

PENNSYLVANIA BULLETIN

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Agencies in this issue

The Courts
Department of Banking and Securities
Department of Community and Economic
Development
Department of Environmental Protection
Department of Health
Department of Human Services
Department of State
Department of Transportation
Health Care Cost Containment Council
Housing Finance Agency
Independent Regulatory Review Commission
Insurance Department
Legislative Reference Bureau
Pennsylvania Public Utility Commission
Public School Employees' Retirement Board
State Board of Medicine



**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 601, December 2024

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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THE COURTS

Title 25—LOCAL COURT RULES

BUCKS COUNTY

Clerk of Courts Fee Bill Effective January 1, 2025

Fee Bill 2025

Adopted pursuant to Act No. 36 of 2000

Effective January 1, 2025

MISDEMEANORS AND FELONIES DISPOSED OF BEFORE TRIAL	\$253.50
MISDEMEANORS AND FELONIES DISPOSED OF DURING OR AFTER TRIAL	\$313.00
SUMMARY/CONTEMPT MATTERS	\$36.00

ADDITIONAL CHARGES ON EACH INFORMATION OR TRANSCRIPT WHETHER DISPOSED OF BEFORE, DURING, OR AFTER TRIAL

(Not totally inclusive of all STATE-mandated ACTS)

Charges Mandated by Act 113 of 2001: (portion to County; and portion to State)

FELONY INFORMATION	\$71.00*
MISDEMEANOR INFORMATION	\$61.50*
SUMMARY CONVICTION except Motor Vehicle	\$54.00*
SUMMARY CONVICTION—Motor Vehicle Case	\$42.50*
SUMMARY CONVICTION—Motor Vehicle Case with Hearing Demanded	\$51.50*

Note: If multiple convictions are involved, only one set of costs will be assessed (highest amount) for each case.

*Fee set by Commonwealth. Amount listed is current (2024) fee.

Defendants sentenced to County Probation supervision or placed on County Parole	\$40.00 per month
Defendants subject to A.R.D. agreement or Probation pursuant to Section 17	\$350.00 (ARD Administrative Fee and Supervision Fee)

ADMINISTRATIVE MANAGEMENT FEE cost of handling money paid into court	\$30.00 (maximum)
BENCH WARRANT (Certifications)	\$24.50
WITNESS FEE (For Commonwealth Witnesses)	7 cents per mileage plus \$5.00 per witness per day
CONSTABLE COSTS (from D.J. level)	ACTUAL COST
SHERIFF FEE	\$5.00
TRANSPORTATION Costs	ACTUAL COSTS
Cost of CRIME LAB fees for Commonwealth	ACTUAL COSTS
PAROLE VIOLATION Additional Hearings	\$59.50
ARD/Section 17 VIOLATION Additional Hearings	\$59.50
AUTOMATION FEE (for each initial action or initial legal proceeding)	\$5.00
LAW LIBRARY	\$20.00
BOOKING CENTER FEE	\$250.00
FORENSIC LAB FEE (DUI)	\$150.00

ADDITIONAL FEES

Certifications (includes Drivers License notifications to PA Dept of Transportation and Bail Forfeitures)	\$13.00
APPEALS to Superior, Supreme, or Commonwealth Courts (PLUS \$90.25 check made payable to Appellate Court eff. 11-01-17)	\$67.00

FILING OF ALL OTHER MATTERS IN THE CLERK OF COURTS' OFFICE (includes Bail Assignments) *Addtl \$5 Automation Fee if Misc Case created *	\$22.50*
RECORD SEARCHES (includes name search, one docket print, and/or up to 5 copies from file)	\$22.50
SERVICE CHARGE FOR BAD CHECKS or cancelled Money Orders Received OR Credit/Debit Card reversals	\$35.00
Request to STOP PAYMENT on a check	\$36.00
COPY CHARGE (per page)	\$0.25
MICROFILM COPIES (per page)	\$0.25
DOCKET PRINT OUT (up to 20 pages, each additional \$0.30 per page)	\$5.00
FAX charge	\$1.00
Electronic media copy fee	\$10.00 per CD
SUBPOENA	\$4.50
BAIL PIECE	\$13.00
EXEMPLIFICATIONS (Certifications) Each Additional page	\$13.00 \$1.50
APPEAL FROM SUMMARY CONVICTION * Additional \$5 Automation Fee *	\$67.00*
EXPUNGEMENT/LIMITED ACCESS PETITION/ORDER (Service includes 5 certified copies of Order) * Additional \$5 Automation Fee if Misc Case created (1 case per petition or if multiple cases on the same petition, additional certification fees may apply)	\$121.50* (Additional \$132.00 mandated by Act 5 of 2016)

BAIL PROCESSING FEES

BAIL ADMINISTRATIVE FEE (entering and servicing bail (includes Bond)—See Local Rule Crim 535(G)(H)(I)(J).	Bail \$1—\$25 fee equals bail amount Bail \$26—\$1,000 fee is 3% of bail Bail > \$1,000 fee is \$55 + 2% of amount over \$1,000
R.O.R/Unsecured BAIL BOND	\$13.00
REAL ESTATE BAIL	\$24.50

JUVENILE MATTERS

INITIAL HEARING (each docket)	\$59.50
ADDITIONAL HEARING (per juvenile)	\$46.00

PETITIONS FOR PRIVATE DETECTIVE LICENSE

FILING FEE	\$55.00
INITIAL LICENSE—INDIVIDUAL (2 YEARS)	\$200.00
INITIAL LICENSE—CORPORATION (2 YEARS)	\$300.00
RENEWAL OF LICENSE PROCESSING FEE	\$22.50
RENEWED LICENSE—INDIVIDUAL (3 YEARS)	\$300.00
RENEWED LICENSE—CORPORATION (3 YEARS)	\$450.00
FEE for PROCESSING FINGERPRINT CARDS *PLUS : Check payable to Commonwealth of Pennsylvania (per fingerprint card)—\$17.50	\$13.00*

[Pa.B. Doc. No. 24-1816. Filed for public inspection December 20, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES**MONROE COUNTY****Local Rules of Civil Procedure 1915.1 and 1915.4
Custody Conciliation; 5 CV 2024****Amended Order**

And Now, this 3rd day of December, 2024, it is *Ordered* that Monroe County Rules of Civil Procedure 1915.1 and 1915.4 (Monroe Co.R.Civ.Pro. 1915.1 and 1915.4) are as follows and the amendments thereto are adopted, effective January 6, 2025, and no less than thirty (30) days after publication in the *Pennsylvania Bulletin*.

It Is Further Ordered that the District Court Administrator shall:

1. File one (1) electronic copy of these Rules with the Administrative Office of Pennsylvania Courts via email to civilrules@pacourts.us for review and approval by the Civil Rules Committee.

2. Upon receipt of permission to publish from the Civil Rules Committee, file one (1) paper copy of this Order and Rules with the Legislative Reference Bureau and one (1) electronic copy in Microsoft Word format only via email to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*.

3. Arrange to have these Rules published on the Monroe County Bar Association website at www.monroebar.org.

4. Arrange to have these Rules, as well as all local rules, published on the 43rd Judicial District website at www.monroepacourts.us.

5. Keep these Rules, as well as all local rules of this Court, continuously available for public inspection and copying in the respective Monroe County filing office.

a. Upon request and payment of reasonable cost of reproduction and mailing, the respective filing office shall furnish to any person a copy of any local rule.

The remainder of the Monroe County Local Rules on Custody remain unaltered and in full force and effect.

By the Court

MARGHERITA PATTI-WORTHINGTON,
President Judge

**LOCAL RULES OF CIVIL PROCEDURE
COURT OF COMMON PLEAS
43RD JUDICIAL DISTRICT
MONROE COUNTY**

Rule 1915.1. Definitions.

“[**Conciliator**] **Conference Officer**” shall be an active-status attorney duly licensed to practice law in the Commonwealth of Pennsylvania and appointed by the Court.

“[**Conciliation**] **Custody Conference**” shall be a prehearing negotiation meeting conducted under the auspices of the Court by the [**Conciliator**] **Conference Officer** and in accordance with Pa.R.Civ.P. [**1915.4-3**] **1915.4-2**.

“Evidentiary Hearing” shall be a record hearing before a **hearing officer or** judge of the Court of Common Pleas, the 43rd Judicial District, Monroe County.

“Family Social Study” shall be an evaluation and/or report which shall include, but not be limited to, a custody questionnaire, custody evaluation, psychological evaluation, mental health evaluation, drug and alcohol evaluation, drug and alcohol testing, and/or homestudy.

“Program” shall be the [**Monroe County**] **approved** Co-Parent Education Program.

...

Rule 1915.4. Prompt Disposition of Custody Cases.

[**After an initial conciliation conference, any party may petition the court for an Evidentiary Hearing in accordance with Monroe County R.C.P. 208.3(a).**]

All Custody actions will proceed in accordance with Pa.R.Civ.P. No. 1915.4-2.

[**The motion for Evidentiary Hearing**] **All filings in Custody matters** shall be filed with the **Monroe County Prothonotary’s Office [of the Prothonotary]** and in accordance with Monroe Co.R.Civ.P. 205.2(a) and Monroe Co.R.Civ.P. 1930.1.

[Pa.B. Doc. No. 24-1817. Filed for public inspection December 20, 2024, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF MEDICINE

[49 PA. CODE CH. 16]

Opioid Treatment Programs

The State Board of Medicine (Board) amends Chapter 16, Subchapter F (relating to minimum standards of practice) by amending § 16.92 (relating to prescribing, administering and dispensing) to read as set forth in Annex A.

Effective Date

This final-omitted rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

Statutory Authority

Section 8 of the Medical Practice Act of 1985 (act) (63 P.S. § 422.8) authorizes the Board to adopt regulations as are reasonably necessary to carry out the purposes of the act. Additionally, under section 41(8) of the act (63 P.S. § 422.41(8)), the Board has authority to promulgate regulations that define the accepted standard of care for Board-regulated practitioners under its jurisdiction.

Background and Need for the Amendments

Regulation of controlled substance prescribing by this Board began in 1986. Since that time, Board regulations have required an initial physical examination prior to the prescribing, administering or dispensing of certain drugs and controlled substances. Currently, under § 16.92(b)(1), prior to prescribing, administering or dispensing controlled substances and certain drugs, as defined under § 16.92(a), a person licensed to practice medicine and surgery in this Commonwealth or otherwise licensed or regulated by the Board is required to obtain an initial medical history and conduct an initial physical examination, unless emergency circumstances justify otherwise.

An opioid treatment program (OTP) is a program engaged in treatment of individuals with medication, including controlled substances, for opioid use disorder registered under section 303(h)(1) of the Controlled Substances Act (21 U.S.C. § 823(h)(1)), regarding registration requirements. The Substance Abuse and Mental Health Services Administration (SAMHSA) is the regulatory body which oversees OTPs at the Federal level. The Commonwealth's Department of Drug and Alcohol Programs (DDAP) regulates OTPs at the State level. See 28 Pa. Code Chapter 715 (relating to standards for approval of narcotic treatment program). DDAP certifies and issues licenses to drug and alcohol treatment programs and provides recommendations to SAMHSA regarding Federal certification of OTPs. As such, OTPs are subject to a substantial amount of oversight, including the oversight of licensed practitioners under the authority of this Board. The initial SAMHSA regulations at 42 CFR 8.12 (relating to Federal Opioid Use Disorder treatment standards), effective in 2001, align with the Board's current regulations relative to initial in-person physical examinations of OTP patients. Until recently, SAMHSA regulations required OTP patients utilizing medication for treatment of opioid use disorder to undergo an in-person physical examination prior to receiving treatment.

Nearly two decades after the SAMHSA regulations were promulgated, an unprecedented public health emergency relating to the novel coronavirus (COVID-19) virus upset the traditional delivery method of medication for treatment of opioid use disorder by OTPs. To ensure continuity of care and access, among other things, in April 2020, SAMHSA exempted OTPs from the requirement to perform the in-person evaluation as specified in 42 CFR 8.12(f)(2). However, this exemption did not operate to exempt OTPs in this Commonwealth from the in-person physical examination requirement in § 16.92(b)(1). Thus, on September 4, 2020, the Governor issued a waiver of § 16.92(b)(1). With this waiver, OTPs were not required to perform the initial in-person examination prior to prescribing medication for treatment of opioid use disorder. Instead, physicians were permitted to utilize telemedicine. The duration of this waiver was tied to the Federal public health emergency declaration. By the act of March 30, 2022 (P.L. 51, No. 14), the waiver was continued until the last day of the Federal public health emergency declaration, unless the exemptions were ended sooner by SAMHSA or the Drug Enforcement Agency. Thereafter, through the enactment of the act of June 30, 2022 (P.L. 391, No. 30), (35 P.S. § 448.802-A(a.3)) regarding COVID-19 regulatory flexibility authority, the waiver was extended until "the later of the following. . . (1) the last day of the Federal public health emergency declaration; or (2) the last day Federal exemptions granted under the Federal public health emergency declaration are authorized." On May 9, 2023, SAMHSA extended the in-person examination waiver for 1 year past the end of the Federal public health emergency declaration or until publication of a final rule. The final SAMHSA rules were published on February 2, 2024, became effective on April 2, 2024, and bear a compliance date of October 2, 2024. Therefore, the waiver of the physical examination requirements in § 16.92(b)(1) was no longer in effect as of February 2, 2024.

SAMHSA published several considerations when updating the OTP regulations to include COVID-19-era flexibilities. Of import to this discussion was the desire to make permanent those which were found to be integral to the enhancement and encouragement of opioid use disorder care, as well as a decrease in the stigma associated with opioid use disorder. One of the flexibilities made permanent relates to the in-person physical examination requirement. Specifically, where a provider determines an adequate screening and full evaluation of an OTP patient can be accomplished through telehealth, this practice is acceptable. 42 CFR 8.12(f)(2)(v). The subsection further sets forth the different parameters for telehealth in evaluating a patient for treatment with a schedule II medication (such as methadone) and a schedule III medication (such as buprenorphine) and medications not classified (such as naltrexone). After the initial screening, the OTP obligations relating to an in-person physical examination remain, albeit delayed. The amended 42 CFR 8.12(f)(2)(iii) requires that each OTP patient undergo a "full in-person physical examination. . . within 14 calendar days following a patient's admission to the OTP." Amended 42 CFR 8.12(f)(4)(i) requires "[e]ach patient admitted to an OTP be given a physical and behavioral health assessment. . . within 14 calendar days following admission, and periodically by appropriately licensed/credentialed personnel." With these amendments, the Board's regulations no longer align with the Federal regulation.

According to the Commonwealth's Opioid Data Dashboard, the opioid overdose epidemic is the worst public health crisis in this Commonwealth, and the Nation, in almost a generation. The opioid epidemic is a top public health issue in the United States, with drug overdose deaths ranking as the leading cause of injury death across the country. According to the Department of Health's web site, "each day, at least ten Pennsylvanians die of opioid or heroin overdose. This epidemic is killing our loved ones at an alarming rate. The problem can largely be attributed to the rapid rise in the abuse of opioids, including both prescription pain relievers and heroin." In 2022, approximately 14 Pennsylvanians died each day from a drug overdose, which is 5,158 total drug overdose deaths in 2022. Preliminary estimates show a higher number of overdose deaths in January, February and May of 2023 than the corresponding months in 2022.

According to DDAP, telehealth offers numerous benefits in addressing the opioid overdose epidemic, including increased access to care, continuity of care, convenience and privacy, comprehensive care, cost-effectiveness, enhanced patient engagement, access to crisis management and data-driven approaches. Leveraging these advantages can play a crucial role in enhancing the quality, accessibility and effectiveness of opioid addiction treatment and overdose prevention. Recently, the National Institute on Drug Abuse announced that a Federally funded study found that expanded availability of telehealth reduced likelihood of fatal overdose among Medicare beneficiaries. Another study was initiated to examine the association of the receipt of telehealth services and medications for opioid use disorder with fatal drug overdoses before and during the COVID-19 pandemic. This study found that emergency authorized telehealth expansion and medications for opioid use disorder provision during the COVID-19 pandemic were associated with lower odds of fatal drug overdose, demonstrating the benefits of continuing these services.

It is imperative for this Commonwealth to have a regulatory system that is consistent with modern treatment methods for opioid use disorder treatment. The modern methods of opioid use disorder treatment encompass the needs of a society experiencing healthcare worker shortages and stigmatization of opioid use disorder while simultaneously encouraging treatment and accessibility. OTPs within this Commonwealth are required to adhere to the standards set forth in the Federal laws and regulations. OTPs are highly regulated at the Federal and state level. This robust body of law ensures that OTPs operate in a manner consistent with the public health and welfare.

Omission of Proposed Rulemaking

After the SAMHSA regulations were published on February 2, 2024, and became effective on April 2, 2024, coordination among State agencies occurred. The Governor's Policy Office asked the Board to consider amending its regulations so that the Board's regulations would not be an impediment to implementing the SAMHSA regulations. DDAP, the Department of Health and the Department of Human Services support the use of telehealth for the screening and initial examination for patients being admitted for treatment of opioid use disorder at OTPs. A draft annex, which makes the Board's regulations consistent with the SAMHSA regulations, was placed on the Board's June 25, 2024, agenda (the Board meets approximately every 6 weeks) for the Board's consideration, at which time the Board adopted it.

Under section 204(3) of the Commonwealth Documents Law (CDL) (45 P.S. § 1204(3)), the Board is authorized to omit the procedures for proposed rulemaking in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) if the Board for good cause finds that the specified procedures are impracticable, unnecessary or contrary to the public interest. Based upon the Board's consideration of the SAMHSA regulations as well as the support of the SAMHSA regulations by other State agencies and the opioid overdose epidemic, the Board determined that publication of a proposed rulemaking was impracticable and contrary to the public interest because of the importance of expediting this final-omitted rulemaking to continue the enhancement and encouragement of opioid use disorder care and decrease the stigma associated with opioid use disorder. Telehealth for this purpose was basically field-tested during the COVID-19 pandemic and it was found to be an effective means of getting treatment to people with opioid use disorder efficiently to prevent additional overdose deaths. This is a very real public health crisis, and any delay is contrary to the public interest. The use of telehealth to treat individuals suffering from opioid use disorder treatment saves lives. Using telehealth for this purpose is now the National standard due to the change in SAMHSA's regulations, which were extensively vetted.

Additionally, the Board finds that publication of a proposed rulemaking is contrary to public interest because of the importance of clarifying regulatory standards expeditiously so that the regulated community has clear and consistent standards. OTPs are required to follow the SAMHSA regulations as a condition of certification, but the telehealth provision is permissive and not mandatory. So, currently, OTPs must follow the Board's regulations regarding the in-person physical examination requirement under § 16.92(b)(1), which is inconsistent with the SAMHSA regulations. The Board is concerned that practitioners in OTPs may now believe, based on the changes in the Federal rules, that they are permitted to use telehealth for the examination; however, if they do so, they would be subject to discipline by the Board at the State level. The Board is trying to avoid conflicts such as this.

The Board also finds that public comment is unnecessary and would be duplicative because there was significant public input in the recent amendments to the SAMHSA regulations, which mirror the Board's amendments in this final-omitted rulemaking. During the public comment period for the SAMHSA regulations, 373 public comments were received and considered by SAMHSA. Therefore, the Board finds that this final-omitted rulemaking is an appropriate method to conform the Board's regulations to Federal standards especially given the safeguards that are already in place as well as the importance of modernizing opioid use disorder treatment in this Commonwealth.

Description of the Amendments

This final-omitted rulemaking adopts the same physical examination standard utilized as a result of the COVID-19 waivers, which proved to be safe and effective during and after the COVID-19 pandemic. This final-omitted rulemaking also conforms the Board's regulations to the Federal opioid use disorder treatment standards as the Board does not wish to unnecessarily maintain a more stringent standard than required by Federal law for OTPs given the continued opioid crisis in this Commonwealth.

The Board amends § 16.92(a) by deleting the definition of “drug” and replacing it with the term “controlled substance.” In the current regulations, the term “drug” includes butalbital, carisoprodol and tramadol. These drugs were not classified as controlled substances when the Board promulgated the definition of “drug.” The Board included these drugs in the definition because they were considered drugs of abuse and the Board wanted them treated the same as controlled substances. However, now that they are scheduled controlled substances under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144), it is no longer necessary to specify these drugs. The Board also adds a definition for the terms “telehealth” and “opioid treatment program” to § 16.92(a); the definitions of these terms are based upon the definitions in the Federal regulations at 42 CFR 8.2 (relating to definitions).

Regarding OTPs, the Board amends § 16.92(b)(1) and adds paragraph (9) to reflect the Federal regulations at 42 CFR 8.12 with regard to physical examinations. The amendments provide that the initial physical examination required under subsection (b)(1) may be conducted by means of telehealth for those patients being admitted for treatment of opioid use disorder at an OTP with either buprenorphine or methadone, provided that the provider determines that an adequate evaluation of the patient can be accomplished by telehealth and a full in-person physical examination is completed within 14 days after admission to the OTP. Paragraph (9) further requires the initial telehealth examination to comply with the applicable Federal standards at 42 CFR 8.12.

The term “controlled substance” replaces the term “drug” in § 16.92(b) and paragraphs (b)(2)—(6). Additionally, in § 16.92(b)(1), the Board clarifies that an initial physical examination shall be conducted prior to prescribing controlled substances. This amendment does not substantively change this section, but rather, provides clarity to this long-standing standard promulgated by the Board.

Fiscal Impact and Paperwork Requirements

This final-omitted rulemaking will not have a fiscal impact and will not create additional paperwork to the regulated community, the general public or the Commonwealth’s political subdivisions.

Sunset Date

The Board continuously monitors the effectiveness of the regulations. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on October 3, 2024, the Board submitted copies of the final-omitted rulemaking with a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the chairperson of the Consumer Protection and Professional Licensure Committee of the Senate (SPC/PLC) and the chairperson of the Professional Licensure Committee of the House of Representatives (HPLC). On the same date, the Board submitted a copy of the final-omitted rulemaking to the Office of Attorney General under section 204(b) of the Commonwealth Attorneys Act (71 P.S. § 732-204(b)).

Under sections 5.1(e) and (j.2) of the Regulatory Review Act (71 P.S. § 745.5a(e) and (j.2)), the regulations were deemed approved by the SPC/PLC and the HPLC on November 30, 2024, and IRRC met on December 5, 2024, and approved the final-omitted rulemaking.

Additional Information

Additional information may be obtained by writing to Saiyad Ali, Board Administrator, State Board of Medicine, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-MEDICINE@PA.GOV.

Findings

The Board finds that:

(1) Public notice of the Board’s intention to amend the Board’s regulations under the procedures in sections 201 and 202 of the Commonwealth Documents Law (45 P.S. §§ 1201 and 1202) has been omitted under section 204 of the CDL (45 P.S. § 1204) because, in consideration of the SAMHSA regulations and the opioid overdose epidemic, publication of proposed rulemaking is impracticable and contrary to the public interest due to the importance of continuing the enhancement and encouragement of opioid use disorder care and decrease in the stigma associated with opioid use disorder. Additionally, public comment is unnecessary because there was significant public input in the recent amendments to the SAMHSA regulations, which mirror the Board’s amendments in this rulemaking. During the public comment period for the SAMHSA regulations, 373 public comments were received and considered by SAMHSA. Omitting publication of proposed rulemaking is an appropriate method to conform the Board’s regulations to Federal standards, especially given the safeguards that are already in place as well as the importance of modernizing opioid use disorder treatment in this Commonwealth.

(2) The promulgation of the regulations in the manner provided in this order is necessary for the administration of the Medical Practice Act of 1985 (63 P.S. §§ 422.1—422.53).

Order

The Board, acting under its authorizing statute, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 16, are amended by amending § 16.92 to read as set forth in Annex A.

(b) The Board shall submit this final-omitted rulemaking to the Office of Attorney General and the Office of General Counsel for approval as required by law.

(c) The Board shall submit this final-omitted rulemaking to the Independent Regulatory Review Commission, the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee as required by law.

(d) The Board shall certify this final-omitted rulemaking and deposit it with the Legislative Reference Bureau as required by law.

(e) This final-omitted rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

MARK B. WOODLAND, MS, MD,
Chairperson

(Editor’s Note: See 54 Pa.B. 8361 (December 21, 2024) for IRRC’s approval.)

Fiscal Note: Fiscal Note 16A-4962 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 16. STATE BOARD OF MEDICINE—GENERAL PROVISIONS

Subchapter F. MINIMUM STANDARDS OF PRACTICE

§ 16.92. Prescribing, administering and dispensing controlled substances.

(a) When prescribing, administering or dispensing controlled substances, a person licensed to practice medicine and surgery in this Commonwealth or otherwise licensed or regulated by the Board shall carry out, or cause to be carried out, the following minimum standards:

(1) *Initial medical history and physical examination.* Except as provided in paragraph (9), an initial medical history shall be taken and an initial physical examination shall be conducted prior to prescribing controlled substances unless emergency circumstances justify otherwise. Medical history and physical examination information recorded by another licensed health care provider may be considered if the medical history was taken and the physical examination was conducted within the immediately preceding 30 days. The physical examination shall include an objective evaluation of the heart, lungs, blood pressure and body functions that relate to the patient's specific complaint.

(2) *Reevaluations.* Reevaluations of the patient's condition and efficacy of the controlled substance shall be made consistent with the condition diagnosed, the controlled substance or substances involved, expected results and possible side effects.

(3) *Patient counseling.* The patient shall be counseled regarding the condition diagnosed and the controlled substance prescribed, administered or dispensed. Unless the patient is in an inpatient care setting, the patient shall be specifically counseled about dosage levels, instructions for use, frequency and duration of use and possible side effects.

(4) *Medical records.* Accurate and complete medical records must document the evaluation and care received by patients. The following apply:

(i) On the initial occasion when a controlled substance is prescribed, administered or dispensed to a patient, the medical record must include the following:

(A) A specification of the symptoms observed by the licensed health care provider and reported by the patient.

(B) The diagnosis of the condition for which the controlled substance is being given.

(C) The directions given to the patient for the use of the controlled substance.

(D) The name, strength and quantity of the controlled substance and the date on which the controlled substance was prescribed, administered or dispensed.

(ii) After the initial occasion when a controlled substance is prescribed, administered or dispensed, the medical record must include the information required in subsection (a)(4)(i)(D) and changes or additions to the information recorded under subsection (a)(4)(i)(A)—(C).

(5) *Emergency prescriptions.* In the case of an emergency contact from a known patient, a prudent, short-term prescription for a controlled substance may be issued. Neither a refill nor a consecutive issuance of this emergency prescription may be given unless a physical examination and evaluation of the patient is first conducted by a licensed health care provider. The results of this examination and evaluation shall be recorded in the patient's medical record together with the diagnosis of the condition for which the controlled substance is being prescribed. An emergency oral prescription for a Schedule II controlled substance shall be covered by a written prescription delivered to the pharmacist within 72 hours.

(6) *Compliance with other laws.*

(i) This section may not be construed as restricting or limiting the application of The Controlled Substance, Drug, Device and Cosmetic Act or statutes or regulations of the Department of Health and the Department of Public Welfare that govern the prescription, administration and dispensation of controlled substances and medical recordkeeping in certain health care facilities.

(ii) This section may not be construed as restricting or limiting the application of Federal laws or regulations that govern the prescription, administration and dispensation of controlled substances and medical recordkeeping in certain health care facilities.

(iii) This section does not relieve a person from complying with more stringent standards that may be imposed by another statute or regulation.

(7) *Compliance with facility policy.* This section does not relieve a person from complying with more stringent standards that may be imposed by the health care facility in which the person practices or by the person's employer.

(8) *Adherence to standards of practice.* Compliance with this section will not be treated as compliance with the standards of acceptable and prevailing medical practice when medical circumstances require that the licensed health care provider exceed the requirements of this section.

(9) *Opioid Treatment Programs.* For OTPs, the initial physical examination required under subsection (a)(1) may be conducted by means of telehealth for those patients being admitted for treatment of opioid use disorder in an OTP with either buprenorphine or methadone provided that the provider determines that an adequate evaluation of the patient can be accomplished by telehealth and a full in-person physical examination is completed within 14 days after admission to the OTP. The initial telehealth examination must comply with the requirements of 42 CFR 8.12 (relating to Federal opioid use disorder treatment standards).

(b) The following words and terms, when used in this section have the following meanings, unless the context clearly indicates otherwise:

Controlled substance—A drug, substance or immediate precursor included in Schedules I through V of The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144) or that are controlled substances under Federal law as set forth at 21 U.S.C. § 812 (relating to schedules of controlled substances).

OTP—Opioid Treatment Program—A program engaged in opioid use disorder treatment of individuals with medications for opioid use disorder registered under the Controlled Substances Act at 21 U.S.C. § 823(h)(1)) (relating to registration requirements).

Telehealth—The delivery and facilitation of health care services by telecommunications and digital communication technologies, including Health Insurance Portability and Accountability Act (HIPPA)-compliant video and audio-only communication platforms.

[Pa.B. Doc. No. 24-1818. Filed for public inspection December 20, 2024, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF STATE

[4 PA. CODE CHS. 161, 163 AND 167]

Notaries Public; Revised Uniform Law on Notarial Acts

The Department of State (Department) proposes to amend §§ 161.1 and 163.1 (relating to schedule of fees; and applicability of general rules) and add Chapter 167 (relating to notaries public) to read as set forth in Annex A. This proposed rulemaking implements 57 Pa.C.S. Chapter 3 (relating to Revised Uniform Law on Notarial Acts) (act).

Statutory Authority

The amendments to §§ 161.1 and 163.1 are authorized under section 506 of The Administrative Code of 1929 (71 P.S. § 186), which states that the heads of administrative departments are empowered to prescribe rules and regulations, not inconsistent with law, for the government of their respective departments, the conduct of their employees and clerks, the records, books, documents and property pertaining thereto. Furthermore, section 802(b) of The Administrative Code of 1929 (71 P.S. § 272(b)) grants the Department the power and the duty “to furnish to any person, upon request and the payment of such charges as may be required and fixed by law, certificates of matters of public record in the department, or certified copies of public papers or documents on file therein.” Concurrently, the Department is authorized under section 3 of The Administrative Code of 1929 (71 P.S. § 282) to adopt rules and regulations pertaining to its powers and duties under The Administrative Code of 1929.

