2024.

**GP1-36-05026E: LSC Communications MCL, LLC**, 1375 Harrisburg Pike, Lancaster, PA 17601, City of Lancaster, **Lancaster County**. For two existing natural gas-fired boilers, under GP1, at the former Lancaster West printing facility. Application received: December 27, 2023. Issued: January 18, 2024.

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

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

**GP5-30-00225D/AG5-30-00002C: EQM Gathering Opc, LLC**, 389 Hill School House Road, Waynesburg, PA 15370, Franklin Township, **Greene County**. Authorization issued on January 17, 2024, for the continued use of their existing sources which include: Two (2) dehydration units rated at 150 MMscfd with associated 2.67 MMBtu/hr reboilers controlled by two (2) thermal oxidizers rated at 0.012 MMBtu/hr, each. Two (2) Flash Tanks rated 12.0 MMBtu/hr, 500 gallon capacity. Two (2) produced water tanks, 16,800 gallons (400 bbl) capacity each, Two (2) produced water tanks, 1,000 gallons capacity each, and twenty-five (25) miscellaneous storage tanks. Three (3) pig launchers and one (1) pig receiver. Facility fugitives, pneumatic controllers, and venting blow downs. Application received: May 11, 2023. Accepted: May 24, 2023.

### Actions(s) Taken on Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and Regulations in 25 Pa. Code Chapter 127, Subchapter B Relating to Construction, Modification and Reactivation of Air Contamination Sources and Associated Air Cleaning Devices.

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

*Contact: James Beach, New Source Review Chief, 484-250-5920.*

**23-0038F: Delcora STP**, 3201 W Front St, Chester, PA 19013-1829, City of Chester, **Delaware County**. This action is for an extension for construction and operation of a new air pollution control system for each of the two multiple hearth incinerators, comprising quench, multi-

venturi scrubber, wet electrostatic precipitator and regenerative thermal oxidizer. In addition, each of the incinerators will be modified to remove the afterburner function from the incinerators' upper hearths and replace that with the RTO downstream. Application received: December 29, 2023. Issued: January 19, 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-65-00767C: Westmoreland Sanitary Landfill**, 111 Conner Ln, Belle Vernon, PA 15012, Rostraver Township, **Westmoreland County**. Issued authorization to install and operate a leachate evaporator system at their facility located in Rostraver Township, Westmoreland County. Application received: October 9, 2019. Authorized: January 8, 2024.

**PA-65-01140A: PA Turnpike Commission**, 2200 N Center Ave, New Stanton, PA 15672, New Stanton Borough, **Westmoreland County**. Issued a Plan Approval PA-65-01140A to authorize the construction and temporary operation of a natural gas-fired Jenbacher 4SLB engine rated at 1,721 bhp capable of generating 1.242 MWh/yr electricity equipped with an oxygen catalyst, one lube tank 79-gallon, one lube tank 265-gallon, and one waste lube tank 265-gallon at its Western Regional Office located in Canonsburg in New Stanton Borough, Westmoreland County. Application received: August 22, 2023. Issued: January 16, 2024.

**Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**43-00396B: Crosstex International, Inc.—Mercer facility**, 534 Vine Street, Sharon, PA 16146, City of Sharon, **Mercer County**. Issued a 4-month plan approval extension to allow the Department more time to conduct a compliance inspection to allow its incorporation into the facility Operating Permit. This extension expires May 10, 2024. Application received: January 10, 2024. Issued: January 10, 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.*

**38-05017B: Greater Lebanon Refuse Authority**, 1610 Russell Road, Lebanon, PA 17046, North Lebanon Township, **Lebanon County**. For the lateral and vertical expansion of the municipal solid waste landfill. The expansion will increase the landfill's volumetric disposal capacity by approximately 6,053,752 cubic yards (CY) and will involve a new double-lined "piggyback" landfill constructed on top of the existing closed GLRA portion (Site No. 100825). The plan approval was extended. Application received: January 5, 2024. Issued: January 18, 2024.

**36-05158A: Perdue AgriBusiness, LLC**, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For the construction and temporary operation of a grain elevator and a soybean oil extraction facility. The

plan approval was extended. Application received: January 9, 2024. Issued: January 18, 2024.

**36-05158E: Perdue AgriBusiness, LLC**, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For the modification to the 40 CFR Part 64, Continuous Assurance Monitoring (CAM) pressure differential ranges for various particulate matter control devices, and the modification of the mineral oil absorber temperature and flow rate requirements and the mineral oil condenser coolant temperature and flow rate requirements, at the soybean processing facility. The plan approval was extended. Application received: January 9, 2024. Issued: January 18, 2024.

**36-05158F: Perdue AgriBusiness, LLC**, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For the modification of the soybean day tanks' (Source ID 211) exhausts and for the installation of a dust reclaim system and a clay addition system at the soybean processing facility. The plan approval was extended. Application received: January 9, 2024. Issued: January 18, 2024.

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

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

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

**40-00104: Brdaric Excavating, Inc.**, 500 Main Street, Swoyersville, PA 18704-1254, Kingston Township, **Luzerne County**. The Department has issued a renewal State-Only (Natural Minor) Operating Permit for the Kingston Township facility. Sources at this facility include CI engines, jaw crusher, cone crusher, triple deck screen, double deck screen, and conveyors. A CO oxidation catalyst and crusher, cone crusher, triple deck screen, chieftain, and conveyor water sprays are used as control devices. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: November 8, 2023. Accepted: November 8, 2023. Issued: January 17, 2024.

**39-00022: Energy Transfer Mkt & Term LP**, 2480 Main St, Whitehall, PA 18052-4607, Whitehall Township, **Lehigh County**. The Department has issued a renewal State-Only (Synthetic Minor) Operating Permit for the Whitehall Township facility. Sources at this facility include their gasoline truck loading rack, transmix truck loading rack, distillate truck loading rack, tanks (with internal floating and fixed roofs), a tank with 210,000-gallon capacity-Ethanol-GP2, pump, valve and flange VOC losses, and an oil/water separator tank (with horizontal fixed roof). This permit also includes their vapor destruction and recovery units as control devices. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: November 2, 2023. Accepted: November 2, 2023. Issued: January 18, 2024.

**54-00084: Pierson Middleport, LLC**, P.O. Box 704, Bridgeport, NJ 08014-0704, Walker Township, **Schuylkill**

**County.** The Department has issued a renewal State-Only (Natural Minor) Operating Permit for the Walker Township facility. Sources at this facility include their jaw crusher, conveyors, screens, sandscrews, vsi crushers, cone crusher, tertiary cone crusher, feeders, stackers, classifying tank, dump hopper, wet sand & gravel plant, and water pump engines. This permit also includes water sprays as control device(s). The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: October 23, 2023. Accepted: October 23, 2023. Issued: January 18, 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.*

**03-00062: Freeport Terminals,** 700 Riverside Dr., Freeport, PA 16229-1237, Freeport Borough, **Armstrong County.** The Department issued a State Only Operating Permit renewal for the facility. Emission sources at this facility include a natural gas boiler rated at 30.1 MMBtu/hr, a barge train/truck transshipping terminal, a scrap iron processing area, railcar loading and unloading, crushing operations, and a storage tank farm. Potential emissions from this facility are as follows: 25.4 tons per year (tpy) NO<sub>x</sub>, 6.4 tpy CO, 2.1 tpy VOC, 25.5 tpy PM, 9.4 tpy, PM<sub>10</sub>, 9.2 tpy PM<sub>2.5</sub>, 0.3 tpy SO<sub>2</sub>, and 0.4 tpy total HAPs. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The above ground storage tanks Nos. 4 and 5 are potentially subject to New Source Performance Standards from 40 CFR Part 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 Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements. Application received: December 20, 2022. Renewed: January 17, 2024.

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

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

**01-05016: Specialty Granules, LLC,** 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214-0914, Hamiltonban Township, **Adams County.** For the nonmetallic mineral quarrying, crushing, processing and loading operations at the Charmian Quarry. The State-Only permit was renewed. Application received: August 2, 2017. Issued: January 11, 2024.

**67-03189: RH Sheppard Co Inc.,** 101 Philadelphia Street, Hanover, PA 17331, Hanover Borough, **York County.** For the metal treatment/coating facility. Application received: June 26, 2023. Issued: January 18, 2024.

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

**36-05155: Federal Metal Co.,** 500 N. Second Street, Columbia, PA 17512-1179, Columbia Borough, **Lancaster County.** For the secondary non-ferrous metal processing facility. The State-Only permit was renewed. Application received: July 31, 2023. Issued: January 16, 2024.

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

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

**09-00048: Naceville Materials/H&K Materials Quarry,** 300 Skunk Hollow Rd, Chalfont, PA 18914-1035, Hilltown Township, **Bucks County.** This action is for the renewal of a State-Only Synthetic Minor Operating Permit for the operation of an asphalt plant. Application received: July 21, 2023. Issued: January 17, 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.*

**63-00621: Accutrex Products, Inc.,** 112 Southpointe Blvd, Canonsburg, PA 15317, Cecil Township, **Washington County.** The Department issued a renewal natural minor State Only Operating Permit for operation of the Accutrex Products, Inc. Cecil Plant in Cecil Township, Washington County. Emission sources at this facility include a spray paint booth, two powder coating booths, two drying ovens, a Super Koropon Primer spray booth, a Shim Stock surface coating line, a sandblasting unit with a baghouse that exhausts indoors, and an emergency generator. The facility currently has permit conditions restricting potential emissions to 45.0 tons per year (tpy) of VOC, 9.0 tpy of a single HAP, and 22.0 tpy of total HAPs. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The final Operating Permit contains applicable emission limits, work practice standards, and monitoring, reporting, and recordkeeping requirements for the facility. Application received: March 27, 2023. Issued: January 12, 2024.

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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.*

**43-00142: Salem Tube Inc.,** 485 Nickel St, Reynolds Industrial Park, Greenville, PA 16125-8253, Pymatuning Township, **Mercer County.** The Department administratively amended the permit for the facility to incorporate the change of responsible official and permit contact. Application received: November 13, 2023. Revised: January 19, 2024.

**42-00175: Fed Corr Inst McKean,** P.O. Box 5000, Bradford, PA 16701-0950, Lafayette Township, **McKean County.** The Department administratively amended the permit for the facility to incorporate the change of responsible official. Application received: November 20, 2023. Revised: January 18, 2024.

**25-00886: O Cross Paving Company, LLC,** 1507 Wesley Avenue, Erie, PA 16510, Venango Township, **Erie County.** The permit was administratively amended to incorporate the change of ownership, tax ID, responsible



official and permit contact information. Application received: December 18, 2023. Revised: January 4, 2024.

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

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

**67-05016: Eagle Casting, LLC**, 447 E. Middle Street, Hanover, PA 17331-2543, Hanover Borough, **York County**. For the gray and ductile iron foundry. The Title V permit was administratively amended in order to reflect a change of ownership, and to remove sources to be retained by the former owner in a separate permit. Application received: June 26, 2023. Issued: January 18, 2024.

## ACTIONS ON COAL AND NONCOAL APPLICATIONS

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

### Coal Permits

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

*Contact: Melanie Ford-Wigfield, 814-472-1900, ra-epcambria@pa.gov.*

**Mining Permit No. 56980103. NPDES No. PA0234699. Wilson Creek Energy, LLC**, P.O. Box 260, Friedens, PA 15541, Jenner and Lincoln Townships, **Somerset County**. NPDES Renewal for water treatment only of a bituminous surface and auger mine affecting 138 acres. Receiving streams: unnamed tributaries to Quemahoning Creek classified for the following use: CWF. Application received: July 26, 2023. Renewal issued: January 19, 2024.

### Noncoal Permits

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

*Contact: Melanie Ford-Wigfield, 814-472-1900, ra-epcambria@pa.gov.*

**Mining Permit No. 0579201. NPDES No. PA0118583. New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, Broad Top Township, **Bedford County**. NPDES renewal of a large

industrial mineral permit. Receiving stream: Six Mile Run classified for the following uses: WWF. Application received: March 8, 2023. Renewal issued: January 17, 2024.

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

*Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.*

**Mining Permit No. 10180801. NPDES No. PA0280585. SMX Resources, LLC**, 102 Dogwood Court, Butler, PA 16001, Clay Township, **Butler County**. Renewal of an NPDES permit for management of water on a large industrial minerals surface mine, affecting 8.0 acres. Receiving stream(s): Not applicable because there are no permitted discharges (the permit is located in the Muddy Creek watershed). Application received: November 9, 2023. Issued: January 16, 2024.

**Mining Permit No. 10210303. NPDES No. PA0280828. Allegheny Mineral Corporation**, P.O. Box 1022, Kittanning, PA 16201, Marion Township, **Butler County**. Commencement, operation and restoration of a large industrial minerals mine. Application received: November 14, 2022. Issued: January 18, 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. 36244102. M & J Explosives, LLC**, 104 East Main Street, Carlisle, PA 17015, Rapho Township, **Lancaster County**. Construction blasting for Juda Hospitality Center. Application received: January 10, 2024. Permit issued: January 12, 2024. Expiration date: January 10, 2025.

**Permit No. 352434101. Maurer & Scott Sales, Inc.**, 122 Thomas Street, Coopersburg, PA 18036, Ransom Township, **Lackawanna County**. Construction blasting for Alliance Sanitary Landfill. Application received: January 12, 2024. Permit issued: January 19, 2024. Expiration date: January 12, 2028.

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

**Permit No. 09244101. Rock Work, Inc.**, 1257 Dekalb Pike, Blue Bell, PA 19422, Bensalem Township, **Bucks County**. Construction blasting for Bensalem Warehouse. Application received: January 8, 2024. Permit issued: January 17, 2024. Expiration date: January 1, 2025.

**Permit No. 40244101. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, Jenkins Township, **Luzerne County**. Construction blasting for Centerpoint East 2B Lot 33. Application received: January 17, 2024. Permit issued: January 17, 2024. Expiration date: January 17, 2025.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received

permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

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

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

*Contact: Pete Geanacopoulos, Project Manager, 570-327-3701.*

**E4904223-004. Jordan Township Supervisors, 444 Jordan Township Road, Herndon, PA 17830, Jordan Township, Northumberland County.** U.S. Army Corps of Engineers Baltimore District.

The Township proposes a streambank restoration and protection project along Snow Creek at the intersection of Main Street and Old State Road. The project includes the installation of 80 linear feet of stacked stone wall with a height of approximately 9 feet along the bank of Snow Creek. Latitude: 40° 39' 56.9", Longitude: -76° 41' 51.6".

Application received: October 21, 2023. Accepted: November 9, 2023. Issued: January 17, 2024.

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

*Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.*

**E0901220-001. MRP Industrial NE, LLC, 930 East Boot Road, West Chester, PA 19380, Richland Township, Bucks County.** U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain an approximate 209,000-square-foot industrial building and the required parking area, and the stormwater management facility along and over the emergent wetland (PEM), impacting 0.55-acre wetland associated with the new warehouse facility. The site is located at East Pumping Station and Heller Roads (Quakertown, PA USGS Quadrangle) in Richland Township, Bucks County. Latitude: 40.461894°, Longitude: -75.342510°. Application received: January 20, 2020. Permit issued: January 22, 2024.

**E2301223-006. City of Chester, One 4th Street, Chester, PA 19013, City of Chester, Delaware County.** U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following-listed water obstruction and encroachment activities associated with the City of Chester, Dock Street Public Works Garage. The project proposes to construct a new public works garage, asphalt pavement, salt storage, site lighting, ADA Accessibility, concrete curb, sidewalk, and stormwater management facility, along the floodplain of Chester Creek (WWF/MF). The site is located adjacent to 2nd Street, near the intersection of Penn's Land Park (Marcus Hook, PA USGS Map) in the City of Chester, Delaware County. Latitude: 39.844141°, Longitude: -75.360472°. Application received: July 28, 2023. Permit issued: January 22, 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 **ESG295823020-00**  
 Applicant Name **Coterra Energy, Inc.**  
 Contact Person Kenneth Marcum  
 Address 2000 Park Lane, Suite 300  
 City, State, Zip Pittsburgh, PA 15275  
 Township(s) Harford Township  
 County **Susquehanna County**  
 Receiving Stream(s) and Classification(s) Martins Creek (CWF, MF)  
 Application received: October 3, 2023  
 Issued: January 19, 2024

ESCGP # 3 **ESG295823021-00**  
 Applicant Name **Williams Field Services Co, LLC**  
 Contact Person Jayme Stotka  
 Address 2000 Commerce Drive  
 City, State, Zip Pittsburgh, PA 15275  
 Township(s) Middletown Township  
 County **Susquehanna County**  
 Receiving Stream(s) and Classification(s) UNT to North Branch Wyalusing Creek # 6365 (CWF, MF), UNT to Middle Branch Wyalusing Creek #29908 (CWF, MF)  
 Application received: October 12, 2023  
 Issued: January 22, 2024

*Southwest District: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: RA-EPSW-OGSUBMISSION@pa.gov.*

ESCGP # 3 **ESG073023020-00**  
 Applicant Name **EQT Prod CO—Saison Well Site**  
 Contact Person Todd Klaner, (724) 746-9043  
 TKlaner@eqt.com  
 Address 0.37 mile south of T-400 Higgins Cemetery Rd and T-472 Willow Bank Rd  
 City, State, Zip Holbrook, PA 15341  
 Township(s) Jackson Township  
 County **Greene County**  
 Receiving Stream(s) and Classification(s) 001. Lat 39.82109, Long -80.36314, Unnamed Tributary to Job Creek, Ch 93 Class TSF 004. Lat 39.82603, Long -80.36724, Unnamed Tributary to Job Creek, Ch 93 Class TSF  
 Application received: August 30, 2023  
 Issued: January 17, 2024

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

*Contact: RA-EPSW-OGSUBMISSION@pa.gov.*

ESCGP # 3 **ESG076323012-00**  
 Applicant Name **EQM Gathering OPCO LLC—NIPIH202 Waterline**  
 Contact Person Dustin Howarth, (412) 997-8524  
 dhowarth@equitransmidstream.com  
 Address 0.3 North of Rocky Run Rd and Newland School Rd  
 City, State, Zip West Finley, PA 15377

Township(s) East Finley Township  
 County **Washington County**  
 Receiving Stream(s) and Classification(s) 001. Lat 40.00702, Long -80.39721, Long Run, Ch 93 Class WWF  
 Application received: September 6, 2023  
 Issued: January 19, 2024

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 2

**The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Convenient Food Mart 3030**, Storage Tank Facility ID # **35-36655**, 899 Davis Street, Moosic, PA 18507, Moosic Borough, **Lackawanna County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Convenient Food Marts of Pennsylvania, 215 Clark Avenue, Clarks Summit, PA 18411, submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil contaminated with gasoline. The combined plan and report is intended to document the remedial actions for meeting Statewide health and site-specific standards.

**Former Egan Oil Service Station**, Storage Tank Facility ID # **40-28631**, 871 Exeter Avenue, Exeter, PA 18643, Exeter Borough, **Luzerne County**. Quad 3 Group, 37 North Washington Street, Wilkes-Barre, PA 18701, on

behalf of K3 Development, LLC, 133 Philadelphia Avenue, West Pittston, PA 18643, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide health and site-specific standards.

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

*Contact: Robin L. Yerger, LPG, 717-705-4705.*

**Carlisle Pike Exxon**, Storage Tank Facility ID # **21-62169**, 4600 Carlisle Pike, Mechanicsburg, PA 17050, Hampden Township, **Cumberland County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Sukhvinder Longia, 10 Hidden Meadow Drive, Mechanicsburg, PA 17050, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

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#### **Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

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Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

DEP has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Pen Fern Oil**, Storage Tank Facility ID # **40-14483**, 696 Main Road, Dallas, PA 18612, Dallas Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Pen Fern Oil Company, 1 Sterling Avenue, Dallas, PA 18612, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan was acceptable to meet the Statewide health standards and was approved by DEP on January 17, 2024.

**Klein's Auto Service**, Storage Tank Facility ID # **48-29610**, 1169 Main Street, Hellertown, PA 18055, Hellertown Borough, **Northampton County**. MEA, 1365 Ackermanville Rd, Bangor, PA 18013, on behalf of Kathleen and Robert Klein, 1169 Main Street, Hellertown, PA 18055, submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil contaminated with gasoline. The combined plan and report demonstrated attainment of the site-specific standards and was approved by DEP on January 19, 2024.

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

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

**Sheetz 96**, Storage Tank Facility ID # **24-38772**, 132 North Broad Street, Ridgeway, PA 15853, Ridgway Borough, **Elk County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sheetz, Inc., 351 Sheetz Way, Claysburg, PA 16225, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on January 22, 2024.

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

*Contact: Michael Stefanic, P.G., Project Officer, 717-705-4705.*

**29th Street Exxon**, Storage Tank Facility ID # **38-10856**, 1505 Quentin Road, Lebanon, PA 17042-7431, North Cornwall Township, **Lebanon County**. August Mack, P941 Wheatland Avenue, Suite 401, Lancaster, PA 17603, on behalf of Frederick Chevrolet of Lebanon, Inc., 1505 Quentin Road, Lebanon, PA 17042, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Unleaded Gasoline Constituents. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on January 16, 2024.

*Contact: Robin L. Yerger, LPG, 717-705-4705.*

**M & R Equipment**, Storage Tank Facility ID # **67-13853**, 451 Marsteller Road, New Park, PA 17352, Fawn Township, **York County**. Nutshell Environmental, 15 Allegheny Avenue, Towson, MD 21204, on behalf of Mr. Chris and Ms. Sandy Biernazki, 451 Marsteller Road, New Park, PA 17352, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan nonresidential was acceptable to meet the Statewide health standards and was approved by DEP on January 5, 2024.

**Nettles Auto Service**, Storage Tank Facility ID # **21-61054**, 1415 Lowther Road, Camp Hill, PA 17011, Lower Allen Township, **Cumberland County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Nettles Auto Service, 1415 Lowther Road, Camp Hill, PA 17011, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report nonresidential did not demonstrate attainment of the site-specific standards and was disapproved by DEP on January 11, 2024.

**Carlisle Pike Exxon**, Storage Tank Facility ID # **21-62169**, 4600 Carlisle Pike, Mechanicsburg, PA 17050, Hampden Township, **Cumberland County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Sukhvinder Longia, 10 Hidden Meadow Drive, Mechanicsburg, PA 17050, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on January 17, 2024.

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>
ESG830023002-00	Columbia Gas Transmission, LLC P.O. Box 1273 1700 MacCorkle Ave SE Charleston, WV 25325

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>
ESG833323001-00	Columbia Gas Transmission, LLC 1700 MacCorkle Ave SE Charleston, WV 25325-1273

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

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## SPECIAL NOTICES

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### WATER PROGRAMS

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#### **Erosion and Sediment Control Permit Application related to Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities.**

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

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

**ESG830023002-00.** The Department of Environmental Protection (Department) provides notice of final action regarding the following Chapter 102, Erosion and Sediment Control Permit Application related to Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities.

Line 4010 Replacement Project, Clover Township, Knox Township and Rose Township, **Jefferson County**. The project is proposing to replace approximately 4.56 miles of existing Line 4010 natural gas pipeline.

<i>Counties</i>	<i>DEP Office</i>
Jefferson County	Regional Permit Coordination Office

15, 2021) (Pet. for Allowance of Appeal pending). You should promptly consult with a lawyer on the steps to take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. You should show this document to a lawyer at once.

**ESG833323001-00.** The Department of Environmental Protection (Department) provides notice of final action regarding the following Chapter 102, Erosion and Sediment Control Permit Application related to Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities. The Lines 4226 and 4000 Exposure Project proposes to remove and replace approximately two 310-ft sections of parallel natural gas transmission pipelines that have become exposed in the Mill Creek area, involving approximately 11.32 acres of earth disturbance.

<i>Counties</i>	<i>DEP Office</i>
Jefferson County	Regional Permit Coordination Office

(3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending). You should promptly consult with a lawyer on the steps to

take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. You should show this document to a lawyer at once.

**NPDES Public Notice Application for National Pollutant Discharge Elimination System (NPDES) Permit under the Clean Streams Law and Federal Clean Water Act.**

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

*Contact: Lauren Nolfi, 412-442-4123.*

The Department of Environmental Protection (DEP) has received an application for an Individual NPDES Permit from the applicant named as follows to authorize new discharges of Industrial Stormwater from the following project site named to surface waters of the Commonwealth.

*Applicant: Edwin Murray*

*Applicant Address: 193 Silvis Road  
Export, PA 15632-1175*

*Application Number: PA0255289*

*Project Site Name: B & M Auto Recycling*

*Municipality/County: Washington Township, Westmoreland County*

*Surface Waters Receiving Discharges: Unnamed Tributary to Thorn Run, HQ—CWF*

*Project Description: The application is for a new NPDES permit for the discharge of stormwater associated with industrial activity from an auto recycling facility.*

DEP has made a tentative decision to deny the application for the individual NPDES Permit. A 30-day public comment period applies to this application denial and tentative decision. Interested persons may submit written comments to DEP at the previously listed address for DEP's consideration in taking a final action on the permit application. You may also review the permit application file by contacting Marion Leturgey, DEP's File Review Coordinator, at 412-442-4284.

**Public Hearing, Warner Road Warehouse Project, 246 Warner Road, Tannersville, PA in Pocono Township, Monroe County.**

*Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA, 570-826-2511.*

*Contact: Pan Kania, 570-826-2408.*

On July 14, 2023, the Department of Environmental Protection (PA DEP/Department) received an NPDES Permit application for the Warner Road Warehouse Project, 246 Warner Road, Tannersville, PA in Pocono Township, **Monroe County**. The application was deemed administratively complete on August 11, 2023. Written public comments were received during the public comment period.

The Department will hold a public hearing to accept additional comments on the documentation and plans associated with the Individual NPDES Permit Application No. PAD450190 for the discharge of stormwater from construction activities to the following receiving watercourses:

Pocono Creek HQ—CWF, MF and EV wetlands

The applicant is as follows:

Core 5 Industrial Partners, LLC, 1230 Peachtree Street NE, Suite 3560, Atlanta, GA 30309

Contact: Brian Reisinger—Director of Development

The public hearing will be conducted on March 4, 2024 from 6:00 p.m.—9:30 p.m. at the Pocono Mountain School District Swiftwater Elementary School located at 135 Academic Dr., Swiftwater, PA 18370. Representatives from the Department's Waterways & Wetlands Program, the Monroe County Conservation District, and Core 5 Industrial Partners, LLC will be in attendance.

The Department requests that individuals wishing to testify at the hearing submit a written notice of intent to Colleen Connolly, Community Relations Coordinator at: [coconnolly@pa.gov](mailto:coconnolly@pa.gov). The Department will accept requests up to the day of the hearing. The Department requests that individuals limit their testimony to 5 minutes so that all individuals have the opportunity to testify. The Department can only review comments made with regard to the NPDES Permit Application No. PAD450190 documentation and plans. Written copies of oral testimony are requested. All comments, whether delivered orally during the hearing or submitted in writing will carry equal weight and consideration with DEP. Individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who preregister to testify will be given priority on the agenda.

Persons with a disability who wish to testify and require an auxiliary aid, service or other accommodation should contact Colleen Connolly at: [coconnolly@pa.gov](mailto:coconnolly@pa.gov) or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

The NPDES permit application documentation and conceptual plans are available for review at the Monroe County Conservation District Office, 8050 Running Valley Road, Stroudsburg, PA 18360 at 570-629-3060 and/or the DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701, (570) 826-2511. For further information, contact Colleen Connolly, Community Relations Coordinator of the Department's Northeast Regional Office at (570) 826-2035.

[Pa.B. Doc. No. 24-128. Filed for public inspection February 2, 2024, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Availability of Technical Guidance; Correction**

An error occurred in the Contact portion of the notice published at 54 Pa.B. 275 (January 20, 2024). The contact e-mail address was inadvertently changed to [cclancy@a.gov](mailto:cclancy@a.gov). The correct contact e-mail address is reflected below. The remainder of the notice was accurate as published.

Contact: Questions regarding this TGD should be directed to Chad Clancy, (717) 787-2808 or by e-mail to [cclancy@pa.gov](mailto:cclancy@pa.gov).

JESSICA SHIRLEY,  
Interim Acting Secretary

[Pa.B. Doc. No. 24-129. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Interstate Pollution Transport Reduction: Proposed 2024 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice and an opportunity for public comment on the proposed Nonelectric Generating Unit (non-EGU) 2024 Ozone Season (OS) Nitrogen Oxide (NO<sub>x</sub>) emission limitations established under 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO<sub>x</sub> trading programs). The 17-day public comment period will end on February 19, 2024.

Specifically, 25 Pa. Code § 145.8(d) establishes a non-EGU NO<sub>x</sub> Trading Program budget of 3,619 tons of NO<sub>x</sub>, less a specified adjustment amount, to serve as a Statewide OS NO<sub>x</sub> emissions cap for new and existing non-EGUs. This NO<sub>x</sub> emissions cap also applies to Clean Air Interstate Rule (CAIR) exempt EGUs that are subject to the NO<sub>x</sub> Budget Trading Program. If the total emissions from all the units exceed the Statewide NO<sub>x</sub> emissions cap of 3,438 tons, the owners and operators of non-EGUs must comply with the NO<sub>x</sub> emission limitations established under 25 Pa. Code § 145.8(d). The proposed NO<sub>x</sub> emissions limitations for individual units ensure that non-EGUs in this Commonwealth continue to meet the emission limits of the NO<sub>x</sub> Budget Trading Program. The difference between the calculated total OS NO<sub>x</sub> limit for all units in the following Table 1 and the total NO<sub>x</sub> limit of 3,438 tons is due to rounding when calculating the NO<sub>x</sub> limit for each individual unit.

The Statewide cap for 2023 was not exceeded. Therefore, the owners and operators of non-EGUs do not need to purchase allowances to meet their 2023 OS NO<sub>x</sub> emission limitations established under 25 Pa. Code § 145.8(d). The NO<sub>x</sub> emissions for the 2023 OS (May through September) reported to the United States Environmental Protection Agency (EPA) by the owners and operators of the affected non-EGUs are 656.5 tons. The Department's permanent retirement of 3,438 NO<sub>x</sub> allowances under 25 Pa. Code § 145.8(b) covers all the NO<sub>x</sub> emissions from the affected non-EGUs in 2023.

In addition to the 3,438-ton non-EGU cap previously described, 25 Pa. Code § 145.8(d)(12) provides 181 tons of

NO<sub>x</sub> emissions annually for non-EGUs and the other units that need to address their limits or emissions through accounting adjustments, including units that previously participated in the NO<sub>x</sub> Budget Trading Program. The Department may use a portion of the 181 tons of the budgeted NO<sub>x</sub> emissions, if necessary, to address rounding issues, mistakes or miscalculations. This year, the Department is proposing to use 2 of the 181 tons of NO<sub>x</sub> emissions set aside from the non-EGU NO<sub>x</sub> Trading Program budget for accounting adjustments. The accounting adjustment is needed due to the rounding errors in calculating individual unit limits to meet the 3,438-ton non-EGU NO<sub>x</sub> cap. Rounding resulted in an allocation limit totaling 3,436 tons of NO<sub>x</sub>.

The Vicinity Energy Philadelphia Facility's Schuylkill Unit 24 listed in the non-EGU limits table during previous years was removed from the following Table 1. The EPA's Clean Air Markets Division Business System reports Unit 24's operating status as retired on November 14, 2016. Once a unit is confirmed to no longer be operating, it cannot be allocated a limit.

The following "Proposed Non-EGU 2024 OS NO<sub>x</sub> Emission Limits" in Table 1 lists the following: 'facility name,' 'ORIS code,' 'unit ID' for each non-EGU unit, '2023 NO<sub>x</sub> mass' or the 2023 OS emissions, '2023 heat input' for the 2023 OS, the 'county' location of the facility, the calculated '2024 rate,' and the '2024 OS limit.'

Interested persons may submit written comments on the proposed non-EGU 2024 OS NO<sub>x</sub> Emission Limits through February 19, 2024. Comments, including comments submitted by e-mail, must include the commentator's name and address. 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) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Proposed non-EGU 2024 Ozone Season NO<sub>x</sub> emission limits" as the subject line in written communication.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921 or [ranbordner@pa.gov](mailto:ranbordner@pa.gov). TDD users may contact the Pennsylvania Hamilton Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

**Table 1: Final Non-EGU 2024 OS NO<sub>x</sub> Emission Limits**

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2023 NO<sub>x</sub> Mass (tons)</i>	<i>2023 Heat Input (MMBtu)</i>	<i>County</i>	<i>2024 Rate (lbs./MMBtu)</i>	<i>2024 OS Limit (tons NO<sub>x</sub>)</i>
AdvanSix Resins & Chemicals, LLC	880007	52	25.826	719,010	Philadelphia	0.36	129
Armagh Compressor Station	880071	31301	0	0	Indiana	0.36	0
Bernville Station	880049	32001	0	0	Berks	0.36	0
Domtar Paper Company, LLC	54638	40	5.866	192,474.5	Elk	0.36	35
Domtar Paper Company, LLC	54638	41	14.698	574,534.3	Elk	0.36	103
Entrioken Compressor Station	880072	31601	0	0	Huntingdon	0.36	0
ETMT—Marcus Hook Terminal	880107	AB01	2.919	172,772.8	Delaware	0.36	31
ETMT—Marcus Hook Terminal	880107	AB03	1.961	122,611.4	Delaware	0.36	22
ETMT—Marcus Hook Terminal	880107	AB04	7.146	594,574.1	Delaware	0.36	107

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2023 NO<sub>x</sub> Mass (tons)</i>	<i>2023 Heat Input (MMBtu)</i>	<i>County</i>	<i>2024 Rate (lbs./MMBtu)</i>	<i>2024 OS Limit (tons NO<sub>x</sub>)</i>
Merck & Company—West Point	52149	39	8.378	183,847.7	Montgomery	0.36	33
Merck & Company—West Point	52149	40	20.794	1,447,265	Montgomery	0.36	261
Pixelle Specialty Solutions	50397	36	209.577	1,690,202	York	0.36	304
Pixelle Specialty Solutions	50397	38	6.997	511,015.7	York	0.36	92
Pixelle Specialty Solutions	50397	39	5.711	413,152.8	York	0.36	74
Procter & Gamble Paper Products	50463	328001	122.319	1,914,955	Wyoming	0.36	345
Procter & Gamble Paper Products	50463	328002	6.278	1,796,525	Wyoming	0.36	323
Sherman's Dale Station	880050	31801	0	0	Perry	0.36	0
Trainer Refinery	880025	34	1.282	573,301.1	Delaware	0.36	103
Trainer Refinery	880025	35	1.323	560,951	Delaware	0.36	101
Trainer Refinery	880025	53	1.022	654,339.4	Delaware	0.36	118
US Steel (Clairton Coke)	50729	CLBLR1	96.36	1,190,432	Warren	0.36	214
US Steel (Clairton Coke)	50729	CLBLR2	72.46	968,787.8	Allegheny	0.36	174
US Steel (Edgar Thomson)	50732	ETBLR1	10.794	1,416,966	Allegheny	0.36	255
US Steel (Edgar Thomson)	50732	ETBLR2	14.913	1,603,503	Allegheny	0.36	289
US Steel (Edgar Thomson)	50732	ETBLR3	12.991	1,582,020	Allegheny	0.36	285
Vicinity Energy Philadelphia—Edison Station	880006	1	0	0	Allegheny	0.36	0
Vicinity Energy Philadelphia—Edison Station	880006	2	0.328	6,381.5	Allegheny	0.36	1
Vicinity Energy Philadelphia—Edison Station	880006	3	0.473	6,694.8	Philadelphia	0.36	1
Vicinity Energy Philadelphia—Edison Station	880006	4	1.154	21,795.8	Philadelphia	0.36	4
Vicinity Energy Philadelphia—Schuylkill	50607	23	0	0	Philadelphia	0.36	0
Vicinity Energy Philadelphia—Schuylkill	50607	26	4.343	104,570.7	Philadelphia	0.36	19
Vicinity Energy Philadelphia—Schuylkill	50607	RSB1	0.185	31,799.82	Philadelphia	0.36	6
Vicinity Energy Philadelphia—Schuylkill	50607	RSB2	0.435	40,381.94	Philadelphia	0.36	7
<i>Totals:</i>			656.533	19,094,866			3,436

JESSICA SHIRLEY,  
Interim Acting Secretary

[Pa.B. Doc. No. 24-130. Filed for public inspection February 2, 2024, 9:00 a.m.]



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Proposed Modifications to Residual Waste General Permit WMGR081 Base Permit

Under the authority of the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is providing notice of proposed revisions to General Permit No. WMGR081. This General Permit authorizes the processing of waste electronics. The current permit term will expire on April 21, 2024. In addition to reformatting, updating standard conditions, clarifications and reorganization of the conditions, the following modifications are proposed to be incorporated upon renewal of WMGR081:

- Condition E.3. has been added to explicitly prohibit the double counting of covered devices for the purpose of satisfying Office of Emergency Management plans.
- Condition E.4. has been added, requiring use of the new Draft WMGR081 Recordkeeping Template (Template). Use of the Template will provide a clear framework for permittees, guiding them in their records management and helping them to understand which records should be kept. This will also provide a consistent format for the Department to use for tracking information and quantifying electronics recycled in this Commonwealth.
- Condition F.3. was added to require quarterly reporting for permittees authorized to operate under a determination of applicability, meaning that they are permitted to have more than 5 tons of waste electronics onsite.
- Condition F.2. maintains the annual reporting requirements for permittees operating under a registration. Those permittees are not authorized to have more than 5 tons of waste electronics onsite at any time.

#### Written Comments

Interested persons may submit written comments on the proposed modifications and renewal of General Permit No. WMGR081 through April 4, 2024. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are strongly 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) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "General Permit WMGR081" as the subject line in written communication.

Persons interested in reviewing the general permit may contact Jason Dunham at [jadunham@pa.gov](mailto:jadunham@pa.gov), (717) 787-7381, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Chris Solloway at (717) 787-7381 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,  
Interim Acting Secretary

[Pa.B. Doc. No. 24-131. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Proposed Revision to the State Implementation Plan; Regional Haze Best Available Retrofit Technology; Public Hearings

The Department of Environmental Protection (Department) is seeking public comment on a proposed State Implementation Plan (SIP) revision updating the Commonwealth's best available retrofit technology (BART) determinations. This proposed SIP revision is being submitted to satisfy the visibility and regional haze provisions of sections 169A and 169B of the Federal Clean Air Act (CAA) (42 U.S.C. §§ 7491—7492) and the Federal Regional Haze Rule (RHR) in 40 CFR 51.308 (relating to regional haze program requirements).

The Federal CAA and RHR require the Commonwealth to address regional haze in each mandatory Class I Federal area located outside this Commonwealth which may be affected by emissions from within this Commonwealth with the goal of restoring natural visibility conditions in those areas by 2064. A state's regional haze implementation plan must demonstrate reasonable progress toward achieving natural visibility conditions to Class I Federal areas. The RHR further requires that SIPs address emission limitations and compliance schedules for BART-eligible sources to demonstrate emission reductions and visibility improvement. The EPA issued guidelines at 70 FR 39104 (July 6, 2005) for states to consult when conducting their regional haze BART analyses.

The Commonwealth's "Revision to the State Implementation Plan for Regional Haze" (2010 Regional Haze SIP revision) received limited approval by the EPA at 77 FR 41279 (July 13, 2012), which the agency amended on August 13, 2012 (77 FR 48061). The EPA then reissued limited approval on April 30, 2014 (79 FR 24340), which included approval of the Department's BART analyses. The EPA's limited approval was challenged in *National Parks Conservation Ass'n et al. v. United States Environmental Protection Agency*, 803 F.3d 151 (3d. Cir. 2015) (*National Parks*).

This proposed SIP revision addresses the United States Court of Appeals for the Third Circuit's September 29, 2015, opinion in that case. Specifically, the Third Circuit partially vacated the EPA's April 30, 2014, reissuance of its limited approval of the Commonwealth's 2010 Regional Haze SIP revision to the extent that the EPA approved the Commonwealth's source-specific BART analyses. *National Parks*, 803 F.3d at 167. The Court concluded that the EPA arbitrarily approved the Commonwealth's SIP given what it characterized as multiple flaws in the Commonwealth's BART analyses. The Third Circuit held that the EPA did not provide a sufficient explanation as to why it overlooked these problems and approved the Commonwealth's SIP revision. The Court remanded this matter to the EPA and required the agency to demonstrate its work.

Upon submittal of a final SIP revision, the Department will concurrently send a letter to the EPA requesting a withdrawal of the BART determinations in sections 8.5 and 8.6 of Pennsylvania's 2010 Regional Haze SIP revision, as well as the Department's BART review memos in Appendix J of Pennsylvania's 2010 Regional Haze SIP revision.

Although the Department is requesting the withdrawal of the BART determinations and the accompanying memos included in the Commonwealth's 2010 Regional Haze SIP revision, the permit conditions and consent decrees remain effective and enforceable and continue to yield the same emission reductions. Many sources within this Commonwealth have committed to install, and have installed, controls through several mechanisms, including Federally enforceable permits and Federal and State consent agreements. In addition to the control measures detailed in the Commonwealth's 2010 Regional Haze SIP revision, additional regulations have been adopted and actions have been taken by the Department that will reduce visibility impairing pollutants in Class I Federal areas. Also, several large electric generating units have announced plans to shut down, deactivate sources or curtail emissions by adding dual-fire capacity or converting to natural gas, which will lead to additional significant reductions in sulfur dioxide emissions. While these changes are not discussed in detail in this SIP revision, they are the focus of the Commonwealth's Regional Haze 5-Year Progress Report, which is being sent to the EPA as a separate SIP revision.

The RHR requires states to consult with the Federal Land Managers (FLM) at least 60 days prior to the scheduled public hearing on the proposed Regional Haze SIP revision. Section 169A(d) of the CAA (42 U.S.C. § 7491(d)), requires states to include a summary of the conclusions and recommendations of the FLMs in the notice to the public. The United States National Park Service and the United States Department of Agriculture's Forest Service provided comments to the Department. The United States Department of the Interior's Fish and Wildlife Service did not submit any comments. A summary of the comments submitted by the FLMs, and the Department's responses, is available in Appendix F of the proposed Regional Haze SIP revision.

This proposed SIP revision and appendices are available on the Department's web site at <http://www.ahs.dep.pa.gov/eComment>.

The Department will provide the opportunity for three public hearings to receive comments on this proposed SIP revision as follows:

- March 7, 2024, at 10 a.m. at the Department's Southeast Regional Office, Delaware River Conference Room, 2 East Main Street, Norristown, PA.
- March 7, 2024, at 1 p.m. at the Department's Southcentral Regional Office, Susquehanna Conference Room, 909 Elmerton Avenue, Harrisburg, PA.
- March 7, 2024, at 1 p.m. at the Department's Southwest Regional Office, Waterfront Conference Rooms, 400 Waterfront Drive, Pittsburgh, PA.

Persons wishing to present testimony should contact Amanda Rodriguez at P.O. Box 8468, Harrisburg, PA 17105, (717) 787-7677 or [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their comments.

If by noon on Monday, March 4, 2024, no person has expressed an interest in testifying at the hearing, the

hearing will be canceled. The Department will provide public notice on the Bureau of Air Quality webpage at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> if the hearing is canceled. Persons may also contact the Department to find out if the hearing is canceled by contacting Amanda Rodriguez at [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) or (717) 787-9702.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Amanda Rodriguez at (717) 787-7677 or [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov). TDD users may contact the Pennsylvania Hamilton Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than March 8, 2024. Commentators are encouraged to submit comments using the Department's eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Regional Haze BART" as the subject line in written communication.

JESSICA SHIRLEY,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-132. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### State Board for Certification of Water and Wastewater Systems Operators Meeting

The State Board for Certification of Water and Wastewater Systems Operators (Board), will meet at 10 a.m. on February 7, 2024, in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely.

Information about the Board meeting, including agendas, meeting materials and in-person and remote participation options, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Water," then "State Board for Certification of Water and Wastewater System Operators").

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 Chambers at [lchambers@pa.gov](mailto:lchambers@pa.gov) or (717) 772-5158.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2360 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,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-133. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); WIC Advisory

The WIC Advisory will meet on February 13, 2024, from 1 p.m. to 2 p.m. The purpose of this meeting is to collaborate to gather suggestions of strategies for increasing participation and improving the WIC program to better support participants. The Department of Health (Department) will send out the meeting agenda no later than February 9, 2024, at 5 p.m. by e-mail. Individuals interested in receiving a copy of the agenda may send an e-mail to ra-dhwicadvisory@pa.gov requesting to be added to the distribution list.

Individuals can join at [https://teams.microsoft.com/join/meetup-join/19%3ameeting\\_ZWFkYzhmNjAtMGIwMi00MmQzLTk0NzgtMmMzMDlmNjk4ZGQ3%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%2239f87f18-093f-4a06-b146-27169e2d2568%22%7d](https://teams.microsoft.com/join/meetup-join/19%3ameeting_ZWFkYzhmNjAtMGIwMi00MmQzLTk0NzgtMmMzMDlmNjk4ZGQ3%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%2239f87f18-093f-4a06-b146-27169e2d2568%22%7d). The meeting ID is 222 011 932 120. The passcode is wi7gRQ.

*Note:* The previously listed link to access the meeting does not include a period. The link ends at 22%7d with no period. If copying/pasting the link, do not copy any period at the end if there is one.

Individuals can also join by calling (267) 332-8737. The conference ID is 438 654 535#.

The meeting will be recorded so if individuals choose to attend, they are consenting to being recorded. Individuals should not attend the meeting if they do not wish to be recorded.

This meeting is subject to cancellation without notice.

Questions about the WIC Advisory may be submitted by e-mail to the Department at ra-dhwicadvisory@pa.gov.

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille) should contact the Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Pennsylvania WIC program is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider.

#### *USDA Nondiscrimination Statement:*

In accordance with Federal civil rights law and the USDA civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex including gender identity and sexual orientation, disability, age or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (for example, Braille, large print, audiotope, American Sign Language), should contact the responsible State or local agency that administers the program or the USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact the USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program

Discrimination Complaint Form which can be obtained online at <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992 or by writing a letter addressed to the USDA. The letter must contain the complainant's name, address, telephone number and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to the USDA by mail to the United States Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, fax (833) 256-1665, (202) 690-7442, Program.Intake@usda.gov.

This institution is an equal opportunity provider.

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 24-134. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Availability of Amendments to the Office of Developmental Programs' Consolidated, Community Living, Person/Family Directed Support and Adult Autism Waivers

The Department of Human Services (Department) is making available for public review and comment the Office of Developmental Programs' proposed amendments to the Consolidated, Person/Family Directed Support (P/FDS), Community Living and Adult Autism waivers, which will be effective May 1, 2024.

#### *Background*

Whenever substantive changes are made to an approved waiver, the Department must submit an amendment to the Centers for Medicare & Medicaid Services for approval.

The Department proposes to amend the Consolidated, P/FDS, Community Living and Adult Autism waivers to allow providers to request a one-time supplemental payment to cover recruitment, retention and any unusual staffing expenses resulting from the novel coronavirus (COVID-19) pandemic for direct support professionals, frontline supervisors or supports coordinators. The one-time supplemental payments can be used to fund excessive overtime, shift differential incentives, costs of recruitment efforts, sign-on bonuses, retention bonuses, wage increases for supports coordinators, supports coordinator supervisors, direct support professionals and frontline supervisors and other incentive payments. The funding is intended to allow providers to accept new participants into service. Payments may not be used to increase or supplement compensation for agency executive staff.

Providers must request the one-time supplemental payments which will be calculated as a percentage of total claims paid to a provider for participants in the Consolidated, P/FDS, Community Living and Adult Autism waivers for the following services. Payments will be calculated at 6% of fee for services revenue received for services rendered between July 1, 2023, through December 31, 2023, for the following services.

Providers of the following services in the Consolidated, Community Living and P/FDS waivers may receive supplemental payments:

- Advanced Supported Employment
- Behavioral Support
- Benefits Counseling
- Communication Specialist
- Community Participation Support
- Companion
- Consultative Nutritional Services
- Family/Caregiver Training and Support
- Homemaker/Chore
- Housing Transition and Tenancy Sustaining Services
- In-Home and Community Support
- Licensed and Unlicensed Life Sharing
- Music, Art and Equine Assisted Therapy
- Licensed and Unlicensed Residential Habilitation
- Respite
- Shift Nursing
- Small Group Employment
- Supported Employment
- Supported Living
- Supports Broker
- Supports Coordination
- Therapy (Physical, Speech/Language, Occupational, Orientation, Mobility and Vision)
- Transportation Trip

Providers of the following services in the Adult Autism waiver may receive supplemental payments:

- Career Planning
- Day Habilitation
- Family Support
- Nutritional Consultation
- Residential Habilitation (Community Homes and Life Sharing)
- Respite
- Small Group Employment
- Specialized Skill Development (Behavioral Specialist Services, Systematic Skill Building and Community Support)
- Supported Employment
- Supports Coordination
- Temporary Supplemental Services
- Therapies (Speech/Language and Counseling)
- Transportation Trip

Copies of this notice and documents containing the proposed amendments to the Consolidated, Community Living, P/FDS and Adult Autism waivers may be obtained by contacting Julie Mochon, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120, RA-odpcomment@pa.gov.

The proposed amendments to the Consolidated, Community Living, P/FDS and Adult Autism waivers, effective

May 1, 2024, are also available at <https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/Proposed-Waiver-Amendments.aspx>.