The Department has broad authority under 57 Pa.C.S. § 327(a) (relating to regulations) to prescribe the manner of performing all notarial acts, including provisions to prevent fraud or mistake in the performance of notarial acts, and to prescribe the process of granting, renewing, conditioning, denying, suspending or revoking a notary public commission and assuring the competence and trustworthiness of an individual holding a commission as notary public. Proposed Chapter 167 is authorized under 57 Pa.C.S. § 327(a), which authorizes the Department to promulgate regulations to implement the act, and 57 Pa.C.S. § 329.1(a) (relating to fees of notaries public), which states that the fees of notaries public shall be fixed by the Department by regulation. Additionally, the Department is required to promulgate regulations regarding performance of a notarial act performed under 57 Pa.C.S. § 306.1 (relating to notarial act performed for remotely located individual).

Effective Date

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

Background and Need for Amendments

The office of notary public is an important position of public trust that has experienced many changes since this Commonwealth first enacted a law governing notaries public in 1791. Under that first law, the Governor had the authority to appoint six notaries for Philadelphia and three for the remaining counties. The authority to appoint notaries public was transferred to the Secretary of the Commonwealth by the Notary Public Law of 1953 (57 P.S. § 147—169) (Repealed). With the enactment of the act,

the Department continues the regulation of 75,000 notaries public in this Commonwealth, through the Bureau of Notaries, Commissions and Legislation (Bureau). Executive Board resolution number OR-20-018, effective September 28, 2020, reorganized the former Bureau of Commissions, Elections and Legislation and established the Bureau of Elections and Notaries. The Office of Administration granted interim approval on November 30, 2021, for a reorganization separating notary and election functions and creating the Bureau of Notaries, Commissions and Legislation. Under the act, notaries in this Commonwealth are empowered to administer oaths and affirmations, take acknowledgments, take verifications on oath or affirmation, witness or attest signatures, certify copies or depositions, and note protests of negotiable instruments. Notaries serve as impartial witnesses to the signing of important documents and verify the identity of the signers, their willingness to sign the documents and their awareness of the contents of the document or transaction. Their official acts are called notarizations or notarial acts.

The act applies to all notarial officers in this Commonwealth, which include both notaries public and other individuals authorized to perform notarial acts. Additional provisions of the act, such as appointment and commission by the Department, bond and journal requirements, apply only to notaries public. This proposed rulemaking applies only to notaries public.

This proposed rulemaking serves to preserve the uniformity of the act (and its predecessor the Uniform Law on Notarial Acts), as promulgated by the Uniform Law Commission. To date, 28 states have adopted the Uniform Law on Notarial Acts as completed by the Uniform Law Commission initially in 1982, revised in 2010 and amended in 2018 and 2021. When appropriate, the Department incorporated the details and explanations provided by the Uniform Law Commission’s comments to the act, dated November 15, 2010. The act is a comprehensive and robust statute that details specific requirements with regard to qualifications, standards of practice, prohibitions, electronic and remote notarization. Because of the comprehensive nature of the statute, the Department’s regulations supplement the requirements of the act. Throughout the regulations, the Department incorporates by reference the statutory requirements to avoid repeating statutory requirements.

The act of October 9, 2013 (P.L. 609, No. 73) (Act 73 of 2013) adopted the act. After the enactment of Act 73, the act of July 9, 2014 (P.L. 1035, No. 119) (Act 119 of 2014) revised the act with regard to appointment and commission as notary public, qualifications and applications. The act became fully effective on October 26, 2017, as described as follows. The act completely replaced the repealed Notary Public Law and Uniform Acknowledgment Act with modern language and best practices.

The act has been implemented in several phases. Under section 5 of Act 73 of 2013, immediately effective on October 9, 2013, was the Department’s authority to promulgate regulations to implement the act, the Department’s authority to approve basic and continuing notary education courses and the Department’s authority to fix the fees of notaries public by regulation. Under the act, the Department was also required to have an examination in place for first-time applicants and those applicants with expired commissions. A contract for development,

administration and maintenance of the exam was awarded in June 2016, with a requirement that the notary public examination be available in summer 2017. The Department issued a call for new notary education courses on September 13, 2016, and began the process of reviewing and approving notary education which was compliant with the new law. The Department published notice at 47 Pa.B. 2518 (April 29, 2017) that it had approved a sufficient number of new notary education courses and that the remainder of the act would take effect on October 26, 2017, 180 days after publication of the notice.

The Department deemed it necessary to adopt comprehensive regulations to implement the act. Under Executive Order 1996-1 (4 Pa. Code §§ 1.371—1.382 (relating to regulatory review and promulgation)), the Department sought comments and suggestions on a draft rulemaking released for public comment on December 16, 2014. Written comments were received from 21 commentators. The Department reviewed those comments and made revisions to the draft rulemaking.

The Department published notice of proposed rulemaking at 48 Pa.B. 5474 (September 1, 2018). Following extensive comments on the proposed rulemaking, the Department advised commentators on October 2, 2020 that it would not submit a final-form rulemaking pertaining to regulation number 16-59 and that it planned to submit a new proposed rulemaking package to ensure sufficient public notice and opportunity to comment. This determination was based on extensive revisions to the proposed rulemaking, the advent of temporary remote notarization as authorized by the act of April 20, 2020 (P.L. 82, No. 15) (Act 15 of 2020) (effective April 20, 2020) and the limited time for review at the end of the 2019-2020 legislative session. Furthermore, the act of October 29, 2020 (P.L. 1030, No. 97) (Act 97 of 2020) amended the act to provide for permanent remote notarization.

Under Executive Order 1996-1, the Department released an exposure draft of the final-form rulemaking for public comment on February 16, 2023. Written comments were received from 11 commentators. The Department reviewed those comments and made revisions to the proposed rulemaking.

Description of Proposed Amendments

Overview

This proposed rulemaking amends existing regulations regarding fees and application of general rules in Chapters 161 and 163 (relating to fees; and Special Rules of Administrative Practice and Procedure). Additionally, proposed Chapter 167 includes 11 subchapters pertaining to notary public qualifications, practice and procedure, notarial seal and journal, discipline, education, notarization of electronic records and notarial acts performed for remotely located individuals, all intended to further clarify the requirements of the act. This proposed rulemaking parallels the statute—it does not broaden the scope of the act, but instead reflects current practices and mandates currently optional best practices.

§ 161.1. Schedule of fees

The Department is proposing to amend the existing regulation on schedule of fees regarding commissions. The authority for proposing to amend Chapter 161 is varied and is explained under Statutory Authority.

The Department proposes to delete the fees under “Commissions.” The fee for Commissioner of Deeds must

be deleted because of the act of December 9, 2002 (P.L. 1269, No. 151) (Act 151 of 2002). This act, effective July 1, 2003, repealed the office of Commissioner of Deeds. The fees for Railroad Police or Institutional Police commission, notice of election of Sheriff (called Sheriff’s writ), Treasures commission, District Justices, Register of Wills bond and Recorder of Deeds bond are commission and bond fees which are no longer collected by the Department under 16 Pa.C.S. §§ 1121—1133 (relating to County Officer and Employee Fiscal Security Act). These fees were previously authorized by section 809 of The Administrative Code of 1929 (71 P.S. § 279), which requires the Department to file bonds of county officers in addition to issuing commissions to those county elected officials. Section 1131(b)(3) of 16 Pa.C.S. (relating to custody and filing of required security documents) mandates that, after filing a copy of the recorded fiscal security documents with the Department, no tax, fee or other charge shall be imposed as a result of the issuance of the commissions to elected county officials. Since the enactment of the County Officer and Employee Fiscal Security Act on November 22, 2011, the Department has not charged the enumerated fees for the issuance of commissions specified under § 161.1 and is proposing to delete these fees, as part of the overhaul of Subpart C (relating to commissions and notaries public).

Under Certificates in the schedule of fees, the certificate fees for Great Seal certificate and Certificate requiring Secretary’s seal are replaced with fees for certifying copies of any public papers or records on file with the Bureau and certifying matters of public record with the Bureau. Public papers or records on file with the Bureau include notary public records as well as public officer oaths of office and commissions, for which the Bureau receives requests for certified copies. Matters of public record with the Bureau include the authentication of the seal and signature of public officials in this Commonwealth under the 1961 Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents (Apostille Convention). Since October 15, 1981, the United States has been part of the Apostille Convention. The Convention provides for the simplified certification of public (including notarized) documents to be used in countries that have joined the Convention. Under the Apostille Convention, signatory countries have agreed to recognize public documents issued by other signatory countries if those public documents are authenticated by the attachment of an internationally recognized form of authentication known as an apostille. The apostille ensures that public documents issued in one signatory country will be recognized as valid in another signatory country. Apostilles require no further diplomatic or consular legalization. Under the Apostille Convention, the United States Department of State certifies to the seal and signature of Federal public officials and each state Department of State or equivalent certifies to state officials. For documents intended for use in countries which are not signatories to the Apostille Convention, the Department of State attaches a certification, which similarly attests to the seal and signature of the public official in this Commonwealth. The \$15 fee for certifying matters of public record with the Bureau includes both types of authentications.

Under Miscellaneous in the schedule of fees, the Department proposes to delete the fees for writs including Great Seal and filing recognition for public office because the fees are no longer collected by the Department

under 16 Pa.C.S. §§ 1121—1133, as noted previously. The Department has not collected these fees since November 22, 2011.

The fees for application for appointment and commission as a notary public and renewal of appointment and commission are listed solely for clarity and are set as \$42 by 57 Pa.C.S. § 321(b)(2) (relating to appointment and commission as notary public; qualifications; no immunity or benefit). The Department also clarifies that the cost of copies is \$1 per page.

The Department proposes new fees for lists of notaries public and data requests. List and data requests are frequently made by companies seeking to contact notaries for commercial purposes. The generation of these lists involves Bureau and information technology staff time to generate. On August 3, 2018, user fees for enhanced electronic access to public records were approved by the Office of Open Records under the authority of section 1307(e) of the Right-to-Know Law (65 P.S. § 67.1307(e)). They are the fees for master lists of notaries public and other notary public-related lists and data requests.

The Department proposes to add fees for approval and renewal of notary public education courses. The act requires that both notary public basic education and continuing education courses be approved by the Department. The fee for approval and renewal of approval of notary public courses is based on Bureau and legal staff time to review and approve the 3-hour education courses.

The notary public fee schedule is moved from this section to proposed § 167.3 (relating to fees) because the notary public fee schedule sets forth the maximum permissible fees which may be charged by notaries public and not by the Department.

§ 163.1. Applicability of general rules

The Department proposes to amend this section by revising the former name of the Bureau (Commission Bureau) to the Department to make it clear that the provisions of the general rules of administrative practice and procedure apply to the activities of the Department pertaining to commissions and notaries public.

Chapter 167. Notaries public

Subchapter A. General Provisions

The scope of Chapter 167 is stated in § 167.1 (relating to scope) and terms used in Chapter 167 are defined in § 167.2 (relating to definitions). The definitions of the act are proposed to be incorporated by reference and have the same meaning when used in this proposed rulemaking. Definitions are proposed to be added to clarify the status of an individual (“applicant,” “appointee,” “electronic notary public” and “remote notary public”). Definitions are proposed to be added to explain the process of becoming a notary public (“appoint or appointment,” “certificate of education,” “examination” and “renewal of appointment and commission”). The terms “office address” and “home address” are specified to include street and number, because a post office box is not a sufficient address for the Department to locate a notary. Only a notary’s office address (the place of employment or practice in the Commonwealth) is available to the public. Definitions proposed to be added clarify the notarization of electronic records (“electronic notarization,” “electronic notarization technology provider” and “tangible”) and notarizations for remotely located individual (“remote notarization” and “remote notarization technology provider”). Definitions are proposed to be added to explain conflict of interest (“direct or pecuniary interest” and “spouse”). Lastly, defi-

nitions are proposed to be added to clarify the meaning of stamping device (“non-inking embosser”).

Proposed § 167.3 (relating to fees) sets for the maximum permissible fees which may be charged by notaries public. Under 57 Pa.C.S. § 329.1, the Department is required to set fees that may be charged by notaries public. Section 329.1(b) of 57 Pa.C.S. prohibits a notary public from charging or receiving a fee in excess of the fee fixed by the Department and 57 Pa.C.S. § 329.1(c) allows a notary public to waive the right to charge a fee. Based upon these provisions, the Department set the fees in proposed § 167.3 as maximum fees rather than fixed mandatory fees. The Department proposes to move the fees notaries public may charge from § 161.1 to § 167.3 to clarify that these fees are not fees charged by the Department.

The fee schedule is proposed to be amended to change the terminology from the notarial acts permitted by the repealed Notary Public Law to those permitted by the act. The fees for taking acknowledgments, administering oaths, taking affidavits (now called taking a verification on oath or affirmation) and executing protests (now called noting protests) remain the same. A fee for witnessing or attesting a signature (a new notarial act per the act) is proposed, while the fee for taking depositions, per page is proposed to be deleted. The act does not contain taking depositions as a distinct notarial act, but it does include certifying or attesting a copy or deposition as a notarial act. As notarial officers authorized to administer oaths or affirmations, notaries public may continue to take depositions and charge separately for administering the oath and later certifying a copy of the deposition. Nothing in these regulations or the act precludes notaries from charging for their services in taking depositions.

Three commentators, all companies or associations representing approximately 40,000 notaries, requested that all notary fees be doubled, to up to \$10. The Department declines to raise the fees that notaries may charge at this time. The Department acknowledges that notary fees were set at \$2 in 1984 and were last raised to \$5 on May 28, 2005. The Department also acknowledges that the act imposes additional costs on some notaries—an examination cost for first-time notary applicants and continuing education costs for those notaries who were “grandfathered in” by the Pennsylvania Supreme Court ruling in *Tritt v. Cortés* 851 A.2d 903 (Pa. 2004) and not obligated to comply with the education requirement imposed by 2002 amendments to the former Notary Public Law. Notary operating expenses, such as the option for professional liability insurance (errors and omissions), have also increased over the past 10 years.

Clearly, notaries perform valuable services preventing fraud and forgery and providing confidence that a signature is authentic and was made voluntarily. However, the Consumer Price Index does not justify a doubling of fees at this time for notarizing tangible (paper) records, which requires no additional technology. Raising notary fees to \$10 would make notary fees in this Commonwealth higher than in the surrounding states. According to the Department’s research in May 2023, the states surrounding this Commonwealth (Delaware, Maryland, New Jersey, New York and Ohio) cap fees at levels between \$2 and \$6 per notarial act for most transactions, with the exception of West Virginia, which permits \$10. Thirteen states (Arizona, Florida, Indiana, Michigan, Montana, New Hampshire, North Carolina, Oregon, South Dakota, Utah, Washington, West Virginia and Wyoming) permit fees up to \$10 for most notarial acts performed tradition-

ally (in person and on paper). California, Colorado and Nevada permit a fee of \$15. Ten states (Alaska, Arkansas, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Tennessee and Vermont) do not have a specific cap on permissible fees. The remaining 17 states specify various caps ranging from \$1 to \$5 (Texas alone permits \$6). Finally, while there are organized notary associations coordinating the request to raise fees, there is not an organized group representing the users of notary services to request lower or unchanged fees.

However, in response to numerous requests from notaries and notary associations, the Department proposes to authorize notaries public to charge up to an additional \$20 per notarial act performed with respect to electronic records or using communication technology. This fee is designed to offset the significant cost of the technology required for electronic and remote notarization. While each technology differs in price structure, some charge monthly fees, while others charge per notarial act. All require the purchase of a digital certificate. Some even itemize charges for each knowledge-based authentication and storage of the audio-visual recordings. If remote online notaries store the recordings themselves, this alone requires additional storage space. This fee is also in keeping with the 29 states that have authorized a separate fee for electronic or remote notarization, or both—over 2/3 (20) permit a maximum of \$25 per notarial act performed with respect to electronic records or using communication technology. The ability for an electronic or remote notary to charge the usual notarial fee plus \$20 per notarial act performed with respect to electronic records or using communication technology will bring this Commonwealth in line with the rest of the nation and permit them to recoup the costs for these technologies. Lastly, proposed § 167.3 codifies the best practice of providing itemized receipts for notary services.

Subchapter B. Qualifications for Appointment and Commission

Notaries public are commissioned for 4-year terms. Every 4 years, an applicant must meet the eligibility requirements for appointment as a notary public specified in the act. The requirements include all of the following:

- Age (be at least 18 years of age)
- Citizenship or permanent legal residence in the United States
 - Residence or place of employment or practice in this Commonwealth
 - Ability to read and write English
 - Honesty, integrity, competence and reliability (shown by the lack of disqualification because of character, criminal convictions or prior sanctions)
 - Education (at least 3 hours of approved notary education within the 6 months immediately preceding the application for appointment or reappointment)

In addition, notary public applicants who do not hold a current and unexpired commission must pass an examination administered by the Department's examination vendor, Pearson VUE. This includes new applicants who have never held notary commissions and applicants who previously held notary commissions but whose commissions have lapsed or expired at the time the application for reappointment is received by the Department.

An applicant must complete the mandatory education prior to applying to the Department. The applicant may apply online at www.notaries.pa.gov or by mail. A copy of

the education certificate must be uploaded or included with the application. The nonrefundable application fee is \$42, as specified by the act. The act authorizes the Department to deny an application for an act or omission which demonstrates that the individual lacks the honesty, integrity, competence and reliability to act as a notary public, subject to the right of notice, hearing and adjudication and the right of appeal. After the Department's review and approval of the notary application, those applicants who are required to take the examination are notified by e-mail about Pearson VUE's testing procedures and sites. The examination is a computer-based test offered at 52 Pearson VUE test centers throughout this Commonwealth. The cost of the examination is \$65 per test. Examination results are electronically reported to the Department.

Applicants who pass the examination and renewing notaries who are not required to take the examination receive an e-mail from the Department, with their appointment information, instructions and an official bond and oath form to be executed by a bonding company and the appointee. The act requires that appointees must obtain a bond, take the oath of office and record their oath, completed bond and commission in the Recorder of Deeds in the county where the individual maintains an office. The appointees must also register their signature with the Prothonotary's office in the county where the notary's office is located. Both of these steps must be completed within 45 calendar days after the date of appointment or 45 days after the expiration of the current commission, or the notary's commission becomes null and void, as specified by the act. Following the completion of these steps, an individual holds a notary public commission and may serve in that capacity for a 4-year term.

This proposed subchapter clarifies the eligibility for appointment and commission as a notary public stated in 57 Pa.C.S. § 321 of the act in proposed §§ 167.11—167.13 (relating to eligibility and application requirements for initial appointment and commission; eligibility and application requirements for renewal of appointment and commission where there has been no lapse in commission; and eligibility and application requirements for renewal of appointment and commission where there has been a lapse in commission). The long-time requirement for education as part of appointment and commission under the former notary law remains largely the same under the act, with the addition of an examination for those applicants who do not hold a commission at the time they apply. Applicants who have never held a commission are included under § 167.11. Applicants who hold a notary commission at the time their application for renewal is received are included under § 167.12. Applicants who previously held a notary commission at the time of renewal are included under § 167.13. This section makes it clear that applicants for appointment and commission who do not hold a current and unexpired notary public commission at the time the application is received by the Department must pass an examination. This includes applicants who have never held notary commissions and applicants who previously held notary commissions but whose commissions have lapsed or expired at the time their application for reappointment is received by the Department, even just for 1 day.

Proposed § 167.14 (relating to name of notary public on application for appointment and commission) codifies long-standing Department policy on names. It is important that notaries, charged with ensuring that individuals appearing before them have the identity claimed, also have satisfactory evidence of their own identity if re-

quested by the Department. Further, the notary will be required to present satisfactory evidence of their identity when taking their oath of office and if their identity credentials do not match the name on the commission, the entire commissioning process grinds to a halt until the correct name is sorted out.

Proposed § 167.15 (relating to notary public examination) sets forth details on the examination required under 57 Pa.C.S. § 322(a) (relating to examination, basic education and continuing education) for first-time applicants and those notaries who previously held a commission but whose commission has since expired. This section establishes the rules for passing scores and retaking the examination, which is administered by the Department's examination vendor (currently Pearson VUE). Computer-based testing is available widely throughout this Commonwealth. Pearson VUE has made available 52 testing sites across this Commonwealth. Since August 2022, test-takers have been able to test at their convenience from their home or office with an online proctored exam. Notary applicants have 6 months from the time they are authorized to sit for the examination to successfully pass the test. They may take it as many times as needed within the 6-month period. This policy is timed to match the expiration of education, which must be completed in the 6 months immediately preceding the application.

Proposed § 167.16 (relating to notary public bond) implements a recommendation from the Fraudulent Conveyance Task Force of the Philadelphia Bar Association (Task Force) to raise the required notary bond amount from \$10,000 to \$25,000 for each 4-year term. The Task Force was convened to address the outbreak of deed fraud in Philadelphia and is utilizing a variety of legal and administrative solutions to respond to this unique crime. Deed fraud is where fraudsters create fake documents and dupe innocent victims, convincing others that they own a property that belongs to someone else. Notaries public are sometimes part of the scheme, as deeds must be notarized to be recorded. In the Department's experience, these notaries are rarely fraudsters, but more often simply not doing their job correctly. Notary errors can cost consumers hundreds of thousands of dollars, regardless of where they are located. The amount of the notary bond was \$3,000 from 1953 to 2002. The bond has been set at \$10,000 since 2003.

Notary bonds are designed to protect the consumer. A notary bond is a guarantee of payment to the obligee (the consumer) should a loss occur for a penalty amount of the bond. Notary bonds are provided by a surety company (typically an insurance carrier, even though bonds are not an insurance policy). The bond runs concurrently with the term of the notary public's 4-year commission. Unlike an insurance policy, if the surety pays out on the bond, it will seek to recover the amount paid from the notary. A notary bond is required by law and costs much less than errors and omissions insurance, which is optional.

It is estimated that the additional cost to notaries to raise the bond amount from \$10,000 to \$25,000 will be \$5 per year. The current cost for a 4-year \$10,000 notary bond is \$30 for most notaries in this Commonwealth. Discussions with underwriters indicate that the premium for a \$25,000 bond would be \$50. The Department expects most companies to follow this pricing model. It should also be noted that much of the time, the notary does not pay for the bond, but the notary's employer, who pays for most of the costs of appointment and commission.

Proposed §§ 167.17 and 167.18 (relating to appointment and issuance of commission; and effect of failure to

record bond, oath and commission and register official signature within 45 days) underscore the timelines for appointment and commission required by the act and make clear that an appointee who fails to meet these statutory timelines is considered an applicant where there has been a lapse in commission under proposed § 167.13.

Subchapter C. Official Stamp and Stamping Device

The equipment required to act as a notary public includes a stamping device, which produces an official stamp or official seal. Both the physical stamping device and the image it produced were formerly known as a notary seal and were required under the Notary Public Law; however, the act changes the terminology and modifies the requirements for the official stamp or notary seal. The term "official stamp" is defined in the act to include a notary seal. Notaries may obtain stamping devices from the vendors of their choice, as long as the appearance of the official stamp or notary seal complies with the act and these regulations. The act does not give the Department the authority to regulate stamping device providers.

Proposed § 167.21 (relating to official stamp) sets forth the requirements for the appearance of the former notary seal, now known as the official stamp under the act. This section adds the notary commission identification number to the stamp, which will enable the public to distinguish between notaries when there is a common name and large county (for example, John Smith, Allegheny County). This section sets forth a visual example of the required stamp. This section also prohibits abbreviations on the official stamp, except for name suffixes. This proposed rulemaking contains transitional provisions for the notary seal that a notary public who holds a commission on the effective date of this rulemaking may continue to use the notary public's official stamp until the expiration of that commission. However, since all notaries have been commissioned at least once since the time the act became fully effective (that is, October 26, 2017), it is expected that their seals already comply with the official stamp requirements set forth in 57 Pa.C.S. § 317 (relating to official stamp).

Proposed § 167.22 (relating to stamping device) sets forth the requirements for use, security and reporting of loss or theft of the physical stamping device. This section also continues the Department's existing policy on non-inking embossers (defined in proposed § 167.2). Because a non-inking embosser is not "capable of being copied together with the record to which it is affixed or attached," under 57 Pa.C.S. § 317(3), a non-inking embosser may not be used as a stamping device. There is nothing to prohibit notaries public using a non-inking embosser on tangible records in conjunction with a stamping device that produces an official stamp. Proposed § 167.22 makes clear that the stamping device is not the property of the notary's employer, even if the employer paid for it. The notary is charged with having custody and control of the stamping device at all times, and this proposed rulemaking explains how that is to occur. The Department has determined that 15 days is the appropriate period for prompt notification of loss or theft, as required by 57 Pa.C.S. § 318(b) (relating to stamping device). Loss or theft of the stamping device could lead to compromise of the seal or use by others. Prompt notification to the Department will be entered on the Department's records. If a complaint is filed about the subsequent misuse of the official seal, the notification may serve to protect the notary public. The Department has

developed a form for reporting the loss or theft of both the stamping device and the journal, found on its web site at <https://dos.pa.gov/notaries>.

Subchapter D. Journal

The equipment required to act as a notary public includes a journal. The journal was required under the Notary Public Law but was known as a register. Notaries may obtain journals from the vendors of their choice, as long as the appearance of the journal entries comply with the act and these regulations. The act does not give the Department the authority to regulate journal providers. This proposed rulemaking contains no transitional provisions for the journal, because all notaries have been commissioned at least once since the time the act became fully effective (that is, October 26, 2017). Therefore, it is expected that their journals already comply with the fundamental journal entry requirements set forth in 57 Pa.C.S. § 319 (relating to journal).

Subchapter D (relating to journal) proposes to implement the requirements in 57 Pa.C.S. § 319 for the notary journal. Proposed § 167.31 (relating to identification of notary public in journal) requires the attribution of basic information about the notary in each journal, as well as meanings of abbreviations and instructions for proper delivery of the journal in the event of incapacity. Busy notaries may fill many journals. Each journal should identify the notary, which is particularly helpful if the journal is lost or stolen and when the journals are provided to the recorder of deeds upon termination of office. Proposed § 167.32 (relating to journal entries) clarifies 57 Pa.C.S. § 319(c). Although the act requires “full name and address of each individual for whom the notarial act is performed,” notaries may not record information that might materially compromise the security or confidentiality of the individual, such as full social security number, full driver’s license number, date and place of birth, mother’s maiden name or biometric records. The definition of “personally identifiable information” is modeled after the definition of “personal information” in section 2 of the Breach of Personal Information Notification Act (73 P.S. § 2302).

Proposed §§ 167.33 and 167.34 (relating to format of journal maintained on a tangible medium; and format of journal maintained in an electronic format) specify the form and content of journals maintained on paper or electronically, respectively. Both sections implement the statutory requirement that the notary record in chronological order all notarial acts that the notary public performs. Both sections prevent the insertion or deletion of notarial acts in the journal. While the act requires the notary to “maintain a journal in which the notary public records in chronological order all notarial acts that the notary public performs,” the act also permits the notary to maintain a separate journal for tangible records and for electronic records. When a journal maintained in electronic format is delivered to the office of the recorder of deeds upon resignation, death or incompetency, it is necessary that the format will be portable document format or other industry-standard readable format acceptable to the receiving recorder of deeds.

Proposed § 167.35 (relating to custody and control of journal; notification of lost or stolen journal) makes clear that the journal is not the property of the notary’s employer, even if the employer paid for it. The notary is charged with having custody and control of the journal at all times and this proposed rulemaking explains how that is to occur. Proposed § 167.35 also details the process a notary shall follow in reporting the loss or theft of a

journal. The Department has determined that 15 days is the appropriate period for prompt notification of loss or theft, as required by 57 Pa.C.S. § 319(d). Loss or theft of the journal could lead to compromise of the journal or use by others. Prompt notification to the Department will be entered on the Department’s records. If a complaint is filed about the subsequent misuse of the journal, the notification may serve to protect the notary public. The Department has developed a form for reporting the loss or theft of both the stamping device and the journal, found on its web site at <https://dos.pa.gov/notaries>. Unlike proposed § 167.22(e), this section does not require delivery of the journal to the Department within 15 days of suspension or revocation. This situation is addressed in 57 Pa.C.S. § 319(e)(3), wherein the notary public is required to deliver the journal to the recorder of deeds within 30 days of termination of office. Termination of office includes nonrenewal, resignation or revocation of commission. A notary who is temporarily suspended retains the journal during the course of the suspension.

Proposed § 167.36 (relating to inspection and certified copies of journal) codifies existing policy relating to requests for a copy of a notary’s journal. Inherent in the right to certified copies of the journal is the right of inspection. “Any person” includes a former customer, a supervisor or employer, or an investigator in a civil, criminal or administrative matter, including Department staff.

Subchapter E. Scope of Practice

This proposed subchapter sets forth additional details on the performance of the essential duties and responsibilities of notary public practice.

Proposed § 167.41 (relating to authority of notary public to perform notarial act) clarifies the authority of the notary to perform acts in every county but only inside this Commonwealth, unless authorized by another jurisdiction to perform notarial acts.

Proposed § 167.42 (relating to personal appearance) clarifies that personal appearance before the notary public, as required under 57 Pa.C.S. § 306 (relating to personal appearance required), requires physical presence before the notary public. This is distinguished from the performance of notarial acts by means of audio-visual communication technology for a remotely located individual (known as remote notarization), which is permitted by 57 Pa.C.S. § 306.1. Proposed § 167.42(b)(2) is intended to clarify that personal appearance is not required for the notarial act of copy certification. Proposed § 167.42(b)(3) is intended to clarify that personal appearance is likewise not required for the notarial act of administering an oral oath or affirmation. However, the notary and the affiant must be able to hear and communicate with each other. This provision will be of particular use to court reporters, who routinely administer oral oaths and affirmations as part of criminal, civil or administrative proceedings in this Commonwealth, where the testifying witnesses are also known to the attorneys and judges in the matter. However, this provision is not designed to override applicable rules of court. The basis for these two exceptions to the personal appearance requirement is 57 Pa.C.S. § 306, which states that if a notarial act relates to a statement made in or a signature executed on a record, the individual making the statement or executing the signature is required to appear personally before the notarial officer. Neither a certified copy nor a purely oral oath or affirmation relates to a statement made in or a signature executed on a record. Proposed § 167.42(b)(3) does not apply to the notarial act

of administering an oath or affirmation, where the oath is in writing and signed by the oath taker. This would include the notary public oath of office, which taken by the notary, reduced to writing and signed on the bond form.

Proposed § 167.43 (relating to identification of individual appearing before notary public—satisfactory evidence) provides additional guidance on what specific documentation may be used as satisfactory evidence of identity. This term was also used in the prior notary public law, but 57 Pa.C.S. § 307(b) (relating to identification of individual) sets forth two categories of documents that may be used by a notary for satisfactory evidence of identity of an individual appearing before a notary. While the preferred identification credentials are a passport, driver's license or government-issued nondriver identification card that are current and unexpired, the law recognizes that some individuals may not have these credentials. The list in proposed § 167.43(a)(2) is not intended as an exclusive list. These forms of identification have been reviewed by the Department and found to be compliant with 57 Pa.C.S. § 307(b)(1)(ii). However, other forms of government identification may exist or come into existence which meet the requirements of 57 Pa.C.S. § 307(b)(1)(ii), that they are 1) current; 2) contain the signature or a photograph of the individual; and 3) are satisfactory to the notary public. Proposed § 167.43(b) explains the second (and much more rarely used) method of satisfactory evidence of identification, based on an oath or affirmation of a credible witness as to the identity of the individual, where that individual is not known to a notarial officer and does not have one of the identification credentials.

Proposed § 167.44 (relating to use of interpreter; language of record) describes the permissible use of an interpreter while providing notarial services and how the notary should handle documents in other languages.

Proposed § 167.45 (relating to notification of change in name or other information; effect of certain address changes) provides name change and other information change notification procedures. The Department has streamlined the requirements for notification where notaries public have changed their names and addresses. The act no longer requires that notaries notify the recorder of deeds of the county of original appointment of an address change or name change. As the agency responsible for appointment and commission of notaries public in this Commonwealth, under 57 Pa.C.S. § 321, the Department is the official repository for notary public commission information in the Commonwealth and it is expected that the Department's records are the primary source for verification of notary public credentials in the Commonwealth. Therefore, the Department has revised its forms and instructions for notaries who have a change of name or address. These forms are found on the Department's web site at <https://dos.pa.gov/notaries>. Notaries also may advise the Department of these changes online at www.notaries.pa.gov. Lastly, this section makes clear that notaries who neither live nor work in this Commonwealth will be deemed to have resigned from the office of notary public.

Subchapter F. Notarial Acts

Subchapter F (relating to notarial acts) proposes to augment and further explain the requirements for performing each of the six notarial acts defined by 57 Pa.C.S. § 302 (relating to definitions). These six powers of the notary public are acknowledgements, oaths and affirmations, verifications on oath or affirmation, witnessing or

attestation of signatures, certified or attested copies and depositions, and protests of negotiable instruments. In addition to the general procedures for notarization set forth in the act (such as personal appearance and identification of individual) and the more specific requirements for certain notarial acts set forth in 57 Pa.C.S. § 305 (relating to requirements for certain notarial acts) and 57 Pa.C.S. § 316 (relating to short form certificates) provides short form certificates for most notarial acts (see *infra* Subchapter G).

Proposed § 167.61 (relating to acknowledgments) makes clear that, while it is common practice for the individual giving an acknowledgment to sign the record in the presence of the notary, actually signing the record in the presence of the notary is not required as long as the individual acknowledges to the notary, when the customer appears before the notary, that the signature already on the record is that of the individual, in accordance with 57 Pa.C.S. § 305(a).

Proposed § 167.62 (relating to oaths and affirmations) addresses the long-established power of a notary public to give oaths or affirmations. While 57 Pa.C.S. § 302 includes oaths and affirmations as a notarial act, it does not define either term. The term oath includes an affirmation but is similarly not defined in 1 Pa.C.S. §§ 1501—1991 (relating to Statutory Construction Act of 1972) (c.f. 1 Pa.C.S. § 1991 (relating to definitions)). While both oaths and affirmations are notarial acts that compel a person to tell the truth or perform a duty or act faithfully, an oath is a solemn, spoken pledge to God or a Supreme Being, while an affirmation is a spoken pledge made on the speaker's personal honor with no reference to a higher power. Proposed § 167.62 provides clarification of the largely unwritten procedures for the two types of oaths—testimonial oath and oath of office. The act provides no directives for giving oaths of affirmations, as it does for the five other notarial acts in 57 Pa.C.S. § 305 or a short form certificate in 57 Pa.C.S. § 316. Like all notarial acts except for certifying copies or depositions, the individual taking a written oath or affirmation (and therefore making a statement and executing a signature on the record) shall appear personally before the notary public and the notary public shall have personal knowledge or satisfactory evidence of the identity of the individual taking the oath or affirmation. If the oath or affirmation is oral, the requirements of proposed § 167.42(b)(3) apply.

Proposed § 167.63 (relating to verifications on oath or affirmation) further clarifies 57 Pa.C.S. § 305(b). It makes clear that the individual making the verification on oath or affirmation must also declare that the statements in the record are true and that the record must be signed in the notary's presence. A verification on oath or affirmation is also referred to as an affidavit, as noted by 57 Pa.C.S. § 302. It is also synonymous with the term "jurat," which is used in many jurisdictions, but not in Pennsylvania law.

Proposed § 167.64 (relating to witnessing or attestation of signatures) sets forth more detail on what is a new notarial act in this Commonwealth. For a signature witnessing, the signer must always sign the document in the notary's presence, as required by 57 Pa.C.S. § 305(c)(1). After witnessing the document being signed, the notary completes the appropriate certificate wording for the signature witnessing. Witnessing or attesting a signature differs from taking an acknowledgment in that the record contains no declaration that it is signed for the purposes stated in the record and the party relying on the

record may know for certain that the record was signed on the same date that the notary public affixed the official stamp and signature to the record. Witnessing or attesting a signature differs from a verification on oath or affirmation (affidavit) in that the individual is merely signing the record, not swearing or affirming that the contents of the record are true. This notarial act is simply a witnessing of the signature of an identified individual, on the date and place specified in the notarial certificate.

Proposed § 167.65 (relating to certified or attested copies and depositions) further clarifies 57 Pa.C.S. § 305(d). Certifying or attesting a copy is usually done if it is necessary to produce a copy of a record when the original is in an archive or other collection of records and the archived record cannot be removed. In most cases, the custodian of the official archive or collection is empowered to issue an officially certified copy. When a copy officially certified by the custodian of the archive is available, it is official evidence of the state of the public archive or collection, and it may be better evidence of the original record than a copy certified by a notary. Additionally, if the record is intended to be sent overseas and will require an apostille or certification from the United States Department of State or from the Department under the 1961 Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents, the record must be certified by the office where the original or official copy of the record is maintained or by the public official who issued the record. Examples include deeds, marriage records, court orders and corporate documents filed with a state office or state repository as the official record. Where there is no clear or proper custodian for a record and it does not appear to be filed in a state, Federal or foreign governmental jurisdiction, it is acceptable for a notary to certify a copy of the document or notarize someone else's affidavit that the document is a true and correct copy of the original. Examples of types of records that generally are not required to be filed in a governmental office include diplomas and transcripts, contracts, leases, corporate bylaws and corporate minutes. A copy certification should be completed with the proper notarial language as required by Subchapter G.

Proposed § 167.65(1) directs the notary public to compare a record or item with a copy of the record or item. Therefore, the record or item must be presented to the notary along with the copy so that the notary is able to make the comparison. The notary may also make the copy for a greater assurance that the copy is true and correct. Paragraphs (2) and (3) make clear that the notary's primary purpose is to ensure that the copy is an exact reproduction of the original and that the notarial act of certifying a copy does not impact the content or legality of the underlying record.

This proposed rulemaking specifies certain records that, under existing law, may not be certified by a notary public. The records most commonly and inappropriately certified by notaries are birth certificates. Section 1.44 of 28 Pa. Code (relating to penalties for unauthorized duplication) states that “. . . no person may photograph, photostat, duplicate or issue what purports to be a certified copy, certification or certificate of birth, death or fetal death except for authorized employees of the Department of Health or its local registrars of vital statistics. . .” Furthermore, Pennsylvania birth and death certificates specify on their face that it is illegal to copy them. Yet many notaries do so, in violation of the Vital Statistics Law of 1953 (35 P.S. §§ 450.101—450.1003) and the Department of Health regulations.

Proposed § 167.66 (relating to protests of negotiable instruments) implements 57 Pa.C.S. § 305(e). This section is based on 13 Pa.C.S. § 3505(b) (relating to evidence of dishonor), which is a section of the Uniform Commercial Code (UCC) as enacted in this Commonwealth. Protest refers to a formal, written declaration stating that a negotiable instrument (for example, a check or money order) was presented at a certain time and place, and payment was denied. Under the UCC, formal protests are not necessary except on checks/drafts drawn or payable outside the United States. Although both the act and the UCC authorize notaries public to make protests, commercial protests are rarely performed by notaries. When they are, they are typically performed by notaries employed by banks or financial institutions.

Subchapter G. Notarial Certificates

While 57 Pa.C.S. § 315 (relating to certificate of notarial act) sets forth the general requirements for a certificate, 57 Pa.C.S. § 316 sets forth the language for short form certificates and 57 Pa.C.S. § 306.1(c) sets forth language required when notarial acts are performed by means of communication technology, proposed § 167.71 (relating to certificate of notarial act) further clarifies rules pertaining to certificates. The certificate is essential to the notarial act performed on a record, as it describes which notarial act is being performed. Despite the act's requirement that a notarial act must be evidenced by a certificate of notarial act and the provision of short form certificates, a shocking number of notaries affix only their seal and signature to a record being notarized, without including notarial language. The requirement for the certificate of notarial act to be worded and completed using the English language stems from numerous requests for authentication received by the Department for documents entirely in languages other than English. To confirm there has been a proper notarial act and certify to the seal and signature of the notary, the notarial certificate must be in English (which is also the language of the Department's authentication). This does not prohibit the simultaneous wording and completion of the notarial certificate in another language that is read, written and understood by the notary.

Subchapter H. Electronic and Remote Notarization

Subchapter H proposes to implement the longstanding ability of notaries public in this Commonwealth to perform notarial acts with respect to electronic records and the more recent authority to perform notarial acts facilitated by communication technology for remotely located individuals. These two concepts are referred to as electronic notarization and remote (online) notarization, respectively. Because both require notification to the Department and use of technology beyond the rubber stamp seal used in more traditional paper-based notarization, they are combined in one subchapter.

Revisions to the Notary Public Law, effective July 1, 2003, provided for electronic notarization by adding provisions for the execution of a notary's electronic signature, the use of electronic notary seals and the requirement that notary education programs preapproved by the Secretary have a core curriculum which included electronic notarization. The Department's electronic notarization program was established on January 30, 2006. Remote notarization came in phases, beginning temporarily for limited transactions on March 25, 2020 during the novel coronavirus (COVID-19) emergency and culminating with Act 97 of 2020, effective October 29, 2020. Act 97 of 2020 made remote online notarization a permanent part of Pennsylvania law. Three sections of the act authorize the

Department to promulgate regulations concerning electronic and remote notarization: 57 Pa.C.S. § 306.1, 57 Pa.C.S. § 320 (relating to notification regarding performance of notarial act on electronic record; selection of technology) and 57 Pa.C.S. § 327.

Electronic notarization involves documents that are notarized in electronic form. The notary and customer both sign with an electronic signature, and both the notarial certificate and the notary seal are attached to or logically associated with the electronic record. Rather than a tangible paper document and a rubber stamp notary seal, the notary digitally places his or her seal information into a document which exists as electronic data in a computer-readable form. But all other elements of a traditional paper notarization apply to electronic notarization, including the requirement for the customer to appear personally and physically before the notary. Section 320 of 57 Pa.C.S. sets forth the requirements for notarization of electronic records, including notification to the Department and use of approved tamper-evident technologies.

With remote notarization, the legal requirement that the signer personally and physically appear before the notary is met by the use of audio-visual electronic communication technology. The important role that the notary plays when a statement is made in or a signature executed on a record now occurs remotely over the internet, with a document that is in electronic form. Remote online notarization is also called remote notarization, webcam notarization, online notarization or virtual notarization. Section 306.1 of 57 Pa.C.S. sets forth the requirements notarial acts performed for remotely located individuals. These requirements include notification to the Department, use of approved communication technologies, retention of the audio-visual recording of the interactions between the notary public and the remotely located individual and additional language in the notarial certificate.

Proposed § 167.81 (relating to notification to Department) sets forth the process for a notary public to become authorized to act as an electronic notary or to become authorized to act as a remote notary, or both. Notification to the Department and identification of the technology the notary intends to use is required prior to the notary acting as an electronic notary or remote notary, under 57 Pa.C.S. §§ 306.1(f) and 320(b)(1). Notification is made by means of the Department's web portal at www.notaries.pa.gov. Upon notification, the Department confirms that the notary holds a current and unexpired commission. The notary then selects the technology and the Department is notified by the technology provider when the notary has completed the enrollment process for the technology (also through the web portal). Notaries may use more than one technology, whether they be electronic or remote technologies. The Department tracks which technologies are being used by which notaries—to date, over 1,800 notaries have selected at least one electronic or remote technology. Using this information and as required by 57 Pa.C.S. § 324 (relating to database of notaries public), the Department maintains a database of notaries public, through which the public may verify the appointment and commission of a notary public and whether the notary public is an electronic or remote notary public. Proposed § 167.81(3) makes clear that notification to the Department and identification of the technology must occur with each new commission and with the addition or deletion of technology.

Proposed § 167.82 (relating to use of technology) implements the authority of the Department under 57 Pa.C.S.

§§ 306.1(f)(2) and 320(b)(2) and to establish standards for approval of technology and to require that the technologies used by notaries conform to those standards.

Proposed §§ 167.83 and 167.84 (relating to electronic notarization technology provider application; and standards for approval of electronic notarization technology) implement 57 Pa.C.S. §§ 320 and 327, which together authorize the Department to establish standards for approval of electronic notarization technology. As required by 57 Pa.C.S. § 327(b), the Department considers: (1) the most recent standards regarding electronic records promulgated by national bodies, such as the National Association of Secretaries of State; (2) standards, practices and customs of other states which substantially enact the act; and (3) the views of governmental officials and entities and other interested persons. These sections adopt in large part the National Electronic Notarization Standards adopted by National Association of Secretaries of State (NASS) on July 12, 2006; reaffirmed on July 13, 2011 and July 17, 2016; amended and readopted on February 19, 2018. The NASS standards do not require the use of one specific technology, nor are they intended to privilege the use of one specific technology over another. The Department also incorporated standards and practices from the few states that have promulgated regulations on electronic notarization, including Arizona, Arkansas and North Carolina. Lastly, the Department has taken into account the views and comments of government officials, entities and other interested parties by seeking the review of the most prominent notary associations in this Commonwealth (Pennsylvania Association of Notaries, National Notary Association and American Society of Notaries), banking and mortgage or lending associations, and Recorders of Deeds.

Proposed §§ 167.85 and 167.86 (relating to remote notarization technology provider application; and standards for approval of remote notarization technology) implement 57 Pa.C.S. § 306.1(g), which requires the Department to promulgate regulations regarding the performance of notarial acts for remotely located individuals using communication technology. As required by 57 Pa.C.S. § 306.1(h), the Department considered: (1) The most recent standards regarding the performance of a notarial act with respect to remotely located individuals promulgated by a national standard-setting organization. This paragraph includes the National Association of Secretaries of State. (2) Standards, practices and customs of other jurisdictions that enact a statutory provision substantially similar to this section. (3) The views of governmental officials and entities and other interested persons. Following a resolution on July 10, 2017 to convene the appropriate parties to develop remote notarization standards, the NASS amended and readopted the National Electronic Notarization Standards on February 19, 2018, to include an addendum on remote electronic notarization standards. This proposed rulemaking adopts those standards. As with electronic notarization, the NASS standards for remote notarization do not require the use of one specific technology, nor are they intended to privilege the use of one specific technology over another. This proposed rulemaking recognizes that current technology (for identity proofing, for example) will change over time with industry best practices. The Department also incorporated standards and practices from the very few states that have promulgated regulations on remote notarization, including Arizona, Idaho, Ohio and Texas. Lastly, the Department has taken into account the views and comments government officials, entities and other interested parties by seeking the review of the most prominent

notary associations in this Commonwealth (Pennsylvania Association of Notaries, National Notary Association and American Society of Notaries), banking and mortgage or lending associations, Recorders of Deeds and remote notarization technology providers.

Proposed § 167.87 (relating to termination of approval of technology) makes clear that the Department may terminate the approval of electronic or remote notarization technologies if they no longer meet the standards set by the Department. This necessarily includes when a technology provider goes out of business and ceases to provide approved services.

Subchapter I. Notary Public Education

Subchapter I proposes to set forth the procedures the Department uses in approving notary education courses of study required under 57 Pa.C.S. § 322(b) and (c). This is essentially a codification of the approval process used under former law. Education providers must obtain approval, evidenced by a certificate of approval, from the Department for each course of study prior to offering the class to notaries public. The Department approves only basic and continuing education courses that will be used to qualify applicants to receive a commission. Course approvals are valid for a period of 3 years, to ensure periodic review by both providers and the Department. Between these approvals, providers must revise lesson plans as necessary to ensure that the information provided in an approved course of study reflects developments in the law and current notary practice. The Department will notify all approved providers when major changes in the law or regulations occur.

This subchapter also proposes to allow for providers to issue certificates of education to attendees and to maintain a list of attendees for 5 years. This subchapter also includes provisions governing situations in which a course is cancelled or delayed, a provider's certificate of approval is terminated or a provider cancels its certificate of approval. Approved providers must notify the Department of changes to provider information. This includes when a provider goes out of business or is no longer offering the course. The Department makes a list of approved education courses available on the Department's web site at <https://dos.pa.gov/notaries>. The list includes the name of the approved course and whether it is approved for basic or continuing education, as well as the name and contact information for the provider.

Proposed § 167.91 (relating to definitions) contains the definitions used in this subchapter. Proposed §§ 167.92 and 167.93 (relating to certificate of approval; and course of study) implement the requirement that basic and continuing education courses of study that qualify an applicant to receive a commission be approved by the Department. Proposed § 167.94 (relating to notification of changes) requires education providers to notify the Department of substantive changes to the approved course or to the provider (for example, it ceases offering the course). Proposed § 167.95 (relating to certificate of education) sets for the requirements for a certificate of education that is submitted with the application for appointment and commission, as proof of the education. Proposed § 167.96 (relating to record of attendees) requires notary education providers to maintain a list of attendees for 5 years, for Department auditing purposes. Proposed § 167.97 (relating to representatives of the Department attending approved course of study) requires providers to permit Department representatives to attend an approved course of study. Proposed § 167.98 (relating to termination of certificate of approval) sets forth the

grounds for terminating education course approval. The Department annually reviews and supplies educators with the combined examination pass rates of their students. While the Department approves each course of study to ensure that content is based on the act and regulations, each course has unique methodology and instructors. Failure to adequately prepare less than 60% of course attendees to pass the examination is grounds for additional review of course content and education methodology.

Subchapter J. Standards of Conduct

Subchapter J proposes to set forth the standards of conduct and practice for notaries public, most of which have been best practices recommended by the Department and notary associations for years.

Proposed § 167.111 (relating to conflict of interest) further explains the prohibition in 57 Pa.C.S. § 304(b) (relating to authority to perform notarial act) that a notary public may not perform a notarial act with respect to a record in which the notary public or the notary's spouse has a direct or pecuniary interest. It makes clear that under no circumstance may a notary public notarize the notary's own signature. Unlike the Revised Uniform Law on Notarial Acts as adopted by the Uniform Law Commission, the act as adopted in this Commonwealth contains no categorical prohibition on notarizing where a spouse is a party. The notary must review each record on a case-by-case basis to determine whether the notary or the spouse has a direct or pecuniary interest in the record. The prohibition does not, however, extend to situations in which the notary's or the spouse's interest is indirect and not the result of the operation of the record or transaction itself.

Proposed § 167.112 (relating to duty of candor) codifies a duty of candor to the Department. Proposed § 167.113 (relating to refusal to perform notarial acts) clarifies the general authority to refuse to perform notarial acts provided in 57 Pa.C.S. § 308(b) (relating to authority to refuse to perform notarial act) to make clear that notaries may not refuse to perform notarial acts on a discriminatory basis.

Subchapter K. Prohibited Acts and Sanctions

The Department has broad authority under 57 Pa.C.S. § 323 (relating to sanctions) to deny, refuse to renew, revoke, suspend, reprimand or impose a condition on a commission as notary public for an act or omission which demonstrates that the individual lacks the honesty, integrity, competence or reliability to act as a notary public. In addition to the list of acts or omissions found in 57 Pa.C.S. § 323(a), the Department specifies other frequent misconduct at proposed § 167.121 (relating to acts or omissions providing the basis for sanctions). Like 57 Pa.C.S. § 323(a), this list is meant to provide examples and not to be exhaustive.

Proposed § 167.122 (relating to offenses involving fraud, dishonesty or deceit) clarifies the specific crimes and offenses that are considered to involve fraud, dishonesty or deceit under 57 Pa.C.S. § 323. This section is patterned after 4 Pa. Code § 165.1 (relating to lesser offenses incompatible with the duties of a notary public—statement of policy), which the Department will rescind when this regulation is published as final. As under the prior law, it is important that applicants disclose all criminal history on the application for appointment and commission, regardless of when it occurred, unless the matter is expunged or sealed or is a summary offense. However, the act no longer mandates that all felonies and

certain misdemeanor convictions within the 5-year period preceding the date of the application have the effect of making applicants ineligible for appointment of commission as a notary public (former 57 P.S. § 151(b)(1)). The Department now has greater discretion to consider applicants with more recent criminal histories. Under proposed § 167.123 (relating to factors considered in sanctions), *infra*, an individual with potentially disqualifying convictions may rebut the presumption of ineligibility for appointment by providing evidence of rehabilitation. Evidence could include references; participation in civic, charitable and religious organizations; and the absence of further convictions.

Proposed § 167.123 codifies the Department's existing practices and sets forth the varied factors that the Department may consider when determining whether to deny an application or take disciplinary action on a commission. Each determination is based on the individual facts and circumstances of the application or disciplinary matter at hand. Both applicants and respondents are provided notice and ample opportunity to participate in the process, in accordance with 2 Pa.C.S. Chapter 5, Subchapter A (relating to Administrative Agency Law) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

Proposed § 167.124 (relating to unauthorized practice of law) states the factors that the Department will rely upon in a determination that a notary public has engaged in the unauthorized practice of law, which is prohibited by 57 Pa.C.S. § 325 (relating to prohibited acts). In addition to Disciplinary Board opinions, the Pennsylvania Supreme Court has promulgated at 204 Pa. Code § 81.4, Rule 5.5 (relating to unauthorized practice of law; multijurisdictional practice of law) of the Rules of Professional Conduct, which applies to lawyers only. While there are criminal penalties for the unauthorized practice of law at 42 Pa.C.S. § 2524 (relating to penalty for unauthorized practice of law), this section does not define what it means to practice law. The most instructive guidance available to the Department is the work of the Pennsylvania Bar Association Unauthorized Practice of Law Committee.

Proposed § 167.125 (relating to reporting requirements) requires that notaries who are convicted of crimes, disciplined by another notary commissioning authority, found guilty of unauthorized practice of law, found guilty or admitted liability in any criminal, civil or administrative proceeding (based on the fraud, dishonesty or deceit of the notary public) or whose bonding company has paid out on a claim to their bond shall notify the Department within 30 days of the conclusion of that event. Because the Department is authorized to discipline notaries for these actions, it is imperative that the Department receive these reports in a timely manner and not only when notaries renew their commissions every 4 years. The Department anticipates this notice will be made by mail or by e-mail to the Bureau's resource account at ra-notaries@pa.gov.

Fiscal Impact and Paperwork Requirements

This proposed rulemaking will have minimal adverse fiscal impact on the Department. The Department will incur additional costs in implementing this proposed rulemaking, largely for enhancements and changes to the notary public database, staff and legal time in writing the regulations and altering all forms, materials and the web site. The Department will need to communicate the statutory and regulatory changes to notaries public, notary education providers and those who deal regularly

with notaries public, such as Recorders of Deeds. Additionally, due to the statutory changes, the 17 formerly approved notary education providers have been required to overhaul their notary education courses, develop and submit new courses of study, each of which must be approved by the Department prior to being offered to notaries. To date, 20 act-compliant basic education courses and two continuing education courses have been approved. To comply with the examination required under the act, the Department had to establish a psychometrically sound and legally defensible notary public examination.

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. There will not be additional paperwork requirements upon the Commonwealth or the counties, because the actual process of appointing and commissioning notaries public changes little under the act. County Recorders of Deeds remain instrumental in recording the bond, oath and commission of each notary, while the Prothonotary's and Recorder's offices are the sites where each notary registers an official signature.

This proposed rulemaking will have minimal adverse fiscal impact on currently commissioned notaries public, all of whom have already complied with education requirements. Since July 1, 2003, notaries in this Commonwealth have been required under law to complete 3 hours of education with each 4-year appointment. Those who had active commissions on July 1, 2003, were subsequently exempted from the education by a court decision. Those notaries who were "grandfathered" and excluded from notary education made up about 15%–25% of the current notary population. Since the remainder of the act went into effect on October 26, 2017, all notaries are required to complete 3 hours of notary education every 4 years, at an estimated cost of \$39–\$99 per course. The new examination requirement imposed by the act will predominantly affect the approximately 7,000 persons that are newly commissioned as notaries public each year. The cost of the exam, which is set by Pearson VUE, the professional testing organization under contract with the Department to develop and administer the test, is \$65. Notaries will bear an additional estimated cost of \$5 per year to increase the bond amount from \$10,000 to \$25,000. The transitional provisions regarding procurement of the official stamp will not require a currently commissioned notary to procure a new stamping device or journal until the next commission, so there is no additional expense added for these items. The average cost for a notary stamping device ranges from \$13 to \$24. Since 4 years has elapsed since the effective date of the act, all notaries should be using an act-compliant journal. The cost for a notary journal ranges from \$9 to \$25.95. This proposed rulemaking will not affect the cost of becoming an electronic or remote notary. There is no cost for the notary to notify the Department that the notary will be performing notarial acts electronically or remotely. The technology costs are set by the electronic and remote notarization providers and vary considerably, depending on the platform utilized by the notary. See <https://www.nationalnotary.org/notary-bulletin/blog/2022/03/a-guide-to-remote-notarization-providers-for-notaries>. The cost can range from below \$100 to \$299 annually, depending on the company. There is often, but not always, a sign-up fee and the cost of digital supplies, including electronic seal and digital certificate. Some technology providers charge per notarial act, while others do not.

Technologies require that a notary have compatible hardware (computer, webcam, microphone) and secure Internet access.

Sunset Date

The Secretary of the Commonwealth and the Department monitor the regulations of the Department on a continuing basis. Therefore, a sunset date has not been assigned.

Regulatory Review

Under section 5(f) of the Regulatory Review Act (71 P.S. § 745.5(f)), on December 5, 2024, the Department submitted a copy of the proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC). A copy of this material is available to the public upon request. On the same date, the Department submitted this proposed rulemaking to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. The Department will deliver a copy of this proposed rulemaking and required materials to the chairpersons of the State Government Committee of the Senate and the State Government Committee of the House, no later than the second Monday after the date by which both committee designations have been published in the *Pennsylvania Bulletin*.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regula-

tory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Martha H. Brown, Assistant Counsel, Department of State, Office of Chief Counsel, 401 North Street, Room 306, Harrisburg, PA 17120, martbrown@pa.gov within 60 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16-61 (Revised Uniform Law on Notarial Acts) when submitting comments.

AL SCHMIDT,
Secretary

Fiscal Note: 16-61. Nominal fiscal impact. Any associated costs are covered by a fee; recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART VIII. BUREAU OF [COMMISSIONS, ELECTIONS] NOTARIES, COMMISSIONS AND LEGISLATION

Subpart C. COMMISSIONS AND NOTARIES PUBLIC

CHAPTER 161. FEES

§ 161.1. Schedule of fees.

[The Bureau of Commissions fee schedule shall conform with the following table:

<i>Description</i>	<i>Fees (in dollars)</i>
COMMISSIONS	
Commissioner of Deeds	\$25
Railroad Police or Institutional Police Commission	\$5
Notice of Election of Sheriff (called Sheriff's Writ)	\$5
Treasures Commission	\$5
District Justices	\$3
Register of Wills Bond	\$2
Recorder of Deeds Bond	\$2
CERTIFICATES	
Great Seal Certificate	\$10
Certificate requiring Secretary's Seal	\$7
MISCELLANEOUS	
Writs including Great Seal	\$5
Filing Recognizance for any Public Office	\$2
Photocopies	\$1
Department of State may charge equivalent fees for any service not specified.	
NOTARY PUBLIC FEE SCHEDULE	
Executing affidavits (no matter how many signatures)	\$5
Executing acknowledgments	\$5
In executing acknowledgments each additional name	\$2
Executing certificates (per certified copy)	\$5
Administering oaths (per individual taking an oath)	\$5
Taking depositions, per page	\$3

<i>Description</i>	<i>Fees (in dollars)</i>
Executing verifications	\$5
Executing protests, per page	\$3]

(a) As used in this chapter, the term “Bureau” means the Bureau of Notaries, Commissions and Legislation or any successor bureau of the Department of State.