#### *Fiscal Impact*

In Fiscal Year 2023-2024 the anticipated cost for the Intellectual Disabilities (ID)—Community Waiver Programs' one-time supplemental payments is \$107.8 million (\$50.7 million in State funds) and for ID—Autism is \$1.0 million (\$470,000 in State funds).

#### *Public Comment*

Interested persons are invited to submit written comments regarding the proposed amendments to the waivers. Comments should be addressed to Julie Mochon, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120. Comments may also be submitted to the Department at RA-odpcomment@pa.gov using the subject header "Waiver Comments."

Comments received within 30 days of publication of this notice will be reviewed and considered for revisions to the proposed amendments to the waivers.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service by dialing 711 or by using one of the toll-free numbers: (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844) 308-9292 (Speech-to-Speech) or (844) 308-9291 (Spanish).

VALERIE A. ARKOOSH,  
*Secretary*

**Fiscal Note:** 14-NOT-1609. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund;

(7) ID—Community Waiver Program; (2) Implementing Year 2023-24 is \$50,700,000; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$0; (4) 2022-23 Program—\$1,877,000,000; 2021-22 Program—\$1,799,000,000; 2020-21 Program—\$1,622,000,000;

(7) Autism Intervention and Services; (2) Implementing Year 2023-24 is \$470,000; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$0; (4) 2022-23 Program—\$27,610,000; 2021-22 Program—\$27,493,000; 2020-21 Program—\$27,262,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-135. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Payment for Nursing Facility Services Provided by Nonpublic Nursing Facilities; Medical Assistance Day One Incentive Payments to Nonpublic Nursing Facilities for Fiscal Year 2023-2024

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make Medical Assistance Day One Incentive (MDOI) payments to qualified nonpublic nursing facilities for Fiscal Year (FY) 2023-2024. The MDOI payments to nonpublic nursing facilities will provide incentives to nonpublic nursing facilities to provide services to indi-

viduals who are Medical Assistance (MA) eligible on the day of admission. The MDOI payments are intended to encourage nonpublic nursing facilities to increase access to care for the poor and indigent citizens of this Commonwealth.

*Nonpublic Medical Assistance Day One Incentive Payments*

The Department will use the Total Pennsylvania Medical Assistance (PA MA) days and Total Resident Days as reported by nonpublic nursing facilities under Article VIII-A of the Human Services Code (62 P.S. §§ 801-A—815-A<sup>1</sup>), regarding nursing facility assessments, to determine eligibility and calculate payments.

To qualify for MDOI payments, the nursing facility must be a nonpublic nursing facility for the full Resident Day quarters ended December 31, 2019, and March 31, 2020, and have submitted the required resident day reports for those quarters.

In addition, the nonpublic nursing facility shall have an overall occupancy rate of at least 85% and an MA occupancy rate of at least 65% during the applicable Resident Day quarter. A nursing facility's overall occupancy rate for these payments will be determined as follows: Overall occupancy rate = (Total Resident Days ÷ (licensed bed capacity at the end of the quarter × the number of calendar days in the quarter)). A nursing facility's MA occupancy rate for these payments will be determined as follows: MA occupancy rate = Total PA MA days ÷ total Resident Days.

Each nursing facility may qualify for a maximum of two MDOI payments. For qualifying nursing facilities in the southwest Community HealthChoices (CHC) zone, the Department will use the nursing facility assessment quarterly resident day reporting forms available on October 31, 2023, for the July 1, 2017—September 30, 2017, Resident Day Quarter for the first payment and will use the nursing facility assessment quarterly resident day reporting forms available on January 31, 2024, for the October 1, 2017—December 31, 2017, Resident Day Quarter for the second payment. For qualifying nursing facilities in the southeast CHC zone, the Department will use the nursing facility assessment quarterly resident day reporting forms available on October 31, 2023, for the July 1, 2018—September 30, 2018, Resident Day Quarter for the first payment and will use the nursing facility assessment quarterly resident day reporting forms available on January 31, 2024, for the October 1, 2018—December 31, 2018, Resident Day Quarter for the second payment. For qualifying nursing facilities in the Lehigh/Capital, northwest and northeast CHC zone, the Department will use the nursing facility assessment quarterly resident day reporting forms available on October 31, 2023, for the July 1, 2019—September 30, 2019, Resident Day Quarter for the first payment and will use the nursing facility assessment quarterly resident day reporting forms available on January 31, 2024, for the October 1, 2019—December 31, 2019, Resident Day Quarter for the second payment. The Department will calculate each qualified nonpublic nursing facility's MDOI payments based on the following formula:

(i) A MDOI per diem for each of the two MDOI payments will be 1/2 of the total funds appropriated for the fiscal year divided by the Total PA MA days as reported by all qualifying nursing facilities for the applicable Resident Day Quarter.

<sup>1</sup>Act 54 of 2022, § 16 amended the Commonwealth's Fiscal Code to reauthorize the assessment under Article VIII-A through June 30, 2026. See 72 P.S. § 1606-T.

(ii) Each MDOI per diem will then be multiplied by each qualified nursing facility's Total PA MA days, as reported, for the applicable Resident Day Quarter to determine its MDOI payment.

(iii) The State funds allocated for FY 2023-2024 are \$16 million.

The Department will not retroactively revise an MDOI payment amount based on a nursing facility's late submission or revision of its report related to the previously listed dates. The Department may recoup payments based on an audit of a nursing facility's report.

The Department will submit a Medicaid State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS), which is a condition for the availability of the payment. If CMS approves the SPA, the Department will have the authority to make MDOI payments to nonpublic nursing facilities for FY 2023-2024.

*Fiscal Impact*

The fiscal impact of this change is estimated at \$34.87 million (\$16.0 million in State funds) for FY 2023-2024.

*Public Comment*

Interested persons are invited to submit written comments regarding these payments to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Erica Justice, P.O. Box 8025, Harrisburg, PA 17105-8025 or RA-PWOLTLNFPUBLICCOM@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,  
*Secretary*

**Fiscal Note:** 14-NOT-1607. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is \$16,000,000; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$0; (4) 2022-23 Program—\$131,981,000; 2021-22 Program—\$121,346,000; 2020-21 Program—\$208,841,000; (7) MA—Long-Term Living; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-136. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Deep Pockets Fast Play Game 5226

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Deep Pockets ("Deep Pockets"). The game number is PA-5226.

## 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) *EXTRA CASH*: The area at the bottom of a Deep Pockets ticket containing one prize amount. When five of the “POCKET NUMBERS” play symbols appear printed with a Fan of Cash in the “POCKET NUMBERS” area, the player wins the prize amount shown in the “PRIZE” area located to the right of the “EXTRA CASH” area. EXTRA CASH is played separately.

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *POCKET NUMBERS*: The play symbols found in the “POCKET NUMBERS” area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

(l) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(m) *WINNING NUMBERS*: The play symbols found in the play area that, when matched against the play symbols in the “POCKET NUMBERS” area, determine whether a player wins a prize.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Deep Pockets ticket is \$20.

4. *Description of the Deep Pockets Fast Play lottery game*:

(a) The Deep Pockets 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. Deep Pockets 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) Deep Pockets is played by matching any of the play symbols located in the “POCKET 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 “POCKET NUMBERS” play symbol. A bet slip is not used to play this game. When a \$ (WINPRZ) symbol appears in the “POCKET NUMBERS” area, the player wins the prize amount shown under that \$ (WINPRIZ) symbol. When a Star (5TIMES) symbol appears in the “POCKET NUMBERS” area, the player wins 5 times the prize amount shown under that Star (5TIMES) symbol.

(c) Deep Pockets tickets contain an “EXTRA CASH” area. When five of the “POCKET NUMBERS” play symbols appear printed with a Fan of Cash, the player wins the prize amount shown in the “PRIZE” area located to the right of the “EXTRA CASH” area. “EXTRA CASH” is played separately.

(d) Deep Pockets tickets also contain a “POCKET THE PROGRESSIVE” area. Whenever a “PROGRESSIVE” (TOP PRIZE) symbol appears in the “POCKET THE PROGRESSIVE” area, the player wins the current “PROGRESSIVE TOP PRIZE.”

(e) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(f) Deep Pockets 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 Deep Pockets 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 Deep Pockets ticket and select the Deep Pockets 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. Deep Pockets ticket characteristics:

(a) Deep Pockets tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Deep Pockets tickets will contain one play area featuring a “WINNING NUMBERS” area and a “POCKET NUMBERS” area and one “EXTRA CASH” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39

(THYNIN) and 40 (FORT). The play symbols and their captions located in the "POCKET NUMBERS" area, and which are not printed with a Fan of Cash Symbol, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Dollar Sign (WINPRZ) symbol, Star (5TIMES) symbol and a P (TOP PRIZE) symbol. The play symbols and their captions located in the "POCKET NUMBERS" area, and which are printed with a Fan of Cash symbol are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT).

(c) *Prize Symbols:* The prize symbols and their captions located in the "POCKET NUMBERS" area are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and PROG (TOPPRIZE). The prize symbols and their captions located in the "EXTRA CASH" area are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

(d) *Prizes:* The prizes that can be won in this game, are: \$20, \$30, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$350,000 and increases by \$1.30 every time a Deep Pockets ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$350,000. The prizes that can be won in the "EXTRA CASH" area are: \$20, \$30, \$40, \$50, \$100, \$200, \$500 and \$1,000. For a complete description of how these prizes can be won, see section 8 (relating to number and description of prizes and approximate chances of winning). A player can win up to 16 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 720,000 tickets will be available for sale for the Deep Pockets lottery game.

**6. Prizes available to be won and determination of prize winners:**

(a) All Deep Pockets prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which a P (TOP PRIZE) symbol appears in the "POCKET NUMBERS" area and a prize symbol of PROG (TOPPRIZE) appears in the Prize area under that P (TOP PRIZE) 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," deter-

mined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$350,000.

(c) Holders of tickets upon which any of the "POCKET NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the Prize area under the matching "POCKET NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which a Star (5TIMES) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$1,000 (ONE THO) appears in the Prize area under that Star (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(e) Holders of tickets upon which a Star (5TIMES) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the Prize area under that Star (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(f) Holders of tickets upon which any of the "POCKET 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 "POCKET NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a Star (5TIMES) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$200 (TWO HUN) appears in the Prize area under that Star (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which five of the play symbols in the "POCKET NUMBERS" area are printed with a Fan of Cash and a prize amount of \$1,000 (ONE THO) appears in the PRIZE area located to the right of the "EXTRA CASH" area, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any of the "POCKET 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 "POCKET NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which a Dollar Sign (WINPRZ) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the Prize area under that Dollar Sign (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which a Star (5TIMES) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the Prize area under that Star (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which five of the play symbols in the "POCKET NUMBERS" area are printed with a Fan of Cash and a prize amount of \$500 (FIV HUN) appears in the PRIZE area located to the right of the "EXTRA CASH" area, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which a Star (5TIMES) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the Prize area under that Star (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$250.

(n) Holders of tickets upon which any of the "POCKET 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 "POCKET NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which a Dollar Sign (WINPRZ) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$200 (TWO HUN) appears in the Prize area under that Dollar Sign (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which a Star (5TIMES) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the Prize area under that Star (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which five of the play symbols in the "POCKET NUMBERS" area are printed with a Fan of Cash and a prize amount of \$200 (TWO HUN) appears in the PRIZE area located to the right of the "EXTRA CASH" area, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which a Star (5TIMES) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the Prize area under that Star (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$150.

(s) Holders of tickets upon which any of the "POCKET 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 "POCKET NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which a Dollar Sign (WINPRZ) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the Prize area under that Dollar Sign (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a Star (5TIMES) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the Prize area under that Star (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which five of the play symbols in the "POCKET NUMBERS" area are printed with a Fan of Cash and a prize amount of \$100 (ONE HUN) appears in the PRIZE area located to the right of the "EXTRA CASH" area, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which any of the "POCKET 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 "POCKET NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which a Dollar Sign (WINPRZ) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the Prize area under that Dollar Sign (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which five of the play symbols in the "POCKET NUMBERS" area are printed with a Fan of Cash and a prize amount of \$50<sup>00</sup> (FIFTY) appears in the PRIZE area located to the right of the "EXTRA CASH" area, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which any of the "POCKET 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 "POCKET NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets upon which a Dollar Sign (WINPRZ) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the Prize area under that Dollar Sign (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$40.

(bb) Holders of tickets upon which five of the play symbols in the "POCKET NUMBERS" area are printed with a Fan of Cash and a prize amount of \$40<sup>00</sup> (FORTY) appears in the PRIZE area located to the right of the "EXTRA CASH" area, on a single ticket, shall be entitled to a prize of \$40.

(cc) Holders of tickets upon which any of the "POCKET 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 "POCKET NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(dd) Holders of tickets upon which a Dollar Sign (WINPRZ) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the Prize area under that Dollar Sign (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$30.

(ee) Holders of tickets upon which five of the play symbols in the "POCKET NUMBERS" area are printed with a Fan of Cash and a prize amount of \$30<sup>00</sup> (THIRTY) appears in the PRIZE area located to the right of the "EXTRA CASH" area, on a single ticket, shall be entitled to a prize of \$30.

(ff) Holders of tickets upon which any of the "POCKET NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the Prize area under the matching "POCKET NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets upon which a Dollar Sign (WINPRZ) symbol appears in the "POCKET NUMBERS" area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the Prize area under that Dollar Sign (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$20.

(hh) Holders of tickets upon which five of the play symbols in the "POCKET NUMBERS" area are printed with a Fan of Cash and a prize amount of \$20<sup>00</sup> (TWENTY) appears in the PRIZE area located to the right of the "EXTRA CASH" area, on a single ticket, shall be entitled to a prize of \$20.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:



<i>When Any Of "POCKET NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"EXTRA CASH":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
	\$20 w/ 5 FAN OF CASH SYMBOLS	\$20	20	36,000
\$20 w/ DOLLAR SIGN		\$20	40	18,000
\$20		\$20	22.22	32,400
	\$30 w/ 5 FAN OF CASH SYMBOLS	\$30	40	18,000
\$30 w/ DOLLAR SIGN		\$30	40	18,000
\$30		\$30	200	3,600
\$20 × 2		\$40	100	7,200
\$20	\$20 w/ 5 FAN OF CASH SYMBOLS	\$40	100	7,200
	\$40 w/ 5 FAN OF CASH SYMBOLS	\$40	50	14,400
\$40 w/ DOLLAR SIGN		\$40	50	14,400
\$40		\$40	200	3,600
\$30 + \$20		\$50	200	3,600
\$30	\$20 w/ 5 FAN OF CASH SYMBOLS	\$50	200	3,600
	\$50 w/ 5 FAN OF CASH SYMBOLS	\$50	76.92	9,360
\$50 w/ DOLLAR SIGN		\$50	100	7,200
\$50		\$50	1,000	720
\$20 × 5		\$100	1,000	720
\$50 × 2		\$100	1,000	720
\$30 + \$20	\$50 w/ 5 FAN OF CASH SYMBOLS	\$100	500	1,440
(\$30 w/ DOLLAR SIGN) + \$30	\$40 w/ 5 FAN OF CASH SYMBOLS	\$100	333.33	2,160
(\$40 w/ DOLLAR SIGN) × 2	\$20 w/ 5 FAN OF CASH SYMBOLS	\$100	333.33	2,160
	\$100 w/ 5 FAN OF CASH SYMBOLS	\$100	500	1,440
\$20 w/ STAR		\$100	117.65	6,120
\$100 w/ DOLLAR SIGN		\$100	1,000	720
\$100		\$100	1,000	720
\$50 × 4		\$200	24,000	30
\$100 × 2		\$200	24,000	30
\$100	\$100 w/ 5 FAN OF CASH SYMBOLS	\$200	2,400	300
(\$30 w/ DOLLAR SIGN) + (\$20 w/ STAR) + \$40	\$30 w/ 5 FAN OF CASH SYMBOLS	\$200	2,400	300
(\$40 w/ DOLLAR SIGN) + (\$20 w/ STAR) + \$20	\$40 w/ 5 FAN OF CASH SYMBOLS	\$200	2,400	300
(((\$50 w/ DOLLAR SIGN) × 2) + (\$30 × 2) + \$20	\$20 w/ 5 FAN OF CASH SYMBOLS	\$200	2,000	360
	\$200 w/ 5 FAN OF CASH SYMBOLS	\$200	2,400	300

<i>When Any Of "POCKET NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"EXTRA CASH":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
\$40 w/ STAR		\$200	1,200	600
\$200 w/ DOLLAR SIGN		\$200	24,000	30
\$200		\$200	24,000	30
\$100 × 5		\$500	30,000	24
(\$20 w/ STAR) × 5		\$500	24,000	30
(\$40 w/ STAR) + (\$30 w/ STAR) + (\$50 × 2) + \$30	\$20 w/ 5 FAN OF CASH SYMBOLS	\$500	3,000	240
(((\$50 w/ DOLLAR SIGN) × 2) + (\$50 × 3) + (\$20 × 10))	\$50 w/ 5 FAN OF CASH SYMBOLS	\$500	4,000	180
(((\$100 w/ DOLLAR SIGN) × 2) + (\$50 × 4))	\$100 w/ 5 FAN OF CASH SYMBOLS	\$500	6,000	120
	\$500 w/ 5 FAN OF CASH SYMBOLS	\$500	24,000	30
\$100 w/ STAR		\$500	6,000	120
\$500 w/ DOLLAR SIGN		\$500	24,000	30
\$500		\$500	24,000	30
\$200 × 5		\$1,000	60,000	12
(\$40 w/ STAR) + (\$200 × 2) + (\$40 × 4) + (\$20 × 5) + \$100	\$40 w/ 5 FAN OF CASH SYMBOLS	\$1,000	24,000	30
(((\$50 w/ STAR) × 2) + (\$100 × 4))	\$100 w/ 5 FAN OF CASH SYMBOLS	\$1,000	12,000	60
(\$200 w/ DOLLAR SIGN) + (\$100 w/ STAR) + (\$40 × 5) + (\$30 × 2) + \$20	\$20 w/ 5 FAN OF CASH SYMBOLS	\$1,000	12,000	60
	\$1,000 w/ 5 FAN OF CASH SYMBOLS	\$1,000	120,000	6
\$200 w/ STAR		\$1,000	12,000	60
\$1,000		\$1,000	60,000	12
(\$500 w/ STAR) + (\$1,000 × 4) + (\$500 × 4) + (\$200 × 2) + \$100	\$1,000 w/ 5 FAN OF CASH SYMBOLS	\$10,000	120,000	6
(\$1,000 w/ STAR) + (\$500 w/ STAR) + (\$500 × 4)	\$500 w/ 5 FAN OF CASH SYMBOLS	\$10,000	240,000	3
\$10,000		\$10,000	240,000	3
\$350,000 w/ PROGRESSIVE SYMBOL		\$350,000*	240,000	3

When a "DOLLAR SIGN" (WINPRZ) symbol appears, win prize shown under that symbol automatically.

When a "STAR" (5TIMES) symbol appears, win 5 TIMES the prize shown under that symbol!

POCKET THE PROGRESSIVE: When a "PROGRESSIVE" (TOP PRIZE) symbol appears, win the current PROGRESSIVE TOP PRIZE amount instantly!

EXTRA CASH: When five "FAN OF CASH" symbols appear in the "POCKET NUMBERS" area, win prize shown to the right automatically. EXTRA CASH is played separately.

\*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$350,000. The PROGRESSIVE TOP PRIZE increases by \$1.30 every time a ticket is purchased, and resets to \$350,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game

ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety. (2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the

winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

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 \$1.30 from the sale of each Deep Pockets 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 Deep Pockets 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., \$1.30 from the sale of each ticket) shall be awarded as part of the next "PROGRESSIVE TOP PRIZE" won.

(d) Prizes payable to "PROGRESSIVE TOP PRIZE" winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to "PROGRESSIVE TOP PRIZE" winners, the "PROGRESSIVE TOP PRIZE" amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Deep Pockets lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in inter-

pretation 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 Deep Pockets 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 Deep Pockets or through normal communications methods.

20. *Applicability:* This notice applies only to the Deep Pockets lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-137. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Dublin the Gold Fast Play Game 5228

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Dublin the Gold ("Dublin the Gold"). The game number is PA-5228.

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) *DUBLIN THE PRIZE:* A feature of the Dublin the Gold game that, when a Double Coin symbol appears above a winning "YOUR NUMBERS" play symbol, the player doubles the prize amount shown under that "YOUR NUMBERS" symbol and wins that amount. A bet slip is not used to play this game.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS:* The play symbols found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(l) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS:* The play symbols found in the play area that, when matched against the play symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price:* The price of a Dublin the Gold ticket is \$2.

4. *Description of the Dublin the Gold Fast Play lottery game:*

(a) The Dublin the Gold lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Dublin the Gold 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) Dublin the Gold 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” symbol.

(c) Whenever a Double Coin symbol appears above a winning “YOUR NUMBERS” play symbol, the player doubles the prize amount shown under that winning “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) Dublin the Gold 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 Dublin the Gold 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 Dublin the Gold ticket and select the Dublin the Gold 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. *Dublin the Gold ticket characteristics:*

(a) Dublin the Gold tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Dublin the Gold tickets will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions located in the “YOUR NUMBERS” area and printed with a Double Coin symbol are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT).

(c) *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area, are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$15.<sup>00</sup> (FIFTEEN), \$20.<sup>00</sup> (TWENTY), \$40.<sup>00</sup> (FORTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$17,000 (SVNTNTHO).

(d) *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$400 and \$17,000. A player can win up to 11 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 720,000 tickets will be available for sale for the Dublin the Gold lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct one Four Leaf Luck Second-Chance Drawing for which non-winning Looking for the Leprechaun instant lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All Dublin the Gold prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$17,000 (SVNTNTHO) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$17,000.

(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 \$400 (FOR HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols printed with a Double Coin symbol 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 \$200.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols printed with a Double Coin symbol 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 \$100.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols printed with a Double Coin symbol 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 \$80.

(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 printed with a Double Coin symbol match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears

in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols printed with a Double Coin symbol match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15.00 (FIFTEEN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(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 \$20.00 (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols printed with a Double Coin symbol match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (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 \$20.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15.00 (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.

(o) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (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.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols printed with a Double Coin symbol match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (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 \$10.

(q) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols printed with a Double Coin symbol match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.00 (FOR DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$8.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (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.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.00 (FOR DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols printed with a Double Coin symbol match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
\$2	\$2	9.71	74,160
\$2 × 2	\$4	100	7,200
\$2 w/ DOUBLE COIN	\$4	22.22	32,400
\$4	\$4	100	7,200
\$5	\$5	33.33	21,600
\$5 × 2	\$10	1,000	720
(((\$2 w/ DOUBLE COIN) × 2) + \$2	\$10	166.67	4,320
(\$4 w/ DOUBLE COIN) + \$2	\$10	153.85	4,680
\$5 w/ DOUBLE COIN	\$10	131.58	5,472
\$10	\$10	1,000	720
\$5 × 3	\$15	2,000	360
\$10 + \$5	\$15	2,000	360
(((\$2 w/ DOUBLE COIN) × 2) + \$5 + \$2	\$15	666.67	1,080
(\$5 w/ DOUBLE COIN) + \$5	\$15	666.67	1,080

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
\$15	\$15	1,000	720
\$10 × 2	\$20	3,333	216
(\$5 × 2) + (\$4 × 2) + \$2	\$20	2,000	360
(((\$2 w/ DOUBLE COIN) × 3) + (\$4 × 2)	\$20	1,000	720
(((\$4 w/ DOUBLE COIN) × 2) + (\$2 w/ DOUBLE COIN)	\$20	500	1,440
(\$5 w/ DOUBLE COIN) × 2	\$20	500	1,440
\$10 w/ DOUBLE COIN	\$20	1,000	720
\$20	\$20	5,000	144
\$20 × 2	\$40	12,000	60
(\$10 × 2) + (\$5 × 2) + (\$4 × 2) + \$2	\$40	12,000	60
(\$15 × 2) + (\$5 × 2)	\$40	12,000	60
(((\$5 w/ DOUBLE COIN) × 2) + (\$4 w/ DOUBLE COIN) + \$10 + \$2	\$40	4,000	180
(\$10 w/ DOUBLE COIN) × 2	\$40	3,429	210
(\$15 w/ DOUBLE COIN) + (\$5 × 2)	\$40	2,400	300
\$20 w/ DOUBLE COIN	\$40	2,400	300
\$40	\$40	24,000	30
(\$10 × 3) + \$20	\$50	24,000	30
(\$20 × 2) + (\$5 × 2)	\$50	24,000	30
\$40 + \$10	\$50	24,000	30
(\$5 w/ DOUBLE COIN) + ((\$4 w/ DOUBLE COIN) × 3) + \$10 + \$4 + \$2	\$50	6,000	120
(\$10 w/ DOUBLE COIN) + ((\$5 w/ DOUBLE COIN) × 2) + (\$4 × 2) + \$2	\$50	4,800	150
(\$15 w/ DOUBLE COIN) + (\$10 w/ DOUBLE COIN)	\$50	4,000	180
(\$20 w/ DOUBLE COIN) + (\$5 w/ DOUBLE COIN)	\$50	4,000	180
\$50	\$50	24,000	30
\$50 × 2	\$100	120,000	6
(\$20 × 3) + \$40	\$100	120,000	6
(\$40 × 2) + (\$10 × 2)	\$100	120,000	6
(((\$20 w/ DOUBLE COIN) × 2) + ((\$4 w/ DOUBLE COIN) × 2) + (\$2 × 2)	\$100	10,000	72
(\$40 w/ DOUBLE COIN) + (\$5 w/ DOUBLE COIN) + (\$5 × 2)	\$100	10,000	72
\$50 w/ DOUBLE COIN	\$100	10,000	72
\$100	\$100	120,000	6
(\$100 w/ DOUBLE COIN) × 2	\$400	144,000	5
\$400	\$400	144,000	5
\$17,000	\$17,000	180,000	4

DUBLIN THE PRIZE: When a "DOUBLE COIN" symbol appears above a winning match, DOUBLE the prize shown for that match!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's Four Leaf Luck Second-Chance Drawing for qualifying Fast Play lottery game tickets ("Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5227 Looking for the Leprechaun (\$5), PA-5228 Dublin the Gold (\$2) and PA-5229 Little Lucky Charm (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.PAiLottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.PAiLottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player's name as it appears on a valid government-issued identification or tax documents;

(ii) The player's date of birth;

(iii) The entire or last four digits of the player's Social Security Number, or comparable equivalent;

(iv) The player's address;

(v) The player's telephone number;

(vi) The player's email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(7) Only one claimant per entry allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Four Leaf Luck Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. February 6, 2024, through 11:59:59 p.m. March 14, 2024, will be entered into the Drawing tentatively scheduled to be held between March 18, 2024 and March 29, 2024.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5227 Looking for the Leprechaun (\$5) = five entries, PA-5228 Dublin the Gold (\$2) = two entries and PA-5229 Little Lucky Charm (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first through the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$17,000, less required income tax withholding.