(b) The following fees are charged for services provided by the Bureau, relating to commissions, notaries public and the public acts and transactions of the Secretary of the Commonwealth and the Department of State:

<i>Description</i>	<i>Fee (in dollars)</i>
CERTIFICATES	
<u>For certifying copies of any public papers or records on file with the Bureau, the copy fee (if the Bureau furnished the copy), plus</u>	<u>\$15</u>
<u>For certifying matters of public record with the Bureau (including no record), the copy fee (if the Bureau furnished the copy), plus</u>	<u>\$15</u>
MISCELLANEOUS	
<u>Application for appointment and commission as a notary public</u>	<u>\$42</u>
<u>Application for renewal of appointment and commission as a notary public</u>	<u>\$42</u>
<u>Copies (per page)</u>	<u>\$1</u>
<u>Master list of notaries public</u>	<u>\$50</u>
<u>Other notary public-related lists and data requests</u>	<u>\$25</u>
<u>Approval of notary public education course</u>	<u>\$1,013</u>
<u>Renewal of approval of notary public education course</u>	<u>\$525</u>

The Bureau may charge equivalent fees for any service not specified.

CHAPTER 163. SPECIAL RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE

§ 163.1. Applicability of general rules.

Under 1 Pa. Code § 31.1 (relating to scope of part), 1 Pa. Code Part II (relating to general rules of administrative practice and procedure) [are] **is** applicable to the activities of and proceedings before the [**Commission Bureau**] **Department of State relating to commissions and notaries public.**

CHAPTER 167. NOTARIES PUBLIC

Subchapter A. GENERAL PROVISIONS

(Editor’s Note: Chapter 167 is proposed to be added and is printed in regular type to enhance readability.)

- Sec.
 167.1. Scope.
 167.2. Definitions.
 167.3. Fees.

Subchapter B. QUALIFICATIONS FOR APPOINTMENT AND COMMISSION

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Subchapter A. GENERAL PROVISIONS**§ 167.1. Scope.**

(a) This chapter implements and supplements 57 Pa.C.S. Chapter 3 (relating to Revised Uniform Law on Notarial Acts) (act) and is to be read together with the applicable provisions of the act.

(b) This chapter governs the qualification, commissioning, notarial acts, conduct and discipline of notaries public in this Commonwealth.

§ 167.2. Definitions.

(a) The definitions in 57 Pa.C.S. § 302 (relating to definitions) are incorporated by reference and have the same meaning when used in this chapter.

(b) The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Applicant—An individual who seeks appointment or renewal of appointment to the office of notary public.

Appoint or Appointment—The naming of an individual to the office of notary public after determination that the individual has complied with 57 Pa.C.S. § 321(a) and (b) (relating to appointment and commission as notary public; qualifications; no immunity or benefit) and Subchapter B (relating to qualifications for appointment and commission), but prior to the individual complying with 57 Pa.C.S. § 321(c), (d), (d.1) and (d.2). The term includes initial appointment, as well as renewal of appointment and commission.

Appointee—An individual who has been appointed or reappointed to the office of notary public but who has not yet recorded the bond, oath of office and commission in compliance with 57 Pa.C.S. § 321(d.2)(1) or (2).

Certificate of education—A certificate issued by an education provider under § 167.95 (relating to certificate of education) signifying that the person named therein

has successfully completed the approved education program provided by the provider.

Department—The Department of State of the Commonwealth.

Direct or pecuniary interest—An interest in the transaction or record that results in actual or potential gain or advantage, financial or otherwise, other than receiving a regular salary, hourly wage or notarial fee. A regular salary or hourly wage includes bonuses, provided the bonus is not related to or contingent upon the completion of the notarized transaction.

Electronic notarization—The performance of notarial acts with respect to electronic records using tamper-evident technologies.

Electronic notarization technology provider—A provider of tamper-evident technology for performing notarial acts with respect to electronic records, which has been approved by the Department in accordance with § 167.84 (relating to standards for approval of electronic notarization technology).

Electronic notary public—A notary public who has notified the Department that the notary is performing notarial acts with respect to electronic records and who has notified the Department of each technology the notary intends to use to perform notarial acts electronically.

Examination—A proctored computer-based examination required by 57 Pa.C.S. § 322(a) (relating to examination, basic education and continuing education) and described in § 167.15 (relating to notary public examination) to determine the fitness of an applicant to exercise the functions of the office of notary public and administered by a professional testing organization under contract with the Department at times, places and costs established by the professional testing organization.

Home address—The residence address of an applicant or notary public, which must include street and number.

Non-inking embosser—A device that, when pressed into paper, creates a raised impression. Also referred to as a crimping embosser.

Office—The place of employment or practice in this Commonwealth of an applicant or notary public.

Office address—An applicant or notary public's address of place of employment or practice in this Commonwealth, which must include street and number.

Remote notarization—The performance of notarial acts facilitated by communication technology for a remotely located individual.

Remote notarization technology provider—A provider of communication technology and identity proofing for performing notarial acts with respect to remotely located individuals, which has been approved by the Department in accordance with § 167.86 (relating to standards for approval of remote notarization technology).

Remote notary public—A notary public who has notified the Department that the notary is performing notarial acts for a remotely located individual using communication technology and who has notified the Department of each technology the notary intends to use to perform notarial acts remotely.

Renewal of appointment and commission—The process by which an individual who holds an active commission as a notary public in this Commonwealth is reappointed

and obtains another 4-year commission to the office of notary public, in compliance with 57 Pa.C.S. § 321(a)–(e).

Spouse—An individual holding a marriage license issued or recognized under 23 Pa.C.S. Chapter 13 (relating to marriage license) who is married to a notary public.

Tangible—Perceptible by touch when used in conjunction with “record,” “medium” or “symbol.”

§ 167.3. Fees.

(a) The maximum fees of notaries public may not exceed:

Taking acknowledgment	
(per name of first individual making acknowledgment in certificate)	\$5
(per each additional name in same certificate)	\$2
Administering oath or affirmation (per individual taking oath or affirmation)	\$5
Taking verification on oath or affirmation (per individual making declaration)	\$5
Witnessing or attesting a signature (per signature)	\$5
Certifying or attesting a copy or deposition (per certified copy)	\$5
Noting a protest of a negotiable instrument (per page)	\$3

(b) In addition to the fees authorized in subsection (a), electronic notaries public and remote notaries public may charge a fee in an amount not to exceed \$20 per notarial act performed with respect to electronic records or using communication technology.

(c) A notary public shall provide an itemized receipt for all fees charged by the notary.

(d) A notary public may not charge any fee under subsection (a) for notarizing the supporting affidavit required in an Emergency Absentee Ballot or the affidavit of a person needing assistance to vote using an absentee ballot.

(e) A notary public may not charge a fee under subsection (a) when other applicable law dictates that no fee may be charged. For example, see 51 Pa.C.S. § 9101 (relating to acknowledgments and administering oaths without charge).

Subchapter B. QUALIFICATIONS FOR APPOINTMENT AND COMMISSION

§ 167.11. Eligibility and application requirements for initial appointment and commission.

(a) *Eligibility.* The requirements for eligibility are set forth in 57 Pa.C.S. §§ 321, 322 and 323(a) (relating to appointment and commission as notary public; qualifications; no immunity or benefit; examination, basic education and continuing education; and sanctions).

(b) *Application requirements.* An applicant for appointment and commission as a notary public who has never held a notary commission in this Commonwealth must:

- (1) Be 18 years of age or older.
- (2) Be a citizen or permanent legal resident of the United States.
- (3) Be a resident of or have a place of employment or practice in this Commonwealth.

(4) Be able to read and write English.

(5) Not be disqualified to receive a commission under 57 Pa.C.S. § 323(a).

(6) Have completed a basic education course of at least 3 hours approved by the Department within the 6-month period immediately preceding submission of the application, as required by 57 Pa.C.S. § 322(b). The applicant shall submit a certificate of education evidencing successful completion of the basic education course.

(7) Have passed the examination required by 57 Pa.C.S. § 322(a) within the 6-month period immediately following the Department’s authorization to take the examination as specified in § 167.15(c)(1) (relating to notary public examination).

(8) Submit the application on a form prescribed by the Department.

(9) Pay the required fee as specified in § 161.1 (relating to schedule of fees).

(c) *Applicant not residing in this Commonwealth.* If an applicant is not a resident of this Commonwealth, the applicant must have an office in this Commonwealth. The office must be maintained on an ongoing basis and at an established location in this Commonwealth. The applicant must be able to receive mail at the office address.

(d) *Signature.* The applicant’s signature on the application must match the applicant’s name as provided on the application.

§ 167.12. Eligibility and application requirements for renewal of appointment and commission where there has been no lapse in commission.

(a) *Eligibility.* The requirements for eligibility are set forth in 57 Pa.C.S. §§ 321, 322 and 323(a) (relating to appointment and commission as notary public; qualifications; no immunity or benefit; examination, basic education and continuing education; and sanctions).

(b) *Application requirements.* An applicant for appointment and commission as a notary public who holds a notary commission in this Commonwealth at the time the application for renewal is received by the Department must:

- (1) Be 18 years of age or older.
- (2) Be a citizen or permanent legal resident of the United States.
- (3) Be a resident of or have a place of employment or practice in this Commonwealth.
- (4) Be able to read and write English.
- (5) Not be disqualified to receive a commission under 57 Pa.C.S. § 323(a).
- (6) Have completed at least 3 hours of Department-approved continuing education within the 6-month period immediately preceding submission of the application, as required by 57 Pa.C.S. § 322(c). The applicant shall submit a certificate of education evidencing successful completion of the continuing education course.
- (7) Submit the application on a form prescribed by the Department.
- (8) Pay the required fee as specified in § 161.1 (relating to schedule of fees).

(c) *Timing of application.* A notary public must submit an application for renewal prior to the expiration of the commission under which the notary public is acting. A notary public may submit an application for renewal up to 90 days prior to the expiration of the commission under which the notary public is acting.

(d) *Applicant not residing in this Commonwealth.* If an applicant is not a resident of this Commonwealth, the applicant must have an office in this Commonwealth. The office must be maintained on an ongoing basis and at an established location in this Commonwealth. The applicant must be able to receive mail at the office address.

(e) *Signature.* The applicant's signature on the application must match the applicant's name as provided on the application.

§ 167.13. Eligibility and application requirements for renewal of appointment and commission where there has been a lapse in commission.

(a) The requirements for eligibility are set forth in 57 Pa.C.S. §§ 321, 322 and 323(a) (relating to appointment and commission as notary public; qualifications; no immunity or benefit; examination, basic education and continuing education; and sanctions).

(b) An applicant for appointment and commission as a notary public who previously held a notary commission in this Commonwealth, but the commission has expired at the time the application for renewal is received by the Department, must comply with § 167.11 (relating to eligibility and application requirements for initial appointment and commission).

§ 167.14. Name of notary public on application for appointment and commission.

(a) The name of a notary public on an application for appointment and commission shall consist of any one of the following:

(1) A first personal name (first name), additional name or initial (middle name or initial) and surname (family or last name).

(2) A first name and last name, omitting the middle name or middle initial.

(3) A first initial, middle name and last name.

(b) The name of a notary public may not consist of initials alone or nicknames.

(c) The name of a notary public may include generational suffixes such as Junior, Senior, II, III, IV or any abbreviations thereof. The name of a notary public may not include prefixes or suffixes that denote a professional or occupational title such as "Doctor," "Reverend," "Esquire" or any abbreviations thereof.

(d) Upon request of the Department, the name of the notary public as used in an application for appointment and commission must be proven by submission of satisfactory evidence including, a passport, driver's license or government-issued nondriver identification card, which is current and unexpired, or other equivalent evidence as determined by the Department.

§ 167.15. Notary public examination.

(a) *Applicant who does not hold a commission as a notary public.* The requirements for the examination are set forth in 57 Pa.C.S. § 322(a) (relating to examination, basic education and continuing education). The following apply:

(1) An applicant for appointment and commission as a notary public who does not hold a commission in this Commonwealth must pass an examination administered by the Department or a professional testing organization under contract with the Department.

(2) An applicant who does not hold a commission as a notary public includes an applicant who never held a commission as a notary public and an applicant who previously held a commission as a notary public but whose commission has since expired.

(b) *Administration of examination.* An applicant may not take the examination prior to submission of and approval by the Department of an application for appointment.

(c) *Timing of examination.*

(1) Upon approval by the Department of an application for appointment, an applicant will be authorized to take the examination for a period of 6 months.

(2) An applicant may retake the examination within the 6-month period, but no more than one time per 24-hour period.

(d) *Examination results.*

(1) An applicant shall attain a scaled score of 75 or higher to pass the examination.

(2) Examination results are valid for a period of 1 year from the date of the examination.

§ 167.16. Notary public bond.

(a) *Requirements.* The requirements for the notary public bond are set forth in 57 Pa.C.S. § 321(d) (relating to appointment and commission as notary public; qualifications; no immunity or benefit).

(b) *Bond amount.* An applicant shall obtain a surety bond in the amount of \$25,000.

(c) *Transitional provision.* A notary public who holds a commission on _____ may continue to use the notary public's bond until the expiration of that commission.

(Editor's Note: The blank space in subsection (c) refers to the date of publication of the final-form rulemaking in the Pennsylvania Bulletin.)

§ 167.17. Appointment and issuance of commission.

(a) The requirements for the oath of office, bond, official signature, recording and filing are set forth in 57 Pa.C.S. § 321 (relating to appointment and commission as notary public; qualifications; no immunity or benefit).

(b) Upon determination that an applicant has complied with the requirements for appointment under 57 Pa.C.S. Chapter 3 (relating to the Revised Uniform Law on Notarial Acts) and this subchapter, the Department will appoint the applicant to the office of notary public and provide the commission certificate to the recorder of deeds of the county where the appointee maintains an office.

(c) Within 45 days after appointment and prior to entering into the duties of a notary public, the appointee shall:

(1) Obtain a bond in accordance with 57 Pa.C.S. § 321(d) and as set forth in § 167.16 (relating to notary public bond).

(2) Take the oath of office in accordance with 57 Pa.C.S. § 321(c).

(3) Appear before the recorder of deeds in the proper county and record the bond, oath and commission in the office of the recorder of deeds in accordance with 57 Pa.C.S. § 321(d.2).

(4) Register the appointee’s official signature in the proper county office in accordance with 57 Pa.C.S. § 321(d.1).

(d) After recording the bond, oath and commission, the recorder of deeds shall deliver the commission certificate to the notary public.

§ 167.18. Effect of failure to record bond, oath and commission and register official signature within 45 days.

(a) In accordance with 57 Pa.C.S. § 321(f) (relating to appointment and commission as notary public; qualifications; no immunity or benefit), the commission of a notary public who fails to record the bond, oath and commission or register the notary’s official signature within 45 days of appointment shall be null and void.

(b) An appointee whose commission becomes null and void under subsection (a) may apply for appointment and commission as set forth in § 167.13 (relating to eligibility and application requirements for renewal of appointment and commission where there has been a lapse in commission).

Subchapter C. OFFICIAL STAMP AND STAMPING DEVICE

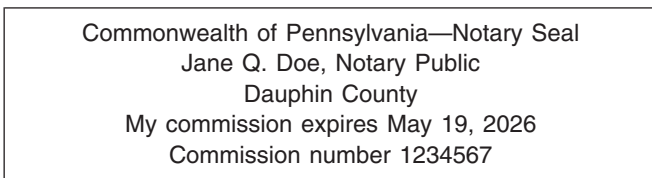
§ 167.21. Official stamp.

(a) *Requirements.* The requirements for the official stamp are set forth in 57 Pa.C.S. § 317 (relating to official stamp).

(b) *Appearance of official stamp.* The official stamp of a notary public must be rectangular in shape and show clearly all of the following information in the following order:

- (1) The words “Commonwealth of Pennsylvania—Notary Seal.”
- (2) The name of the notary public as it appears on the commission and the words “Notary Public.”
- (3) The name of the county in which the notary public maintains an office.
- (4) The date the notary public’s current commission expires.
- (5) The seven-digit commission identification number assigned by the Department.

Example of stamp:



(c) A word or term on the official stamp may not be abbreviated, except for name suffixes as specified in § 167.14(c) (relating to name of notary public on application for appointment and commission).

(d) *Transitional provision.* A notary public who holds a commission on _____ may continue to use the notary public’s official stamp until the expiration of that commission.

(Editor’s Note: The blank space in subsection (d) refers to the date of publication of the final-form rulemaking in the Pennsylvania Bulletin.)

§ 167.22. Stamping device.

(a) The requirements for the stamping device are set forth in 57 Pa.C.S. § 318 (relating to stamping device).

(b) A stamping device may not be a non-inking embosser.

(c) The stamping device is the exclusive property of the notary public. The notary public shall maintain sole custody and control of the stamping device at all times during the duration of the notary public’s commission. The notary public shall keep the physical stamping device in a secure location and accessible only to the notary public. The notary public shall secure an electronic stamping device by a password or other means of personal authentication.

(d) Notification of loss or theft of the stamping device under 57 Pa.C.S. § 318(b) shall be made in writing or by e-mail to the Department within 15 days after the date the notary public or personal representative or guardian discovers that the stamping device was lost or stolen. For the purpose of this section, the terms “loss” or “lost” include stamping devices that are misplaced, destroyed or otherwise made unavailable. The terms “loss” or “lost” do not include the destruction of the stamping device on resignation, death or incompetency under 57 Pa.C.S. § 318(a)(2) and (3). For the purpose of this section, the terms “theft” and “stolen” include compromised security and unauthorized access to a stamping device. The notification must include all of the following:

(1) A statement that the notary public does not possess the stamping device, stamping device security was compromised or the stamping device was accessed by an unauthorized person.

(2) The date the notary public discovered that the stamping device was lost or stolen.

(e) In accordance with 57 Pa.C.S. § 318(a)(2.1), an individual whose notary public commission has been suspended or revoked shall deliver the stamping device to the Department within 15 days after notice of the suspension or revocation from the Department.

Subchapter D. JOURNAL

§ 167.31. Identification of notary public in journal.

(a) Each journal of a notary public, whether maintained on a tangible medium or in an electronic format, must contain all of the following information in any order:

- (1) The notary public’s:
 - (i) Name as it appears on the commission.
 - (ii) Commission number.
 - (iii) Commission expiration date.
 - (iv) Office address.
 - (v) Signature.

(2) A statement that, in the event of the death or incompetency of the notary public, the journal shall be delivered within 30 days to the office of the recorder of deeds in the county where the notary public last maintained an office.

(3) The meaning of any not commonly abbreviated word or symbol used in recording a notarial act in the journal.

(b) If a notary public's name, commission expiration date or office address changes before the notary public ceases to use the journal, the notary public shall add the new information after the old information and the date which the information changed.

§ 167.32. Journal entries.

(a) *Journal entry requirements.* The requirements for journal entries are set forth in 57 Pa.C.S. § 319(c) (relating to journal).

(b) *Separate entries.* Each notarial act must be indicated as a separate entry in the journal. Blank lines between journal entries must be stricken.

(c) *Blanks spaces within entries.* Each entry in a journal shall be completed fully, with no blank spaces or boxes.

(d) *Prohibited entries.* A journal may not contain any personally identifiable information about any individual appearing before the notary public. As used in this subsection, personally identifiable information includes any of the following:

(i) Information about an individual that can be used to distinguish or trace an individual's identity, such as full Social Security number, full driver's license number or government-issued nondriver identification card number, date and place of birth, mother's maiden name or biometric records.

(ii) Other information that is linked or linkable to an individual, such as medical, educational, financial and employment information.

(e) *Optional entries.* A journal may contain any of the following:

(1) The signature of the individual for whom the notarial act is performed and any additional information about a specific transaction that might assist the notary public to recall the transaction, including the date of the record.

(2) Terminal numbers, including the last four digits of a driver's license, passport or Social Security number.

(f) *Fees.* When documenting notarial fees in the journal, each fee charged must correspond to the notarial act performed. If a notary public waives the right to charge a fee, the notary shall indicate this fact in the journal entry using notations such as "n/c" (no charge), "0" (zero) or "—" (dash).

§ 167.33. Format of journal maintained on a tangible medium.

In addition to the format requirements set forth in 57 Pa.C.S. § 319(b) (relating to journal), journals maintained in a tangible medium must comply with all of the following:

(1) The cover and pages inside the cover must be bound together by any binding method that is designed to prevent the insertion, removal or substitution of the cover or a page. This includes smyth sewing or stitching, glue, staples, grommets or another permanent binding, but does not include the use of tape, paperclips or binder clips.

(2) Each page must be consecutively numbered from the beginning to the end of the journal. A page number must be preprinted.

§ 167.34. Format of journal maintained in an electronic format.

(a) In addition to the format requirements set forth in 57 Pa.C.S. § 319(b) (relating to journal), a journal main-

tained in an electronic format must be tamper evident. The notary public must ensure all of the following:

(1) A journal maintained in electronic format is designed to prevent the insertion between existing entries, removal of an entry or substitution of an entry.

(2) A journal maintained in electronic format is securely stored and recoverable in the event of a hardware or software malfunction.

(3) The journal is available in a portable document format (PDF) upon request.

(4) If a signature is contained in an electronic journal entry, the signature must be all of the following:

(i) Attached to or logically associated with the electronic notarial journal entry.

(ii) Linked to the data in a manner so that any subsequent alterations to the electronic journal entry are detectable.

(b) A journal maintained in electronic format which is delivered to the office of the recorder of deeds in compliance with 57 Pa.C.S. § 319(e) and (g) must be delivered in PDF or other industry-standard readable format prescribed by the receiving recorder of deeds.

§ 167.35. Custody and control of journal; notification of lost or stolen journal.

(a) In addition to the requirements set forth in 57 Pa.C.S. § 319(h) (relating to journal), a notary public shall maintain custody and control of the journal at all times during the duration of the notary public's commission. The journal is the exclusive property of the notary public. The notary public shall keep the journal in a secure location and accessible only to the notary. The notary public shall secure an electronic journal by a password or other means of personal authentication.

(b) Notification of loss or theft of the journal under 57 Pa.C.S. § 319(d) shall be made in writing or by e-mail to the Department within 15 days after the date the notary public or personal representative or guardian discovers that the journal was lost or stolen. For the purpose of this section, the terms "loss" or "lost" include journals that are misplaced, destroyed or otherwise made unavailable. The terms "loss" or "lost" do not include the delivery of the journal to the office of the recorder of deeds under 57 Pa.C.S. § 319(e) and (g). For the purpose of this section, the terms "theft" and "stolen" include compromised security and unauthorized access to a journal. The notification must include all of the following:

(1) A statement that the notary public does not possess the journal, journal security was compromised or the journal was accessed by an unauthorized person.

(2) The date the notary public discovered that the journal was lost or stolen.

§ 167.36. Inspection and certified copies of journal.

(a) *Inspection.* A notary public shall permit inspection of the journal to any person requesting to view the journal. The request for inspection may be oral or in writing. The inspection shall occur in the presence of the notary public.

(b) *Certified copies.* Requests for certified copies of the journal made in accordance with 57 Pa.C.S. § 319(g.1) (relating to journal) may be oral or in writing and shall specify the particular entry or time period sought. The notary public shall provide the certified copy within 15 days of receipt of the request.

Subchapter E. SCOPE OF PRACTICE**§ 167.41. Authority of notary public to perform notarial act.**

(a) A notary public may perform the notarial acts authorized under 57 Pa.C.S. Chapter 3 (relating to Revised Uniform Law on Notarial Acts) in any county in this Commonwealth.

(b) Notaries public may not perform the notarial acts authorized under 57 Pa.C.S. Chapter 3 outside the geographical borders of this Commonwealth or in other states or jurisdictions, unless authorized by the other state or jurisdiction to perform the acts.

§ 167.42. Personal appearance.

(a) To appear personally before a notary public under 57 Pa.C.S. § 306 (relating to personal appearance required) means that the individual making the statement or executing the signature and the notary public are all of the following:

(1) Physically present before each other when the notarial act is executed.

(2) Able to observe and interact with each other.

(3) Able to see, hear, communicate with and give identification credentials to each other without the use of electronic devices such as telephones, computers, video cameras or facsimile machines. This does not preclude the use of adaptive technology which enables reasonable accommodations for an individual with a vision, hearing or speech impairment in accordance with law.

(b) *Personal appearance:*

(1) Does not include appearance by audio, video or computer technology, unless the notary public is performing notarial acts facilitated by communication technology for a remotely located individual under 57 Pa.C.S. § 306.1 (relating to notarial act performed for remotely located individual).

(2) Is not required when a notary public is certifying or attesting a copy or deposition.

(3) Is not required when a notary public is administering an oral oath or affirmation in a criminal, civil or administrative proceeding in this Commonwealth, as long as the notary and the individual taking the oath or affirmation are able to hear and communicate with each other by means of electronic devices such as telephones, computers or video cameras.

§ 167.43. Identification of individual appearing before notary public—satisfactory evidence.

(a) *General.*

(1) For purposes of 57 Pa.C.S. § 307(b)(1)(i) (relating to identification of individual), a passport, driver's license or government-issued nondriver identification card include any of the following:

(i) A passport or passport card or electronic equivalent issued by the United States Department of State which is current and unexpired.

(ii) A passport or electronic equivalent issued by a foreign government, which is current and unexpired, provided it uses letters, characters and a language that are read, written and understood by the notary public.

(iii) A driver's license or nondriver identification card or electronic equivalent issued by a state of the United States, which is current and unexpired.

(iv) A driver's license or nondriver identification card or electronic equivalent issued by a foreign government, which is current and unexpired, provided it uses letters, characters and a language that are read, written and understood by the notary public.

(2) For the purposes of 57 Pa.C.S. § 307(b)(1)(ii), other forms of government identification may include any of the following:

(i) An identification card issued by any branch of the United States armed forces.

(ii) An inmate identification card issued by the Department of Corrections for an inmate who is currently in the custody of the Department of Corrections.

(iii) An identification card issued by the United States Department of Homeland Security.

(iv) A Social Security card.

(v) A Pennsylvania State university identification card or State-related university identification card.

(vi) A Pennsylvania medical marijuana identification card.

(vii) A consular identification document issued by a consulate from the individual's country of citizenship.

(b) *Credible Witness.*

(1) For purposes of 57 Pa.C.S. § 307(b)(2), the credible witness must do all of the following:

(i) Appear before the notary public contemporaneously with the individual appearing before the notary public.

(ii) Be personally known to the notary public.

(iii) Personally know the individual appearing before the notary public.

(iv) Not have a direct or pecuniary interest with respect to the record being notarized.

(2) The credible witness shall make a verification on oath or affirmation that all of the following are true:

(i) The individual appearing before the notary public is the person named in the record.

(ii) The credible witness personally knows the individual appearing before the notary public through dealings sufficient to provide the credible witness with reasonable certainty that the individual has the identity claimed.

(iii) The credible witness has no direct or pecuniary interest with respect to the record being notarized.

(3) The verification on oath or affirmation of a credible witness shall comply with § 167.63 (relating to verifications on oath or affirmation).

§ 167.44. Use of interpreter; language of record.

(a) A notary public shall be able to communicate directly with the individual for whom a notarial act is being performed in a language they both understand or indirectly through an interpreter. The interpreter must be able to communicate directly with the individual for whom the notarial act is being performed and with the notary public at the time of the notarization.

(b) A notary public may perform a notarial act on a record that is a translation of a record that is in a language that the notary public does not understand only if the person performing the translation makes a verification on oath or affirmation stating that the translation is accurate and complete. The translation and notarized

verification must be attached to the record for which the notarial act is being performed.

§ 167.45. Notification of change in name or other information; effect of certain address changes.

(a) *Requirements.* A notary public shall notify the Department within 30 days of any change in the information on file with the Department, including all the following information related to the notary public:

- (1) Name.
- (2) Office address and phone number.
- (3) Home address and phone number.
- (4) E-mail address.
- (5) Selected electronic notarization technology provider, if applicable, and as required by § 167.81 (relating to notification to Department).
- (6) Selected remote notarization technology provider, if applicable, and as required by § 167.81.

(7) Resignation from the office of notary public.

(b) *Method of notice.* The notice shall be made in writing, electronically or by e-mail and must state the effective date of the change.

(c) *Name change.*

(1) Notice of a change in name under subsection (a)(1) must be on a form prescribed by the Department and accompanied by evidence of the name change, such as a marriage certificate, court order or divorce decree.

(2) When the name of a notary public is changed, the notary public may continue to perform notarial acts in the name in which the notary was commissioned until the expiration of the notary public's term.

(3) Application for renewal of appointment of the notary public shall be made in the new name.

(d) *Effect of certain address changes.* A notary public who has neither a home address nor office address in this Commonwealth will be deemed to have resigned from the office of notary public as of the date the residency ceases or employment or practice within this Commonwealth terminates.

Subchapter F. NOTARIAL ACTS

§ 167.61. Acknowledgments.

In addition to the requirements for acknowledgements in 57 Pa.C.S. § 305(a) (relating to requirements for certain notarial acts), all of the following requirements apply:

(1) A record must be signed by the individual making the acknowledgment in the notary public's presence or prior to the acknowledgment. A record may not be signed subsequent to an acknowledgment.

(2) If the record is signed prior to appearance before the notary public, the individual making the acknowledgment shall acknowledge that the signature on the record is the individual's own when appearing before the notary.

§ 167.62. Oaths and affirmations.

(a) An oath or affirmation may be oral or in writing. If in writing, the individual making the oath or affirmation shall personally appear before the notary public when executing the individual's signature.

(b) In administering a testimonial oath or affirmation, the notary public shall request the individual taking the

oath or affirmation to voluntarily swear or affirm that the statements the individual is giving are true and correct.

(c) In administering an oath of office, the notary public shall require the individual taking the oath or affirmation to voluntarily swear or affirm that the individual will perform the duties and acts of the office faithfully.

§ 167.63. Verifications on oath or affirmation.

In addition to the requirements for verifications on oaths and affirmations in 57 Pa.C.S. § 305(b) (relating to requirements for certain notarial acts), all of the following requirements apply:

(1) A record containing a statement that is being verified on oath or affirmation must be signed in the notary public's presence.

(2) A record containing a statement that is being verified may not be signed subsequent to the verification on oath or affirmation.