(ii) The fifth through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$7,000, less required income tax withholding.

(iii) The eighth and the ninth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$3,000.

(iv) The tenth through the fifty-ninth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If an entry is selected



as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select one entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure. Entries not received for any other reason will not be considered entries.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and one replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery terms and conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money

awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Dublin the Gold lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Dublin the Gold lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Dublin the Gold or through normal communications methods.

21. *Applicability:* This notice applies only to the Dublin the Gold lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-138. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Little Lucky Charm Fast Play Game 5229

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Little Lucky Charm ("Little Lucky Charm"). The game number is PA-5229.

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) *CHARM-ING MATCH:* A feature of the Little Lucky Charm game that, when either the CHARM # 1 play symbol or the CHARM # 2 play symbol located in the YOUR NUMBERS area matches the WINNING

CHARM play symbol at the top of the ticket, instantly awards the player a prize of \$7. CHARM-ING MATCH is played separately.

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The number symbols found in the play area that, when matched against the number symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The number symbols found in the play area that, when matched against the number symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Little Lucky Charm ticket is \$1.

4. *Description of the Little Lucky Charm Fast Play lottery game*:

(a) The Little Lucky Charm lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Little Lucky Charm 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) Little Lucky Charm is played by matching any of the number symbols located in the "YOUR NUMBERS" area to any of the number symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" symbol. A bet slip is not used to play this game.

(c) Little Lucky Charm tickets contain a "CHARM-ING MATCH" feature. Whenever either "CHARM" play symbol matches the "WINNING CHARM" play symbol, the player wins a prize of \$7. "CHARM-ING MATCH" is played separately.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) Little Lucky Charm 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 Little Lucky Charm 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 Little Lucky Charm ticket and select the Little Lucky Charm 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. *Little Lucky Charm ticket characteristics*:

(a) Little Lucky Charm tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Little Lucky Charm tickets will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area further containing a "CHARM # 1" area and a "CHARM # 2" area, and one "WINNING CHARM" area. The play symbols and their captions located in the "WINNING NUMBERS" 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 (TWY SIX), 27 (TWY SVN), 28 (TWY EGT), 29 (TWY NIN) and 30 (THIRT). The play symbols and their captions located in the "WINNING CHARM" area, the "CHARM # 1" area and the "CHARM # 2" area are: Pot of Gold (PTOFGLD) symbol, Ladybug (LDYBUG) symbol, Leprechaun Hat (LPRCNHAT) symbol, Horseshoe (HRSESHOE) symbol, Penny (PENNY) symbol and a Rainbow (RAINBOW) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$7<sup>00</sup> (SVN DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$700 (SVN HUN) and \$1,700 (SVNTNHUN).

(d) *Prizes*: The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$7, \$10, \$20, \$30, \$50, \$100, \$700 and \$1,700. The prize that can be won in "CHARM-ING MATCH" is \$7. A player can win up to six times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 840,000 tickets will be available for sale for the Little Lucky Charm lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Four Leaf Luck Second-Chance Drawing for which non-winning Little Lucky Charm lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All Little Lucky Charm prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING

NUMBERS” play symbols and a prize symbol of \$1,700 (SVNTNHUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,700.

(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 \$700 (SVN HUN) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$700.

(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 \$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.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(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 \$20<sup>00</sup> (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$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.

(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 \$7<sup>00</sup> (SVN DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$7.

(j) Holders of tickets upon which the “CHARM # 1” play symbol or the “CHARM # 2” play symbol matches the “WINNING CHARM” play symbol, on a single ticket, shall be entitled to a prize of \$7.

(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 \$3<sup>00</sup> (THR DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(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 \$2<sup>00</sup> (TWO DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Little Lucky Charm Fast Play ticket.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 840,000 Tickets:</i>
FREE	FREE \$1 TICKET	10	84,000
\$1	\$1	20.41	41,160
\$1 × 2	\$2	50	16,800
\$2	\$2	50	16,800
\$2 + \$1	\$3	200	4,200
\$3	\$3	200	4,200
(\$2 × 2) + \$3	\$7	500	1,680
\$7 w/ CHARM MATCH	\$7	62.5	13,440
\$7	\$7	500	1,680
(\$3 × 2) + (\$2 × 2)	\$10	1,000	840
(\$7 w/ CHARM MATCH) + (\$1 × 3)	\$10	666.67	1,260
(\$7 w/ CHARM MATCH) + \$3	\$10	500	1,680
\$10	\$10	1,000	840

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 840,000 Tickets:</i>
\$10 × 2	\$20	1,200	700
(\$7 w/ CHARM MATCH) + (\$1 × 3) + \$10	\$20	1,200	700
(\$7 w/ CHARM MATCH) + \$10 + \$3	\$20	1,200	700
(((\$7 w/ CHARM MATCH) × 2) + (\$3 × 2))	\$20	1,200	700
\$20	\$20	4,000	210
\$20 + \$10	\$30	4,000	210
(\$7 w/ CHARM MATCH) + (\$1 × 3) + \$20	\$30	4,000	210
(\$7 w/ CHARM MATCH) + (\$10 × 2) + \$3	\$30	4,000	210
(((\$7 w/ CHARM MATCH) × 2) + (\$3 × 2) + \$10)	\$30	4,000	210
\$30	\$30	4,000	210
(\$20 × 2) + \$10	\$50	12,000	70
(\$7 w/ CHARM MATCH) + (\$20 × 2) + \$3	\$50	4,000	210
(\$7 w/ CHARM MATCH) + \$30 + \$10 + \$2 + \$1	\$50	6,000	140
(((\$7 w/ CHARM MATCH) × 2) + \$30 + \$3 + \$2 + \$1)	\$50	6,000	140
\$50	\$50	12,000	70
\$50 × 2	\$100	24,000	35
(\$30 × 2) + (\$20 × 2)	\$100	24,000	35
(\$7 w/ CHARM MATCH) + (\$20 × 2) + \$50 + \$3	\$100	24,000	35
(((\$7 w/ CHARM MATCH) × 2) + (\$3 × 2) + \$50 + \$30)	\$100	12,000	70
\$100	\$100	24,000	35
\$700	\$700	120,000	7
\$1,700	\$1,700	210,000	4

CHARM-ING MATCH: When either CHARM in the YOUR NUMBERS area matches the WINNING CHARM above, win \$7 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's Four Leaf Luck Second-Chance Drawing for qualifying Fast Play lottery game tickets ("Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5227 Looking for the Leprechaun (\$5), PA-5228 Dublin the Gold (\$2) and PA-5229 Little Lucky Charm (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.PAiLottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.PAiLottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player's name as it appears on a valid government-issued identification or tax documents;

(ii) The player's date of birth;

(iii) The entire or last four digits of the player's Social Security Number, or comparable equivalent;

(iv) The player's address;

(v) The player's telephone number;

(vi) The player's email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any

other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(7) Only one claimant per entry allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Four Leaf Luck Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. February 6, 2024, through 11:59:59 p.m. March 14, 2024, will be entered into the Drawing tentatively scheduled to be held between March 18, 2024 and March 29, 2024.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5227 Looking for the Leprechaun (\$5) = five entries, PA-5228 Dublin the Gold (\$2) = two entries and PA-5229 Little Lucky Charm (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first through the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$17,000, less required income tax withholding.

(ii) The fifth through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$7,000, less required income tax withholding.

(iii) The eighth and the ninth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$3,000.

(iv) The tenth through the fifty-ninth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select one entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure. Entries not received for any other reason will not be considered entries.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9RoofTops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the

prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and one replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery terms and conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Little Lucky Charm lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Little Lucky Charm lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Little Lucky Charm or through normal communications methods.

21. *Applicability:* This notice applies only to the Little Lucky Charm lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

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## DEPARTMENT OF REVENUE

### Pennsylvania Looking for the Leprechaun Fast Play Game 5227

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Looking for the Leprechaun (“Looking for the Leprechaun”). The game number is PA-5227.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *WIN ALL OF THE LOOT:* An area within the “YOUR NUMBERS” area containing three play symbols that, when a Leprechaun Hat play symbol, Leprechaun Beard play symbol and Leprechaun Shoes play symbol appear in that exact order, the player wins all 12 prizes shown in the “YOUR NUMBERS” area.

(k) *WINNING NUMBERS:* The play symbols found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(l) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.



(m) *YOUR NUMBERS*: The play symbols found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Looking for the Leprechaun ticket is \$5.

4. *Description of the Looking for the Leprechaun Fast Play lottery game*:

(a) The Looking for the Leprechaun lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Looking for the Leprechaun 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) Looking for the Leprechaun 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) Looking for the Leprechaun is also played by matching a Leprechaun Hat play symbol, Leprechaun Beard play symbol and Leprechaun Shoes play symbol, in that exact order, in the “WIN ALL OF THE LOOT” area. A player matching the three play symbols in this manner will build a Leprechaun and win all 12 prize amounts shown in the “YOUR NUMBERS” area.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) Looking for the Leprechaun 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 Looking for the Leprechaun 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 Looking for the Leprechaun ticket and select the Looking for the Leprechaun 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. *Looking for the Leprechaun ticket characteristics*:

(a) Looking for the Leprechaun tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Looking for the Leprechaun tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “WIN ALL OF THE LOOT” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24

(TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT) and a Glasses (GLASSES) symbol. The “WIN ALL OF THE LOOT” symbols located in the “YOUR NUMBERS” area are: Penny symbol, Ladybug symbol, Clover symbol, Pot of Gold symbol, Horseshoe symbol, Rainbow symbol, Leprechaun Hat symbol, Leprechaun Beard symbol and a Leprechaun Shoes symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$1,000 (ONE THO) and \$40,000 (FRY THO).

(d) *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$200, \$1,000 and \$40,000. A player can win up to 12 times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 480,000 tickets will be available for sale for the Looking for the Leprechaun lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct one Four Leaf Luck Second-Chance Drawing for which non-winning Looking for the Leprechaun instant lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All Looking for the Leprechaun prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40,000 (FRY THO) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40,000.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a Glasses (GLASSES) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the Prize area under that Glasses (GLASSES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a Leprechaun Hat symbol, Leprechaun Beard symbol and a Leprechaun Shoes symbol appear in the “YOUR NUMBERS” area in a vertical line, in that exact order, and a prize symbol of \$200 (TWO HUN) appears in two of the Prize areas, a prize symbol of \$100 (ONE HUN) appears in five of the Prize areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the Prize areas, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING

NUMBERS” play symbols and a prize symbol of \$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 a Glasses (GLASSES) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the Prize area under that Glasses (GLASSES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which a Leprechaun Hat symbol, Leprechaun Beard symbol and a Leprechaun Shoes symbol appear in the “YOUR NUMBERS” area in a vertical line, in that exact order, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in two of the Prize areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the Prize areas, a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in four of the Prize areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the Prize areas, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which a Leprechaun Hat symbol, Leprechaun Beard symbol and a Leprechaun Shoes symbol appear in the “YOUR NUMBERS” area in a vertical line, in that exact order, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in six of the Prize areas, a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in four of the Prize areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$200.

(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 \$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 a Glasses (GLASSES) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the Prize area under that Glasses (GLASSES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which a Leprechaun Hat symbol, Leprechaun Beard symbol and a Leprechaun Shoes symbol appear in the “YOUR NUMBERS” area in a vertical line, in that exact order, and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in two of the Prize areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in four of the Prize areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in six of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which a Leprechaun Hat symbol, Leprechaun Beard symbol and a Leprechaun Shoes symbol appear in the “YOUR NUMBERS” area in a vertical line, in that exact order, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in eight of the Prize areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match 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.

(o) Holders of tickets upon which a Glasses (GLASSES) play symbol appears in the “YOUR NUMBERS” area and

a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the Prize area under that Glasses (GLASSES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(q) Holders of tickets upon which a Glasses (GLASSES) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the Prize area under that Glasses (GLASSES) symbol, on a single ticket, shall be entitled to a prize of \$40.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which a Glasses (GLASSES) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the Prize area under that Glasses (GLASSES) symbol, on a single ticket, shall be entitled to a prize of \$20.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(u) Holders of tickets upon which a Glasses (GLASSES) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the Prize area under that Glasses (GLASSES) symbol, on a single ticket, shall be entitled to a prize of \$15.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(w) Holders of tickets upon which a Glasses (GLASSES) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the Prize area under that Glasses (GLASSES) symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 \$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.

(y) Holders of tickets upon which a Glasses (GLASSES) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the Prize area under that Glasses (GLASSES) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 480,000 Tickets:</i>
\$5 w/ GLASSES	\$5	16.67	28,800
\$5	\$5	16.13	29,760
\$5 × 2	\$10	71.43	6,720
\$10 w/ GLASSES	\$10	31.85	15,072
\$10	\$10	71.43	6,720
\$5 × 3	\$15	166.67	2,880
\$15 w/ GLASSES	\$15	102.04	4,704
\$15	\$15	166.67	2,880
\$5 × 4	\$20	714.29	672
(\$10 w/ GLASSES) + \$10	\$20	333.33	1,440
(\$15 w/ GLASSES) + \$5	\$20	333.33	1,440
\$20 w/ GLASSES	\$20	333.33	1,440
\$20	\$20	2,500	192
\$10 × 4	\$40	625	768
\$20 × 2	\$40	625	768
(\$5 w/ GLASSES) + \$20 + \$10 + \$5	\$40	714.29	672
(\$10 w/ GLASSES) + \$20 + \$10	\$40	714.29	672
(\$15 w/ GLASSES) + \$20 + \$5	\$40	714.29	672
(\$20 w/ GLASSES) + \$20	\$40	714.29	672
\$40 w/ GLASSES	\$40	714.29	672
\$40	\$40	2,000	240
(\$15 × 2) + (\$10 × 2)	\$50	2,000	240
(\$20 × 2) + (\$5 × 2)	\$50	2,000	240
(\$10 w/ GLASSES) + \$40	\$50	1,500	320
(\$15 w/ GLASSES) + \$20 + \$15	\$50	1,500	320
(\$20 w/ GLASSES) + \$20 + \$10	\$50	1,500	320
(\$40 w/ GLASSES) + \$10	\$50	1,500	320
\$50 w/ GLASSES	\$50	1,500	320
\$50	\$50	1,558	308
LEPRECHAUN w/ ((\$10 × 8) + (\$5 × 4))	\$100	480	1,000
LEPRECHAUN w/ ((\$15 × 2) + (\$10 × 4) + (\$5 × 6))	\$100	480	1,000
\$50 × 2	\$100	5,000	96
(\$20 w/ GLASSES) + \$50 + \$20 + \$10	\$100	6,000	80
(\$40 w/ GLASSES) + \$50 + \$10	\$100	6,000	80
(\$50 w/ GLASSES) + \$50	\$100	6,000	80
\$100 w/ GLASSES	\$100	6,000	80
\$100	\$100	30,000	16
LEPRECHAUN w/ ((\$20 × 6) + (\$15 × 4) + (\$10 × 2))	\$200	1,935	248
LEPRECHAUN w/ ((\$40 × 2) + (\$20 × 2) + (\$15 × 4) + (\$5 × 4))	\$200	1,935	248
\$100 × 2	\$200	30,000	16
\$50 × 4	\$200	30,000	16
(\$50 w/ GLASSES) + \$100 + \$20 + \$15 + \$10 + \$5	\$200	8,571	56
(\$100 w/ GLASSES) + \$50 + \$20 + \$15 + \$10 + \$5	\$200	8,571	56
\$200 w/ GLASSES	\$200	8,571	56

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 480,000 Tickets:</i>
\$200	\$200	30,000	16
LEPRECHAUN w/ (( $\$200 \times 2$ ) + ( $\$100 \times 5$ ) + ( $\$20 \times 5$ ))	\$1,000	60,000	8
\$1,000 w/ GLASSES	\$1,000	120,000	4
\$1,000	\$1,000	120,000	4
\$40,000	\$40,000	160,000	3

When a "Glasses" (GLASSES) symbol appears, win prize shown under that symbol automatically!

WIN ALL OF THE LOOT: When all three of the symbols below appear in the YOUR NUMBERS area to build a Leprechaun, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's Four Leaf Luck Second-Chance Drawing for qualifying Fast Play lottery game tickets ("Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5227 Looking for the Leprechaun (\$5), PA-5228 Dublin the Gold (\$2) and PA-5229 Little Lucky Charm (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.PAiLottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.PAiLottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player's name as it appears on a valid government-issued identification or tax documents;

(ii) The player's date of birth;

(iii) The entire or last four digits of the player's Social Security Number, or comparable equivalent;

(iv) The player's address;

(v) The player's telephone number;

(vi) The player's email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period.

The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(7) Only one claimant per entry allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Four Leaf Luck Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. February 6, 2024, through 11:59:59 p.m. March 14, 2024, will be entered into the Drawing tentatively scheduled to be held between March 18, 2024 and March 29, 2024.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5227 Looking for the Leprechaun (\$5) = five entries, PA-5228 Dublin the Gold (\$2) = two entries and PA-5229 Little Lucky Charm (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first through the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$17,000, less required income tax withholding.

(ii) The fifth through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$7,000, less required income tax withholding.

(iii) The eighth and the ninth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$3,000.

(iv) The tenth through the fifty-ninth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select one entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure. Entries not received for any other reason will not be considered entries.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and one replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery terms and conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

- (1) The game ticket's bar code shall be present in its entirety.
- (2) The game ticket must be intact.
- (3) The game ticket may not be mutilated, altered, reconstituted or tampered with.
- (4) The game ticket may not be counterfeit or a duplicate of a winning ticket.
- (5) The game ticket must have been validly issued.
- (6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.
- (7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.
- (8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

- (1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;
  - (2) A claim form is properly and fully completed;
  - (3) The identification of the claimant is confirmed; and
  - (4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).
- (e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Looking for the Leprechaun lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Looking for the Leprechaun lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a

winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Looking for the Leprechaun or through normal communications methods.

21. *Applicability:* This notice applies only to the Looking for the Leprechaun lottery game announced in this notice.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 24-140. Filed for public inspection February 2, 2024, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### State Transportation Advisory Committee Meeting

The State Transportation Advisory Committee will hold a meeting on Monday, February 5, 2024, from 10 a.m. to 12 p.m. This meeting will be held in the Keystone Building, 8N1, 400 North Street, Harrisburg, PA and by

means of Microsoft Teams. The meeting information including the agenda is available at <https://bit.ly/4azhr31>.

Individuals may join the meeting remotely at [https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F%23%2F1%2Fmeetup-join%2F19%3Ameeting\\_NTlkNjhjMWQtMzI2Ni00ZDZkLThiYjctMjY1MWU4ZTMxNDRm%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%2522418e2841-0128-4dd5-9b6c-47fc5a9a1bde%2522%252c%25220id%2522%253a%25225254d3e7-0194-4a47-999f-79cb74a9b0ae%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=43d83505-9d5a-49f3-9f36-733d0383ad4c&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F%23%2F1%2Fmeetup-join%2F19%3Ameeting_NTlkNjhjMWQtMzI2Ni00ZDZkLThiYjctMjY1MWU4ZTMxNDRm%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%2522418e2841-0128-4dd5-9b6c-47fc5a9a1bde%2522%252c%25220id%2522%253a%25225254d3e7-0194-4a47-999f-79cb74a9b0ae%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=43d83505-9d5a-49f3-9f36-733d0383ad4c&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true). The meeting ID is 264 035 955 566. The passcode is ZCmca6.

To download Microsoft Teams, go to <https://www.microsoft.com/en-us/microsoft-teams/download-app>. To join on the web, go to <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting?rtc=1>.

To call into the meeting, dial (267) 332-8737 and enter 87154170# as the conference ID. To find a local number, go to <https://dialin.teams.microsoft.com/783683fb-6d69-4e8b-aa52-814e500ad7b8?id=87154170>. To reset the PIN number, go to <https://dialin.teams.microsoft.com/usp/voicemail>.

For more information, contact the Office of the State Transportation Commission, (717) 787-2913, RA-PennDOTSTC@pa.gov.

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 24-141. Filed for public inspection February 2, 2024, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-571	Environmental Quality Board Water Quality Standards—Site-Specific Water Quality Criteria 53 Pa.B. 6854 (November 4, 2023)	12/19/23	1/18/24

### Environmental Quality Board Regulation # 7-571 (IRRC # 3384)

### Water Quality Standards—Site-Specific Water Quality Criteria

January 18, 2024

We submit for your consideration the following comments on the proposed rulemaking published in the November 4, 2023 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

### 1. Clarity; Implementation Procedures; and Possible conflict with or duplication of statutes or existing regulations.

The United States Environmental Protection Agency (EPA) has submitted comments on the proposed rule-making. The comments:

- State that the Department is proposing to revise 25 Pa. Code Section 93.8d(a)(1) in such a way as to limit the development of site-specific water quality criteria to just aquatic life criteria and asks the Department to indicate whether site-specific human health criteria can be developed under Section 93.8d(a)(1) or some other authority. It further notes that site-specific methylmer-

cury criteria for Ebaugh Creek is developed for the protection of human health;

- Ask the Department, regarding Section 93.8d(c)(3), to consider adding clarification that new or updated site-specific criteria for aluminum in freshwater systems may be developed using the multiple linear regression consistent with the EPA's Final Aquatic Life Ambient Water Quality Criteria for Aluminum 2018 (EPA-822-R18-001); and

- Ask the Department, regarding proposed Section 93.8d(c)(5)(c.3), to provide information on how it intends to meet the public participation requirements of federal regulation at 40 CFR Section 131.20(b) and 40 CFR Part 25.

In the Regulatory Analysis Form submitted with the proposed rulemaking, the EQB states the following: "These proposed amendments are critical to ensuring the Department receives the information necessary to determine if site-specific water quality criteria are applicable, to develop site-specific water quality criteria recommendations that are protective of surface water uses, and to incorporate the site-specific criteria into the Commonwealth's water quality standards." Since the site-specific criteria are not effective under the Clean Water Act until approved by the EPA, it is important that the EQB work with the EPA to ensure that the issues raised above are adequately addressed in the final-form rulemaking. We ask the EQB to review the concerns raised above and to amend the rulemaking or provide further explanation on implementation procedures to ensure compliance with EPA requirements.

**2. Section 93.8d. Development of site-specific water quality criteria.—Clarity; Reasonableness of requirements; and Implementation procedures.**

Subsection (a) provides that the Department will consider a request for site-specific criteria when certain conditions apply. Subsection (a) is being amended to clarify that the Department may develop site-specific criteria on its own initiative under those same conditions.