(3) In taking a verification on oath or affirmation, the notary public shall administer an oath or affirmation to the individual making the statement by requiring that the individual swear or affirm that the statements contained in the record are true.

§ 167.64. Witnessing or attestation of signatures.

In addition to the requirements for witnessing or attestation of signatures in 57 Pa.C.S. § 305(c) (relating to requirements for certain notarial acts), all of the following requirements apply:

(1) A record containing a signature that is being witnessed or attested must be signed in the notary public's presence.

(2) A record containing a signature that is being witnessed or attested may not be signed prior to or subsequent to the witnessing or attestation of the signature.

§ 167.65. Certified or attested copies and depositions.

In addition to the requirements for certifying or attesting a copy or deposition in 57 Pa.C.S. § 305(d) (relating to requirements for certain notarial acts), all of the following requirements apply:

(1) The notary public shall compare the record to a copy of the record made by the requester or the notary public to determine that the copy is a complete and accurate transcription or reproduction of the record.

(2) The notary public shall examine the record for alteration or tampering.

(3) In issuing a certified or attested copy, the notary public does not guarantee the authenticity of the record, its contents or its effects.

(4) Records for which a notary public may not issue a certified copy include all of the following:

(i) Vital records (birth and death certificates).

(ii) United States Naturalization Certificates.

(iii) A government-issued record that on its face states "do not copy," "illegal to copy" or words of similar meaning.

(iv) A record that is prohibited by law to copy or certify.

(5) Records for which a notary public may issue a certified copy include all of the following:

(i) Public records.

(ii) Passports.

- (iii) Driver's licenses.
- (iv) Transcripts.
- (v) Diplomas.
- (vi) Contracts.
- (vii) Leases.
- (viii) Bills of sale.
- (ix) Medical records, consents or waivers.
- (x) Powers of attorney.

§ 167.66. Protests of negotiable instruments.

(a) As set forth in 57 Pa.C.S. § 305(e) (relating to requirements for certain notarial acts), a notary public who makes or notes a protest of a negotiable instrument shall determine the matters set forth in 13 Pa.C.S. § 3505(b) (relating to evidence of dishonor).

(b) For purposes of this section, a protest is a certificate of dishonor made by a United States consul or vice consul or a notary public or other person authorized to administer oaths by the law of the place where dishonor occurs.

(c) A protest may be made upon information satisfactory to the notary public and shall fulfill all of the following:

- (1) Identify the negotiable instrument.
- (2) Certify either that presentment has been made or, if not made, the reason it was not made.
- (3) State that the instrument has been dishonored by nonacceptance or nonpayment.
- (d) The protest may also certify that notice of dishonor has been given to some or all parties.
- (e) The individual requesting the protest shall be identified in the protest as the holder of the dishonored negotiable instrument.

Subchapter G. NOTARIAL CERTIFICATES

§ 167.71. Certificate of notarial act.

In addition to the requirements for certificates of notarial acts under 57 Pa.C.S. §§ 306.1(c), 315 and 316 (relating to notarial act performed for remotely located individual, certificate of notarial act; and short form certificates), the following requirements apply:

(1) The certificate of notarial act must be worded and completed using the English language. The certificate may be simultaneously worded and completed in another language that is read, written and understood by the notary public. The foreign language certificate must be immediately adjacent to the English-language certificate and the English-language certificate shall prevail in the event of any conflict between the translations.

(2) "Commonwealth of Pennsylvania" may be used instead of "State of Pennsylvania" on certificates of notarial acts.

(3) For the purposes of 57 Pa.C.S. § 315(f)(1), "securely attached" means stapled, grommeted or otherwise bound to the tangible record. The term "securely attached" does not include the use of tape, paperclips or binder clips.

(4) The notary public's signature on a tangible or electronic certificate must match the notary's name on the commission.

Subchapter H. ELECTRONIC AND REMOTE NOTARIZATION

§ 167.81. Notification to Department.

In addition to the requirements set forth in 57 Pa.C.S. §§ 306.1 and 320 (relating to notarial act performed for remotely located individual; and notification regarding performance of notarial act on electronic record; selection of technology), all of the following requirements apply:

(1) Prior to acting as an electronic notary public, a notary public shall notify the Department electronically at www.notaries.pa.gov that the notary will be performing notarial acts with respect to electronic records and shall identify each technology the notary intends to use.

(2) Prior to acting as a remote notary public, a notary public shall notify the Department electronically at www.notaries.pa.gov that the notary will be performing notarial acts for a remotely located individual using communication technology and shall identify each technology the notary intends to use.

(3) The notification required under paragraphs (1) and (2) must occur with the addition or deletion of each electronic or remote notarization technology provider during the course of a notary public's commission and at the beginning of each new commission.

§ 167.82. Use of technology.

An electronic notary public shall use an electronic notarization technology provider approved by the Department. A remote notary public shall use a remote notarization technology provider approved by the Department. The list of approved electronic or remote technology providers can be found at <https://www.dos.pa.gov/OtherServices/Notaries>.

§ 167.83. Electronic notarization technology provider application.

(a) A person offering a tamper-evident technology that enables electronic notaries public to perform notarial acts with respect to electronic records shall be approved by the Department as an electronic notarization technology provider before offering the technology to electronic notaries commissioned in this Commonwealth.

(b) A person applying to the Department for approval as an electronic notarization technology provider must submit an application to the Department on a form prescribed by the Department. The application shall include a description of the technology, including all of the following:

(1) Hardware and software specifications and requirements for the provider's electronic notarization technology.

(2) A description of the types of technology used in the provider's electronic notarization technology.

(3) A demonstration of how the technology is used to perform notarial acts with respect to electronic records.

(c) Upon a determination that the technology conforms to § 167.84 (relating to standards for approval of electronic notarization technology), the Department shall approve the person offering the technology as an electronic notarization technology provider.

§ 167.84. Standards for approval of electronic notarization technology.

In addition to the requirements set forth in 57 Pa.C.S. § 320 (relating to notification regarding performance of notarial act on electronic record; selection of technology),

a tamper-evident technology used to perform notarial acts with respect to electronic records must meet all of the following:

(1) Comply with Federal and State law, including 57 Pa.C.S. Chapter 3 (relating to Revised Uniform Law on Notarial Acts) and this chapter.

(2) Allow a person inspecting an electronic record to determine whether there has been any tampering with the integrity of a certificate of notarial act logically associated with a record or with the attachment or association of the notarial act with that electronic record.

(3) Include all of the electronic notary public's identifying and commissioning information as a part of, or a secure attachment to, the underlying notarized electronic record.

(4) Verify the authorization of the electronic notary public to perform notarial acts with respect to electronic records by verifying the name, commission number and commission expiration date with the Department prior to offering the electronic notarization technology.

(5) Suspend the use of any electronic notarization technology for any electronic notary public whose commission has expired or has been revoked or suspended by the Department.

§ 167.85. Remote notarization technology provider application.

(a) A person offering a communication technology that enables remote notaries public to perform notarial acts for remotely located individuals shall be approved by the Department as a remote notarization technology provider before offering the technology to remote notaries commissioned in this Commonwealth.

(b) A person applying to the Department for approval as a remote notarization technology provider must submit an application to the Department on a form prescribed by the Department. The application shall include a description of the technology, including all of the following:

(1) Hardware and software specifications and requirements for the provider's remote notarization technology.

(2) A description of the types of technology used in the provider's remote notarization technology.

(3) A demonstration of how the technology is used to perform notarial acts with respect to remotely located individuals.

(c) Upon a determination that the technology conforms to § 167.86 (relating to standards for approval of remote notarization technology), the Department shall approve the person offering the technology as a remote notarization technology provider.

§ 167.86. Standards for approval of remote notarization technology.

In addition to the requirements set forth in 57 Pa.C.S. § 306.1 (relating to notarial act performed for remotely located individual), a communication technology used to perform notarial acts for remotely located individuals must meet all of the following:

(1) Comply with Federal and State law, including 57 Pa.C.S. Chapter 3 (relating to Revised Uniform Law on Notarial Acts) and this chapter.

(2) Allow the notary public to communicate with the remotely located individual simultaneously by sight and sound.

(3) Make reasonable accommodations for an individual with a vision, hearing or speech impairment in accordance with law.

(4) Include two types of processes or services by which a third person provides a remote notary public with a means to verify the identity of the remotely located individual by a review of personal information from public or private data sources. Identity proofing methods may include the use of credential analysis, dynamic knowledge-based authentication, biometrics or other means of identification.

(5) Create an audio-visual recording of all interactions between the remote notary public and the remotely located individual during the performance of the notarial act.

(6) Retain the audio-visual recording for a period of 10 years as designated by the remote notary public or enable the remote notary public to download and retain the audio-visual recording.

(7) Allow a person inspecting an electronic record to determine whether there has been any tampering with the integrity of a certificate of notarial act logically associated with a record or with the attachment or association of the notarial act with that electronic record.

(8) Include all of the remote notary public's identifying and commissioning information as a part of, or a secure attachment to, the underlying notarized electronic record.

(9) Verify the authorization of the remote notary public to perform notarial acts facilitated by communication technology by verifying the name, commission number and commission expiration date with the Department prior to offering the remote notarization technology.

(10) Suspend the use of any remote notarization technology for any remote notary public whose commission has expired or has been revoked or suspended by the Department.

§ 167.87. Termination of approval of technology.

The Department may terminate the approval of an electronic notarization technology provider upon a finding that the provider no longer meets the standards set forth in § 167.84 (relating to standards for approval of electronic notarization technology). The Department may terminate the approval of a remote notarization technology provider upon a finding that the provider no longer meets the standards set forth in § 167.86 (relating to standards for approval of remote notarization technology).

Subchapter I. NOTARY PUBLIC EDUCATION

§ 167.91. Definitions.

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

Certificate of approval—A certificate issued by the Department under § 167.92 (relating to certificate of approval) indicating that the education provider named therein offers an education program course of study approved by the Department.

Course of study—Basic or continuing education under 57 Pa.C.S. § 322(b) and (c) (relating to examination, basic education and continuing education), offered by means of live classroom instruction or interactive education.

Interactive education—An education process based on the geographical separation of the learner and instructor, which provides synchronous interaction between the learner and instructor, or which does not provide direct

learner and instructor interaction but requires a learner to be actively and reciprocally engaged with the course content. Examples include live online webinars and asynchronous interactive online courses.

Pennsylvania business registration number—The number assigned by the Department's Bureau of Corporations and Charitable Organizations to a business entity or fictitious name registrant that is authorized to conduct business in this Commonwealth.

Provider—An individual or business entity that offers, supplies or provides an approved course of study.

§ 167.92. Certificate of approval.

(a) In accordance with 57 Pa.C.S. § 322(d) (relating to examination, basic education and continuing education), a provider shall obtain a certificate of approval from the Department for each course of study offered.

(b) To apply for a certificate of approval, a provider shall submit all of the following to the Department:

(1) A completed "Notary Public Education Provider Application or Amendment" form.

(2) The fee required by § 161.1(b) (relating to schedule of fees).

(3) A course of study satisfying the requirements of § 167.93 (relating to course of study).

(c) A provider is responsible for all employees, agents, instructors, contractors and subcontractors providing or involved in providing an approved course of study on behalf of the provider and the acts of the employees, agents, instructors, contractors and subcontractors will be deemed the acts of the provider.

(d) The certificate of approval will expire 3 years from the date of issuance. A provider may apply for renewal of approval of a course of study up to 90 days before the expiration of the certificate of approval.

(e) A certificate of approval is non-transferable to another provider or course of study.

§ 167.93. Course of study.

(a) A course of study must meet all of the following requirements:

(1) Include instruction on the required topics as set forth in 57 Pa.C.S. § 322(b)(1) or (c)(1) (relating to examination, basic education and continuing education).

(2) Contain a table of contents, and the pages must be consecutively numbered.

(3) Contain procedures to establish the identity of a person physically attending a classroom course of study or virtually attending a course of study to whom proof of completion shall be issued in accordance with § 167.95 (relating to certificate of education).

(4) Contain procedures to ensure that a person physically attending a classroom course of study or virtually attending a course of study by interactive means is present for the required time.

(5) Include a schedule of the time allotted for all of the following:

(A) Break periods, if any.

(B) Each major subject area.

(C) Each student participation activity, if any.

(D) Completion, correction and discussion of any practice tests used, if any.

(6) If any video is used for instruction, include a brief synopsis of the information presented therein. In addition, the provider shall include the video in the materials presented to the Department for review.

(7) Copies of any handout materials, workbooks, visual aids, description of student participation exercises and practice tests used during the course of study.

(b) If the course of study provides for an instructor or course evaluation by the students, time to complete the evaluation may not be included as part of the course of study.

(c) A provider shall revise an approved course of study as necessary to ensure that the information provided in an approved course of study reflects developments in the law and current notary practice.

§ 167.94. Notification of changes.

Within 30 days of any change in the approved course of study or any information contained in the most recent application approved by the Department, a provider must submit to the Department a "Notary Public Education Provider Application or Amendment" form identifying the changes.

§ 167.95. Certificate of education.

(a) A provider shall issue a certificate of education to a notary public applicant upon successful completion of an approved course of study.

(b) The certificate of education must consist of a certificate signed by a provider or an employee, agent, instructor, contractor or subcontractor of a provider, which contains all of the following information:

(1) The name of the education provider as it appears on the certificate of approval issued by the Department for the approved course of study.

(2) The name of the approved course of study and whether it is basic education or continuing education.

(3) The name of the notary public applicant who completed the approved course of study.

(4) The date the notary public applicant completed the approved course of study.

(5) The statement that the certificate of education is valid for a period of 6 months from the date of issuance.

§ 167.96. Record of attendees.

A provider shall maintain documentation of the persons who attend each session of an approved course of study for a period of 5 years.

§ 167.97. Representatives of the Department attending approved course of study.

A provider shall permit representatives of the Department to attend any approved course of study, without prior notice and at no charge, for the purpose of observation, monitoring, auditing and investigating the instruction given.

§ 167.98. Termination of certificate of approval.

The Department may terminate a certificate of approval upon any of the following grounds:

(1) Violation of any of the provisions of 57 Pa.C.S. Chapter 3 (relating to Revised Uniform Law on Notarial Acts) or this chapter.

(2) Misrepresentation of the laws of the Commonwealth concerning the duties and functions of a notary public.

(3) Deviation from the course of study approved by the Department.

(4) Failure to respond to a request for information from the Department.

(5) Representations by the provider that any other product, goods or services provided by the provider are endorsed or recommended by the Department.

(6) Failure to prepare course attendees to pass the notary public examination that an annual combined scaled score of all attendees of 60% or more is not maintained.

Subchapter J. STANDARDS OF CONDUCT

§ 167.111. Conflict of interest.

(a) In accordance with 57 Pa.C.S. § 304(b) (relating to authority to perform notarial act), a notary public may not perform a notarial act with respect to a record in which the notary public or the notary public's spouse has a direct or pecuniary interest.

(b) A notary public may not notarize a notary public's own signature.

(c) A notary public may perform a notarial act with respect to a record that the notary public's spouse is signing, only if the notary public and the notary public's spouse have no direct or pecuniary interest in the record.

§ 167.112. Duty of candor.

A notary public or an applicant for appointment and commission as a notary public shall comply with all requests of the Department for information related to an application for appointment, commissioning, required notifications to the Department, investigations and the performance of notarial acts.

§ 167.113. Refusal to perform notarial acts.

For the purposes of 57 Pa.C.S. § 308 (relating to authority to refuse to perform notarial act), a notary public may not refuse to provide notarial services on the basis of a customer's race, color, national origin, religion, sexual orientation, sex, gender, pregnancy, gender identity, gender expression, disability or marital status.

Subchapter K. PROHIBITED ACTS AND SANCTIONS

§ 167.121. Acts or omissions providing the basis for sanctions.

(a) As set forth in 57 Pa.C.S. § 323(a) (relating to sanctions), the Department may deny, refuse to renew, revoke, suspend, reprimand or impose a condition on a commission as a notary public for an act or omission that demonstrates that the individual lacks the honesty, integrity, competence or reliability to act as a notary public. These acts or omissions include all of the following:

(1) Notarizing the individual's own signature or statement.

(2) Notarizing a spouse's signature or statement, when the notary public or the spouse has a direct or pecuniary interest in the record.

(3) Affixing to or logically associating the notary's official stamp or signature with a record or notarial certificate before the notarial act has been performed.

(4) Post-dating or pre-dating notarial acts.

(5) Altering a record after it has been notarized. This includes altering the notarial certificate for a purpose other than to correct a ministerial error.

(6) Altering, inserting or deleting journal entries other than to correct a ministerial error.

(7) Retaining a customer's record or identification credential or retaining a copy of a customer's record or identification credential, unless permitted by law.

(8) Issuing to the order of the Commonwealth, the Department of State, a recorder of deed or a prothonotary a personal check without sufficient funds on deposit in payment of any application, recording or registration required by the act.

(9) Performing a notarial act within this Commonwealth when the person was not commissioned as a notary public or was otherwise not authorized to perform a notarial act.

(10) Performing a notarial act in another state under the authority of the notary public's commission in this Commonwealth.

(11) Making a representation that the notary public has powers, qualifications, rights or privileges that the notary public does not have.

(12) Use of the terms "notario," "notario publico," "notario publica" or any non-English equivalent term in a manner which misrepresents the authority of the notary public.

(13) Engaging in the unauthorized practice of any regulated profession, including the practice of law.

(14) Using the notary public's title or official stamp for a purpose other than to perform a notarial act.

(15) Failure to require the personal appearance through physical presence of an individual making a statement in or executing a signature on a tangible record or with respect to an electronic record.

(16) Failure to require the personal appearance of a remotely located individual when using communication technology to perform notarial acts.

(17) Failure to have personal knowledge or satisfactory evidence of the identity of an individual appearing before the notary public.

(18) Executing a notarial certificate that contains a statement known to the notary public to be false.

(19) Placing the official stamp over any signature in the record to be notarized or over any writing in a notarial certificate.

(20) Permitting any other person to use the notary public's official stamp or stamping device to perform a notarial act or for any other purpose.

(21) Using another notary public's stamping device or embosser to perform a notarial act.

(22) Violating a disciplinary order of the Department.

(23) Issuance of a certificate of dishonor of a negotiable instrument, also known as a protest of commercial paper as defined in 13 Pa.C.S. § 3505(b) (relating to evidence of dishonor), that was owned or held for collection by a financial institution, trust company or investment company when the notary public was a party to the commercial paper in an individual capacity.

(24) Issuance of a certificate of dishonor of a negotiable instrument, also known as a protest of commercial paper as defined in 13 Pa.C.S. § 3505(b), of a noncommercial or other record that does not fit the definition of negotiable instrument as defined in 13 Pa.C.S. § 3104 (relating to negotiable instrument).

(25) Issuance of a certificate of dishonor of a negotiable instrument, also known as a protest of commercial paper as defined in 13 Pa.C.S. § 3505(b), in a manner not in accordance with 13 Pa.C.S. § 3505.

(26) Submission of any of the following types of records to the Department or Secretary of the Commonwealth in reply to correspondence from the Department or other government agency or initiating proceedings:

(i) Conditional acceptance, or a similar record purporting to conditionally accept presentment of an official record, and demanding proof of a list of claims to fully accept the official record.

(ii) Affidavit in support of conditional acceptance, or a similar record purporting to attest to the facts of a record and signed by the same notary public who is attesting.

(iii) Notice of dishonor, or a similar record purporting to give notice that a conditional acceptance has not been accepted by the government agency to which it was sent and thereby was dishonored.

(iv) Accepted for value, or similar stamp or certificate purporting to accept for a disclosed or undisclosed value an official record sent to the notary public by the Department, the Secretary of the Commonwealth or other governmental agency. The certificate claims to establish an amount of money payable or accrued to the signor of the certificate.

(v) Notice of protest, or a similar record purporting to be a protest of commercial paper that has been dishonored, when the commercial paper is not, in fact, a negotiable instrument under 13 Pa.C.S. Division 3 (relating to negotiable instruments) and subject to the laws stated therein regarding dishonor and protest.

(vi) Other records attempting to apply 13 Pa.C.S. Division 3 to non-negotiable instruments or other records not included in the scope of Division 3.

(vii) Other record types purporting to follow the Uniform Commercial Code and not related to a filing under 13 Pa.C.S. Division 9 (relating to secured transactions).

(b) For the purposes of 57 Pa.C.S. § 323(a) and this subchapter, an act or omission includes an act or omission occurring within or outside this Commonwealth.

§ 167.122. Offenses involving fraud, dishonesty or deceit.

(a) As set forth in 57 Pa.C.S. § 323(a)(3) (relating to sanctions), the Department may deny, refuse to renew, revoke, suspend, reprimand or impose a condition on a commission as a notary public for conviction of or acceptance of accelerated rehabilitative disposition by the applicant or notary public of an offense involving fraud, dishonesty or deceit. An offense involving fraud, dishonesty or deceit includes any of the following:

(1) The following offenses defined in 18 Pa.C.S. Chapter 39 Subchapter B (relating to definition of offenses):

§ 3921. Theft by unlawful taking or disposition.

§ 3922. Theft by deception.

§ 3922.1. Financial exploitation of an older adult or care-dependent person.

§ 3923. Theft by extortion.

§ 3924. Theft of property lost, mislaid, or delivered by mistake.

§ 3925. Receiving stolen property.

§ 3926. Theft of services.

§ 3927. Theft by failure to make required disposition of funds received.

§ 3929. Retail theft.

§ 3929.1. Library theft.

§ 3929.3. Organized retail theft.

§ 3930. Theft of trade secrets.

§ 3931. Theft of unpublished dramas and musical compositions.

§ 3932. Theft of leased property.

§ 3934. Theft from a motor vehicle.

§ 3935.1. Theft of secondary metal.

§ 3936. Theft of mail.

(2) The following offenses defined in 18 Pa.C.S. Chapter 41 (relating to forgery and fraudulent practices):

§ 4101. Forgery.

§ 4102. Simulating objects of antiquity, rarity, etc.

§ 4103. Fraudulent destruction, removal or concealment of recordable instruments.

§ 4104. Tampering with records or identification.

§ 4105. Bad checks.

§ 4106. Access device fraud.

§ 4106.1. Unlawful device-making equipment.

§ 4107. Deceptive or fraudulent business practices.

§ 4107.1. Deception relating to kosher food products.

§ 4107.2. Deception relating to certification of minority business enterprise or women's business enterprise.

§ 4108. Commercial bribery and breach of duty to act disinterestedly.

§ 4109. Rigging publicly exhibited contest.

§ 4110. Defrauding secured creditors.

§ 4111. Fraud in insolvency.

§ 4112. Receiving deposits in a failing financial institution.

§ 4113. Misapplication of entrusted property and property of government or financial institutions.

§ 4114. Securing execution of documents by deception.

§ 4115. Falsely impersonating persons privately employed.

§ 4117. Insurance fraud.

§ 4118. Washing vehicle titles.

§ 4119. Trademark counterfeiting.

§ 4120. Identity theft.

§ 4121. Possession and use of unlawful devices.

(3) The following offenses defined in 18 Pa.C.S. Chapter 47 (relating to bribery and corrupt influence):

§ 4701. Bribery in official and political matters.

§ 4702. Threats and other improper influence in official and political matters.

§ 4703. Retaliation for past official action.

(4) The following offenses defined in 18 Pa.C.S. Chapter 49 (relating to falsification and intimidation):

§ 4902. Perjury.

§ 4903. False swearing.

- § 4904. Unsworn falsification to authorities.
- § 4905. False alarms to agencies of public safety.
- § 4906. False reports to law enforcement authorities.
- § 4906.1. False reports of child abuse.
- § 4909. Witness or informant taking bribe.
- § 4910. Tampering with or fabricating physical evidence.
- § 4911. Tampering with public records or information.
- § 4912. Impersonating a public servant.
- § 4913. Impersonating a notary public or a holder of a professional or occupational license.
- § 4914. False identification to law enforcement authorities.
- § 4915.1. Failure to comply with registration requirements.
- § 4915.2. Failure to comply with 42 Pa.C.S. Ch. 97 Subch. I registration requirements.
- § 4952. Intimidation of witnesses or victims.
- § 4958. Intimidation, retaliation or obstruction in child abuse cases.

(5) The following offenses defined in 18 Pa.C.S. Chapter 51 Subchapter A (relating to definition of offenses generally):

- § 5101. Obstructing administration of law or other governmental function.
- § 5105. Hindering apprehension or prosecution.
- § 5107. Aiding consummation of crime.
- § 5108. Compounding.
- § 5111. Dealing in proceeds of unlawful activities.

(6) The following offenses defined in 18 Pa.C.S. Chapter 53 (relating to abuse of office):

- § 5301. Official oppression.
- § 5302. Speculating or wagering on official action or information.
- (7) Criminal attempt if the underlying crime involves fraud, dishonesty or deceit. See 18 Pa.C.S. § 901 (relating to criminal attempt).

(8) Criminal solicitation if the underlying crime involves fraud, dishonesty or deceit. See 18 Pa.C.S. § 902 (relating to criminal solicitation).

(9) Criminal conspiracy if the underlying crime involves fraud, dishonesty or deceit. See 18 Pa.C.S. § 903 (relating to criminal conspiracy).

(b) For the purposes of 57 Pa.C.S. § 323(a)(3) and this chapter, “conviction of or acceptance of Accelerated Rehabilitative Disposition” includes conviction or acceptance of Accelerated Rehabilitative Disposition or other similar diversionary program in any other state or jurisdiction.

§ 167.123. Factors considered in sanctions.

When imposing any action authorized under 57 Pa.C.S. § 323 (relating to sanctions), including denial of application, the Department may consider a variety of factors including:

(1) The nature, number and severity of any acts, offenses, official misconduct or crimes under consideration.

(2) Evidence pertaining to the honesty, credibility, truthfulness and integrity of the applicant or notary public.

(3) Actual or potential monetary or other harm to the general public, group, individual or customer.

(4) The history of complaints received by the Department.

(5) Prior disciplinary record or warning from the Department.

(6) Evidence in mitigation.

(7) Evidence in aggravation.

(8) Other occupational, vocational or professional license disciplinary record.

(9) Evidence of rehabilitation, such as reference letters and proof of class attendance.

(10) A criminal record.

(11) Reports from law enforcement agencies.

(12) Willfulness.

(13) Negligence.

§ 167.124. Unauthorized practice of law.

In determining whether a notary public has assisted a person in drafting legal records, gave legal advice or is otherwise practicing law in violation of 57 Pa.C.S. § 325 (relating to prohibited acts), the Department will take into consideration the factors in the Pennsylvania Bar Association Unauthorized Practice of Law Committee Formal Opinion 2006-01 or any successor opinion.

§ 167.125. Reporting requirements.

A notary public shall notify the Department of any of the following:

(1) Conviction of or acceptance of Accelerated Rehabilitative Disposition in resolution of a felony or an offense involving fraud, dishonesty or deceit within 30 days of the disposition or on the next application for renewal of appointment and commission, whichever is sooner.

(2) Disciplinary action taken against the notary public’s commission by the commissioning authority of another state or jurisdiction within 30 days of receiving notice of the disciplinary action or on the next application for renewal of appointment and commission, whichever is sooner.

(3) Finding against, or admission of liability by, the notary public in any criminal, civil or administrative proceeding, based on the fraud, dishonesty or deceit of the notary public, within 30 days of conclusion of the legal proceeding or on the next application for renewal of appointment and commission, whichever is sooner.

(4) Finding by the Pennsylvania Bar Association or the courts of the Commonwealth or the bar or courts of any other state or jurisdiction finding that the notary public has engaged in the unauthorized practice of law within 30 days of conclusion of the proceeding or on the next application for renewal of appointment and commission, whichever is sooner.

(5) Payment to a claimant under the notary’s bond within 30 days of the surety making the payment or on the next application for renewal of appointment and commission, whichever is sooner.

[Pa.B. Doc. No. 24-1819. Filed for public inspection December 20, 2024, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending December 10, 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-bnbnksbmssnspt@pa.gov or for credit unions, by e-mail to ra-bncusubmissions@pa.gov and trust companies, by e-mail to ra-bntrustsuprvsninq@pa.gov. Comments must be received no later than 30 days from the date that the notice regarding acceptance of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240, or for credit unions or trust companies (717) 783-2253.

APPLICATIONS FOR COMMENT

BANKING INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

OTHER APPLICATION ACTIVITY

BANKING INSTITUTIONS

Branch Applications

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
10-29-2024	Community State Bank of Orbisonia Orbisonia Huntingdon County	<i>To:</i> 454 Loudon Road Mercersburg Franklin County <i>From:</i> 350 North Main Street Mercersburg Franklin County	Effective
12-09-2024	Community State Bank of Orbisonia Orbisonia Huntingdon County	<i>To:</i> 454 Loudon Road Mercersburg Franklin County <i>From:</i> 350 North Main Street Mercersburg Franklin County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
11-26-2024	Penn Community Bank Doylestown Bucks County	519 Richlandtown Pike Richlandtown Bucks County	Closed

CREDIT UNIONS

No activity.

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

WENDY S. SPICHER,
Secretary

[Pa.B. Doc. No. 24-1820. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

School District of Pittsburgh v. State Tax Equalization Board; Doc. No. DCED-2023-0005

On June 6, 2023, the School District of Pittsburgh filed its objections to the 2020 Common Level Ratio for Allegheny County.