The Preamble states that the proposed amendments in § 93.8d(a) are intended to clarify when site-specific water quality criteria may be requested. It concludes that "no significant changes were made to this existing regulation." Subsection (a) is being amended to clarify that two paths are available in the development of site-specific water quality criteria. Those two paths are applicant requests and those developed by the Department on its own initiative. The responses to several RAF questions appear to address only the applicant requests for site-

specific criteria. Neither the Preamble nor the RAF discusses situations where the Department may develop site-specific criteria on its own initiative.

Additionally, the Preamble does not provide a description of or the need for proposed subsection (c.2). Subsection (c.2) states that the Department will incorporate approved site-specific criteria into this chapter and maintain a publicly available table of EPA-approved site-specific criteria. This language seemingly replaces § 93.8d(f)(4) which currently requires the Department, if it determines that site-specific criteria are appropriate, to prepare a recommendation to the EQB in the form of proposed rulemaking, incorporating that criterion for the water body segment. The Preamble states that:

"Once a site-specific water quality criterion is developed and publicly noticed for comment, the Department will prepare a rulemaking for the adoption of the new criterion into Chapter 93. All water quality criteria will be developed through rulemaking and the appropriate rulemaking processes, consistent with the Commonwealth's laws.

Site-specific water quality criteria are used to develop effluent limitations in permits. Given the need for timely permit development, the Department intends to explore all options available for expediting rule-making procedures to promulgate site-specific water quality criteria while maintaining robust public participation. Although 93.8d(f)(4) is proposed for deletion, the obligation remains to promulgate site-specific criteria as regulations." Emphasis added.

While we acknowledge the Department's efforts regarding permit development, it is unclear why § 93.8d(f)(4) is being deleted before any options to expedite the rule-making process have been explored. In the Preamble and RAF submitted with the final-form rulemaking, the Department should provide a more detailed description of the language proposed for each section of the regulation and why the language is required. It should also review responses to RAF questions and include, where appropriate, information pertaining to all key elements of the rulemaking such as Department-initiated development of site-specific criteria.

GEORGE D. BEDWICK,  
Chairperson

[Pa.B. Doc. No. 24-142. Filed for public inspection February 2, 2024, 9:00 a.m.]

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**Notice of Filing of Final Rulemaking**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-4953	State Board of Medicine Registration of Naturopathic Doctors	01/18/24	03/21/24

GEORGE D. BEDWICK,  
Chairperson

[Pa.B. Doc. No. 24-143. Filed for public inspection February 2, 2024, 9:00 a.m.]



## INSURANCE DEPARTMENT

### Agency Contract Termination of Ott & Associates I, LLC, c/o Gregory C. Ott; Foremost Signature; Doc. No. AT23-11-014

Ott & Associates I, LLC, c/o Gregory C. Ott, has requested review of an agency contract termination by Foremost Signature under sections 1—6 of the act of September 22, 1978 (P.L. 763, No. 143) (40 P.S. §§ 241—246).

A pre-review telephone conference initiated by this office is scheduled for February 21, 2024, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before February 20, 2024. A date for a review shall be determined, if necessary, at the pre-review conference.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before February 7, 2024. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before February 20, 2024.

Persons with a disability who wish to attend the previously referenced administrative proceedings and require an auxiliary aid, service or other accommodation to participate in the review, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-144. Filed for public inspection February 2, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Surplus Lines Agents and Interested Parties; Export List of Insurance Coverages

In July 2023, the Insurance Commissioner (Commissioner) determined that certain insurance coverages were generally unavailable in the authorized market and declared those coverages as exportable. A list of exportable coverages was published at 53 Pa.B. 3805 (July 15, 2023). Accordingly, for those insurance coverages that are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

The Commissioner declared that the export list would remain in effect until revised or superseded by a subsequent list.

The Commissioner is soliciting comments regarding the current export list. Individuals may request in writing that a coverage be added or removed from the list.

Persons wishing to comment on the Commissioner's current export list are invited to submit a written statement within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements must be

e-mailed to Lori Rumpf at lrumpf@pa.gov. After consideration of all comments received, the Commissioner will publish a notice in the *Pennsylvania Bulletin* providing a 15-day opportunity to comment on any proposed changes before formal publication of the revised list.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-145. Filed for public inspection February 2, 2024, 9:00 a.m.]

## PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

### Publication of Increase of 911 Surcharge Rate

In accordance with section 102-K of The Fiscal Code (72 P.S. § 102-K), the 911 surcharge rates under 35 Pa.C.S. § 5306.2(a) (relating to uniform 911 surcharge) are as follows:

(a) Rates.

(1) Before March 1, 2024, the surcharge under 35 Pa.C.S. § 5306.2(a) will be \$1.65.

(2) After February 29, 2024, and before February 1, 2026, the surcharge under 35 Pa.C.S. § 5306.2(a) will be \$1.95.

DAVID (RANDY) PADFIELD,  
*Director*

[Pa.B. Doc. No. 24-146. Filed for public inspection February 2, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Cancellation of Certificates of Public Convenience for Motor Carriers; Failure to Maintain Evidence of Insurance

Public Meeting held  
January 18, 2024

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

*Cancellation of Certificates of Public Convenience for Motor Carriers; Failure to Maintain Evidence of Insurance; M-2024-3045178*

#### Tentative Order

*By the Commission:*

Pursuant to Section 512 of the Public Utility Code (Code), 66 Pa.C.S. § 512, the Pennsylvania Public Utility Commission (Commission) is authorized to prescribe appropriate insurance requirements for motor carriers. Section 512 of the Code provides, in relevant part:

The commission may, as to motor carriers, prescribe, by regulation or order, such requirements as it may deem necessary for the protection of persons or property of their patrons and the public, including the filing of surety bonds, the carrying of insurance, or the qualifications and conditions under which such carriers may act as self-insurers with respect to such

matters. All motor carriers of passengers . . . shall cover each and every vehicle, transporting such passengers, with a public liability insurance policy or a surety bond issued by an insurance carrier, or a bonding company authorized to do business in this Commonwealth, in such amounts as the commission may prescribe. . .

66 Pa.C.S. § 512.

Consistent with this broad statutory charge, the Commission has promulgated regulations governing motor carrier insurance requirements at Chapter 32 of title 52 Pa. Code.<sup>1</sup> Those regulations provide, inter alia, that a motor carrier may not operate, and a certificate of public convenience will not be issued or remain in force, until there has been filed with and approved by the Commission a certificate of insurance by an insurer authorized to do business in Pennsylvania for the payment of claims resulting from the operation, maintenance, or use of a motor vehicle in the carrier's authorized service. See 52 Pa. Code §§ 32.11, 32.12. The certificate of insurance, commonly known as a Form E, is in a form prescribed and approved by the Commission and provides protection for bodily injury, death, or property damage. 52 Pa. Code § 32.2(a). Additionally, the Commission regulations require that certain carriers maintain evidence of cargo insurance via a certificate of insurance commonly known as a Form H. Further, the Commission's regulations require that evidence of insurance be maintained at all times with the Commission to ensure the protection of the public:

(h) *Compliance.* Failure to maintain evidence of insurance on file with the Commission in accordance with this chapter shall cause the immediate suspension of the rights and privileges conferred by a certificate of public convenience or permit held by the motor carrier. The Commission may establish rules under which suspended rights and privileges may be temporarily reinstated pending compliance with this chapter.

52 Pa. Code § 32.2(h).

The Commission has been notified that the motor carriers listed in Appendix A, attached hereto, no longer have acceptable evidence of insurance on file with the Commission. As such, the Commission sent all carriers a letter notifying them that their operating authority was suspended. Since the date of the suspensions, these motor carriers have failed to cure the deficiency and maintain acceptable evidence of insurance with the Commission, notwithstanding notification by the Commission of the suspension and the necessity to provide acceptable evidence of insurance.

Under these circumstances, we tentatively conclude that the motor carriers listed in Appendix A are not in compliance with the insurance requirements of 66 Pa.C.S. § 512 and our regulations at 52 Pa. Code Chapter 32. As such, it is appropriate to initiate the process to cancel their certificates of public convenience as being in the public interest; *Therefore,*

<sup>1</sup> 52 Pa. Code §§ 32.11–32.16.

*It Is Ordered That:*

1. Cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A is hereby tentatively approved as being in the public interest.

2. The Secretary's Bureau shall publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.

3. The Secretary shall serve a copy of this Tentative Order upon all motor carriers listed in Appendix A.

4. The Secretary shall file this Tentative Order at each motor carrier's assigned docket number.

5. To the extent that any of the motor carriers listed on Appendix A challenge cancellation of their Certificates of Public Convenience, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Comments shall be sent to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.

6. Alternatively, acceptable evidence of insurance may be filed with the Commission on behalf of the motor carriers listed in Appendix A, within thirty (30) days after publication of this order in the *Pennsylvania Bulletin*.

Motor carriers listed in Appendix A who desire to continue operations should immediately contact their insurance agents to secure compliance with Commission insurance requirements. It is the motor carrier's responsibility to ensure compliance. Motor carriers can verify their insurance status at our Web Site at <https://www.puc.pa.gov/search/utility-authority-search/>.

Additionally, motor carriers may call our insurance hotline at (717)-787-1227 for more information.

7. Absent the timely filing of comments challenging the cancellation of the Certificate of Public Convenience or the timely filing of acceptable evidence of insurance, the Bureau of Technical Utility Services shall prepare a Secretarial Letter for issuance by the Secretary's Bureau canceling the carrier's applicable Certificate of Public Convenience. The Secretarial Letter shall direct the Department of Transportation to suspend the carrier's vehicle registration(s) consistent with 75 Pa.C.S. § 1375.

8. Upon issuance of the Secretarial Letter described in Ordering Paragraph No. 7 above, the applicable Certificate of Public Convenience of each non-compliant carrier shall be cancelled.

9. The Secretary serve a copy of the Secretarial Letter upon the Commission's Bureau of Investigation and Enforcement, Bureau of Technical Utility Services, Bureau of Administration, the Pennsylvania Department of Revenue—Bureau of Corporation Taxes, and the Pennsylvania Department of Transportation.

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: January 18, 2024

ORDER ENTERED: January 18, 2024

## Appendix A

## Carriers Without Acceptable Evidence of Insurance

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authorities</i>	<i>Insurance Type Not on File</i>
6221492	KENSINGTON CAPITAL GROUP, LLC	Paratransit	Liability
6318662	CANYON COUNTRY ELITE TRANSPORTATION SERVICES, INC.	GP11—15	Liability
633450	DEMETRIOS J. HERRON	Limousine	Liability
6410812	R & R TRANSIT, INC.	Paratransit	Liability
6414067	ROVER COMMUNITY TRANSPORTATION, INC.	Paratransit	Liability
641429	STAR LIMOUSINE, LLC	Limousine	Liability
641464	NAZARETH AMBULANCE CORPS	Paratransit	Liability
641562	CITY LIMO-TAXI, INC.	Limousine	Liability
641646	TAYLOR, STEPHEN & SONBERGER, JAMES	Limousine	Liability
6418791	YES LIMOUSINE, LLC	Limousine, GP11—15, GP16+	Liability
6420076	G & B's TOUR, LLC	GP16+	Liability
6420133	MED CONNECT, INC.	Paratransit	Liability
6420709	HEARTLAND MEDICAL TRANSPORTATION, INC.	Paratransit	Liability
6421582	HARVEY VAN SERVICE, LLC	Paratransit	Liability
6421583	LMC LIMOUSINE & TRANSPORTATION SERVICES, INC.	Limousine	Liability
6422120	NILE TRANSPORTATION, LLC	Paratransit	Liability
6422424	LIMOMAN416, LLC	Limousine	Liability
6422524	BUCKS MEDICAL TRANSPORTATION, INC.	Paratransit	Liability
6422866	ROGERS TRANSPORTATION, LLC	GP16+	Liability
6423078	GOLDEN YEARS TRANSPORTATION, LLC	Paratransit	Liability
6424915	EXPEDITED RESPONSE TRANSPORTATION COMPANY	Paratransit	Liability
6425344	TRANSIT-PA, LLC	Paratransit	Liability
6425667	SNOW WHITE TOURS AND TRAVEL, LLC	Group and Party 16 or Greater	Liability
648050	WERTZ MOTOR COACHES, INC.	Scheduled Route, GP16+	Liability
700253	LJF, INC.	Truck	Liability
700911	U.S. BULK TRANSPORT, INC.	Truck	Liability, Cargo
704614	STEVEN L. KREAMER	Truck	Liability, Cargo
704758	C & S LAWN AND LANDSCAPE, INC.	Truck	Cargo
706399	ERNEST D. ROSS, JR.	Truck	Liability
706851	RONALD LEE CLAAR	Truck	Cargo
707240	WOODY'S TRANSPORT, LLC	Truck	Cargo
707286	HAWK TRANSPORT & COURIER SERVICE, LLC	Truck	Liability
707398	FLEMING AND SON'S TRUCKING, LLC	Truck	Liability
707642	KEL & KI HOME DELIVERIES, LLC	Truck	Liability
707737	KLAPEC EXPRESS, INC.	Truck	Liability, Cargo
707758	WESLEY D. CLAAR	Truck	Cargo
708868	LARRY E. DIVEN	Truck	Liability, Cargo
725921	ROBERT B. CELLITTI MOVING & STORAGE, INC.	HHG, Truck	Liability, Cargo
827140	RAPID TRANSIT, CO.	Truck	Liability, Cargo
837600	SAUERS, WARREN C., CO., INC.	Truck	Liability, Cargo

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authorities</i>	<i>Insurance Type Not on File</i>
839970	ROBERT P. SCOTT PROFESSIONAL MOVING VAN SERVICE CO., INC.	Truck	Liability
840690	DANIEL SENSENIG	Truck	Liability
8910977	UNION PETROLEUM COMPANY	Truck	Liability, Cargo
8911301	FEATHER BROS TRANSPORT, LLC	Truck	Cargo
8911412	BARTHEL TRUCKING, LLC	Truck	Liability, Cargo
8912534	G & G AUTO WRECKING CO., INC.	Truck	Liability, Cargo
8913147	R N MOYER HAULING, LLC	Truck	Liability
8914206	MICHAEL L. HITZ	Truck	Cargo
8915270	HARVEST EXPRESS, INC.	Truck	Cargo
8916149	NITTANY TRANSPORT, INC.	Truck	Liability, Cargo
8916184	HR TRUCKING, LLC	Truck	Cargo
891636	TIPTON TRUCKING, CO.	Truck	Liability
8916433	MICHAEL J. KAY	Truck	Liability, Cargo
8916667	WG LOGISTICS, LLC	Truck	Liability
8916730	BENNER TRUCKING, LLC	Truck	Cargo
8917047	LEHIGH GORGE TRANSPORT, LLC	Truck	Liability
8917058	CROSSVALLEY TRANSPORT, LLC	Truck	Cargo
8917493	TYLER TRANSPORT SOLUTIONS, LLC	Truck	Liability
8917635	MIZU CONTRACTING, LLC	Truck	Liability
8917870	QUANDEL INCRETE SYSTEMS, INC.	Truck	Liability
8917914	PCS BULK TRANSPORT, LLC	Truck	Liability, Cargo
8918153	JOSE A. MARRERO	Truck	Liability, Cargo
8918567	CNT TRANSPORT, LLC	Truck	Liability, Cargo
8918596	J. PHILLIPS EXCAVATING & HAULING, LLC	Truck	Liability
8918719	LIMITED BREAK, LLC	Truck	Liability
8918858	RITTER TRANSPORT, LLC	Truck	Liability, Cargo
8919159	AM TRUCK ENTERPRISES, LLC	Truck	Liability, Cargo
8919768	NIGHT SHIFT TRUCKING, LLC	Truck	Liability, Cargo
8920199	ROSANELLI TRUCKING, LLC	Truck	Liability, Cargo
8920283	PRIORITY MANAGEMENT & ASSOCIATES, INC.	Truck	Cargo
8920498	LAPP TRANSPORT, LLC	Truck	Liability
8920705	N. STANLEY PAVING, INC.	Truck	Liability
8921026	ROCKING SWAN TRANSPORTATION, LLC	Truck	Liability, Cargo
8921173	BULLDOG TRUCKING, LLC	Truck	Liability, Cargo
8921323	ROBERT WOOD TRUCKING LIMITED LIABILITY COMPANY	Truck	Cargo
8921408	BOOM BANG DONE TRUCKING, LLC	Truck	Liability
8921558	RAZA NATIONAL, INC.	Truck	Liability, Cargo
8922018	WAYFORTH TRANSPORTATION, LLC	Household Goods Carrier	Liability
8922106	BURKHOLDER TRANSPORT, LLC	Truck	Liability, Cargo
8922186	QUANDEL CONCRETE, INC.	Truck	Cargo
8922736	MARK T. BOYLE 570, LLC	Truck	Liability, Cargo
8922759	HAWBAKER FARMS, LLC	Truck	Liability, Cargo
8922828	NIGHT OWL XPRESS, LLC	Truck	Liability, Cargo
8922838	GUERS TOPSOIL AND MULCH PRODUCTS, LLC	Truck	Cargo
8922849	FINE LINE TRANSPORT, LLC	Truck	Liability, Cargo

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authorities</i>	<i>Insurance Type Not on File</i>
8922984	SACRED TRANSPORTATION, LLC	Truck	Liability, Cargo
8923036	DADS TRANSPORT, LLC	Truck	Liability, Cargo
8923160	MANIGAULT MOVEMENT, LLC	Truck	Liability, Cargo
8923177	INTEGRITY1 TRANSPORT, LLC	Truck	Liability, Cargo
8923345	UNDERDOG TRUCKING, LLC	Truck	Liability, Cargo
8923414	WEST NESHANNOCK ENTERPRISES, LLC	Truck	Liability, Cargo
8923498	SALINA TRUCKING, INC.	Truck	Liability, Cargo
8923548	BRUMFIELD TRUCKING, LLC	Truck	Cargo
8923568	CLARK BURGESS TRUCKING, LLC	Truck	Liability, Cargo
8923575	M-K RECYCLING, LLC	Truck	Liability
8923599	LEITZEL LOGISTICS COMPANY	Truck	Liability, Cargo
8923779	SAPKOS TRUCKING, LLC	Truck	Liability, Cargo
8924391	DENNIS RITCHEY	Truck	Liability, Cargo
8924397	DAVID CUMMINGS	Truck	Liability
8924409	ADL CONTRACTING, LLC	Truck	Liability
8924523	LAMPARTER PROPERTIES, LLC	Truck	Liability, Cargo
8924553	JTL TRANSPORT, LLC	Truck	Liability, Cargo
8924684	ARTICEXPRESS, INC.	Truck	Liability, Cargo
8924911	MEE TRUCKING, LLC	Truck	Liability, Cargo
8925323	JAMES NISSLEY TRUCKING, LLC	Truck	Liability
8925503	CARDINAL GRACE, LLC	Truck	Liability, Cargo
8925513	PINKYS HEAVY TRUCK & AUTO REPAIR, INC.	Truck	Liability, Cargo
8925534	TIMOTHY R. FORKAL	Truck	Liability, Cargo
8925542	KEIRA'S TRUCKING, LLC	Truck	Liability, Cargo
8925570	IVAN WENGER	Truck	Liability, Cargo
8925616	WIN, LLC	Truck	Cargo
8925658	HALL & SHEPHERD TRUCKING, LLC	Truck	Liability, Cargo
8925675	J. MILLS TRUCKING, LLC	Truck	Liability, Cargo
8925719	SCHUMACHER ENTERPRISES, LLC	Truck	Liability, Cargo
8926004	NORTH COUNTRY UNLIMITED, INC.	Truck	Liability
8926055	H & K FAMILY TRANSPORT, LLC	Truck	Liability, Cargo
8926078	PENSAK TRANS & LOGISTICS, LLC	Truck	Liability, Cargo
8926079	KELLY LOGISTICS, LLC	Truck	Cargo
8926113	QUICK MOVES ASSEMBLY, LLC	Truck	Liability, Cargo
8926150	KING'S TRUCKING, LLC	Truck	Liability, Cargo
8926175	ENJ MATERIALS, LLC	Truck	Liability, Cargo
8926235	KYSA TRUCKING, LLC	Truck	Liability, Cargo
8926272	MCSHARON LOGISTICS, LLC	Truck	Liability
8926285	IVOIRE EXPRESS, LLC	Truck	Liability, Cargo
8926309	PODEX EXPRESS, LLC	Truck	Liability
8926318	FYT ENTERPRISES, INC.	Truck	Liability, Cargo
8926353	ALLSTAR NETWORK SERVICES, LLC	Truck	Liability, Cargo
8926483	LETXIEL LOGISTICS, LLC	Truck	Liability, Cargo
8926697	MORRELL LOGISTICS, LLC, D/B/A UP & UP TRUCKING	Truck	Liability, Cargo

[Pa.B. Doc. No. 24-147. Filed for public inspection February 2, 2024, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**

**Electric Generation Supplier License Cancellation  
of Companies with an Expired Financial Security,  
Insufficient Financial Security Amount or  
Language**

Public Meeting held  
January 18, 2024

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

*Electric Generation Supplier License Cancellation of  
Companies with an Expired Financial Security,  
Insufficient Financial Security Amount or Language;  
M-2023-3037455*

**Tentative Order**

*By the Commission:*

The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a

bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS’s current security expiration date. Each financial instrument must be an original document that displays a “wet” signature or digital signature, preferably in blue ink, and displays a “raised seal” or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS’s license issued by the Commission.

Failure to file before the financial security’s expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company’s electric supplier license, removal of each company’s information from the Commission’s website, and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of January 9, 2024, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

*Supplier Table—List of Electric Generation Suppliers*

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2010-2203946	ASPEN ENERGY CORPORATION	01/02/2024	Yes
A-2015-2497850*	MPOWER ENERGY NJ, LLC	12/31/2023	No
A-2021-3029728*	SPARTACUS ENERGY SERVICES, LLC	12/20/2023	No
A-2020-3016555	US ENERGY LINK, LLC	12/23/2023	Yes

As part of its EGS license validation procedures, the Commission’s Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to each entity’s security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest;

*Therefore,*

*It Is Ordered That:*

1. Cancellation of the Electric Generation Supplier License of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier’s assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2023-3037455 must be eFiled to the Pennsylvania Public Utility Commission through the Commission’s eFiling System. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission’s website at [http://www.puc.pa.gov/filing\\_resources.aspx](http://www.puc.pa.gov/filing_resources.aspx). Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov) rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a “wet” signature or digital signature, preferably in blue ink, and displaying a “raised seal” or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier’s license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) will be stricken from all active utility lists maintained by the Commission’s Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission’s website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: January 18, 2024

ORDER ENTERED: January 18, 2024

[Pa.B. Doc. No. 24-148. Filed for public inspection February 2, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. PPL Electric  
Utilities Corporation**

Public Meeting held  
January 18, 2024

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

*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. PPL Electric Utilities  
Corporation; M-2023-3038060*

### Opinion and Order

*By the Commission:*

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the proposed Joint Petition for Approval of Settlement (Settlement, Settlement Agreement, or Petition) filed on November 21, 2023, by the Commission’s Bureau of Investigation and Enforcement (I&E) and PPL Electric Utilities Corporation (PPL or the Company) (collectively, the Parties), with respect to an informal investigation conducted by I&E. The Parties each filed Statements in Support of the Settlement and submit the proposed Settlement is in the public interest and consistent with the standards delineated in the Commission’s Policy Statement at 52 Pa. Code § 69.1201, Factors and Standards for Evaluating Litigated and Settled Proceeding Involving Violations of the Public Utility Code and Commission Regulations. Petition at 17.

Prior to issuing a final decision on the merits of the proposed Settlement, and consistent with the requirement imposed in 52 Pa. Code § 3.113(b)(3), we shall publish the Settlement in the *Pennsylvania Bulletin* and provide an opportunity for interested parties to file comments regarding the proposed Settlement.

#### *History of the Proceeding*

This matter arises from billing system malfunctions caused by technical issues. Petition at 3. These issues temporarily rendered customer meter data unavailable in the Company’s system, resulting in the promulgation of unusually high or low estimated bills, or no bills at all. Id. The billing issues were exacerbated by the lack of adequate customer support available via phone to discuss billing concerns with customers. Id.

The matter was referred to I&E by the Commission’s Bureau of Consumer Services (BCS) on January 31, 2023. Petition at 2. I&E determined an investigation was necessary to determine whether the events and actions taken by PPL violated any regulations, laws, or orders the Commission has jurisdiction over. Id. at 3.

Thereafter, the Parties entered negotiations and agreed to resolve the matter in accordance with the Commission’s policy to promote settlements at 52 Pa. Code § 5.231(a). Id. at 11. As mentioned supra, the Parties filed the instant Settlement on November 21, 2023.

#### *Background*

On January 21, 2023, BCS referred this matter, regarding PPL’s system-wide billing issue, to I&E. Petition at 2-3. Thereafter, I&E sent correspondence and data requests to PPL concerning the billing issue.