Notice

A second day of this hearing will be conducted before Department of State Hearing Examiner Peter D. Kovach, Esquire, at 12:30 p.m. on February 25, 2025, at 2400 Thea Drive, 2nd Floor, Harrisburg, PA 17110. The hearing will be conducted in accordance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

RICK SIGER,
Secretary

[Pa.B. Doc. No. 24-1821. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

<i>Section</i>	<i>Category</i>
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 Permitsre—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs
III	Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity

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

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

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

Section II identifies individual NPDES permit applications received and draft permits indicating DEP's tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of DEP for one additional 15-day period. Additional information, including links to draft

permits and fact sheets that explain the basis for DEP's tentative determinations may be reviewed by generating the "Applications Received with Comment Periods Report" on DEP's website at www.dep.pa.gov/CWPublicNotice. Notification of 15-day extensions for comment will be provided in the "Applications Received with Comment Periods Report" (Comments column).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0275743	Industrial Stormwater Individual NPDES Permit	Transfer	Bldg Materials Manufacturing LLC 440 Katherine Road Wind Gap, PA 18091-1135	Wind Gap Borough Northampton County	NERO
1505419	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	Delcora 100 E 5th Street Chester, PA 19013-4508	Pocopson Township Chester County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0080683	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Skyview MHP LLC 200 Ridge Road Etters, PA 17319-9110	Newberry Township York County	SCRO
4292405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Mt Jewett Borough McKean County P.O. Box 680 1 Center Street Mount Jewett, PA 16740-0680	Mount Jewett Borough McKean County	NWRO
6789421	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Skyview MHP LLC 200 Ridge Road Etters, PA 17319-9110	Newberry Township York County	SCRO
PAG033923	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Elk Co. of Texas LLC 401 Weavertown Road Myerstown, PA 17067-2401	Jackson Township Lebanon County	SCRO
PAG034099	PAG-03 NPDES General Permit for Industrial Stormwater	New	JF Rohrbaugh & Co. Inc. 105 Berlin Jct New Oxford, PA 17350-9594	Oxford Township Adams County	SCRO
PAG036197	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	VGP Holdings LLC 501 Railroad Street Rochester, PA 15074-1967	Rochester Township Beaver County	SWRO
PAG041445	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Reiber David L Sr 71 Woodland Road Mercer, PA 16137-3837	Springfield Township Mercer County	NWRO
PAG041446	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Frishkorn George 615 Pattison Street Ext Evans City, PA 16033-3315	Penn Township Butler County	NWRO
PAG041447	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Bogovich Patricia 1702 North Woodland Boulevard Deland, FL 32720	Clarion Township Clarion County	NWRO
PAG041449	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Slanina Anne 286 Donation Road Greenville, PA 16125-8008	Hempfield Township Mercer County	NWRO
PAG041450	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Reckhart Faron 21602 Boyle Road Cochranton, PA 16313	Fairfield Township Crawford County	NWRO
PAG041451	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Smith Gorden 637 Fredonia Road Greenville, PA 16125-8407	Delaware Township Mercer County	NWRO
PAG046201	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Mitchell Stephen & Katherine R 1219 Minnesota Avenue Natrona Heights, PA 15065-1029	Derry Township Westmoreland County	SWRO
PAG050093	PAG-05 NPDES General Permit for Groundwater Cleanup	New	Blairs Auto Inc. 110 Milestone Court Royersford, PA 19468	East Vincent Township Chester County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG123830	PAG-12 NPDES General Permit for CAFOs	Renewal	Reinford Farms Inc. 505 Cedar Grove Road Mifflintown, PA 17059-8134	Walker Township Juniata County	SCRO
PAG123894	PAG-12 NPDES General Permit for CAFOs	Renewal	Zimmerman Lavon J 11653 William Penn Highway Thompsontown, PA 17094-8686	Walker Township Juniata County	SCRO
PAG123959	PAG-12 NPDES General Permit for CAFOs	New	Hillside Poultry Farm Inc. 1849 Letterkenny Road Chambersburg, PA 17201-8733	Greene Township Franklin County	SCRO
PAG138302	PAG-13 NPDES General Permit for MS4s	Renewal	South Pymatuning Township Mercer County 3483 Tamarack Drive Sharpsville, PA 16150-9321	South Pymatuning Township Mercer County	NWRO
PAG138322	PAG-13 NPDES General Permit for MS4s	Renewal	Lawrence Park Township Erie County 4230 Iroquois Avenue Erie, PA 16511-2133	Lawrence Park Township Erie County	NWRO
1024414	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Kleemann Christine 225 N Washington Street Butler, PA 16001-5257	Clearfield Township Butler County	NWRO
1624404	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Griebel John 13681 Route 208 Marble, PA 16334-1125	Elk Township Clarion County	NWRO
4224404	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Behan Laree Sue 1291 High Street Bradford, PA 16701-3820	Bradford Township McKean County	NWRO
6500402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Mitchell Stephen & Katherine R 1219 Minnesota Avenue Natrona Heights, PA 15065-1029	Derry Township Westmoreland County	SWRO
WQG01102407	WQG-01 Single Residence Sewage Treatment Plant WQM General Permit	New	Frishkorn George 615 Pattison Street Ext Evans City, PA 16033-3315	Penn Township Butler County	NWRO
WQG01162402	WQG-01 Single Residence Sewage Treatment Plant WQM General Permit	New	Bogovich Patricia 1702 North Woodland Boulevard Deland, FL 32720	Clarion Township Clarion County	NWRO
WQG01432413	WQG-01 Single Residence Sewage Treatment Plant WQM General Permit	New	Reiber David L Sr 71 Woodland Road Mercer, PA 16137-3837	Springfield Township Mercer 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.

Northeast Regional Office

PA0010987, Sewage, SIC Code 9199, **Tobyhanna Army Depot**, 11 Hap Arnold Boulevard, Building 41, Tobyhanna, PA 18466. Facility Name: Tobyhanna Army Depot WWTP. This existing facility is located in Coolbaugh Township, **Monroe County**.

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

The receiving streams, Tributary 4618 to Lehigh River (EV, MF), Cross Keys Run (EV, MF), and Hummler Run (HQ-CWF, MF), are located in State Water Plan watershed 2-A and are classified for High Quality-Cold Water and Migratory Fish (Hummler Run), Exceptional Value Waters and Migratory Fish (Cross Keys Run and Tributary 4618 to Lehigh River), 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 0.802 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.04
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	167	XXX	XXX	25	XXX	50
CBOD ₅ Minimum % Removal (%)	XXX	XXX	XXX	85	XXX	XXX
Total Suspended Solids	200	XXX	XXX	30.0	XXX	60.0
Total Dissolved Solids	XXX	XXX	XXX	1,000	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Nitrate-Nitrite as N	66.9	XXX	XXX	10.0	XXX	20.0
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	28.8	XXX	XXX	4.3	XXX	8.4
Nov 1 - Apr 30						
May 1 - Oct 31	9.4	XXX	XXX	1.4	XXX	2.8
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	6.7	XXX	XXX	1.0	XXX	2.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.802 MGD.

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

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD (stormwater).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0 MGD (pretreatment).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</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
Cadmium, Total	XXX	XXX	XXX	0.26	0.69	XXX
Chromium, Total	XXX	XXX	XXX	1.71	2.77	XXX
Copper, Total	XXX	XXX	XXX	2.07	3.38	XXX
Nickel, Total	XXX	XXX	XXX	2.38	3.98	XXX
Silver, Total	XXX	XXX	XXX	0.24	0.43	XXX
Cyanide, Total	XXX	XXX	XXX	0.65	1.20	XXX
Total Toxic Organics	XXX	XXX	XXX	Annl Avg XXX	2.13	XXX

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

- Solids Management
- Requirements Applicable to Stormwater Outfalls
- Total Toxic Organics (TTO)

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

PA0061441, Sewage, SIC Code 4952, **Freeman's Mobile Home Park**, 295 Freeman Lane, Monroe Township, PA 18612-8026. Facility Name: Freeman's Mobile Home Park WWTP. This existing facility is located in Monroe Township, **Wyoming 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, Leonard Creek (HQ-CWF, MF), is located in State Water Plan watershed 4-G 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 0.0045 MGD.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean 25.0	XXX	50.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0045 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Annual Average	Maximum	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Solids Management

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

The EPA Waiver is in effect.

Northeast Regional Office

PA0065561, Storm Water, SIC Code 3498, **Acme Cryogenics Inc.**, 2801 Mitchell Avenue, Allentown, PA 18103-7111. Facility Name: Acme Cryogenics. This existing facility is located in Allentown City, **Lehigh County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD (Stormwater).

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	
pH (S.U.)	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 Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, 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)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0239674, Sewage, SIC Code 7033, **Cooper Lake Farms, Inc.**, 205 Currie Road, Slippery Rock, PA 16057-4527. Facility Name: Coopers Lake Campground. This existing facility is located in Worth Township, **Butler 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, the Muddy Creek (WWF), is located in State Water Plan watershed 20-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0275 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Nov 1 - Apr 30	XXX	XXX	XXX	25.0	XXX	50
May 1 - Oct 31	XXX	XXX	XXX	12.0	XXX	24
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg	XXX	XXX
				Report		
				Annl Avg		

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0272574, Sewage, **Ashley Steighner**, 121 Caldwell Drive, Butler, PA 16002-3701. Facility Name: Ashley Steighner SRSTP. This existing facility is located in Jefferson Township, **Butler County**.

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

The receiving stream(s), Thorn Creek, 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 0.0004 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0296031, Sewage, SIC Code 8800, **Mike Potosky**, 13003 Wolf Road, Guys Mills, PA 16327-4334. Facility Name: 33496 S Main St SRSTP. This proposed facility is located in Townville Borough, **Crawford County**.

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

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

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

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0026743, Sewage, SIC Code 4952, **Lancaster City**, 120 N Duke Street, Lancaster, PA 17602-2825. Facility Name: City of Lancaster AWWTP. This existing facility is located in Lancaster Township, **Lancaster County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	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>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.12	XXX	0.41
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	6,689	10,702	XXX	25	40 Wkly Avg	50
Nov 1 - Apr 30						
May 1 - Oct 31	3,211	4,816	XXX	12	18 Wkly Avg	24
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	8,026	12,040	XXX	30	45 Wkly Avg	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Oct 1 - Apr 30						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	2,007	XXX	XXX	7.5	XXX	15
Nov 1 - Apr 30						
May 1 - Oct 31	669	XXX	XXX	2.5	XXX	5
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	535	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Dibromochloromethane	XXX	XXX	XXX	XXX	Report	XXX
Chloroform	XXX	XXX	XXX	XXX	Report	XXX

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

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

The proposed effluent limits for Outfall 100 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.12	XXX	0.41
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is not in effect.

Southcentral Regional Office

PA0086967, Industrial, SIC Code 4952, **Myerstown Borough Water Authority**, 601 Stracks Dam Road, Myerstown, PA 17067. Facility Name: Myerstown Water Authority System. This existing facility is located in Jackson Township, **Lebanon County**.

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

The receiving stream(s), Unnamed Tributary to Tulpehocken Creek (CWF), is located in State Water Plan watershed 3-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 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Daily Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Approval contingencies
- Management of collected screenings, slurries, sludges and other solids
- Water quality management permit superseded by NPDES condition
- Conditions to address new stringent guidelines or standards during permit cycle
- Chlorine minimization

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

PA0262056, Concentrated Animal Feeding Operation (CAFO), **Elvin Zimmerman (Elvin Zimmerman Farm CAFO)**, 180 Degan Road, Mifflintown, PA 17059-8491.

Zimmerman Elvin has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Elvin Zimmerman Farm CAFO, located in Fayette Township, **Juniata County**.

The CAFO is situated near Lost Creek (HQ-CWF, MF) in Watershed 12-A, which is classified for High Quality-Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 233.49 animal equivalent units (AEUs) consisting of a boar, 2 gestating sows, 2 ponies, 135,000 broilers, and 3 heifers. Manure is stored in the barns until removal after each flock period. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

Southeast Regional Office

PA0053279, Sewage, SIC Code 4952, **Buckingham Village Ltd**, 1490 Durham Road, New Hope, PA 18938. Facility Name: Buckingham Springs Village. This existing facility is located in Buckingham Township, **Bucks 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 Mill Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Nov 1 - Apr 30	13	XXX	XXX	15	XXX	30
May 1 - Oct 31	8.3	XXX	XXX	10	XXX	20
Total Suspended Solids	25	XXX	XXX	30	XXX	60
Total Dissolved Solids	1,251	XXX	XXX	1,500.0	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Nitrate-Nitrite as N Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Jul 1 - Oct 31	6.7	XXX	XXX	8.0	XXX	16
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	5.8	XXX	XXX	7.0	XXX	14
May 1 - Oct 31	2.5	XXX	XXX	3.0	XXX	6
Total Phosphorus Nov 1 - Mar 31	1.7	XXX	XXX	2.0	XXX	4
Apr 1 - Oct 31	1.1	XXX	XXX	1.5	XXX	3

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Abandon STP when Municipal Sewers Available
- E. Operator Notification
- F. UV Disinfection Requirement
- G. Fecal Coliform Requirement
- H. Small Stream Discharge
- I. Solids Management

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0052868, Industrial, SIC Code 4959, **BAE Systems**, 144 DW Highway, MNH25-2-2G4-1, Merrimack, NH 03054-4898. Facility Name: BAE Systems GWCU. This existing facility is located in Montgomery Township, **Montgomery County**.

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

The receiving stream, Unnamed Tributary of West Branch Neshaminy Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	75.0
Trichloroethylene	XXX	XXX	XXX	0.005	XXX	0.013
PFOA (ng/L)	XXX	XXX	XXX	14	XXX	35
PFOS (ng/L)	XXX	XXX	XXX	18	XXX	45
PFBS (ng/L)	XXX	XXX	XXX	Report	XXX	Report
HFPO-DA (ng/L)	XXX	XXX	XXX	Report	XXX	Report

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Requirement
- D. BAT/ELG Reopener
- E. Dry Stream
- F. No Stripper Tower Wastewater

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0218243, Sewage, SIC Code 4952, **Donald L Hobough**, 289 Red Arrow Road, Ligonier, PA 15658-2493. Facility Name: Hobough Properties SRSTP. This existing facility is located in Ligonier Township, **Westmoreland County**.

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

The receiving stream(s), Trout Run (HQ-CWF), is located in State Water Plan watershed 18-C and is classified for High Quality Waters-Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	0.0004	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.04
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	4.5	XXX	9.0
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0

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

- TRC Effluent Limitations Below Quantitation Limits

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0253430, Sewage, SIC Code 2900, **PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541-0260. Facility Name: PBS Coals, Inc. Shade Prep Plant. This existing facility is located in Shade Township, **Somerset 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), Coal Run (CWF), is located in State Water Plan watershed 18-E 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 .0038 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0038 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	0.0038	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	Report

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

- Optimization of chlorine dosage
- Notification of designation of responsible operator
- Solids management for non-lagoon system

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0203815, Industrial, SIC Code 4952, **Allegheny County Airport Authority**, Landside Building, P.O. Box 12370, Pittsburgh, PA 15231-0370. Facility Name: Pittsburgh International Airport. This existing facility is located in Findlay Township, **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), Unnamed Tributary to McClarens Run (TSF), Unnamed Tributary to Montour Run (TSF), McClarens Run (TSF), and Unnamed Tributary of Montour Run (TSF), is located in State Water Plan watershed 20-D and 20-G and is classified for Trout Stocking and 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 .0144 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	35.0	70.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 003 and 004—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 006, 009, 011—015, 017—020, 023—026, 028, 029, 031, 032, 036, 038—045, 047, 048, 050, 051, 056—058, 060—064, 066, 070—075, and 085—090—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	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
Propylene Glycol	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 016, 021, 022, and 037.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

<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>	
Total Dissolved Solids	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
Calcium, Total	XXX	XXX	XXX	XXX	Report	XXX
Propylene Glycol	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 067—069—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>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	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
Propylene Glycol	XXX	XXX	XXX	XXX	Report	XXX
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

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

- Deicing Fluid Usage Reporting Requirement

The Permittee shall report, in writing to the Department, the annual deicing fluid usage and percent recovery of the previous deicing season by August 31st of each year after the Permit Effective Date.

- No Airfield Pavement Deicing Products Containing Urea

The Permittee must certify annually, in writing to the Department, that the site does not use airfield deicing products that contain urea. This certification must be submitted to the Department by May first of each year after the Permit Effective Date.

- Memorandum of Agreement

The Permittee is responsible for all of the discharges generated onsite by any and all Operators and Tenants of the facility. To ensure that the Operators and Tenants of the facility follow and understand the requirements of this NPDES permit, the Permittee shall develop and implement a Memorandum of Agreement (MOA) where all of the Operators and Tenants certify the understanding of the requirements of the permit. The MOA shall be reviewed annually between the Permittee and all of the Operators and Tenants.

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

The EPA Waiver is not in effect.

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

Southcentral Regional Office

Applicant: **South Middleton Township Municipal Authority**

Applicant Address: 345 Lear Lane, Boiling Springs, PA 17007

Application Number: **PAD210121**

Application Type: New

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

Project Site Name: Water Storage Tank No. 6 and Booster Pump Station

Total Earth Disturbance Area (acres): 1.8 acres

Surface Waters Receiving Stormwater Discharges: Yellow Breeches Creek (HQ-CWF, MF)

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

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

Project Description: Construct an above ground water storage tank and booster pump station

Special Conditions: N/A

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

Southeast Regional Office

Applicant: **Malvern Anderson Road, LP**

Applicant Address: 1030 W. Germantown Pike, East Norriton, PA 19403-3929

Application Number: **PAD460095**

Application Type: New

Municipality/County: Upper Merion Township, **Montgomery County**

Project Site Name: Reedel Road Proposed Residential Subdivision

Total Earth Disturbance Area (acres): 12.30 acres

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

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

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

Project Description: The Applicant is proposing development on a portion of the properties located at Reedel Road (# 58-00-00544-25-3 and # 58-00-00541-01-3). The project proposes the construction of a new 24-lot residential subdivision with associated utilities.

Special Conditions: N/A

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

Southeast Regional Office

Applicant: **Poplar Delaware Development, LP**

Applicant Address: 901 Penn Street, Philadelphia, PA 19123

Application Number: **PAD510245**

Application Type: New

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

Project Site Name: 901 N Penn Street

Total Earth Disturbance Area (acres): 1.81 acres

Surface Waters Receiving Stormwater Discharges: Delaware River (WWF)

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

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

Project Description: Construction of a 7-story residential building with surface and first floor parking. 901 N. Penn Street will include 193 dwelling units and 186 parking spaces.

Special Conditions: N/A

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

Southcentral Regional Office

Applicant: **True Gospel Baptist Church**

Applicant Address: 853 Scotland Rd, Quarryville, PA 17566-9747

Application Number: **PAD360127**

Application Type: New

Municipality/County: East Drumore Township, **Lancaster County**

Project Site Name: True Gospel Baptist Church

Total Earth Disturbance Area (acres): 2.64 acres

Surface Waters Receiving Stormwater Discharges: Two (2) Unnamed Tributaries (UNTs) to Conowingo Creek (HQ-CWF, MF) and an Unnamed Tributary (UNT) to Fishing Creek (HQ-CWF, MF)

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

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

Project Description: Construction of a parking lot, site access improvements, and a small building addition at the True Gospel Baptist Church.

Special Conditions: N/A

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

Southcentral Regional Office

Applicant: **PPL Electric Utilities Corporation**

Applicant Address: 1639 Church Road, Allentown, PA 18104

Application Number: **PAD210127**

Application Type: New

Municipality/County: Monroe and Upper Allen Townships, **Cumberland County**

Project Site Name: Williams Grove—Allen Transmission Line

Total Earth Disturbance Area (acres): 51.4 acres

Surface Waters Receiving Stormwater Discharges: Yellow Breeches Creek (HQ-CWF, MF); Trout Run (CWF, MF); Hertzlers Run (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: Install new overhead transmission line and supporting structures

Special Conditions: N/A

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

Southcentral Regional Office

Applicant: **FU-Hanks LLC**

Applicant Address: 2650 Locust Street, Suite 100, St. Louis, MO 63103-1412

Application Number: **PAD290005**

Application Type: New

Municipality/County: Brush Creek Township, **Fulton County**

Project Site Name: Hanks Solar

Total Earth Disturbance Area (acres): 141.94 acres

Surface Waters Receiving Stormwater Discharges: Smith Hollow (HQ-CWF/MF), Brush Creek (HQ-CWF/MF), UNT to Brush Creek (HQ-CWF/MF), Wildcat Hollow (HQ-CWF/MF), UNT to Wildcat Hollow (HQ-CWF/MF), Wetlands

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

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

Project Description: Project proposes the installation of a +/- 15 megawatt ground-mounted principal solar energy system across 4 parcels that are comprised of a total of +/- 417.42 acres

Special Conditions: Wetland Monitoring

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

Northcentral Regional Office

Applicant: **Confer I, LLC**

Applicant Address: 215 Executive Drive, Moorestown, NJ 08057

Application Number: **PAD140121**

Application Type: New

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

Project Site Name: Confer Solar Project

Total Earth Disturbance Area (acres): 116 acres

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

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

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

Project Description: Proposed solar power generation facility with associated infrastructure including gravel roads, solar panel arrays, electrical inverters, and perimeter fencing.

Special Conditions: Threatened or Endangered Bats. Removal of trees within the project area may have the potential of effecting threatened northern long-eared bats. Tree cutting activities shall be done only from August 16 to May 14.

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

Northeast Regional Office

Applicant: **Monroe-Pike Land, LLC**

Applicant Address: 507 Seven Bridge Road, Suite 104, East Stroudsburg, PA 18301

Application Number: **PAD450206**

Application Type: New

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

Project Site Name: Major Subdivision of the Estates of Schollhammers Farm

Total Earth Disturbance Area (acres): 11.2 acres

Surface Waters Receiving Stormwater Discharges: Pocono Creek (HQ-CWF, MF) Wetlands to Pocono Creek (HQ-CWF, MF) Wetlands to UNT to Pocono Creek (HQ-CWF, MF) EV Wetlands to UNT to Pocono Creek (EV, MF) UNT to Pocono Creek (HQ-CWF, MF)

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

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

Project Description: Major subdivision to develop 13 single family residential lots with associated improvements, including the house, driveway, on lot sewer disposal, on lot well and on lot stormwater BMP's with an approximately 600 lf roadway and associated stormwater BMP's.

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

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

Northeast Regional Office

Applicant: **Khaleem Mohammed**

Applicant Address: 17 Old Timber Road, Mount Pocono, PA 18344

Application Number: **PAD450210**

Application Type: New

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

Project Site Name: Khaleem Mohammed—Orchard Lane Property

Total Earth Disturbance Area (acres): 7.35 acres

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

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

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

Project Description: Construction of a single-family home including a barn and driveway.

Special Conditions: The permittee shall implement a non-discharge alternative and/or the ABACT E&S and PCSM BMPs identified in Antidegradation Analysis Module 3 (3800-PM-BCW0406c) and the approved E&S and PCSM Plans to satisfy antidegradation implementation requirements of 25 Pa. Code §§ 93.4c, 102.4(b)(6) and 102.8(h).

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

Southcentral Regional Office

Applicant: **John Spicher**

Applicant Address: 287 Yoder Road, Belleville, PA 17004

Application Number: **PAD440035**

Application Type: New

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

Project Site Name: Spicher Farm

Total Earth Disturbance Area (acres): 1.90 acres

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

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

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

Project Description: Construction of agricultural operation and associated PCSM BMPs.

Special Conditions: N/A

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

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

Application No. 1824501, Construction, Public Water Supply.

Applicant	Lock Haven City Water Department
Address	20 East Church Street Lock Haven, PA 17745
Municipality	City of Lock Haven
County	Clinton County
Responsible Official	Gregory Wilson 20 East Church Street Lock Haven, PA 17745
Consulting Engineer	Mark Glen 3121 Fairway Drive Altoona, PA 16602
Application Received	December 4, 2024
Description	Developing two new groundwater wells, Matz Well and Quaker Well, connected to the raw water intake lines at the Central Clinton County Water Filtration Authority plant.

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

Contact: Kimberleigh Rivers.

Application No. 0924528, Construction, Public Water Supply.

Applicant	Arbor Estates
Address	1081 North Easton Road Doylestown, PA 18902-4364
Municipality	Plumstead Township
County	Bucks County
Responsible Official	Jeffrey V. Yorick 1081 North Easton Road Doylestown, PA 18902-4364
Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street Suite 300 York, PA 17401
Application Received	December 3, 2024
Description	Anion exchange for gross alpha treatment 4-log chlorine contact piping and replacing existing booster pumping equipment.

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

Application No. 0924529, Construction, Public Water Supply.

Applicant	Warminster Municipal Authority
Address	415 Gibson Avenue Warminster, PA 18974-4163
Municipality	Warminster Township
County	Bucks County
Responsible Official	Timothy Hagey 415 Gibson Avenue Warminster, PA 18974-4163
Consulting Engineer	CKS Engineers, Inc. 4259 W. Swamp Road Suite 410 Doylestown, PA 18902-1033
Application Received	December 2, 2024
Description	To Install treatment systems at well station no's 1, 3, 5, 7, 9, 14, 15, and 37.

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.

Ampal-Palmerton, Primary Facility ID # **879349**, 2115 Little Gap Road, Palmerton, PA 18071, Lower Towamensing Township, **Carbon County**. Haley & Aldrich, 2591 Baglyos Circle, Suite C45, Bethlehem, PA 18020 on behalf of Ampal, Inc., 2115 Little Gap Road, Palmerton, PA 18071, submitted a Notice of Intent to Remediate. Soil was contaminated with diesel. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Times News* on November 27, 2024. Application received: December 6, 2024.

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

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

Gettysburg Foundry, Primary Facility ID # **880155**, 2664 Emmitsburg Road, Gettysburg, PA 17325, Cumberland Township, **Adams County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110 on behalf of Adams County Industrial Development Authority, 1300 Proline Place, Gettysburg, PA 17325, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil and groundwater contaminated with VOCs, SVOCs and metals. The site will be remediated to the Special Industrial Area. Future use of the site is residential and commercial. The Notice of Intent to Remediate was published in *The Gettysburg Times* on November 27, 2024. Application received: December 4, 2024.

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

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

1341 N. Broad Street Site, Primary Facility ID # **854533**, 1341, 1349 North Broad Street, Lansdale, PA 19446, Hatfield Township, **Montgomery County**. Terry Harris, Penn's Trail Environmental, LLC, 21 East Lincoln Avenue, Suite 160, Hatfield, PA 19440 on behalf of Becca Kulp, Bergey's Realty Company, 462 Harleysville Pike, Souderton, PA 18964, submitted a Notice of Intent to Remediate. Soil and groundwater have been found to be contaminated with diesel fuel, leaded gasoline, and unleaded gasoline. The future use of the property is nonresidential. The proposed cleanup standard is the Statewide Health Standard. The Notice of Intent to Remediate was published in *the LNG Intelligencer* on November 14, 2024. Application received: November 20, 2024.

Arbonite Facility, Primary Facility ID # **880152**, 3826 Old Easton Road, Doylestown, PA 18902, Buckingham Township and Plumstead Township, **Bucks County**. Jeffrey Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Luca Valentine, Valjon Industries, Inc., 3826 Old Easton Road, Doylestown, PA 18902, submitted a Notice of Intent to Remediate. Soil and groundwater have been found to be contaminated with chlorinated solvents and PFAS. The future use of the property is nonresidential. The proposed cleanup standard is the Statewide Health Standard. The Notice of Intent to Remediate was published in *the Bucks County Courier Times* on November 24, 2024. Application received: November 25, 2024.

HARARDOUS WASTE TRANSPORTER LICENSE

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

Renewal Applications Received

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

Contact: Jonathan Adams.

Hazleton Oil & Environmental, Inc., 300 Tamaqua St., Hazleton, PA 18201. **License No. PA-AH 0713.** Accepted: November 20, 2024.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department of Environmental Protection (DEP) has developed an integrated plan approval, State Operat-

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

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

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

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

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

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

PLAN APPROVALS

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

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

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

37-00383A: Glacial Sand & Gravel Company, P.O. Box 1022, Kittanning, PA 16201, Scott Township, **Lawrence County**. Application received: October 15, 2024.

37-00383A: Glacial Sand & Gravel Company (P.O. Box 1022, Kittanning, PA 16201), for the construction and initial operation of sand and gravel material processing equipment at their Harlansburg Plant facility in Scott Township, Lawrence County (4338 Harlansburg, Slippery Rock).

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.

06-03193A: Premier Fleet Services, LLC, 869 Water Street, Shoemakersville, PA 19555, Perry Township, Berks County. Application received: September 12, 2024. For the construction of a paint spray booth at the production facility. The potential emissions for the facility will be approximately 14.3 tpy of VOCs, 3.5 tpy of NO_x, 2.02 tpy of CO, and 0.24 tpy of PM₁₀. DEP's review of the information submitted by the applicant indicates that the air contamination sources will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the DEP proposes to issue a plan approval for the construction of this source.

OPERATING PERMITS

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

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

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

49-00053, Shumaker Industries, Inc., 924 Water Street, Northumberland, PA 17857, Northumberland Borough, Northumberland County. Application received: January 16, 2024. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department has received an application and intends to issue a renewal of a State Only (Natural Minor) Operating Permit for the Shumaker

Northumberland fabrication and surface coating facility. The facility's main sources are a shotblasting operating, surface coating process and parts washer. The facility has the potential annual emissions 0.02 ton of carbon monoxide, 0.09 ton of nitrogen oxides, 0.01 ton of sulfur oxides, 0.01 ton of particulate matter, 0.01 ton of particulate matter less than 10 microns in size, less than 2.5 tons of hazardous air pollutants, and 8.01 tons of volatile organic compounds. The potential emissions for all criteria pollutants has remained the same since the last renewal. No emission or equipment changes are being proposed by this action. The emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, including 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." All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

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

33-00139, Owens-Brockway Glass Container, Inc., 4189 Route 219, Brockport, PA 15823, Snyder Township, Jefferson County. Application received: July 7, 2023. The Department intends to renew a State Only Operating Permit for the Owens-Brockway Glass Container, Inc., machine and maintenance Plant # 76. The primary sources at the facility are two 2.3 million Btu/hr natural gas fueled boilers, 13 natural gas fueled space heaters, machining and maintenance operations, and 2 parts washers. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

OP23-000028, Dietz & Watson, Inc., 5701 Tacony Street, Philadelphia, PA 19135, City of Philadelphia, Philadelphia County. Application received: June 22, 2023. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal Synthetic Minor Operating Permit (SMOP) for the operation of a meat packaging facility. The facility's air emission sources include the following: three (3) 11.544 MMBtu/hr natural gas/propane fired boilers, one (1) 9.9 MMBtu/hr natural gas fired heater, ten (10) 1.65 MMBtu/hr natural gas/propane fired food processing ovens, one (1) 0.825 MMBtu/hr natural gas/propane fired food processing oven, two (2) 0.35 MMBtu/hr No. 2 oil/used oil fired heaters, two (2) 0.6 MMBtu/hr natural gas fired heaters, one (1) 4.148 MMBtu/hr natural gas/propane-air mix fired heater, one (1) 2.420 MMBtu/hr natural gas/propane-air mix fired

heater, one (1) 308 HP diesel fired emergency generator, one (1) 279 HP diesel fired emergency generator, and one (1) 250 HP diesel fired fire pump. The renewal SMOP will contain monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments, or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Managements Services, 7801 Essington Ave., Philadelphia, PA 19153 or e-mailed to DPHAMS_Service_Requests@phila.gov with "Dietz & Watson, Inc. OP23-000028" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Permit copies and other supporting information are available by contacting the Source Registration Unit at 215-685-7572 or emailing a request to the previously listed email address with the subject line. Individuals in need of accommodations and/or interpretation should contact AMS at DPHAMS_Service_Requests@Phila.Gov and/or 215-685-7572. Please include: (1) the name and contact information of the person requesting an accommodation and/or interpretation; (2) the name of the program, service, activity, or location of the request; and (3) a description of the modification and/or interpretation being requested.

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

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

67-03056, SKF USA Inc., 20 Industrial Drive, Hanover, PA 17331, Penn Township, **York County**. Application received: October 23, 2024. For the operation of a metal parts manufacturing facility. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are 10.59 tpy VOC, 2.62 tpy PM₁₀, 2.52 tpy HAP, 10.81 tpy NO_x, 14.24 tpy CO and < 1 tpy SO_x. The operating permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ (National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines) and 25 Pa. Code § 129.63 (Degreasing operations).

07-03040, Wenger Feeds LLC, 106 S Railroad Street, Martinsburg, PA 16662, Martinsburg Borough, **Blair County**. Application received: November 7, 2024. For the operation of an animal feed processing mill and manufacturing facility. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 2.12 tpy NO_x, 1.78 tpy CO, 19.5 PM₁₀, 0.11 tpy VOC, 0.02 tpy SO_x, and 0.04 tpy HAPs. The Operating Permit will include emission limits and work

practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items the conditions include provisions from 25 Pa. Code §§ 123.13 and 123.21.

67-03181, Hartenstein Funeral & Cremation Care Inc., 24 N Second Street, New Freedom, PA 17349, Stewartstown Borough, **York County**. Application received: November 25, 2024. For the operation of a human crematory. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 1.93 tpy NO_x, 1.61 tpy CO, 1.59 PM₁₀, 0.14 tpy VOC, 0.72 tpy SO_x, and 0.02 tpy HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items the conditions include provisions from 25 Pa. Code § 123.21.

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

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

23-00064, Lawn Croft Cemetery, 1000 West Ridge Road, Linwood, PA 19061, **Philadelphia County**. Application received: March 13, 2024. This action is for the renewal of the existing State-Only, Natural Minor Operating Permit. The facility operates the following natural gas-fired crematory units: one (1) IE 43-Power Pak II unit manufactured by IE & E Company (Source ID 002) and one (1) 100 Classic model cremation unit manufactured by US Cremation Equipment (Source ID 003). The 100 Classic unit (Source ID 003) was installed under Plan Approval 23-0064A as a replacement for an All Crematory unit, Model No. L-1701-A (Source ID 001). All applicable emissions limits, monitoring, recordkeeping and reporting requirements of Plan Approval 23-0064A have been incorporated in this renewal permit. Source ID 001 has been removed from the facility. All the conditions for Source ID 001 have been removed from this renewal permit. The potential emissions from the facility are 4.38 tons per year (tpy) Carbon Monoxide, 1.31 tpy Nitrogen Oxides, 3.07 tpy Particulate Matter, 1.10 tpy Sulfur Oxides, and 1.31 tpy Volatile Organic Compounds. The operating permit includes monitoring, recordkeeping and work practice requirements designed to ensure this facility complies with all applicable air quality regulations. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQFUBCOM@pa.gov.

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

09-00209, Univar Solutions USA, 4 Steel Rd, Morrisville, PA 19067, Falls Township, **Bucks County**. Application received: July 23, 2024. This action is for the renewal of a Non-Title V Facility, State-Only, Natural Minor Permit. Univar is a liquid-organic chemical transfer and repackaging facility that distributes to general industry, public utilities, water and wastewater companies, food processing companies, and industrial accounts. The facility has a volatile organic compound emission limit of 22 tpy and a hazardous air pollutant limit of

24.4 tpy. The facility consists of mainly storage tanks, loading and unloading operations for the transfer of the liquid chemicals and operates without any changes. Monitoring, recordkeeping and reporting requirements are included in the permit to address applicable limitations. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person 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.

65-00800, Columbia Gas Transmission LLC, 807 Ada Lane, Greensburg, PA 15601, Salem Township, **Westmoreland County**. Application received: November 9, 2023. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice that it intends to issue a renewal natural minor State Only Operating Permit for the Delmont Compressor Station in Salem Township, Westmoreland County. Equipment at this facility includes one (1) 804 bhp natural gas-fired compressor engine controlled by an oxidation catalyst, one (1) 1,100 bhp natural gas-fired compressor engine controlled by an oxidation catalyst, one (1) 135 bhp natural gas-fired emergency generator engine, one (1) 2.0 MMBtu/hr natural gas-fired line heater, one (1) 0.60 MMBtu/hr natural gas-fired heater, two (2) 1,000-gallon each pipeline liquids storage tanks, pipeline liquids loading, miscellaneous storage tanks, pneumatic devices fugitive emissions, venting emissions, and pipeline component fugitive emissions. Potential annual emissions from this facility are as follows: 35.16 tons NO_x, 4.73 tons VOCs, 5.92 tons CO, 0.76 ton PM₁₀, 0.76 ton PM_{2.5}, 0.06 ton SO₂, 5.02 tons total HAPs, 3.53 tons formaldehyde, and 9,990 tons GHG as CO₂e. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121–145. The three (3) engines are subject to 40 CFR Part 63, Subpart ZZZZ, NESHAPs for Stationary Reciprocating Internal Combustion Engines (RICE). The proposed operating permit includes emissions limitations, monitoring, work practice standards, reporting, and recordkeeping requirements for the facility. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> and by calling Thomas J. Joseph, P.E., Environmental Engineer Manager, at 412-442-4336. Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the proposed operating permit or a condition thereof by submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit 65-00800) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit. A public

hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

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

Coal Applications

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

Parameter	Table 1		
	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. 30831303. NPDES PA0013511. Iron Cumberland, LLC, 200 Evergreene Drive, Waynesburg, PA 15370, Center and Whiteley Townships, **Greene County**. To revise the permit and related NPDES permit for installation of twenty-four (24) GOB ventilation boreholes, affecting 15.57 surface acres. Application received: October 23, 2024. Accepted: November 27, 2024.

Mining Permit No. 30031301. NPDES PA0235610. Dana Mining Company of PA, LLC, 966 Crafts Run Road, Madsville, WV 26541, Whiteley, Perry and Dunkard Townships, **Greene County**. To renew the permit and related NPDES permit. Application received: October 31, 2024. Accepted: December 3, 2024.

Mining Permit No. 32840701. NPDES PA0092193. Tanoma Coal Company, Inc., 1501 Ligonier Street, Suite 370, Latrobe, PA 15650, Rayne Township, **Indiana County**. To renew the permit and related NPDES permit. Application received: November 7, 2024. Accepted: November 26, 2024.

Mining Permit No. 30080701. NPDES PA0235806. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill Township, **Greene County**. To renew the permit and related NPDES permit. Application received: November 4, 2024. Accepted: November 25, 2024.

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

Contact: RA-EPCAMBRIADMO@pa.gov.

Mining Permit No. 56813104. NPDES No. PA0599115. PBS Coals, Inc., P.O. Box 260, Friedens, PA 15541, Brothersvalley Township, **Somerset County**. NPDES renewal and reclamation only of a bituminous surface mine affecting 344.7 acres. Receiving streams: unnamed tributaries to/and Tubs Run, classified for the following use: CWF. Application received: December 4, 2024.

Mining Permit No. 32040202. NPDES No. PA0249670. Robindale Energy Services, Inc., 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, East Wheatfield Township, **Indiana County**. NPDES permit renewal for the continued operation and restoration of a bituminous surface and coal refuse reprocessing mine affecting 34.5 acres. Receiving streams: Conemaugh River, classified for the following use: WWF. Application received: December 9, 2024.

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

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17930117. RES Coal, LLC, 51 Airport Road, Clearfield, PA 16830, Goshen Township, **Clearfield County**. Permit renewal for application for a bituminous surface coal mine affecting 329.8 acres. The renewal is for reclamation only. Receiving stream(s): Unnamed Tributaries to Surveyor Run and Surveyor Run classified for the following use(s): CWF. Application received: November 22, 2024. Accepted: December 2, 2024.

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

Contact: Tracy Norbert, Clerical Assistant 3.

Mining Permit No. 03030102. NPDES No. PA0250350. Bedrock Mines, LP, P.O. Box 221, Zelienople, PA 16063, East Franklin Township and Sugar creek Township, **Armstrong County**. Revision application for land use change from cropland to recreational to an existing bituminous or noncoal surface mine and associated NPDES permit, affecting 0.5 acre. Receiving streams: unnamed tributaries to Long Run and to Long Run, to Patterson Creek, to Buffalo Creek and to the Allegheny River, classified for the following use: TSF. Application received: November 19, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 54850201. Joe Kuperavage Coal Company, 325 Wilson Avenue, Port Carbon, PA 17965, Blythe Township, **Schuylkill County**. Renew an anthracite coal refuse reprocessing operation affecting 31.1 acres. Receiving stream: Schuylkill River, classified for the following uses: CWF, MF. Application received: November 14, 2024.

Mining Permit No. 54773017. KK Coal, LLC, P.O. Box 8, Cumbola, PA 17930, East Norwegian and Blythe Townships, **Schuylkill County**. Renew an anthracite surface mine operation affecting 259.0 acres. Receiving stream: Schuylkill River, classified for the following uses: CWF, MF. Application received: November 18, 2024.

Noncoal Applications

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

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

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

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

Mining Permit No. 16242802. P. Tinkers Contracting, Inc., 954 Reed Road, Clarion, PA 16214, Ashland Township, **Clarion County**. Application for a variance to conduct mining and support activities within 100 feet of a public road on an existing small noncoal industrial minerals surface mining permit, affecting 5.0 acres. Mining activities will take place up to the right a way of the road. Receiving stream(s): Little East Sandy Creek, classified for the following use(s): CWF. Application received: December 4, 2024.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

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

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

Effluent Limits for Noncoal Mining Activities

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

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

Coal NPDES Draft Permits

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

Contact: Bonnie Herbert, Clerical Assistant 3.

NPDES No. PA0213535. Mining Permit No. 30841316. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Aleppo Township, **Greene County**. Application received: September 5, 2023. Accepted: October 3, 2023.

A revision to the NPDES and mining activity permit, affecting 44,069.11 underground acres and 1,923.01 surface acres. Receiving stream(s): Tributary 32575 to South Fork Dunkard Fork, classified for the following use: TSF.

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

The proposed effluent limits for Outfall 038 discharging to Trib 32575 to South Fork Dunkard Fork:

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

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solid	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 039 discharging to Trib 32575 to South Fork Dunkard Fork

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

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect.

NPDES No. PA0236578. Mining Permit No. 32220701. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Washington Township, **Indiana County**. Application received: February 27, 2024. Accepted: April 11, 2024.

A new NPDES permit and mining activity permit, affecting 281.5 proposed surface acres. Receiving stream(s): Tributary 46761 to Crooked Creek, Tributary 46762 to Crooked Creek, Tributary 46764 to Crooked Creek and Dark Hollow Run; classified for the following use: CWF. Crooked Creek Watershed TMDL.

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

The proposed effluent limits for Outfall 005 discharging to Tributary 46764 to Crooked Creek are:

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

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	50	50

The proposed effluent limits for Outfall 006 discharging to Dark Hollow Run are:

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

<i>Parameter</i>		<i>Annual Loading</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	-	Report
Iron	(mg/l)	-	-	3.0	6.0	7.0
Suspended Solids	(mg/l)	-	-	35	70	90
Manganese	(mg/l)	-	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	-	Report
Total Dissolved Solids	(mg/l)	5,000 lb/day Annual Average	-	-	-	Report
pH	(mg/l)	-	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	-	Report
Alkalinity, Net	(mg/l)	-	0.0	-	-	Report
Osmotic Pressure	(mOs/kg)	-	-	-	-	Report

The proposed effluent limits for Outfall 007 discharging to Tributary 46761 to Crooked Creek are:

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

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	50	50

The proposed effluent limits for Outfall 008 discharging to Tributary 46762 to Crooked Creek are:

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

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	-
Iron	(mg/l)	-	3.0	6.0	7.0
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	50	50

The EPA Waiver is not in effect.

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

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

NPDES No. PA0259331. Mining Permit No. 61120107. Hillside Stone, LLC, 228 Georgetown Road, Hadley, PA 16130, Irwin Township, **Venango County**. Modification of an NPDES permit for discharge of water resulting from coal surface mining affecting 62.7 acres. Receiving stream(s): unnamed tributary to Scrubgrass Creek, classified for the following use(s): CWF. This receiving stream is included in the Scrubgrass Creek TMDL. Application received: June 24, 2024.

Coal NPDES Draft Permits

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, RA-EPKNOX@pa.gov (Contact: Elias J Heferle).

NPDES No. PA0259331 (Mining Permit No. 61120107), Hillside Stone, LLC (228 Georgetown Road, Hadley, PA 16130), modification of an NPDES permit for discharge of water resulting from coal surface mining in Irwin Township, **Venango County**, affecting 62.7 acres. Receiving stream(s): unnamed tributary to Scrubgrass Creek, classified for the following use(s): CWF. This receiving stream is included in the Scrubgrass Creek TMDL. Application received: June 24, 2024.

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

The following outfalls discharge to unnamed tributary to Scrubgrass Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001 (SP1)	New	Sediment Pond SP1	Precipitation Induced, 0.100 GPM
002 (SP2)	Existing	Treatment Pond SP2	Intermittent (Pumped), 0.014 GPM
003 (SP3)	New	Sediment Pond SP3	Precipitation Induced, 0.100 GPM

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

<i>Outfalls: 002 (All Discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	0.75	0.75	0.75
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Specific Conductivity (µmhos/cm)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	

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

Alkalinity must exceed acidity at all times.

<i>Outfalls: 001, 003 (All Discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	1.8	3.6	4.5
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Specific Conductivity (µmhos/cm)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	

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

Alkalinity must exceed acidity at all times.

Noncoal NPDES Draft Permits

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

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

NPDES No. PA0252417. Mining Permit No. 03122001. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, West Franklin, Clearfield and Winfield Townships, **Armstrong and Butler Counties**. Application received: May 9, 2024.

A total of 1,931.2 acres is permitted for underground mining and surface activities affect 193.3 acres. The permit includes a variance for a stream crossing on Unnamed tributary (UNT) A beginning 313 feet upstream of the stream

crossing and extending downstream 2,400 feet. The last 1,021 feet of the stream is enclosed underground. Receiving stream(s): Unnamed tributaries (UNTs) to Buffalo Creek, classified for the following use: HQ-TSF. In accordance with an approved Anti-degradation Supplement, stormwater resulting from storm events up to a 10-year/24-hour event is retained and recycled, with discharges from emergency spillways when storm events exceed this level. The receiving streams are subject to the UNT Buffalo Creek Total Maximum Daily Load. The first downstream potable water supply intake from the nearest point of discharge is Creekside Mushrooms, Ltd. (PWS 5030834) on Buffalo Creek. The Department has made a tentative determination to impose effluent limitations, within the ranges specified. The following outfalls represent emergency spillways in response to precipitation that exceeds a 10-year/24-hour event.

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

The proposed instantaneous limitations for the previously listed emergency spillway discharges are as follows:

<i>Parameter</i>	<i>Instant. Minimum</i>	<i>Instant. Maximum</i>
pH (S.U.)	6.0	9.0
Total Iron (mg/L)	--	3.7
Total Manganese (mg/L)	--	2.5
Total Aluminum (mg/L)	--	0.75
Total Suspended Solids (mg/L)	--	90.0
Osmotic Pressure (mOsm/kg)	--	50.0
Net Alkalinity (mg/L)	0.0	--
Total Alkalinity (mg/L)		Report
Total Acidity (mg/L)		Report
Sulfate (mg/L)		Report
Specific Conductance (µmhos/cm)		Report
Temperature (°C)		Report
Flow (gpm)		Report

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

Contact: RA-EPPottsvilleDMO@pa.gov.

NPDES No. PA0594229. Mining Permit No. 66880301. H & K Group, Inc., P.O. Box 196, Skippack, PA 19474, Fell Township, **Wyoming County.** Application received: December 19, 2023.

Renewal of an NPDES permit affecting 94.6 acres. Receiving stream: Buttermilk Creek, classified for the following use: CWF.

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

The following treated wastewater outfalls discharge to Buttermilk Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Facility Outfall	0.05 MGD
002	Existing	Treatment Facility Outfall	0.05 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD) 001		0.05	0.05	
Discharge (MGD) 002		0.05	0.05	
Total Aluminum (mg/L)		0.75	0.75	0.75

¹This Parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

(33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of

an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

Contact: Jake Carson, Project Manager, 570-327-3565, RA-EPWW-NCRO@pa.gov.

E5904123-004. PA DOT Engineering District 3-0, 715 Jordan Ave, Montoursville, PA 17754, Brookfield Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 31, 2024.

PA DOT proposes an amendment to a previously permitted stream restoration and stabilization project, which was further eroded prior to construction during flooding from Tropical Storm Debby. The project is located at the confluence of Troups Creek and the South Brook of Troups Creek and just upstream of the SR 4009 bridge. The project effectively remains similar with additional excavation of streambed material from the South Brook of Troups Creek and additional stabilization (R-8 Rip Rap along the right stream bank). The South Brook of Troups Creek was completely filled with deposition during the flooding and will require approximately 140 LF of deposition removal to restore the normal channel width and depth. The R-8 Rip Rap along the right bank will be extended upstream approximately 70 LF and approximately 80 LF downstream. The upstream extension will protect the right bank of the South Brook of Troups Creek. The downstream extension will protect the right abutment and wing walls of the bridge on SR 4009 along Troups Creek. The R-8 Rip Rap along the right stream bank will be a 1.5:1 side slope with an elevated floodplain bench along the toe of slope. The slope toe key, floodplain bench and slope will be grouted to approximately the elevation of the top of the floodplain bench. The remainder of the slope will not be grouted. The slope will be choked with approximately 12 inches of native streambed material. The floodplain bench will be choked with approximately 18 inches of native streambed material. The proposed alignment of the South Brook of Troups Creek and Troups Creek will be shifted north east through the construction of a large floodplain bench. The floodplain bench will be constructed within the channel of Troups

Creek. The channel is overly wide and deep, which results in a large depositional area just upstream of the SR 4009 bridge. The total Rip Rap stabilization along the right channel bank will be approximately 534 LF. The floodplain bench will be choked with native streambed material, include live stake plantings and four upstream log deflectors. The project will remove approximately 284 LF of gravel deposition in the center of the Troups Creek channel to restore the normal channel width and depth. The excavated streambed material will be utilized as material to choke the floodplain bench and Rip Rap along the right channel bank. A temporary access road and temporary cofferdam will be utilized to construct the project. The project results in 534 LF of permanent channel impact and 351 LF of temporary impacts. The project will utilize a cofferdam system during construction. The project includes approximately 50 LF of driven sheet piling at the bridge wing wall. A detour will be utilized to convey traffic during construction. The project will permanently impact 0.02 acre of jurisdictional wetlands. The wetland impact is considered de minimis and does not require mitigation. Troups Creek is designated as a Cold Water Fishery by 25 Pa. Code Chapter 93 Water Quality Standards. Latitude: 41°, 59', 37", Longitude: -77°, 29', 32".

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

E4104224-010. Jersey Shore Water Authority, 1111 Bardo Avenue P.O. Box 5046, Jersey Shore, PA 17740, Anthony Township and Salladasburg Borough, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 10, 2024.

The goal of the project is to replace the existing, aging conventional filtration system with a new membrane filtration system and all the applicable appurtenance. The project will include the construction of a new control building which will house the membrane filtration system and associated equipment. A new pretreatment chemical feed building, chemical feed systems, instrumentation, supervisory control, and data access (SCADA) system and an emergency generator. The new treatment facility will meet the future water system demands and ensure compliance with future regulations. Once the membrane filtration system is operational and approval is granted by the Department, the current conventional filtration system will be removed from service and the existing filtration building will be demolished. Latitude: 41.323592°, Longitude: -77.189802°.

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

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

E2301224-012. Haverford Township, 1014 Darby Road, Havertown, PA 19083, Haverford Township, **Delaware County**. U.S. Army Corps of Engineers Philadelphia District. Application received: September 11, 2024.

Haverford Township is proposing to construct and maintain (4) 1-foot diameter x 60-foot tall light poles and 515 linear feet of 2-inch diameter conduit by open cut trenching within the floodplain of Darby Creek (TSF-MF) resulting in +/-2,180 square feet of permanent floodplain impact and +/-4,645 square feet of temporary floodplain impact. The trenching for permanent field lighting electrical conduit will be backfilled with excavated material to match existing grade. This project is located at the existing McDonald Field, near the intersection of Burmont Road and Warrior Road in Haverford Township, Delaware County (USGS PA Chester Quadrangle—Latitude: 39.957177 N, Longitude: 75.333804 W).

ACTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0246441	CAFO Individual NPDES Permit	Issued	Deer Stone Ag 10049 Ferguson Valley Road Lewistown, PA 17044-8601	Granville Township Mifflin County	SCRO
PAD010014	Chapter 102 Individual NPDES Permit	Issued	Blettner Ave LLC 416 Sprenkle Avenue Hanover, PA 17331-2312	Conewago Township Adams County	SCRO
PAD060021	Chapter 102 Individual NPDES Permit	Issued	Column Const 203 Templin Road Glenmoore, PA 19343-2607	Robeson Township Berks County	SCRO
PAD060108	Chapter 102 Individual NPDES Permit	Issued	PA DCNR Bureau of State Parks P.O. Box 8551 Harrisburg, PA 17105-8551	Union Township Berks County	SCRO
PAD280024	Chapter 102 Individual NPDES Permit	Issued	Antrim 16 Developers LLC 1195 Route 70 Lakewood, NJ 08701-5946	Antrim Township Franklin County	SCRO
PAD450124	Chapter 102 Individual NPDES Permit	Issued	Suburban Realty LP 330 Oakford Road Clarks Summit, PA 18411	Stroud Township Monroe County	NERO
PAD450208	Chapter 102 Individual NPDES Permit	Issued	Demonstrated Estates LLC 15 William Street Unit 12H New York, NY 10005	Middle Smithfield Township Monroe County	NERO
PAD510217	Chapter 102 Individual NPDES Permit	Issued	Philadelphia Energy Solutions Refinery & Marketing LLC 3144 W Passyunk Avenue Philadelphia, PA 19145-5208	Philadelphia City Philadelphia County	SERO
PAD510229	Chapter 102 Individual NPDES Permit	Issued	Philadelphia Energy Solutions R & M LLC 3144 W Passyunk Avenue Philadelphia, PA 19145-5208	Philadelphia City Philadelphia County	SERO
PAD670029	Chapter 102 Individual NPDES Permit	Issued	PA DOT Engineering District 8 0 2140 Herr Street Harrisburg, PA 17103-1625	Franklin Township York County	SCRO
PAD670073	Chapter 102 Individual NPDES Permit	Issued	334 Hospitality LLC P.O. Box 20316 York, PA 17402-0180	Springettsbury Township York County	SCRO
PAD670112	Chapter 102 Individual NPDES Permit	Issued	Watermark LLC 4935 Franklin Street Ext Red Lion, PA 17356-8386	North Hopewell Township York County	SCRO
PA0276171	Industrial Stormwater Individual NPDES Permit	Issued	Firestone Building Products Co. LLC 200 4th Avenue S Nashville, TN 37201-2255	Upper Macungie Township Lehigh County	NERO
0117805	Joint DEP/PFBC Pesticides Permit	Issued	Pensinger Zach 230 Longview Boulevard Gettysburg, PA 17325-8479	Highland Township Adams County	SCRO
2121804	Joint DEP/PFBC Pesticides Permit	Issued	UPMC Pinnacle Health Hospitals P.O. Box 622 Lemoyne, PA 17043-0622	Hampden Township Cumberland County	SCRO
2224808	Joint DEP/PFBC Pesticides Permit	Issued	Harhigh Derek 7555 Red Pine Road Harrisburg, PA 17112-4223	West Hanover Township Dauphin County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
3424801	Joint DEP/PFBC Pesticides Permit	Issued	Julie and Bob Horst 4 Waterfront Estates Drive Lancaster, PA 17602-4133	Fayette Township Juniata County	SCRO
3824802	Joint DEP/PFBC Pesticides Permit	Issued	Crossings at Sweetbriar P.O. Box 3330 Lancaster, PA 17604-3330	North Lebanon Township Lebanon County	SCRO
1505419	Land Application and Reuse of Sewage Individual WQM Permit	Issued	DELCORA 100 E 5th Street Chester, PA 19013-4508	Pocopson Township Chester County	SERO
1586408	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Aqua PA Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Willistown Township Chester County	SERO
PAI130025	MS4 Individual NPDES Permit	Issued	Thornbury Township Chester County 800 E Street Road West Chester, PA 19382-8545	Thornbury Township Chester County	SERO
PAI130503	MS4 Individual NPDES Permit	Issued	London Grove Township Chester County 372 Rosehill Road Suite 100 West Grove, PA 19390-9701	London Grove Township Chester County	SERO
PAI130526	MS4 Individual NPDES Permit	Issued	New London Township Chester County 902 State Road P.O. Box 1002 New London, PA 19360-1002	New London Township Chester County	SERO
PA0027596	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	New Enterprise Stone & Lime Co. Inc. P.O. Box 77 New Enterprise, PA 16664-0077	Taylor Township Blair County	SCRO
PA0002992	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Tecumseh Redevelopment Inc. 200 Public Square Suite 3300 Cleveland, OH 44114-2315	Johnstown City Cambria County	SWRO
PA0022004	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Flexsys American LP 829 Route 481 Monongahela, PA 15063-3437	Carroll Township Washington County	SWRO
PA0053261	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Linde Gas and Equipment Inc. 90 Commerce Way Stockertown, PA 18083-7050	Stockertown Borough Northampton County	NERO
PA0052761	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Buckingham SNF LLC 820 Durham Road P.O. Box 62 Buckingham, PA 18912	Buckingham Township Bucks County	SERO
PA0229460	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Abbott Township Potter County 1431 Germania Road Galeton, PA 16922-9445	Abbott Township Potter County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0060704	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Pleasant Valley Manor 4227 Manor Drive Stroudsburg, PA 18360-9451	Hamilton Township Monroe County	NERO
PA0111201	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Carrolltown Borough Municipal Authority Cambria County P.O. Box 307 140 E Carroll Street Carrolltown, PA 15722-0307	East Carroll Township Cambria County	SWRO
NOEXNW178	No Exposure Certification	Issued	PSB Ind Inc. 1202 W 12th Street Erie, PA 16501-1519	Erie City Erie County	NWRO
PAG033923	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Elk Co. of Texas LLC 401 Weavertown Road Myerstown, PA 17067-2401	Jackson Township Lebanon County	SCRO
PAG034098	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Baltimore Fabrication 101 Mundis Race Road York, PA 17406-9723	Manchester Township York County	SCRO
PAG034099	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JF Rohrbaugh & Co. Inc. 105 Berlin Jct New Oxford, PA 17350-9594	Oxford Township Adams County	SCRO
PAG035053	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	K&R Operations LLC 351 Industrial Parkway Muncy, PA 17756-6657	Muncy Borough Lycoming County	NCRO
PAG036394	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Recyclesource LLC P.O. Box 398 Monessen, PA 15062-0398	Pittsburgh City Allegheny County	SWRO
PAG036480	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	American Rock Salt Co. LLC 5520 Route 63 P.O. Box 190 Mount Morris, NY 14510-9762	Pittsburgh City Allegheny County	SWRO
PAG036590	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Golden Triangle Const Co. Inc. 8555 Old Steubenville Pike Imperial, PA 15126	Rostraver Township Westmoreland County	SWRO
PAG041431	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Barbara and Jeffrey Lojek 25645 N Mosiertown Road Edinboro, PA 16412-4149	Hayfield Township Crawford County	NWRO
PAG044002	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Zimmerman Justin S 147 Sieger Road Kutztown, PA 19530-8857	Richmond Township Berks County	SCRO
PAG046495	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Josey Constance L 643 Ridge Road Pittsburgh, PA 15205-9502	Robinson Township Allegheny County	SWRO
PAG046497	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Harkobusic Jason 1175 Paintertown Road Irwin, PA 15642-4803	Penn Township Westmoreland County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG050093	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	Blairs Auto Inc. 110 Milestone Court Royersford, PA 19468	East Vincent Township Chester County	SERO
PAG123649	PAG-12 NPDES General Permit for CAFOs	Issued	Joe Jurgielewicz & Son Ltd 189 Cheese Lane Hamburg, PA 19526-8057	Upper Tulpehocken Township Berks County	SCRO
PAG123830	PAG-12 NPDES General Permit for CAFOs	Issued	Reinford Farms Inc. 505 Cedar Grove Road Mifflintown, PA 17059-8134	Walker Township Juniata County	SCRO
1724401	Sewer Extensions Individual WQM Permit	Issued	Sandy Township Clearfield County P.O. Box 267 Du Bois, PA 15801-0267	Sandy Township Clearfield County	NCRO
PA0065528	Single Residence STP Individual NPDES Permit	Issued	Kimble Sara N 3033 Teakwood Drive Coopersburg, PA 18036-1254	Upper Saucon Township Lehigh County	NERO
0612406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Zimmerman Justin S 147 Sieger Road Kutztown, PA 19530-8857	Richmond Township Berks County	SCRO
WQG01022403	WQG-01 Single Residence Sewage Treatment Plant WQM General Permit	Issued	Josey Constance L 643 Ridge Road Pittsburgh, PA 15205-9502	Robinson Township Allegheny County	SWRO
WQG01202414	WQG-01 Single Residence Sewage Treatment Plant WQM General Permit	Issued	Barbara and Jeffrey Lojek 25645 N Mosiertown Road Edinboro, PA 16412-4149	Hayfield Township Crawford County	NWRO
WQG01652407	WQG-01 Single Residence Sewage Treatment Plant WQM General Permit	Issued	Harkobusic Jason 1175 Paintertown Road Irwin, PA 15642-4803	Penn Township Westmoreland County	SWRO