On February 21, 2023, PPL submitted its responses to I&E Data Requests—Set I. In its responses, PPL revealed that on December 15, 2022, PPL discovered that customer meter data was not transferring from the Meter Data Management Software (MDMS) to the Customer Service System (CSS). Petition at 4. The inability to transfer the data impeded normal customer billing operations and resulted in PPL sending customers estimated December 2022 bills. Id. When PPL transitioned back to actual data, human error caused additional incorrect bills to be issued while some customers did not receive a bill. Id.

After additional data requests and responses were exchanged, on April 27, 2023, I&E and PPL personnel met in person to discuss the informal investigation. Petition at 5.

The Petition states that had the matter been fully litigated, I&E would have proffered evidence and legal arguments to demonstrate that PPL committed violations of the Code and the Commission's Regulations related to customer billing stemming from the failure of PPL's MDMS to transfer customer meter data to other software platforms, including PPL's CSS. Petition at 5. Specifically, the alleged violations relate to the following issues: (1) No Bills; (2) Estimated Billing; (3) Billing Group 12; and (4) Customer Service—Abandoned Calls. Id. at 5—11.

First, as a result of the MDMS failure, 48,168 PPL accounts did not receive a bill during one or more of their billing periods from December 2022 through April 2023. Petition at 5. As of May 5, 2023, 223 accounts had yet to receive their first bill since being first impacted by the MDMS failure over five (5) months earlier in December 2022. Id. From December 2022 to April 2023, 91,676 unique accounts received no bills. Id. The Petition draws a comparison between the December 2022—April 2023 matter and the January and November 2022 matter where the average number of accounts that received no bills was 568 per month or approximately 6,248 total accounts. Id.

The Petition makes clear that it is I&E's position that PPL violated 52 Pa. Code § 56.11 of the Commission's Regulations when residential customers did not receive at least one of their monthly bills between December 2022 and April 2023. Petition at 6. Furthermore, I&E contends that 66 Pa.C.S. § 1501, relating to character of service and facilities, does not dictate that a utility must provide perfect service to its customers, by PPL's failure to render bills to 48,168 accounts and to 91,676 unique accounts from December 2022 and April 2023, PPL violated Section 1501 by failing to provide the impacted customers with adequate, efficient, and reasonable service. Id. at 6-7.

Next, the Petition states that as a result of the MDMS failure, PPL issued estimated bills to 794,816 unique accounts from December 20, 2022, to January 9, 2023, and a total of 860,493 estimated bills from December 20, 2022, through May 5, 2023. Petition at 7. PPL indicated that many of these estimated bills were unusually high or low or contained missing or incomplete supplier charges. Id.

It is I&E's position that PPL violated 52 Pa. Code § 56.12 and 66 Pa.C.S. § 1501 by issuing the estimated bills. Petition at 7. The Petition states that it is I&E's position that when a utility resorts to sending estimated bills to customers, those estimates should be within an anticipated range of normalcy such that they are not wildly over or under-estimated. Id. at 8. The Petition explains that PPL analyzed 387,895 bills that were estimated in January 2023 as a result of the MDMS issue. Id. The analysis concluded that 67.31% (261,104 customers) of the bills had an estimate differing from the customers' actual usage of 10% or greater. Id. Of the 67.31%, 34.36% were shown to have an estimate that varied from actual usage by more than 25%. Id. Moreover, nearly 48,000 customer bills were based on an estimate differing from actual usage by more than 50%. Id. I&E submits that the billing difference exceeding 50% to 47,904 customers is unreasonable and therefore, PPL failed to provide these customers with reasonable service. Id.

In addition to the estimated billing issue, PPL discovered that 82,784 customer bills did not include any supplier charges or included, at most, only partial supplier charges resulting in severely inaccurate bills. Petition at 9. After the discovery, and in an attempt to correct

the bills, PPL began cancelling the estimated bills and rebilling the accounts in order to correct the supplier charges portion of the bill. Id. In some instances, customers were asked to or voluntarily paid the estimated bills at the same time PPL began cancelling and rebilling some customers. Id. The process took months to resolve. Id. It is I&E's position that by rendering estimated bills with missing or incomplete supplier charges to 82,784 customers PPL violated Section 1501 of the Code by failing to provide adequate, efficient, and reasonable service to those customers. Id.

In the Petition, it was explained that when PPL attempted to resume billing customers based on actual data, there was an issue processing Billing Group 12 which caused 3,805 customers to be sent incorrect bills. Petition at 9. I&E submits that by issuing the incorrect bills, PPL failed to provide these customers with reasonable service in violation of 66 Pa.C.S. § 1501. Id. at 10.

Finally, the Petition stated that due to the billing issues, PPL experienced an increase in call volume from customers seeking explanations for their higher-than-normal bills. Petition at 10. The unanticipated influx of inbound calls by affected customers overwhelmed PPL's customer service support which resulted in customers experiencing long wait times on hold or hanging up before reaching a representative. Id. To illustrate the matter, the Petition stated that in January 2023, PPL received 217,539 calls, 89,315 (or 41%) of which were abandoned compared to an abandoned rate of less than 20% on average in 2022. Id.

It is I&E's position that although Section 1501 of the Code does not dictate that a utility must provide perfect service to its customers, by abandoning 41% of the calls that it received in January 2023, and by not handling calls from its customers within a reasonable period of time, PPL failed to provide these customers with adequate, efficient, and reasonable service in violation of Section 1501. Petition at 10.

#### *Terms and Conditions of the Settlement*

The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations that are the subject of the I&E informal investigation and avoids the time and expense of litigation. Both Parties jointly acknowledge that approval of the Settlement Agreement is in the public interest and is fully consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201. Petition at 15.

The Settlement consists of the Joint Petition for Approval of Settlement containing the terms and conditions of the Settlement including three Attachments, the Statement in Support of the Settlement of I&E (Appendix A to the Petition), the Statement in Support of the Settlement of PPL (Appendix B to the Petition), and an Accompanying Document of Remedial Measures (Appendix C to the Petition), filed on November 21, 2023.

Pages 11—15 of the Settlement Agreement set forth the full Settlement Terms and Conditions.

The essential terms of the Joint Settlement are set forth in Paragraph Nos. 38—41 of the Petition, which is recited in full, below, as it appears in the Petition:

38. Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest, the Parties held an in-person meeting and multiple discussions that culminated in this Settlement. I&E and PPL desire to (1) terminate I&E's informal investigation; and (2) settle this matter



completely without litigation. The Parties recognize that this is a disputed matter and given the inherent unpredictability of the outcome of a contested proceeding, the Parties further recognize the benefits of amicably resolving the disputed issues. The terms of the Settlement, for which the Parties seek Commission approval, are set forth below:

1) PPL shall pay a civil penalty of One Million Dollars (\$1,000,000) to fully and finally resolve all possible claims of alleged violations of the Public Utility Code and the Commission's regulations in connection with the above alleged violations. Said payment shall be made within thirty (30) days of the date of the Commission's Final Order approving the Settlement Agreement and shall be made by certified check or money order payable to the "Commonwealth of Pennsylvania" and sent to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 Commonwealth Keystone Building  
 400 North Street  
 Harrisburg, PA 17120

The civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f) or passed through as an additional charge to PPL's customers in Pennsylvania.

2) PPL has voluntarily taken several notification and corrective actions in response to the billing issues:

(1) PPL provided information to BCS of the billing issues it was experiencing due to the MDMS-CSS meter data transfer failure;

(2) Additionally, PPL provided periodic updates to the Office of Consumer Advocate, Office of the Small Business Advocate, and the Pennsylvania Utility Law Project;

(3) After identifying the impacted accounts, PPL conducted outreach to all of the affected customers;

(4) These outreach efforts included the following:

(a) Starting December 18, 2022, PPL customer service representatives were provided with talking points to answer customer questions about the estimated bills;

(b) On January 31, 2023, PPL sent a letter via regular mail and e-mail to all customers from its then-President, Stephanie Raymond, explaining the estimated bills and higher energy prices. At this time, PPL also launched a dedicated landing page on its website to address bill questions, this messaging was updated regularly with content, including bill explainer videos, information on understanding higher energy costs, and direct access to assistance programs and bill support. The Company directed customers to this information from its social media channels, media relations, customer emails, and digital newsletters;

(c) Starting on February 10, 2023, the Company sent a letter to the first group of customers who would have their bills canceled and rebilled because the original bill did not include or only included partial supplier charges. This letter was sent to the subsequent groups of customers who would have their bills canceled and rebilled on February 16, 2023, March 18, 2023, and April 10, 2023;

(d) On February 23, 2023, the Company sent a letter to customers who had not received a bill since the beginning of the billing issue;

(e) Beginning in January 2023, PPL provided periodic updates to electric generation suppliers ("EGSSs") through the Company's Supplier Portal; and

(f) In March and April 2023, PPL held two customer outreach workshops in conjunction with local legislators to provide one on one support to senior citizens with bill questions.

(5) PPL provided BCS with regular updates and responded to inquiries on the billing issues and the Company's progress in resolving them;

(6) The Company instituted or is in the process of developing a series of practices and protocols to help prevent and insulate the technical issues with the MDMS-CSS data transfer that caused these issues, including:

(a) Revising back-office processes to reduce the number of no-bill and multi-primary bills;

(b) Evaluating the formula to calculate estimates to determine if improvements can be made to the estimation process;

(c) Creating internal daily control reports on estimated bills, multi-primary bills, and daily meter read rates and operational metrics;

(d) Developing work arounds to process meter data outside of MDMS when needed; and

(e) Enriching MDMS estimations for scenarios where meter data is missing to reduce the time period estimated.

(7) PPL on its own initiative did not terminate electric service for any customers for nonpayment from January 2023 through June 2023;

(8) PPL voluntarily waived all late payment fees for January and February 2023;

(9) PPL is owed but will not seek to collect approximately \$1.7 million from customers who received estimated bills and were underbilled due to the application of the incorrect rates in the bills that tried up the estimated billing periods;

(10) PPL refunded, through a one-time line-item credit, approximately \$1.0 million to customers who received estimated bills and were overbilled due to the application of the incorrect rates in the bills that tried up the estimated billing periods;

(11) PPL engaged external vendors, and incurred additional expense, to provide call center support, assist with customer complaints, help with back-office billing, and assist with customer communications in 2023; and

(12) PPL authorized significant overtime for employees to provide call center support in 2023.

3) PPL incurred significant costs when responding to the billing issues to help mitigate customer impacts, including, but not limited to: (1) experiencing approximately \$2.3 million loss of revenue from voluntarily waiving late fees; (2) incurring approximately \$7.8 million of additional bad debt expense arising out of the voluntary service termination moratorium; (3) forgoing collection of approximately \$1.7 million from customers who were underbilled in the estimation true-up process; (4) incurring an additional approximately \$3.7 million of unplanned costs in engaging external vendors; and (5) incurring approximately \$700,000 of unbudgeted employee overtime expense (totaling approximately \$16.2 million in miti-

gation costs). PPL agrees not to recover any of these mitigation costs from Pennsylvania consumers by any future proceeding, device, or manner whatsoever.

39. I&E expects that any make-up bills for previously unbilled utility service will be rendered in compliance with Section 56.14 of the Commission's regulations in order to provide the customer ratepayer a fair opportunity to pay the charges due. 52 Pa. Code § 56.14.

40. In consideration of the Company's payment of a monetary civil penalty of \$1,000,000, I&E agrees to forgo the filing of any formal complaint that relates to the Company's conduct as described in the Settlement Agreement. Nothing contained in this Settlement Agreement shall adversely affect the Commission's authority to receive and resolve any informal or formal complaints filed by any affected party with respect to the incident, except that no penalties beyond the civil penalty amount agreed to herein may be imposed by the Commission for any actions identified herein.

41. I&E and PPL jointly acknowledge that approval of this Settlement Agreement is in the public interest and is fully consistent with the Commission's Policy Statement for Litigated and Settled Proceedings Involving Violations of the Code and Commission Regulations, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations of billing procedure violations that were the subject of the I&E's informal investigation and it avoids the time and expense of litigation, which entails hearings and the preparation and filing of briefs, exceptions, reply exceptions, as well as possible appeals. Attached as Appendices A and B are Statements in Support submitted by I&E and PPL, respectively, setting forth the bases upon which the Parties believe the Settlement Agreement is in the public interest.

Settlement Agreement at ¶¶ 38—41 (internal citations omitted).

*Discussion*

Pursuant to our Regulations at 52 Pa. Code § 5.231, it is the Commission's policy to promote settlements. The Commission must, however, review proposed settlements to determine whether the terms are in the public interest. *Pa. PUC v. Philadelphia Gas Works*, Docket No. M-00031768 (Opinion and Order entered January 7, 2004).

In reviewing settlements that resolve informal investigations, the Commission will provide other potentially affected parties with the opportunity to file comments regarding a proposed settlement prior to issuing a decision. The Commission's Regulations at 52 Pa. Code § 3.113(b) provide as follows:

**§ 3.113. Resolution of informal investigations.**

\* \* \*

(b) Under 65 Pa.C.S. Chapter 7 (relating to Sunshine Act), the Commission's official actions resolving informal investigations will be as follows:

\* \* \*

(3) When the utility, or other person subject to the Commission's jurisdiction, has committed to undertake action to address or remedy a violation or

potential violation of the act or to resolve another perceived deficiency at the utility, in the form of a settlement with the Commission staff or other resolution of the matter, the Commission's consideration of the settlement or approval of the utility's action will occur at public meeting. Except for staff reports and other documents covered by a specific legal privilege, documents relied upon by the Commission in reaching its determination shall be made part of the public record. *Before the Commission makes a final decision to adopt the settlement or to approve the utility's action, the Commission will provide other potentially affected persons with the opportunity to submit exceptions thereon or to take other action provided for under law.*

52 Pa. Code § 3.113(b) (emphasis added). *See also, Pa. PUC, Bureau of Investigation and Enforcement v. PPL Electric Utilities Corporation*, Docket No. M-2012-2264635 (Opinion and Order entered September 13, 2012); *Pa. PUC, Bureau of Investigation and Enforcement v. Liberty Power Holdings, LLC*, Docket No. M-2019-2568471 (Opinion and Order entered August 8, 2019).

*Conclusion*

Before issuing a decision on the merits of the proposed Settlement, and consistent with the requirement of 52 Pa. Code § 3.113(b)(3), and for the reason(s) stated above, we believe it is appropriate to provide interested parties an opportunity to file comments on the proposed Settlement. Therefore, we will: (1) publish this Opinion and Order and a copy of the proposed Settlement (including Appendices) and Statements in Support, attached hereto, in the *Pennsylvania Bulletin*; and (2) provide an opportunity for interested parties to file comments regarding the proposed Settlement within twenty-five days of the date of publication in the *Pennsylvania Bulletin*; *Therefore,*

*It Is Ordered That:*

1. The Secretary's Bureau shall duly certify this Opinion and Order along with the attached Joint Petition for Approval of Settlement (including Appendices) and the Statements in Support thereof, at Docket No. M-2023-3038060, and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

2. Within twenty-five (25) days of the date that this Opinion and Order and the attached Joint Petition for Approval of Settlement (including Appendices) and the Statements in Support thereof are published in the *Pennsylvania Bulletin*, interested parties may file comments concerning the proposed Settlement.

3. A copy of this Opinion and Order, together with the attached Joint Petition for Approval of Settlement (including Appendices) and the Statements in Support thereof, at Docket No. M-2023-3038060, shall be served on the Office of Consumer Advocate and the Office of Small Business Advocate.

4. Subsequent to the Commission's review of any comments filed in this proceeding, at Docket No. M-2023-3038060, a final Opinion and Order will be issued by the Commission.

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: January 18, 2024

ORDER ENTERED: January 18, 2024



11. On March 28, 2023, I&E submitted I&E Data Requests—Set II to PPL, seeking responses to twenty (20) data requests.

12. On April 14, 2023, PPL submitted Responses to I&E Data Requests—Set II. PPL's responses provided further information regarding the root cause of the billing system failure, the human error resulting in incorrect bills in the work around process to return to billing residential accounts using actual meter data, the review of the Company's estimation algorithm, the process regarding bills with incomplete supplier charge data, the customers who did not receive bills and the Company's communications with those customers, and remedies initiated by the Company.

13. On April 14, 2023, PPL submitted Supplemental Responses to I&E Data Requests—Set I, updating the number of estimated bills issued, the customer impacts from issuing a large number of estimated bills from December 20, 2022, through January 24, 2023, the scenarios where it issued estimated bills and an expanded explanation of the process used to estimate usage for customers.

14. On April 27, 2023, I&E and PPL personnel met in person to discuss the informal investigation. At the in-person meeting, I&E submitted six data requests to PPL.

15. On May 5, 2023, I&E submitted I&E Data Requests—Set III to PPL, seeking responses to three additional data requests.

16. On May 19, 2023, PPL submitted Responses to I&E's Data Requests submitted to PPL personnel during the April 27, 2023, in-person meeting regarding estimated billing and call abandonment percentage comparisons, payment arrangement impacts, and supplier communications.

17. On May 25, 2023, PPL submitted Responses to I&E Data Requests—Set III. PPL's responses updated the number of "no bills," the status of billing customers who had yet to be billed.

### III. *Alleged Violations*

18. Had this matter been fully litigated, I&E would have proffered evidence and legal arguments to demonstrate that PPL committed violations of the Code and the Commission's regulations related to customer billing stemming from the failure of PPL's MDMS to transfer customer meter data to other software platforms, including PPL's CSS. The alleged violations are more specifically set forth as follows:

#### (A) *No Bills*

19. As a result of the MDMS failure, 48,168 PPL accounts received no bill during one or more of their December, January, February, March, or April 2023 billing periods. As of May 5, 2023, 223 accounts had yet to receive their first bill since being first impacted by the MDMS failure over 5 months earlier in December 2022. From December 2022 to April 2023, 91,676 unique accounts received no bills. By comparison, the average number of accounts that received no bills between January and November 2022 per month was 568.<sup>2</sup>

20. If proven, this is a violation of 52 Pa. Code § 56.12 and 66 Pa.C.S. § 1501. Section 56.11 of the Commission's regulations, 52 Pa. Code § 56.11, states:

<sup>2</sup> To note, the numbers contained in this Paragraph consist of both residential and non-residential accounts.

#### § 56.11. *Billing frequency.*

(a) A public utility shall render a bill once every billing period to every residential customer in accordance with approved rate schedules.

52 Pa. Code § 56.11.

Additionally, Section 1501 of the Code, 66 Pa.C.S. § 1501 states, in pertinent part:

#### § 1501. *Character of service and facilities.*

Every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and shall make all such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public. Such service also shall be reasonably continuous and without unreasonable interruptions or delay. Such service and facilities shall be in conformity with the regulations and orders of the commission.

66 Pa.C.S. § 1501.

21. As noted above, Section 56.11 of the Commission's regulations requires a utility to render a bill once every billing period to its residential customers when it states that a public utility *shall* render a bill once every billing period. 52 Pa. Code § 56.11(a) (emphasis added). It is I&E's position that PPL violated Section 56.11 of the Commission's regulations, cited above, when residential customers did not receive at least one of their monthly bills between December 2022 and April 2023. Furthermore, although Section 1501 of the Code does not dictate that a utility must provide perfect service to its customers, by failing to render bills to 48,168 accounts, and to 91,676 unique accounts from December 2022 to April 2023, I&E alleges that PPL violated Section 1501 by failing to provide the impacted customers with adequate, efficient, and reasonable service.

22. It is noted that PPL subsequently made substantial progress in correcting the "No Bills" issues cited above and that the Company rendered the vast majority of impacted customers billed to current by August 31, 2023.

#### (B) *Estimated Billing*

23. As a result of the MDMS failure, PPL indicated that it issued estimated bills to 794,816 unique accounts from December 20, 2022, to January 9, 2023, and a total of 860,493 estimated bills from December 20, 2022, through May 5, 2023. Many of these estimated bills were unusually high or low or contained missing or incomplete supplier charges.

24. If proven, this is a violation of 52 Pa. Code § 56.12 and 66 Pa.C.S. § 1501. The Commission's regulations do permit a utility to estimate bills under exigent circumstances, such as when the utility experiences equipment failure that prevents the utility from obtaining actual meter readings. See 52 Pa. Code § 56.12(3). Specifically, Section 56.12(3) of the Commission's regulations, 52 Pa. Code § 56.12(3), states in pertinent part:

(3) *Estimates permitted under exigent circumstances.* A utility may estimate the bill of a ratepayer if extreme weather conditions, emergencies, equipment failure, work stoppages or other circumstances prevent actual meter reading.

52 Pa. Code § 56.12(3).

25. However, it is I&E's position that when a utility resorts to sending estimated bills to customers, those

estimates should be within an anticipated range of normalcy such that they are not wildly over or underestimated.

1) *Unreasonably Inaccurate Usage Estimates*

26. According to PPL, estimates are based on the customer's "historical" electric use from the same month of the prior year.

27. Understanding that energy supply costs can increase over time resulting in higher generation costs from the customer's supplier or a higher Price to Compare for customers who receive default supply through PPL, customers complained that some amounts had doubled or tripled. Based on discovery responses provided by PPL, the Company analyzed 387,895 bills that were estimated in January 2023 as a result of the MDMS issue to determine whether or not the estimates were accurate. PPL's analysis revealed that 67.31% (261,104 customers) of the bills had an estimate differing from the customers' actual usage of 10% or greater. Of these bills, 34.36% indicated an estimate that varied from actual by more than 25%. Nearly 48,000 customer bills were based on an estimate differing from actual usage by more than 50%. Inaccurate usage estimates combined with increased or inaccurate supply charges (as will be discussed below) resulted in customer bills that were far-removed from customers' bills from a historical perspective.

28. I&E posits that PPL unreasonably over and/or under-estimated the bills of 47,904 customers based on the Company's January 2023 analysis and, therefore, failed to provide these customers with reasonable service in violation of Section 1501 of the Code.

2) *Missing or Incomplete Supplier Charges*

29. In addition to problems with usage estimates, customers were left to deal with estimated bills with unreasonably inaccurate amounts due. After sending its first wave of estimated bills, PPL discovered that 82,784 of these estimated bills did not include any supplier charges or included, at most, only partial supplier charges, thereby resulting in severely inaccurate bills. As a result, in February 2023, PPL began the process of cancelling the estimated bills and rebilling these accounts in order to correct the supplier charges portion of the bill.

30. In some instances, customers were asked to pay the estimated bills or, on their own volition, paid the estimated bills anticipating that any difference between the estimated bills and actual usage would be reconciled when the next bill was issued. Concurrently, the Company began the process of cancelling and rebilling some customers. Some estimated bills paid by customers were cancelled and rebilled before the payment was processed resulting in further inaccurate rebills. The events that ensued took months to unravel.

31. Furthermore, although Section 1501 of the Code does not dictate that a utility must provide perfect service to its customers, by rendering estimated bills with missing or incomplete supplier charges to 82,784 customers and issuing some estimated bills that were unusually high or low compared to the customer's historic charges or anticipated monthly bill, PPL also violated Section 1501 of the Code by failing to provide these customers with adequate, efficient, and reasonable service.

(C) *Billing Group 12*

32. PPL indicated that when it attempted to resume billing customers based on actual data, there was an issue processing Billing Group 12 that caused 3,805 customers to be sent incorrect bills.

33. It is I&E's position that by issuing 3,805 incorrect bills, PPL violated Section 1501 of Code, cited above, by failing to provide these customers with reasonable service.

34. It is noted that PPL completed the cancel and rebill process for these 3,805 customers in January 2023.

(D) *Customer Service—Abandoned Calls*

35. Due to the aforementioned billing issues, PPL experienced an increase in call volume from customers seeking explanations for their higher-than-normal bills. The unanticipated influx of inbound customer calling overwhelmed PPL's customer service support, resulting in customers experiencing long wait times on hold before reaching a PPL representative or hanging up before reaching a representative. According to discovery responses provided by PPL regarding abandoned calls, between January 2023 and April 2023, PPL received an average of 193,529 calls per month.<sup>3</sup> In January 2023 alone, PPL received 217,539 calls, 89,315 (or 41%) of which were abandoned, compared to an abandoned rate of less than 20% on average in 2022. Furthermore, customers who called in January and February 2023 whose calls were handled by PPL personnel complained of long wait times.

36. If proven, although Section 1501 of the Code does not dictate that a utility must provide perfect service to its customers, by abandoning 41% of the calls that it received in January 2023, and by not handling calls from its customers within a reasonable period of time, PPL violated Section 1501 of the Code by failing to provide these customers with adequate, efficient, and reasonable service.

37. It is noted that PPL subsequently added more agents to field the increase in calls that it was receiving due to the MDMS failure and to reduce wait times. This correction led to an improved handling of calls in subsequent months.

IV. *Settlement Terms*

38. Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest, the Parties held an in-person meeting and multiple discussions that culminated in this Settlement. I&E and PPL desire to (1) terminate I&E's informal investigation; and (2) settle this matter completely without litigation. The Parties recognize that this is a disputed matter and given the inherent unpredictability of the outcome of a contested proceeding, the Parties further recognize the benefits of amicably resolving the disputed issues. The terms of the Settlement, for which the Parties seek Commission approval, are set forth below:

a) PPL shall pay a civil penalty of One Million Dollars (\$1,000,000) to fully and finally resolve all possible claims of alleged violations of the Public Utility Code and the Commission's regulations in connection with the above alleged violations. Said payment shall be made within thirty (30) days of the date of the Commission's Final Order approving the Settlement Agreement and shall be made by certified check or money order payable to the "Commonwealth of Pennsylvania" and sent to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 Commonwealth Keystone Building  
 400 North Street  
 Harrisburg, PA 17120

<sup>3</sup> PPL experienced an average of 165,153 calls per month in 2022.

The civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f) or passed through as an additional charge to PPL's customers in Pennsylvania.

b) PPL has voluntarily taken several notification and corrective actions in response to the billing issues:

1) PPL provided information to BCS of the billing issues it was experiencing due to the MDMS-CSS meter data transfer failure;

2) Additionally, PPL provided periodic updates to the Office of Consumer Advocate, Office of the Small Business Advocate, and the Pennsylvania Utility Law Project;

3) After identifying the impacted accounts, PPL conducted outreach to all of the affected customers;

4) These outreach efforts included the following:

(a) Starting December 18, 2022, PPL customer service representatives were provided with talking points to answer customer questions about the estimated bills;

(b) On January 31, 2023, PPL sent a letter via regular mail and e-mail to all customers from its then-President, Stephanie Raymond, explaining the estimated bills and higher energy prices. At this time, PPL also launched a dedicated landing page on its website to address bill questions, this messaging was updated regularly with content, including bill explainer videos, information on understanding higher energy costs, and direct access to assistance programs and bill support. The Company directed customers to this information from its social media channels, media relations, customer emails, and digital newsletters;

(c) Starting on February 10, 2023, the Company sent a letter to the first group of customers who would have their bills canceled and rebilled because the original bill did not include or only included partial supplier charges. This letter was sent to the subsequent groups of customers who would have their bills canceled and rebilled on February 16, 2023, March 18, 2023, and April 10, 2023;

(d) On February 23, 2023, the Company sent a letter to customers who had not received a bill since the beginning of the billing issue;

(e) Beginning in January 2023, PPL provided periodic updates to electric generation suppliers ("EGSs") through the Company's Supplier Portal; and

(f) In March and April 2023, PPL held two customer outreach workshops in conjunction with local legislators to provide one on one support to senior citizens with bill questions.

5) PPL provided BCS with regular updates and responded to inquiries on the billing issues and the Company's progress in resolving them;

6) The Company instituted or is in the process of developing a series of practices and protocols to help prevent and insulate the technical issues with the MDMS-CSS data transfer that caused these issues, including:

(a) Revising back-office processes to reduce the number of no-bill and multi-primary bills<sup>4</sup>;

(b) Evaluating the formula to calculate estimates to determine if improvements can be made to the estimation process<sup>5</sup>;

(c) Creating internal daily control reports on estimated bills, multi-primary bills, and daily meter read rates and operational metrics<sup>6</sup>;

(d) Developing work arounds to process meter data outside of MDMS when needed<sup>7</sup>; and

(e) Enriching MDMS estimations for scenarios where meter data is missing to reduce the time period estimated<sup>8</sup>.

7) PPL on its own initiative did not terminate electric service for any customers for nonpayment from January 2023 through June 2023;

8) PPL voluntarily waived all late payment fees for January and February 2023;

9) PPL is owed but will not seek to collect approximately \$1.7 million from customers who received estimated bills and were underbilled due to the application of the incorrect rates in the bills that trued up the estimated billing periods;

10) PPL refunded, through a one-time line-item credit, approximately \$1.0 million to customers who received estimated bills and were overbilled due to the application of the incorrect rates in the bills that trued up the estimated billing periods;

11) PPL engaged external vendors, and incurred additional expense, to provide call center support, assist with customer complaints, help with back-office billing, and assist with customer communications in 2023; and

12) PPL authorized significant overtime for employees to provide call center support in 2023.

c) PPL incurred significant costs when responding to the billing issues to help mitigate customer impacts, including, but not limited to: (1) experiencing approximately \$2.3 million loss of revenue from voluntarily waiving late fees; (2) incurring approximately \$7.8 million of additional bad debt expense arising out of the voluntary service termination moratorium; (3) forgoing collection of approximately \$1.7 million from customers who were underbilled in the estimation true-up process; (4) incurring an additional approximately \$3.7 million of unplanned costs in engaging external vendors; and (5) incurring approximately \$700,000 of unbudgeted employee overtime expense (totaling approximately \$16.2 million in mitigation costs). PPL agrees not to recover any of these mitigation costs from Pennsylvania consumers by any future proceeding, device, or manner whatsoever.

39. I&E expects that any make-up bills for previously unbilled utility service will be rendered in compliance with Section 56.14 of the Commission's regulations in order to provide the customer ratepayer a fair opportunity to pay the charges due. 52 Pa. Code § 56.14.

<sup>4</sup> A "multi-primary" bill is a bill that contains charges for more than one billing period. See Section 1 of Appendix C for additional information about the Company's revisions to its back-office processes to reduce the number of no-bill and multi-primary bills.

<sup>5</sup> See Section 2 of Appendix C for additional information.

<sup>6</sup> See Section 3 of Appendix C for additional information.

<sup>7</sup> See Section 4 of Appendix C for additional information.

<sup>8</sup> See Section 5 of Appendix C for additional information.

40. In consideration of the Company's payment of a monetary civil penalty of \$1,000,000, I&E agrees to forgo the filing of any formal complaint that relates to the Company's conduct as described in the Settlement Agreement. Nothing contained in this Settlement Agreement shall adversely affect the Commission's authority to receive and resolve any informal or formal complaints filed by any affected party with respect to the incident, except that no penalties beyond the civil penalty amount agreed to herein may be imposed by the Commission for any actions identified herein.

41. I&E and PPL jointly acknowledge that approval of this Settlement Agreement is in the public interest and is fully consistent with the Commission's Policy Statement for Litigated and Settled Proceedings Involving Violations of the Code and Commission Regulations, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations of billing procedure violations that were the subject of the I&E's informal investigation and it avoids the time and expense of litigation, which entails hearings and the preparation and filing of briefs, exceptions, reply exceptions, as well as possible appeals. Attached as Appendices A and B are Statements in Support submitted by I&E and PPL, respectively, setting forth the bases upon which the Parties believe the Settlement Agreement is in the public interest.

#### V. Conditions of Settlement

42. This document represents the Settlement Agreement in its entirety. No changes to obligations set forth herein may be made unless they are in writing and are expressly accepted by the parties involved. This Settlement Agreement shall be construed and interpreted under Pennsylvania law, without regard to its conflicts of laws provisions.

43. The Settlement is conditioned upon the Commission's approval of the terms and conditions contained in this Joint Settlement Petition without modification. If the Commission rejects or modifies this Settlement Agreement, any party may elect to withdraw from this Settlement Agreement and may proceed with litigation or take other such action as deemed appropriate and, in such event, this Settlement Agreement shall be void and of no effect. Such election to withdraw must be made in writing, filed with the Secretary of the Commission and served upon all parties within twenty (20) business days after entry of an Order modifying the Settlement.

44. The benefits and obligations of this Settlement Agreement shall be binding upon the successors and assigns of the Parties to this Agreement.

45. The Parties agree that the underlying allegations were not the subject of any hearing or formal procedure and that there has been no order, findings of fact or conclusions of law rendered in this proceeding. It is further understood that, by entering into this Settlement Agreement, PPL has made no concession or admission of fact or law and may dispute all issues of fact and law for all purposes in all proceedings that may arise as a result of the circumstances described in this Settlement Agreement.

46. The Parties acknowledge that this Settlement Agreement reflects a compromise of competing positions and does not necessarily reflect any party's position with respect to any issues raised in this proceeding.

47. If either Party should file any pleading, including comments, in response to an order of the Commission, the other party shall have the right to file a reply.

48. This Settlement Agreement is being presented only in the context of this proceeding in an effort to resolve the proceeding in a manner that is fair and reasonable. This Settlement Agreement is presented without prejudice to any position that any of the Parties may have advanced and without prejudice to the position any of the Parties may advance in the future on the merits of the issues in future proceedings, except to the extent necessary to effectuate the terms and conditions of this Settlement Agreement. This Settlement Agreement does not preclude the Parties from taking other positions in any other proceeding.

49. The terms and conditions of this Settlement Agreement constitute a carefully crafted package representing reasonably negotiated compromises on the issues addressed herein. Thus, the Settlement Agreement is consistent with the Commission's rules and practices encouraging negotiated settlements set forth in 52 Pa. Code §§ 5.231 and 69.1201.

*Wherefore*, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement and PPL Electric Utilities Corporation respectfully request that the Commission enter an Order approving the terms of the Joint Petition for Approval of Settlement in their entirety as being in the public interest.

[Signature Page To Follow]

Date: November 21, 2023

Date: November 21, 2023

Respectfully submitted,

Christine M. Martin  
President  
PPL Electric Utilities Corporation

Michael L. Swindler  
Deputy Chief Prosecutor,  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission

**Appendix A  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :  
 Bureau of Investigation and Enforcement's :  
 Investigation of PPL Electric Utilities :  
 Corporation for potential violations of : Docket No. M-2023-3038060  
 52 Pa. Code § 56.1, et seq., of the :  
 Commission's regulations and 66 Pa.C.S. :  
 § 1501 of the Public Utility Code :

**THE BUREAU OF INVESTIGATION AND ENFORCEMENT'S  
STATEMENT IN SUPPORT OF THE  
JOINT PETITION FOR APPROVAL OF SETTLEMENT**

TO THE HONORABLE PENNSYLVANIA PUBLIC  
UTILITY COMMISSION:

Pursuant to 52 Pa. Code §§ 5.231, 5.232 and 69.1201, the Pennsylvania Public Utility Commission's ("Commission" or "PUC") Bureau of Investigation and Enforcement ("I&E"), a signatory party to the Joint Petition for Approval of Settlement ("Settlement" or "Settlement Agreement") filed in the above-docketed matter, submits this Statement in Support of the Settlement Agreement between I&E and PPL Electric Utilities Corporation ("PPL" or "Company").<sup>9</sup> I&E avers that the terms and conditions of the Settlement Agreement are just and reasonable and in the public interest for the reasons set forth in the Settlement Agreement and as set forth herein.

*I. Background*

I&E's investigation was initiated based upon information provided by the Commission's Bureau of Consumer Services ("BCS") regarding a system-wide billing issue discovered by the Company in December 2022. Specifically, the Company described the billing issue as the failure of PPL's Meter Data Management Software ("MDMS") to transfer customer meter data to other software platforms, including PPL's Customer Service System ("CSS"). This malfunction resulted in the rendering of unusually high or low estimated bills, the rendering of no monthly bills at all and the lack of adequate customer service support such that concerned customers were unable to or unduly hampered in their attempts to contact a PPL Call Center representative by telephone to discuss their billing concerns.

As a result of this billing issue, 48,168 PPL accounts received no bill during one or more of their December, January, February, March, or April 2023 billing periods, nearly 48,000 customer bills were based on an estimate differing from actual usage by more than 50%, nearly 83,000 customer bills were estimated with missing or incomplete supplier charges, 3,805 incorrect bills were issued when the Company attempted to resume billing with actual data and customer calls to PPL ballooned to an average of over 200,000 per month with long wait times and a call abandonment rate of over 40%. I&E alleged multiple violations of 52 Pa. Code § 56.1, et seq., of the Commission's regulations and 66 Pa.C.S. § 1501 of the Public Utility Code.

On November 21, 2023, the Parties filed a Joint Petition for Approval of Settlement resolving all issues between I&E and PPL in this matter. This Statement in Support is submitted in conjunction with the Settlement.

<sup>9</sup> I&E and PPL are collectively referred to herein as the "Parties."

*II. The Public Interest*

Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest, the Parties held a series of settlement discussions. These discussions initially involved BCS and the Company and once referred to I&E, counsel for both Parties joined the dialogue. Formal negotiations ensued culminating in this Settlement Agreement, which, once approved, will resolve all issues related to I&E's informal investigation involving this matter. Whether an act or omission is in the public interest is related to whether it promotes "safe, efficient, and economical service," *Wiley v. Pennsylvania Public Utility Commission*, 142 A.2d 763 (Pa. Super 1958). See *City of York v. Pennsylvania Public Utility Commission*, 449 Pa. at 141 (1972) (public interest determined by whether a merger will "affirmatively promote the 'service, accommodation, convenience, or safety of the public' in some substantial way."). See also: *Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Columbia Gas*, Docket No. M-2022-3012079, stating that the Commission's "assessment of the benefits of the terms and conditions meeting the criteria of what is in the public interest need not be quantifiable," and judgment of what is in the public interest requires exercise of informed judgment and consideration of the various interests and concerns of the stakeholders involved.

The enhanced procedural measures to be taken by PPL and as detailed in the terms of settlement exemplify the unparalleled effort put into this Settlement by the Parties to enhance the safe, efficient and economical service provided by the Company. These measures include PPL's obligation to revise its back-office processes, evaluate bill estimation formula, create additional internal daily control reports, develop meter data processing work arounds and enriching MDMS estimations where appropriate.

This Settlement Agreement provides a long-term solution with enhancements that go well beyond finding a violation and imposing a fine. The Parties to this Settlement identified the problem areas, analyzed the issues and agreed to solutions created by PPL to improve its billing processes going forward.

*III. Terms of Settlement*

I&E and PPL, intending to be legally bound thereby, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Settlement without modification shall create the following rights and obligations:



PPL shall pay a civil penalty in the amount of One Million Dollars (\$1,000,000) pursuant to 66 Pa.C.S. § 3301. Said payment shall be made within thirty (30) days of the entry date of the Commission's Final Order approving the Joint Petition for Approval of Settlement in this matter and shall be made by certified check or money order payable to the "Commonwealth of Pennsylvania." The docket number of this proceeding shall be indicated on the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 Commonwealth Keystone Building  
 400 North Street  
 Harrisburg, PA 17120

PPL agrees that the civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

PPL has voluntarily taken several notification and corrective actions in response to the billing issues:

1) PPL provided information to BCS of the billing issues it was experiencing due to the MDMS-CSS meter data transfer failure;

2) Additionally, PPL provided periodic updates to the Office of Consumer Advocate, Office of the Small Business Advocate, and the Pennsylvania Utility Law Project;

3) After identifying the impacted accounts, PPL conducted outreach to all of the affected customers;

4) These outreach efforts included the following:

(a) Starting December 18, 2022, PPL customer service representatives were provided with talking points to answer customer questions about the estimated bills;

(b) On January 31, 2023, PPL sent a letter via regular mail and e-mail to all customers from its then-President, explaining the estimated bills and higher energy prices. At this time, PPL also launched a dedicated landing page on its website to address bill questions, this messaging was updated regularly with content, including bill explainer videos, information on understanding higher energy costs, and direct access to assistance programs and bill support. The Company directed customers to this information from its social media channels, media relations, customer emails, and digital newsletters;

(c) Starting on February 10, 2023, the Company sent a letter to the first group of customers who would have their bills canceled and rebilled because the original bill did not include or only included partial supplier charges. This letter was sent to the subsequent groups of customers who would have their bills canceled and rebilled on February 16, 2023, March 18, 2023, and April 10, 2023;

(d) On February 23, 2023, the Company sent a letter to customers who had not received a bill since the beginning of the billing issue;

(e) Beginning in January 2023, PPL provided periodic updates to electric generation suppliers ("EGSs") through the Company's Supplier Portal; and

(f) In March and April 2023, PPL held two customer outreach workshops in conjunction with local legislators to provide one on one support to senior citizens with bill questions.

5) PPL provided BCS with regular updates and responded to inquiries on the billing issues and the Company's progress in resolving them;

6) The Company instituted or is in the process of developing a series of practices and protocols to help prevent and insulate the technical issues with the MDMS-CSS data transfer that caused these issues, including:

(a) Revising back-office processes to reduce the number of no-bill and multi-primary bills<sup>10</sup>;

(b) Evaluating the formula to calculate estimates to determine if improvements can be made to the estimation process;

(c) Creating internal daily control reports on estimated bills, multi-primary bills, and daily meter read rates and operational metrics;

(d) Developing work arounds to process meter data outside of MDMS when needed; and

(e) Enriching MDMS estimations for scenarios where meter data is missing to reduce the time period estimated.

7) PPL on its own initiative did not terminate electric service for any customers for nonpayment from January 2023 through June 2023;

8) PPL voluntarily waived all late payment fees for January and February 2023;

9) PPL will not seek to collect approximately \$1.7 million from customers who received estimated bills and were underbilled due to the application of the incorrect rates in the bills that trued up the estimated billing periods;

10) PPL refunded, through a one-time line-item credit, approximately \$1.0 million to customers who received estimated bills and were overbilled due to the application of the incorrect rates in the bills that trued up the estimated billing periods;

11) PPL engaged external vendors, and incurred additional expense, to provide call center support, assist with customer complaints, help with back-office billing, and assist with customer communications in 2023; and

12) PPL authorized significant overtime for employees to provide call center support in 2023.

Upon Commission approval by Final Order of the Settlement, in its entirety without modification, I&E acknowledges and confirms that PPL is released from all past claims that were made or could have been made by the Commission for monetary and/or other relief based on allegations that the Company failed to comply with the allegations that are the subject of the instant I&E informal investigation.

The benefits and obligations of the Settlement Agreement noted therein and in conjunction with this Statement in Support obviate the conclusion that this settlement is in the public interest. The Parties have meticulously negotiated details regarding improvements in Company procedures. In entering this Settlement, it is I&E's position that the Company has taken extraordinary measures to respond with corrective actions to avert a similar billing issue in the future and is poised to implement or has implemented the necessary procedures for the betterment of the general public, its customers and employees.

I&E reiterates here that approval of the Settlement Agreement is in the public interest and is fully consistent with the Commission's Policy Statement for evaluating

<sup>10</sup> A "multi-primary" bill is a bill that contains charges for more than one billing period.

litigated and settled proceedings involving violations of the Code and Commission regulations. 52 Pa. Code § 69.1201. The Commission will serve the public interest by approving this Joint Petition for Approval of Settlement without modification. It is the Commission's long-standing policy to promote settlements. See 52 Pa. Code § 5.231. Settlements lessen the time and expense that the parties must expend litigating a case and, at the same time, conserve precious administrative resources. Settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. "The focus of inquiry for determining whether a proposed settlement should be recommended for approval is not a 'burden of proof' standard, as is utilized for contested matters." *Pa. Pub. Util. Comm'n, et al. v. City of Lancaster—Bureau of Water*, Docket Nos. R-2010-2179103, et al. (Order entered July 14, 2011). Instead, the benchmark for determining the acceptability of a settlement is whether the proposed terms and conditions are in the public interest. *Pa. Pub. Util. Comm'n v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

I&E submits that approval of the Settlement Agreement in the above-captioned matter is consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations ("Policy Statement"), 52 Pa. Code § 69.1201; see also *Joseph A. Rosi v. Bell-Atlantic-Pennsylvania, Inc.*, Docket No. C-00992409 (Order entered March 16, 2000). The Commission's Policy Statement sets forth ten (10) factors ("Rosi factors") that the Commission may consider in evaluating whether a civil penalty for violating a Commission order, regulation, or statute is appropriate, as well as whether a proposed settlement for a violation is reasonable and in the public interest. 52 Pa. Code § 69.1201.

It is important to note that the Commission will not apply the Rosi factors as strictly in settled cases as in litigated cases. 52 Pa. Code § 69.1201(b). While many of the same factors may still be considered, *in settled cases, the parties "will be afforded flexibility in reaching amicable resolutions* to complaints and other matters as long as the settlement is in the public interest." *Id.* (emphasis added). By the filing of this Joint Petition for Approval of Settlement, I&E and PPL have declared that they have in good faith negotiated an amicable resolution that benefits the public, the Parties and this Commission. I&E asks that the Commission acknowledge and accept this flexibility when considering the terms and conditions painstakingly negotiated and entered into in this Settlement.

The first Rosi factor considers whether the conduct at issue was of a serious nature, such as fraud or misrepresentation, or if the conduct was less egregious, such as an administrative or technical error. Conduct of a more serious nature may warrant a higher civil penalty while conduct that is less egregious warrants a lower amount. 52 Pa. Code § 69.1201(c)(1). I&E acknowledges that the billing error in question may be deemed a software glitch which would seem to be a matter not, in and of itself, of a serious nature. However, the programming glitch here had a domino effect over the Company's entire billing system, which led to consequences that severely impacted the Company's customer billing process and thus its customers directly. These consequences will be addressed in the second Rosi factor, *infra*.

Despite the thought at first blush that a billing system malfunction would not rise to the level of a matter deemed to be of a serious nature, the resulting domino

effect impacted one Billing Group to the next combined with exigent errors that exacerbated the intensity and longevity of the problem. While acknowledging that no personal injury or property damage occurred as a result of this billing issue, I&E considers the conduct at issue to be of a serious nature, and this was taken into consideration in arriving at the agreed-to civil penalty and remedial measures set forth in the Settlement.

The second factor considers whether the resulting consequences of the PPL billing system malfunction were of a serious nature. When consequences of a serious nature are involved, such as personal injury or property damage, the consequences may warrant a higher penalty. 52 Pa. Code § 69.1201(c)(2). Here, while the issue at hand did not directly result in personal injury or property damage, the resulting impact of the billing issue to customers was widespread, the duration of which extended nearly a year until completely resolved. I&E considers the consequences of the conduct at issue to be of a serious nature, which are reflected in the terms and conditions of settlement.

The third factor to be considered under the Policy Statement is whether the alleged conduct was intentional or negligent. 52 Pa. Code § 69.1201(c)(3). "This factor may only be considered in evaluating litigated cases." *Id.* Whether PPL's alleged conduct was intentional or negligent does not apply here since this matter is being resolved by settlement of the Parties.

The fourth factor to be considered is whether PPL has made efforts to change its practices and procedures to prevent similar conduct in the future. 52 Pa. Code § 69.1201(c)(4). As noted in the Joint Petition, since the issue was first discovered by the Company, PPL has taken extraordinary strides in implementing new processes and improvements to existing procedures in order to safeguard a repeat occurrence of this billing system malfunction.

The fifth factor to be considered relates to the number of customers affected by the Company's actions and the duration of the violations. 52 Pa. Code § 69.1201(c)(5). The large number of customers impacted by this event combined with the extended number of months that passed before the Company was able to completely resolve the issue weighs in favor of the proposed civil penalty.

The sixth factor to be considered relates to the compliance history of PPL. 52 Pa. Code § 69.1201(c)(6). An isolated incident from an otherwise compliant company may result in a lower penalty whereas frequent, recurrent violations by a jurisdictional entity may warrant a higher penalty. Here, a review of PPL's compliance history with the Commission reveals that this billing matter is an isolated event. PPL's compliance history, especially as it relates to the lack of billing violations that are the subject of the instant Settlement, was considered in arriving at the agreed-upon civil penalty and remedial measures in this matter.

The seventh factor to be considered relates to whether the Company cooperated with the Commission's investigation. 52 Pa. Code § 69.1201(c)(7). PPL has cooperated with I&E's investigation in order to address the violations alleged as a result of the billing issue. Together, the Parties have agreed on procedural enhancements without the need for litigation. The Parties further determined that it was in their respective best interest, as well as in the public interest, to settle this matter and to reach an amicable agreement as to an appropriate civil penalty

amount that adequately balances all the relevant interests under the circumstances of this case and given the capital expenditures realized or anticipated to be realized as a result of the non-monetary remedial measures to be implemented by the Company. A fair and equitable civil penalty has been reached in this Settlement Agreement without the need to pursue formal enforcement action.

The eighth factor to be considered is the appropriate civil penalty necessary to address the instant matter and to deter future violations. 52 Pa. Code § 69.1201(c)(8). I&E submits that the negotiated civil penalty amount of \$1,000,000, which is not tax deductible, and which cannot be recouped from its ratepayers is a fair, substantial and sufficient result to find that this Settlement Agreement is in the public interest.

The ninth factor to be considered relates to past Commission decisions in similar situations. 52 Pa. Code § 69.1201(c)(9). I&E submits that the instant Settlement Agreement should be viewed on its own merits and is fair and reasonable. I&E is not aware of any other matter involving a billing issue of this magnitude, but the instant Settlement is consistent with past Commission actions in that a civil penalty will be paid and corrective actions will be performed to address the alleged violations.

The tenth factor considers “other relevant factors.” 52 Pa. Code § 69.1201(c)(10). In support of the \$1,000,000 civil penalty, I&E again notes the depth and detail to which the Company has agreed to implement procedural enhancements that address this matter and should improve service to all customers throughout the Company’s service territory. Given the fair civil penalty to be paid by PPL and the corrective measures agreed to by the

Company, there is simply no benefit to delaying the implementation of such procedural enhancements and proceeding to litigation or seeking a more significant monetary penalty.

In conclusion, I&E fully supports the terms and conditions of the Settlement Agreement. The terms of the Settlement Agreement reflect a carefully balanced compromise of the interests of the Parties in this proceeding. PPL has agreed to pay a fair civil penalty as part of this Settlement Agreement and, more importantly, has or will implement enhancements to its procedures that will benefit all customers in its service territory and the public in general. Accordingly, approval of this Settlement Agreement without modification is in the public interest.

Wherefore, I&E supports the Settlement Agreement as being in the public interest and respectfully requests that the Commission approve the terms of the Joint Petition in their entirety without modification.

Respectfully submitted,  
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**Appendix B  
 BEFORE THE  
 PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation of PPL Electric Utilities :  
 Corporation for potential violations of :  
 52 Pa. Code § 56.1, et seq., of the Commission’s : Docket No. M-2023-3038060  
 regulations and 66 Pa.C.S. § 1501 of the :  
 Public Utility Code :

**PPL ELECTRIC UTILITIES CORPORATION’S  
 STATEMENT IN SUPPORT OF THE SETTLEMENT  
 TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:**

*I. Introduction*

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby submits this Statement in Support of the Settlement (“Settlement”) entered into by PPL Electric and the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”). The Settlement, if approved, resolves all issues in the above-captioned proceeding, which concerned I&E’s investigation into the alleged billing and customer service issues that stemmed from a failure of the customer meter data transferring from the Company’s meter data management system (“MDMS”) to its customer service system (“CSS”) for certain customers and resulted in many customers receiving estimated bills or no bills (hereinafter, “Billing Issues”).

PPL Electric provides electric distribution, transmission, and provider of last resort services to approximately

1.4 million customers in a certificated service territory that spans approximately 10,000 square miles in all or portions of 29 counties in eastern and central Pennsylvania. PPL Electric is a “public utility” and an “electric distribution company” as those terms are defined under the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 102 and 2803.

On or about February 1, 2023, I&E initiated an informal investigation into PPL Electric concerning the Company’s Billing Issues. The parties exchanged information throughout this informal investigation and engaged in settlement negotiations. As a result of those efforts, the parties were able to achieve a Settlement of all issues prior to any Formal Complaint being filed by I&E. Under this Settlement, PPL Electric has made commitments to resolve the Billing Issues and help prevent them from occurring in the future. Moreover, the Settlement obviates the need for I&E, PPL Electric, and the Commission to devote substantial time and resources to a litigated Formal Complaint proceeding. For these reasons and as set forth below, the Settlement is just and reasonable and should be approved without modification.

## II. Commission Policy Favors Settlement

Commission policy promotes settlements. See 52 Pa. Code § 5.231(a). Settlements lessen the time and expense the parties must expend litigating a case and, at the same time, conserve administrative resources. The Commission has indicated that settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. See 52 Pa. Code § 69.401. To approve a settlement, the Commission must determine that the proposed terms and conditions are in the public interest. *Pa. P.U.C. v. Peoples TWP LLC*, Docket Nos. R-2013-23355886, *et al.* (Order entered Dec. 19, 2013); *Warner v. GTE North, Inc.*, Docket No. C-00902815 (Order entered Apr. 1, 1996); *Pa. P.U.C. v. C.S. Water and Sewer Assocs.*, 74 Pa. P.U.C. 767, 771 (1991). For the reasons set forth in this Statement in Support, PPL Electric believes that the Settlement is just and reasonable and is in the public interest. Therefore, the Settlement should be approved without modification.

## III. The Settlement is in the Public Interest

The Commission should approve the Settlement without modification because the Settlement's terms and conditions are just and reasonable and in the public interest. This Settlement was achieved by the parties after a thorough investigation by I&E into the Company's Billing Issues. The Settlement represents a fair and reasonable compromise and adequately reflects: (1) the Company's cooperation in I&E's informal investigation; and (2) PPL Electric's commitment to resolve the Billing Issues and take steps to prevent them from occurring in the future.

Further, as stated in Paragraph 41 of the Settlement, I&E has agreed that the Settlement is in the public interest, "effectively addresses I&E's allegations of billing procedure violations that were the subject of the I&E's informal investigation," and "avoids the time and expense of litigation, which entails hearings and the preparation and filing of briefs, exceptions, reply exceptions, as well as possible appeals." (Settlement ¶ 41.) In exchange for stipulating to these terms and conditions, I&E has agreed to conclude its informal investigation and not institute any Formal Complaint related to these issues. (See Settlement ¶ 40.)

### A. Civil Penalty

Under Paragraph 38(a) of the Settlement, PPL Electric will pay a civil penalty of \$1.0 million to "fully and finally resolve all possible claims of alleged violations of the Public Utility Code and the Commission's regulations in connection with" the Billing Issues." (Settlement ¶ 38(a).) "The civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f) or passed through as an additional charge to [the Company's] customers in Pennsylvania." (Settlement ¶ 38(a).) PPL Electric's payment of this civil penalty will "be made within thirty (30) days of the date of the Commission's Final Order approving the Settlement Agreement and shall be made by certified check or money order made payable to the 'Commonwealth of Pennsylvania' and sent to: Rosemary Chiavetta, Secretary Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120." (Settlement ¶ 38(a).)

PPL Electric fully acknowledges the impact that the Billing Issues had on the affected customers as well as the need to prevent those issues from arising in the future. The agreed-upon civil penalty amount reflects both the serious nature of the Billing Issues, balanced

against the Company's: (1) cooperation with I&E's informal investigation; and (2) the Company's steps to address these technical issues and other corrective actions.

In fact, as set forth in Paragraph 38(b) of the Settlement, PPL Electric has voluntarily taken several notification and corrective actions in response to the Billing Issues:

a) PPL Electric provided information to the Commission's Bureau of Consumer Services ("BCS") of the billing issues it was experiencing due to the MDMS—CSS meter data transfer failure;

b) Additionally, PPL Electric provided periodic updates to the Office of Consumer Advocate, Office of the Small Business Advocate, and the Pennsylvania Utility Law Project;

c) After identifying the impacted accounts, PPL Electric conducted outreach to all of the affected customers;

d) These outreach efforts included the following:

(i) Starting December 18, 2022, PPL Electric customer service representatives were provided with talking points to answer customer questions about the estimated bills;

(ii) On January 31, 2023, PPL Electric sent a letter via regular mail and e-mail to all customers from its then-President, Stephanie Raymond, explaining the estimated bills and higher energy prices. At this time, PPL Electric also launched a dedicated landing page on its website to address bill questions, this messaging was updated regularly with content, including bill explainer videos, information on understanding higher energy costs, and direct access to assistance programs and bill support. The Company directed customers to this information from its social media channels, media relations, customer emails, and digital newsletters;

(iii) Starting on February 10, 2023, the Company sent a letter to the first group of customers who would have their bills canceled and rebilled because the original bill did not include or only included partial supplier charges. This letter was sent to the subsequent groups of customers who would have their bills canceled and rebilled on February 16, 2023, March 18, 2023, and April 10, 2023;

(iv) On February 23, 2023, the Company sent a letter to customers who had not received a bill since the beginning of the billing issue;

(v) Beginning in January 2023, PPL Electric provided periodic updates to electric generation suppliers ("EGSs") through the Company's Supplier Portal; and

(vi) In March and April 2023, PPL Electric held two customer outreach workshops in conjunction with local legislators to provide one on one support to senior citizens with bill questions.

e) PPL Electric provided BCS with regular updates and responded to inquiries on the billing issues and the Company's progress in resolving them;

f) The Company instituted or is in the process of developing a series of practices and protocols to help prevent and insulate the technical issues with the MDMS-CSS data transfer that caused these issues, including:

(i) Revising back-office processes to reduce the number of no-bill and multi-primary bills<sup>11</sup>;

<sup>11</sup> A "multi-primary" bill is a bill that contains charges for more than one billing period. See Section 1 of Appendix C for additional information about the Company's revisions to its back-office processes to reduce the number of no-bill and multi-primary bills.

(ii) Evaluating the formula to calculate estimates to determine if improvements can be made to the estimation process<sup>12</sup>;

(iii) Creating internal daily control reports on estimated bills, multi-primary bills, and daily meter read rates and operational metrics<sup>13</sup>;

(iv) Developing work arounds to process meter data outside of MDMS when needed<sup>14</sup>; and

(v) Enriching MDMS estimations for scenarios where meter data is missing to reduce the time period estimated.<sup>15</sup>

g) PPL Electric on its own initiative did not terminate electric service for any customers for nonpayment from January 2023 through June 2023;

h) PPL Electric voluntarily waived all late payment fees for January and February 2023;

i) PPL Electric is owed but will not seek to collect approximately \$1.7 million from customers who received estimated bills and were underbilled due to the application of the incorrect rates in the bills that trued up the estimated billing periods;

j) PPL Electric refunded, through a one-time line-item credit, approximately \$1.0 million to customers who received estimated bills and were overbilled due to the application of the incorrect rates in the bills that trued up the estimated billing periods;

k) PPL Electric engaged external vendors, and incurred additional expense, to provide call center support, assist with customer complaints, help with back-office billing, and assist with customer communications in 2023; and

l) PPL Electric authorized significant overtime for employees to provide call center support in 2023.

Moreover, PPL Electric incurred significant costs when responding to the Billing Issues to help mitigate customer impacts, including, but not limited to: (1) experiencing approximately \$2.3 million loss of revenue from voluntarily waiving late fees; (2) incurring approximately \$7.8 million of additional bad debt expense arising out of the voluntary service termination moratorium; (3) forgoing collection of approximately \$1.7 million from customers who were underbilled in the estimation true-up process; (4) incurring an additional approximately \$3.7 million of unplanned costs in engaging external vendors; and (5) incurring approximately \$700,000 of unbudgeted employee overtime expense (totaling approximately \$16.2 million in mitigation costs). (Settlement ¶ 38(c).) Critically, under the Settlement, PPL Electric has agreed not to recover any of these mitigation costs from Pennsylvania consumers by any future proceeding, device, or manner whatsoever. (Settlement ¶ 38(c).)

Furthermore, when evaluating litigated and settled proceedings involving alleged violations of the Public Utility Code and the Commission's regulations, the Commission considers a series of factors and standards to determine whether the civil penalty is adequate. Those factors and standards are the following:

(1) Whether the conduct at issue was of a serious nature. When conduct of a serious nature is involved, such as willful fraud or misrepresentation, the conduct may warrant a higher penalty. When the con-

duct is less egregious, such as administrative filing or technical errors, it may warrant a lower penalty.

(2) Whether the resulting consequences of the conduct at issue were of a serious nature. When consequences of a serious nature are involved, such as personal injury or property damage, the consequences may warrant a higher penalty.

(3) Whether the conduct at issue was deemed intentional or negligent. This factor may only be considered in evaluating litigated cases. When conduct has been deemed intentional, the conduct may result in a higher penalty.

(4) Whether the regulated entity made efforts to modify internal practices and procedures to address the conduct at issue and prevent similar conduct in the future. These modifications may include activities such as training and improving company techniques and supervision. The amount of time it took the utility to correct the conduct once it was discovered and the involvement of top-level management in correcting the conduct may be considered.

(5) The number of customers affected and the duration of the violation.

(6) The compliance history of the regulated entity which committed the violation. An isolated incident from an otherwise compliant utility may result in a lower penalty, whereas frequent, recurrent violations by a utility may result in a higher penalty.

(7) Whether the regulated entity cooperated with the Commission's investigation. Facts establishing bad faith, active concealment of violations, or attempts to interfere with Commission investigations may result in a higher penalty.

(8) The amount of the civil penalty or fine necessary to deter future violations. The size of the utility may be considered to determine an appropriate penalty amount.

(9) Past Commission decisions in similar situations.

(10) Other relevant factors. 52 Pa. Code § 69.1201(c)(1)—(10).

52 Pa. Code § 69.1201(c)(1)—(10).

Here, the Commission's factors and standards weigh in favor of the agreed-upon civil penalty. First, the Company did not engage in willful fraud or misrepresentation that may warrant a higher civil penalty. See *id.* § 69.1201(c)(1). Indeed, at their crux, the Billing Issues involved technical errors. (See Settlement ¶ 8.) As noted previously, the Billing Issues stemmed from a failure of the customer meter data transferring from the Company's MDMS to its CSS for certain customers and resulted in many customers receiving estimated bills or no bills.

Second, although PPL Electric fully acknowledges the Billing Issues' impact on the affected customers, PPL Electric's conduct did not result in personal injury, property damage, or any similar consequence of a similar nature that may warrant a higher civil penalty. See 52 Pa. Code § 69.1201(c)(2). The Company also took steps to address the Billing Issues' impact on the affected customers, including: (1) voluntarily waiving all late payment fees for January and February 2023; (2) voluntarily instituting a service termination moratorium for all customers from January 2023 to June 2023; (3) not seeking to collect approximately \$1.7 million from customers who received estimated bills and were underbilled due to the application of the incorrect rates in the bills that trued up

<sup>12</sup> See Section 2 of Appendix C for additional information.

<sup>13</sup> See Section 3 of Appendix C for additional information.

<sup>14</sup> See Section 4 of Appendix C for additional information.

<sup>15</sup> See Section 5 of Appendix C for additional information.

the estimated billing periods; and (4) refunding, through a one-time line-item credit, approximately \$1.0 million to customers who received estimated bills and were over-billed due to the application of the incorrect rates in the bills that trued up the estimated billing periods. (See Settlement ¶ 38(c).)

Third, PPL Electric made significant efforts to modify internal practices and procedures to address the conduct at issue and prevent similar conduct in the future. See 52 Pa. Code § 69.1201(c)(4). As explained previously, PPL Electric instituted or is in the process of developing a series of practices and protocols to help prevent and insulate the technical issues with the MDMS-CSS data transfer that caused these issues, including: (1) revising back-office processes to reduce the number of no-bill and multi-primary bills; (2) evaluating the formula to calculate estimates to determine if improvements can be made to the estimation process; (3) creating internal daily control reports on estimated bills, multi-primary bills, and daily meter read rates and operational metrics; (4) developing work arrounds to process meter data outside of MDMS when needed; and (5) enriching MDMS estimations for scenarios where meter data is missing to reduce the time period estimated. (See Settlement ¶ 38(b)(6); Settlement, Appx. C.)

Fourth, PPL Electric believes that its compliance history weighs in favor of the agreed-upon civil penalty and that the incidents at issue are an isolated incident from an otherwise compliant utility. See 52 Pa. Code § 69.1201(c)(6). Also, PPL Electric's significant steps to prevent the Billing Issues from occurring in the future should help maintain or improve the Company's compliance history.

Fifth, PPL Electric fully cooperated with I&E's investigation and has been transparent with stakeholders and the affected customers. See *id.* § 69.1201(c)(7). The Company never engaged in bad faith, active concealment of violations, or attempts to interfere with I&E's investigation. Moreover, PPL Electric provided BCS with regular updates and responded to inquiries on the Billing Issues and the Company's progress in resolving them. (See Settlement ¶ 38(b)(5).) The Company also provided periodic updates to the Office of Consumer Advocate, Office of the Small Business Advocate, and the Pennsylvania Utility Law Project. (See Settlement ¶ 38(b)(2).) Further, PPL Electric conducted significant outreach to the affected customers. (See Settlement ¶ 38(b)(3)-(4).)

Sixth, the amount of the agreed-upon \$1.0 million civil penalty is more than sufficient to deter future violations. See 52 Pa. Code § 69.1201(c)(8). As noted above, PPL Electric incurred a total of approximately \$16.2 million when responding to the Billing Issues to help mitigate customer impacts, and the Company will not recover any of those costs from consumers. (See Settlement ¶ 38(c).) Even without the \$1.0 million civil penalty, PPL Electric has more than enough incentive to help prevent the Billing Issues from occurring in the future.

For these reasons, although the Billing Issues affected a large amount of PPL Electric's customers,<sup>16</sup> the Commission's factors and standards for evaluating civil penalties, on balance, weigh in favor of the agreed-upon civil penalty of \$1.0 million. Thus, the Settlement's terms and conditions are just and reasonable and in the public interest, and the Commission should approve them without modification.

<sup>16</sup> See 52 Pa. Code § 69.1201(c)(5).

#### IV. Conclusion

Wherefore, for the reasons explained above, and those set forth in the Settlement, the terms and conditions of the Settlement are just and reasonable and in the public interest, and the Pennsylvania Public Utility Commission should approve the Settlement without modification.

Respectfully submitted,

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Attorneys for PPL Electric  
Utilities Corporation

Date: November 21, 2023

#### Appendix C

The Company instituted or is in the process of developing a series of practices and protocols to help prevent and insulate the technical issues with the MDMS-CSS data transfer that caused these issues, including:

1. *Revising back-office processes to reduce the number of no-bill and multi-primary bills.*

##### *Preventing No Bills:*

- PPL Electric created a report of accounts without meters on hold, adjusted bill review criteria to prevent unnecessary billing suspensions, and has been analyzing service orders that are preventing customer accounts from billing, such as:

- Stale meter report;
- Trouble calls;
- Field orders;
- Service work orders; and
- Meter changes.

##### *Preventing Multi-Primary Bills:*

- The Company updated the contact center practice to no longer allow back-office billers to bill aged no-bills as multi-primary. The updated process requires billing to be done month by month.

- The Company established a process that prevents inaccurate billing with multi-primary bills. These bills are automatically placed in "pull-bill" status and are not released to the customer until they are reviewed and approved.

- A report is generated daily showing all multi-primary bills that must be reviewed. If the multi-primary bill caused incorrect billing, the bill is canceled. The account can then be rebilled monthly.

2. *Evaluating the formula to calculate estimates to determine if improvements can be made to the estimation process.*

This evaluation is in progress, including prioritizing MDMS estimation over CSS estimation. The goal of this evaluation is to look for ways to minimize the use of estimated bills, but when it is necessary to estimate, to have a process that produces as accurate as possible estimates. This analysis will include consideration of how estimated bills impact budget billing customers. If and when the estimated billing formula is updated, PPL Electric can provide BCS with an explanation of how the new formula may affect budget billing customers.

3. *Creating internal daily reports on estimated bills, multi-primary bills, and daily meter read rates and operational metrics.*

The Company has created a meter to cash controls dashboard that provides visibility and alerts for the meter to cash process and system health. In addition to the dashboard providing visibility, an action plan is being developed for each control in the event a value is out of

range, i.e., a playbook on how to respond to an event. The following data points are available via the dashboard and/or control reports:

- Meter Read Rates in Command Center—shows daily read rates and interval read rates;
- Number of daily CSS and MDMS estimates;
- Daily estimated bill count—shows estimated bills for current bill groups;
- Daily multi-primary bill count—shows number of multi-primary bills generated;
- Back-office billing work items;
- Reads Requested/Reads Received between MDMS and CSS;
- Collector reading report (P1:LP Snapshot)—shows read rates by AMI collector; and
- Estimated meters report—daily report showing all estimated meters.

A screenshot of the dashboard is provided below:

The screenshot shows a dashboard with several key sections:

- Daily Read Rate:**

Date	Meters Read
10/10/2023	99.73%
- Interval Read Rate:**

Date	Intervals Received
10/9/2023	99.72%
- Reads Requested and Received Between MDMS and CSS:**

Date	Reads Requested	Percent of Reads Received
10/10/2023	72,773	99.70%
- CSS Estimates:**

Date	Count
10/6/2023	4
- MDMS Estimates:**

Date	Count
9/28/2023	2
- Types of Bills Sent to Customers:**

Date	EDI	EDI and Paper	Mail	PPL Paperless	Total
10/6/2023	716	1	46,395	24,092	71,204
- Readings Posted as Ready to Bill:**

Date	Count
10/9/2023	70,608
- Multi-Primary Bill Count:**

Bill Date	Commercial	Not Found	Residential	Total
10/9/2023	7	13	48	68
- Amount of Cash Posted:**

Date	Amount
10/9/2023	\$17,234,569.59
- Service Orders That Did Not Auto-Complete:**

Date	Count
10/9/2023	78
- Daily Readings by Bill Group:**

Bill Group	Start Date	End Date	No. of Requests	Day 1 #	Day 1 %	Day 2 #	Day 2 %	Day 3 #	Day 3 %	Day 4 #	Day 4 %	CSS Estimated	MDMS Estimated	Total Estimated
9	10/9/2023	10/12/2023	70,305	70,129	99.75									
8	10/6/2023	10/11/2023	71,234	71,055	99.75	0	99.75							
7	10/5/2023	10/10/2023	71,660	71,388	99.62	52	99.69	0	99.69					
6	10/4/2023	10/9/2023	73,861	73,674	99.75	2	99.75	0	99.75	0	99.75	156	29	185

4. Developing work arounds to process meter data outside of MDMS when needed.

This process was established in response to the billing event earlier this year. The Company now has processes where meter data can circumvent MDMS and be uploaded directly to CSS so that customers can receive bills based on actual meter data. This process will allow the Company to respond more quickly to a similar event where meter data is unable to be ingested by MDMS under normal processes.

5. *Enriching MDMS estimations for scenarios where meter data is missing to reduce the time period estimated.*

This is being evaluated as part of the review of the estimation process. The technical team is assembling a plan that includes CSS updates as well as MDMS updates. Additional enhancements being considered:

- Making bill corrections if an actual read (“replacement read”) is received after an estimated bill is released.
- Postponing estimated bills from being released to allow additional time to collect actual meter reads.
- Implementing a dynamic pre-bill—create accurate multi-primary bills with varying charges across bill periods.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :  
 Bureau of Investigation and Enforcement's :  
 Investigation of PPL Electric Utilities :  
 Corporation for potential violations of : Docket No. M-2023-3038060  
 52 Pa. Code § 56.1, et seq., of the :  
 Commission's regulations and 66 Pa.C.S. :  
 § 1501 of the Public Utility Code :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day, November 21, 2023, served a true copy of the foregoing Joint Petition for Approval of Settlement, upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Electronic Mail:  
 Christine M. Martin, President  
 PPL Electric Utilities Corporation  
 Two North Ninth Street  
 Allentown, PA 18101  
 cmmartin@pplweb.com  
 Devin T. Ryan  
 Post & Schell P.C.  
 17 North Second Street, 12th Floor  
 Harrisburg, PA 17101-1601  
 dryan@postschell.com

Michael L. Swindler  
 Deputy Chief Prosecutor  
 Bureau of Investigation and En-  
 forcement  
 PA Attorney ID No. 43319  
 (717) 783-6369  
 mswindler@pa.gov

**STATEMENT OF CHAIRPERSON  
STEPHEN M. DeFRANK**

Today, the Commission issues for public comment the settlement between the Commission's Bureau of Investigation and Enforcement and PPL Electric Utilities Corporation arising from billing and related issues that occurred for PPL's customers from December, 2022 through May, 2023. Today's order directs that the settlement be published in the *Pennsylvania Bulletin* and gives those interested in filing comments 25 days from the date of publication to do so.

My initial review of this case reveals a large public interest in this matter. It appears this case involves significant issues that have affected many consumers. I write today to emphasize that now is the time for those interested to submit comments for the Commission to consider as it reviews the settlement. I strongly encourage the public to avail themselves of this opportunity.

Date: January 18, 2024

STEPHEN M. DeFRANK,  
*Chairperson*

**STATEMENT OF VICE CHAIRPERSON  
KIMBERLY BARROW**

Prior to joining my staff, Kayla Rost was employed in the Commission's Bureau of Investigation and Enforcement and worked on this matter. Please note that she has not advised me in this matter.

Date: January 18, 2024

KIMBERLY BARROW,  
*Vice Chairperson*

[Pa.B. Doc. No. 24-149. Filed for public inspection February 2, 2024, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority application for the right to render service as a common carrier or contract carrier in this Commonwealth has 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 February 19, 2024. Filings must be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by February 19, 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 listed docket number as follows or by searching the applicant's web site.

**Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.**

**A-2023-3044560. Delight Transportation, LLC** (101 Crimson Court, Mechanicsburg, Cumberland County, PA 17050) for the right to begin to transport people, as a contract carrier, for Convenient Community Care, LLC, between points in the Counties of Cumberland, Dauphin and York.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-150. Filed for public inspection February 2, 2024, 9:00 a.m.]

**STATE EMPLOYEES'  
RETIREMENT BOARD**

**Hearings Scheduled**

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employ-

ees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' request concerning the indicated account.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

March 26, 2024	Justin L. Weaver Disability Retirement	1 p.m.
April 25, 2024	Zhaojin Ke Domestic Relations	10 a.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JOSEPH A. TORTA,  
*Executive Director*

[Pa.B. Doc. No. 24-151. Filed for public inspection February 2, 2024, 9:00 a.m.]