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

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC050039	PAG-02 General Permit	Issued	Broad Top Township P.O. Box 57 Defiance, PA 16633	Broad Top Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 3 Bedford, PA 15522 814-623-7900
PAC050071	PAG-02 General Permit	Issued	Borough of Everett Area Municipal Authority 100 Mechanic Street Everett, PA 15537	Everett Borough Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 3 Bedford, PA 15522 814-623-7900
PAC050067	PAG-02 General Permit	Issued	John Zook 290 Freedom Lane Osterburg, PA 16667	East Saint Clair Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 3 Bedford, PA 15522 814-623-7900

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC050054	PAG-02 General Permit	Issued	CSC Fill Site 9928 Lincoln Highway Everett, PA 15537	Snake Spring Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 3 Bedford, PA 15522 814-623-7900
PAC400317	PAG-02 General Permit	Issued	Wyoming Valley Authority Jeff Colella P.O. Box 33A Wilkes-Barre, PA 18703	Hanover Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400116	PAG-02 General Permit	Issued	Rolling Meadows Development Company Raymond Peeler 46 Pierce Street Kingston, PA 18704	Jackson Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400215	PAG-02 General Permit	Issued	The Hub at Sand Springs, LLC Phillip Malitsch 4511 Falmer Drive Bethlehem, PA 18020	Butler Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400245	PAG-02 General Permit	Issued	A & J Zelenack Development Joe Zelenack 20 North Turnpike Road Drums, PA 18222	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400306	PAG-02 General Permit	Issued	Service Tire Truck Center Walter Dealtrey 2255 Avenue A Bethlehem, PA 18017	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400235	PAG-02 General Permit	Issued	Bluecup Ventures Hazleton I, LLC Jeff Randolph 20 Cedar Woods Lane Fairfield, CT 06825	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC540133 Renewal	PAG-02 General Permit	Issued	I-81 Logistics, LLC Thomas Meagher 2324 Second Street Newtown, PA 18940	West Mahanoy Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC540096 Renewal	PAG-02 General Permit	Issued	Masser & Ballay Enterprises LP David G. Masser and Julie Ballay 2 Fearnot Road P.O. Box 210 Sacramento, PA 17968	Hublely Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC540148 Renewal	PAG-02 General Permit	Issued	Wegmans Food Markets, Inc. Art Pires P.O. Box 30844 Rochester, NY 14603-0844	Cass Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC540139 Renewal	PAG-02 General Permit	Issued	Tamaqua Borough Authority Brian Connely 320 East Broad Street Tamaqua, PA 18252	Tamaqua Borough Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC130001	PAG-02 General Permit	Issued	Jones/Sonmez 1227 Greenway Lane Kunkletown, PA 18058	Mahoning Township Carbon County	Carbon County Conservation District 5664 Interchange Road Lehigh, PA 18235 610-377-4894 RA-EPWW-NERO@ pa.gov
PAC130009	PAG-02 General Permit	Issued	MW Real Estate, LLC 500 Longacre Drive Cherryville, PA 18035	Lower Towamensing Township Carbon County	Carbon County Conservation District 5664 Interchange Road Lehigh, PA 18235 610-377-4894 RA-EPWW-NERO@ pa.gov
PAC130016	PAG-02 General Permit	Issued	The Lofts at Birch Wilds 474 Mulberry Drive Walnutport, PA 18088	East Penn Township Carbon County	Carbon County Conservation District 5664 Interchange Road Lehigh, PA 18235 610-377-4894 RA-EPWW-NERO@ pa.gov
PAC130017	PAG-02 General Permit	Issued	Jim Thorpe Borough 101 East Tenth Street Jim Thorpe, PA 18229	Jim Thorpe Borough Carbon County	Carbon County Conservation District 5664 Interchange Road Lehigh, PA 18235 610-377-4894 RA-EPWW-NERO@ pa.gov
PAC130027	PAG-02 General Permit	Issued	Cedar Realty Investments, LLC 1102 Fullerton Avenue Allentown, PA 18102	Franklin Township Carbon County	Carbon County Conservation District 5664 Interchange Road Lehigh, PA 18235 610-377-4894 RA-EPWW-NERO@ pa.gov
PAC350063	PAG-02 General Permit	Issued	Kenneth Powell 1 Highland Boulevard Suite 207 Archbald, PA 18403	Archbald Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC600067	PAG-02 General Permit	Issued	JJ Powell, Inc. 18552 US Route 15 Allenwood, PA 17810	Gregg Township Union County	Union County Conservation District 155 N 15th St Lewisburg, PA 17837 570-524-3860

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC600105	PAG-02 General Permit	Issued	Patton Industrial Development, LLC Shawn Hoffman 18108 Russell Road Allenwood, PA 17810	Gregg Township Union County	Union County Conservation District 155 N 15th St Lewisburg, PA 17837 570-524-3860
PAC080024	PAG-02 General Permit	Issued	Scott D. Warner 14 School House Drive Troy, PA 16947	Troy Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848-9693 570-265-5539
PAC080030	PAG-02 General Permit	Issued	John A. DeSisti DeSisti Properties P.O. Box R Sayre, PA 18840	Athens Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080046	PAG-02 General Permit	Issued	Scott Warner/Lorraine B Warner Trust 14 School House Drive Troy, PA 16947	Troy Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080050	PAG-02 General Permit	Issued	William Frandsen Frandsen Real Estate, LLC 19 Orchard Street Spencer, NY 14883	South Waverly Borough Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080051	PAG-02 General Permit	Issued	Jeff Keeney JK & JK Investments, LLC 41214 Route 6 Wyalusing, PA 18853	Standing Stone Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080055	PAG-02 General Permit	Issued	Nick Ross Maple River, LLC 4897 Wilawana Road Sayre, PA 18840	Athens Borough Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080057	PAG-02 General Permit	Issued	Colleen Dick Encounter Free Methodist Church 85 Freedom Lane Milan, PA 18831	Ulster Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080063	PAG-02 General Permit	Issued	Andy Bishop Wysox S&G, Inc 1376 Leisure Drive Towanda, PA 18848	Wysox Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080076	PAG-02 General Permit	Issued	Gerald M. Slater Jr. 2487 Shotgun Hollow Rd Ulster, PA 18850	Ulster Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC080084	PAG-02 General Permit	Issued	Zane King PTV 1340, LLC 400 Penn Center Blvd Bldg 4 Suite 100 Pittsburgh, PA 15235	North Towanda Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080087	PAG-02 General Permit	Issued	Scott Cummings Cummings Lumber Co. Inc. P.O. Box 6 Troy, PA 16947	Troy Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC080089	PAG-02 General Permit	Issued	Wendy Fulton TXC CCCLXI, LLC 4500 Cameron Valley Pkwy Charlotte, NC 28211-3552	Wyalusing Borough Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848 570-265-5539
PAC010280	PAG-02 General Permit	Issued	C&T Land Holdings, LLC 519 East Quaker Bottom Road Sparks, MD 21152	Latimore Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC350050	PAG-02 General Permit	Issued	Scranton Lackawanna Industrial Building Co. 222 Mulberry Street Scranton, PA 18501	Jessup Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC350030	PAG-02 General Permit	Issued	Scranton Lackawanna Industrial Building Co. 222 Mulberry Street Scranton, PA 18501	Jessup Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC350059	PAG-02 General Permit	Issued	Scranton Lackawanna Industrial Building Co. 222 Mulberry Street Scranton, PA 18501	Jessup Borough Archbald Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC350127	PAG-02 General Permit	Issued	Scranton Lackawanna Industrial Building Co. 222 Mulberry Street Scranton, PA 18501	Archbald Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC670624	PAG-02 General Permit	Issued	York County 400 Mundi Race Road York, PA 170406	City of York York County	DEP, SCRO 909 Elmerton Ave Harrisburg, PA 17 717-705-4802 RA-EPNPDES_SCRO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670748	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670742	PAG-02 General Permit	Issued	AJM Realty LLC 589 Davies Drive York, PA 17402	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC350113	PAG-02 General Permit	Issued	NLMS, Inc. Richard Florey 1170 Winola Road Clarks Summit, PA 18411	Waverly Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC360292	PAG-02 General Permit	Issued	Elm Tree Properties, LLC 2422 Lime Spring Way Lancaster, PA 17603	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360841	PAG-02 General Permit	Issued	Derlyn Musser 742 S. Colebrook Road Manheim, PA 17545	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC350166	PAG-02 General Permit	Issued	Birney 1 LP 921 Drinker Turnpike Covington Township, PA 18444-7947	Moosic Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC360750	PAG-02 General Permit	Issued	Stephen Stoltzfus 901 Peters Road New Holland, PA 17557	Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360750 A-1	PAG-02 General Permit	Issued	Melvin Stoltzfus 903 Peters Road New Holland, PA 17557	Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360672	PAG-02 General Permit	Issued	Garden Spot Village 433 South Kinzer Avenue New Holland, PA 17557	Earl Township East Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360381	PAG-02 General Permit	Issued	Noah W. Kreider & Sons, LLP 1461 Lancaster Road Manheim, PA 17545	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360711	PAG-02 General Permit	Issued	Daniel Z. Martin 1630 Clay Road Ephrata, PA 17522	Elizabeth Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360846	PAG-02 General Permit	Issued	Grande Land, LP 2213 Quarry Road Reading, PA 19609	East Cocalico Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360921	PAG-02 General Permit	Issued	Lancaster Portfolio I, LLC 535 N. Church St. Suite 105 West Chester, PA 19380	Mount Joy Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360322	PAG-02 General Permit	Issued	High Properties A Pennsylvania Limited Partnership 1853 William Penn Way Lancaster, PA 17601	East Lampeter Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360280	PAG-02 General Permit	Issued	Linda Barto Michael Frey Nicholas Frey Philip Frey 1650 Crooked Oak Drive Suite 300 Lancaster, PA 17601	East Hempfield Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360485	PAG-02 General Permit	Issued	Nicholas Petro P.O. Box 21 Peach Bottom, PA 17563	Little Britain Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360735	PAG-02 General Permit	Issued	1376 Campus Road Associates, LLC 100 Front Street Suite 560 West Conshohocken, PA 19428	Mount Joy Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360644	PAG-02 General Permit	Issued	Meridian Heights Partners, LLC 1737 W. Main Street Ephrata, PA 17522	Mount Joy Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360783	PAG-02 General Permit	Issued	Fenner Precision Polymers 187 W. Airport Road Lititz, PA 17543	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360348	PAG-02 General Permit	Issued	Manheim Auto Auction 1190 Lancaster Road Manheim, PA 17545	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360251	PAG-02 General Permit	Issued	Lincoln Land Group, Inc. 1737 West Main Street Ephrata, PA 17522	Clay Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC060521	PAG-02 General Permit	Issued	Nathan Pletscher 555 Mountain Home Road Sinking Spring, PA 19608	Fleetwood Borough Berks County	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
PAC060484	PAG-02 General Permit	Issued	Greg Sarangoulis 328 Buttonwood Street Reading, PA 19601	Maxatawny Township Berks County	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
PAC060532	PAG-02 General Permit	Issued	Deborah Hoag 815 Washington Street Reading, PA 19601	City of Reading Berks County	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
PAC060499A-1	PAG-02 General Permit	Issued	Muhlenberg School District 801 Bellevue Avenue Reading, PA 19605	Muhlenberg Township Berks County	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
PAC060513	PAG-02 General Permit	Issued	Northeast Products and Service, Inc. 297 Suedberg Road Pine Grove, PA 19763	Richmond Township Berks County	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
PAC060493	PAG-02 General Permit	Issued	Morgan Trailer 600 Travis Street # 400 Houston, TX 77002	Caernarvon Township Berks County	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
PAC580016	PAG-02 General Permit	Issued	Elk Lake School District 2380 Elk Lake School Road Springville, PA 18844	Dimock Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105 RA-EPWW-NERO@ pa.gov

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC380143	PAG-02 General Permit	Issued	Landmark Homes at the Pinnacle, LLC 1737 West Main Street Ephrata, PA 17522	North Londonderry Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC230035	PAG-02 General Permit	Issued	The Henderson Group 112 Chesley Drive Suite 200 Media, PA 19063	Chadds Ford Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC380111	PAG-02 General Permit	Issued	Landmark Homes at Summer Layne, LLC 1737 West Main Street Ephrata, PA 17522	North Londonderry Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC230056	PAG-02 General Permit	Issued	Marple Associates, LP 1001 Baltimore Pike Springfield, PA 19064	Marple Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC380194	PAG-02 General Permit	Issued	Landmark Homes at Junction, LLC 1737 West Main Street Ephrata, PA 17522	Cornwall Borough Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC380305	PAG-02 General Permit	Issued	Narrows Glen, Inc. 1737 West Main Street Ephrata, PA 17522	North Londonderry Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC380187	PAG-02 General Permit	Issued	Clair Zimmerman 85 Furnace Hills Road Denver, PA 17517	South Lebanon Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC380239	PAG-02 General Permit	Issued	Linter Group, LLC & Tylerhunt, LLC 85 Furnace Hills Road Denver, PA 17517	West Lebanon Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC230299	PAG-02 General Permit	Issued	Rockwell Wallingford, LLC 1075 Eagle Road Wayne, PA 19087	Nether Providence Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC380326	PAG-02 General Permit	Issued	Nathan Zimmeramn 760 North Market Street Myerstown, PA 17067	Heidelberg Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC380280	PAG-02 General Permit	Issued	Cornwall-Lebanon School District 105 East Evergreen Road Lebanon, PA 17042	South Lebanon Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAG02002315030	PAG-02 General Permit	Issued	BT Granite Run LP 200 Dryden Road Ste. 200 Dresher, PA 19025	Middletown Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC540140 Renewal	PAG-02 General Permit	Issued	North Manheim Township Authority Ross Miller 950 E. Main Street # 101 Schuylkill Haven, PA 17972-9720	North Manheim Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC350052	PAG-02 General Permit	Issued	Woodbury Estates, Inc. 859 Enterprise Street Dickson City, PA 18519	Archbald Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC380248	PAG-02 General Permit	Issued	Lebanon School District 1000 South 8th Street Lebanon, PA 17042	City of Lebanon Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC380242	PAG-02 General Permit	Issued	Lebanon School District 1000 South 8th Street Lebanon, PA 17042	City of Lebanon Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC380252	PAG-02 General Permit	Issued	Mid Atlantic Interstate Transmission, LLC 2800 Pottsville Pike Reading, PA 19612	East Hanover Township Union Township Swatara Township Bethel Township Lebanon County Dauphin County Berks County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC380289	PAG-02 General Permit	Issued	Kimmer Green, LLC 1737 West Main Street Ephrata, PA 17522	North Lebanon Township Lebanon County Dauphin & Berks County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC280062	PAG-02 General Permit	Issued	Zach Burt 312 Volvo Way Shippensburg, PA 17257	Southampton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280312	PAG-02 General Permit	Issued	Victor F. Martin 9015 Molly Pitcher Highway Shippensburg, PA 17257-8557	Southampton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280363	PAG-02 General Permit	Issued	Joshua L. Dunklebarger 671 Franklin Square Drive Chambersburg, PA 17201-7845	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC580034	PAG-02 General Permit	Issued	Mid-Atlantic Interstate Transmission, LLC 2800 Pottsville Pike Reading, PA 19612	Bridgewater Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105 RA-EPWW-NERO@ pa.gov
PAC580025 A-2	PAG-02 General Permit	Issued	Pennsylvania Electric Company 217 Three Springs Drive Weirton, WV 26062	Auburn Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105 RA-EPWW-NERO@ pa.gov
PAC580004	PAG-02 General Permit	Issued	Xpress Natural Gas 300 Brickstone Square Andover, MA 01810	Forest Lake Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105 RA-EPWW-NERO@ pa.gov
PAC580030	PAG-02 General Permit	Issued	Diaz Family Limited Partnership 7686 SR 167 Kingsley, PA 18826	Bridgewater Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105 RA-EPWW-NERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC580024	PAG-02 General Permit	Issued	South New Milford Baptist Church 2967 Harford Road New Milford, PA 18834	New Milford Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105 RA-EPWW-NERO@ pa.gov
PAC280121	PAG-02 General Permit	Issued	Shawn M. Corwell 1145 Garver Lane Chambersburg, PA 17202-7487	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280314	PAG-02 General Permit	Issued	Joel Patterson 1454 Baltimore Street Hanover, PA 17331-9816	Washington Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280048	PAG-02 General Permit	Issued	James Zaiger 5118 West Farrington Road Covington, OH 45318	Waynesboro Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280029	PAG-02 General Permit	Issued	Darrin Rine 19 Independence Drive Shippensburg, PA 17257-8218	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280287	PAG-02 General Permit	Issued	Tim Hogan One South Street Suite 2800 Baltimore, MD 21202	Antrim Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280249	PAG-02 General Permit	Issued	Liz Engle 282 Century Place Suite 2000 Louisville, CO 80027	Saint Thomas Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280196	PAG-02 General Permit	Issued	Jeff Riley 222 North Constitution Avenue New Freedom, PA 17349-7938	Waynesboro Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280196	PAG-02 General Permit	Issued	Mike Dropik Co-Applicant 1450 Lake Robbins Drive Suite 430 The Woodlands, TX 77380	Waynesboro Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC230268	PAG-02 General Permit	Issued	Milan Zalavadia 722 N. Third Street Philadelphia, PA 19123	Concord Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC230292	PAG-02 General Permit	Issued	A&A Enterprises, LLC 2043 Bridgewater Road Aston, PA 19014	Aston Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC480051	PAG-02 General Permit	Issued	Monogram Custom Homes 5171 W. Hopewell Road Center Valley, PA 18034	Lower Saucon Township Northampton County	Northampton County Conservation District 3158 Newburg Rd. Nazareth, PA 18064 610-726-1030 RA-EPWW-NERO@ pa.gov
PAC480168	PAG-02 General Permit	Issued	Chester Franklin Group, LLC 664 Northampton St. Easton, PA 18042	City of Easton Northampton County	Northampton County Conservation District 3158 Newburg Rd. Nazareth, PA 18064 610-726-1030 RA-EPWW-NERO@ pa.gov
PAC350145	PAG-02 General Permit	Issued	Mountain View DC Realty, LLC Alfred Kriger Jr. 859 Enterprise Street Dickson City, PA 18519	Dickson City Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC050073	PAG-02 General Permit	Issued	M&G Realty, Inc. The Rutter's Companies 2295 Susquehanna Trail York, PA 17404	Bedford Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 3 Bedford, PA 15522 814-623-7900
PAC540009 Renewal	PAG-02 General Permit	Issued	Faron Breiner 278 Fort Lebanon Road Auburn, PA 17922	West Brunswick Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC230102	PAG-02 General Permit	Issued	Bodo Group, LLC 35 N. Middletown Road Media, PA 19063	Upper Chichester Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC400316	PAG-02 General Permit	Issued	Ivy Gate Real Estate, LLC & Ivy Gate Management, LLC Kevin Doyle 1846 Memorial Highway Suite 103 Shavertown, PA 18708	Plains Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400263	PAG-02 General Permit	Issued	Pennsylvania Fish and Boat Commission Shawn Wheeler 595 E. Rolling Ridge Drive Bellefonte, PA 16823	Ross Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400318	PAG-02 General Permit	Issued	Service Electric Cable TV, Inc. Mark Plosa 15 J. Campbell Collins Drive Wilkes-Barre, PA 18702	City of Wilkes-Barre Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400257	PAG-02 General Permit	Issued	570 Self Storage, LLC Joesph Yesvetz 1430 Red Dale Road Orwigsburg, PA 17961	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400013	PAG-02 General Permit	Issued	611 Land Development, LLC, Sonny Singh 2227 Scranton-Carbondale Highway Scranton, PA 18508	Hanover Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400267	PAG-02 General Permit	Issued	Terminal Leasing, Inc. James Maug 15 27th Street Pittsburgh, PA 15222	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400033	PAG-02 General Permit	Issued	Union Center Realty, LLC & Delaware Land Company, LLC Morris I. Raub 950 Wilkes-Barre Township Blvd. Wilkes-Barre, PA 18702	Wilkes-Barre Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC010260	PAG-02 General Permit	Issued	PTV 1375, LLC 400 Penn Center Blvd Bldg. 4 Ste 1000 Pittsburgh, PA 15235	Mount Joy Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC540159 Renewal	PAG-02 General Permit	Issued	Nescopeck Solar LLC Tyler Moore 505 Keystone Road Southampton, PA 18966	Barry Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC540059 A-1 Renewa	PAG-02 General Permit	Issued	Residuary Trust of Andrew Yastishok Mark Yastishok 6500 Chapman Road Allentown, PA 18105	West Brunswick Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC540150 Renewal	PAG-02 General Permit	Issued	Jeremy Huhn 430 Coal Mountain Road Orwigsburg, PA 17961	West Brunswick Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov

**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>
Shady Rill Farm LLC Neal and Jay Paul Hoover 252 Tharp Road Mt. Pleasant Mills, PA 17853	Snyder County	737.4	1,033.58	Swine	NA	Approved

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Harlan Huber 118 Killinger Road Annville, PA 17003	Lebanon County	57.4	857.77	Laying Hens Steer Horse	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

SAFE DRINKING WATER

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

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

Contact: Victoria Frederick, Clerical Assistant, 570-826-2502.

Operation Permit No. 2450107-E1, Public Water Supply.

Applicant	The Russell Family Partnership
Address	P.O. Box 70 Stroudsburg, PA 18360
Municipality	Smithfield Township
County	Monroe County

Consulting Engineer	Russell D. Scott IV. P.E. RKR Hess A Division of UTRS, Inc. 112 N Courtland Street East Stroudsburg, PA 18301
Application Received	November 25, 2024
Permit Issued	December 6, 2024
Description	Proposed work includes the utilization of the existing well, known as Well No. 3 (Source 003), and the construction of a new shed to act as the treatment plant (TP) to house the disinfection system components with all necessary piping and appurtenances for associated Entry Point (EP) 101.

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

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

Construction Permit No. 1524512, Major Amendment, Public Water Supply.

Applicant	Nottingham Manor Mobile Home Park
Address	478 West Christie Road Nottingham, PA 19362-9701
Municipality	West Nottingham Township
County	Chester County
Consulting Engineer	Evan Mills Environmental 101 Fellowship Road P.O. Box 735 Uwchland, PA 19480-0735
Application Received	October 9, 2024
Permit Issued	November 25, 2024
Description	Amend permit to implement corrosion control treatment, (+) ph. corrosion control and copper lead passivation with mono sodium orthophosphate.

Construction Permit No. 1524512, Major Amendment, Public Water Supply.

Applicant	Nottingham Manor Mobile Home Park
Address	478 West Christie Road Nottingham, PA 19362-9701
Municipality	West Nottingham Township
County	Chester County

Consulting Engineer	Evan Mills Environmental Mental, LLC 101 Fellowship Road P.O. Box 735 Uwchland, PA 19480-0735
Application Received	October 9, 2024
Permit Issued	November 25, 2024
Description	Amend permit to implement corrosion control treatment, (+) ph. corrosion control and copper lead passivation with mono sodium orthophosphate.

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

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

Operation Permit 1421511. PWSID No. **4140120.** **Walker Township Water Association**, 250 Nittany Valley Drive, Bellefonte, PA 16823, Walker Township, **Centre County**. Application received: November 22, 2024. Permit Issued: December 5, 2024. Booster station and waterline improvements project: generally including the construction of a proposed booster station and approx. 25,000 lf of waterline replacement with associated valves, hydrants, service line reconnections and water main reconnection.

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.

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

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

22-1038A. Water Allocations. **Pennsylvania-American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, **Dauphin County, Lebanon County**. Approval for the subsidiary allocation with the City of Lebanon Authority. Application received: October 12, 2018. Approved: December 2, 2024.

BIOSOLIDS INDIVIDUAL PERMITS (PABIG, SSN AND PABIS)

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape

from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

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

Contact: John Springer, Licensed Professional Geologist, 570-321-6516.

Site Suitability Notice for Land Application Under Approved PAG-08, for Denali Water Solutions, 220 S. Commerce Ave., 1st Floor, Russellville, AR 72801, Herrick Township, **Bradford County. Jones—Home Farm**, 570 McGovern Road, Wyalusing, PA 18853. Agricultural Utilization of Biosolids Application received: October 11, 2024. Approved: December 4, 2024.

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

Contact: Eric Laur, Soil Scientist, 717-705-4773.

Site Suitability Notice for Land Application Under Approved PAG08, for Material Matters, Inc., 206 South Market St., Elizabethtown, PA 17022, Earl Township, **Lancaster County. Solomon Stoltzfus Farm**, 763 New Holland Rd., New Holland, PA 17557. Application received: October 25, 2024. Approved: December 6, 2024.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be

published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

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

The Department has received the following plans and reports.

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

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

1341 N. Broad Street Site, Primary Facility ID # **854533**, 1341, 1349 North Broad Street, Lansdale, PA 19446, Hatfield Township, **Montgomery County**. Terry Harris, Penn's Trail Environmental, LLC, 21 East Lincoln Avenue, Suite 160, Hatfield, PA 19440, on behalf of Becca Kulp, Bergey's Realty Company, 462 Harleysville Pike, Souderton, PA 18964, submitted a Final Report concerning remediation of soil and groundwater contaminated with diesel fuel, leaded gasoline, and unleaded gasoline. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Romill Associates, LP, Primary Facility ID # **844303**, 1312 Ridge Pike, Conshohocken, PA 19428, Plymouth Township, **Montgomery County**. Michael Kern, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Charles Miller, MMCO Auto, LLC, 1312 Ridge Pike, Conshohocken, PA 19428, submitted a Risk Assessment/Final Report concerning remediation of soil and groundwater contaminated with chlorinated solvents, PAHs, and used motor oil. The Risk Assessment/Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

2181 Bennett Road, Primary Facility ID # **718337**, 2181 Bennett Road, Philadelphia, PA 19116, City of Philadelphia, **Philadelphia County**. Thomas Petrecz, Penn Environmental & Remediation, Inc., 400 Old Dublin Pike, Doylestown, PA 18901, on behalf of Ammar Hallaj, 2181 Bennett Road Property, LLC, 2181 Bennett Road, Philadelphia, PA 19116, submitted a Final Report concerning remediation of soil and groundwater contaminated with chlorinated solvents. The Final Report is intended to document remediation of the site to meet the site-specific standards.

Tioga Marine Terminal Pier 179N, Primary Facility ID # **722887**, 3300 North Delaware Avenue, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. Greg Rosenzweig, Groundwater & Environmental Services, Inc., 440 Creamery Way, Exton, PA 19341, on behalf of Richard Sherman, Kinder Morgan Liquids Terminals, LLC, One Terminal Road, Carteret, NJ 07008, submitted

a Risk Assessment/Final Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Risk Assessment/Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

230 Fairhill Street and 551 York Road, Primary Facility ID # **848582**, 230 Fairhill Street and 551 York Road, Willow Grove, PA 19090, Upper Moreland Township, **Montgomery County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142, on behalf of Matthew Genesio, 230 Fairhill Associates, LLC, P.O. Box 222, Southeastern, PA 19399, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with inorganics and unleaded gasoline. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

The DEP has received the following plans and reports.

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

Contact: Ben, 814-350-5132.

Matson 2 Oil Well, Primary Facility ID # **879094**, Spring Creek Road, Sigel, PA 15860, Warsaw Township, **Jefferson County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of Diversified Production, LLC, 126 Industry Road, # 201, Waynesburg, PA 15370, submitted a Final Report concerning remediation of soil contaminated with 1,2,4-trimethylbenzene, 1,3,5-TMB, benzene, cyclohexane, ethylbenzene, isopropyl benzene, naphthalene, sec-butylbenzene, tert-butylbenzene, toluene, total xylenes, 1,1'-biphenyl, 2-methylnaphthalene, acenaphthene, anthracene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[g,h,i]perylene, chrysene, fluoranthene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene, pyrene, and phenolics. The Final Report demonstrated attainment of the Statewide health standards. Approved: December 5, 2024.

Richard Smith Trucking Spill, Primary Facility ID # **264498**, 5188 Route 219, Brockport, PA 15823, Horton Township, **Elk County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Richard Smith Trucking Company, 4659 Westville Road, Brockway, PA 15824, submitted a Final Report concerning remediation of soil contaminated with benzene, ethylbenzene, cumene, methyl tert-butyl ether (MTBE), naphthalene, toluene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standards. Approved: December 5, 2024.

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

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

1616 West Hunting Park, LLC, Primary Facility ID # **871542**, 1616-1620 West Hunting Park Avenue, Philadelphia, PA 19140, City of Philadelphia, **Philadelphia County**. Weaver Consultants Group, LLC, 2225 Sycamore Street, Harrisburg, PA 17110, on behalf of Lender Consulting Services, 40 La Riviere Drive, Suite 120, Buffalo, NY 14202, submitted a Remediation Investigation Report/Final Report concerning remediation of soil and groundwater contaminated with No. 2 fuel oil, leaded gasoline, unleaded gasoline, and used motor oil. The Report Was not acceptable to meet Statewide health and site-specific standards. Issued an administrative deficiency letter: December 2, 2024.

2944 Samuel Drive Site, Primary Facility ID # **840740**, 2944 Samuel Drive, Bensalem, PA 19020, Bensalem Township, **Bucks County**. React Environmental Professional Services Group, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142, on behalf of 2944 Samuel Drive, Inc., 4250 Wissahickon Avenue, Philadelphia, PA 19129, submitted a Final Report con-

cerning remediation of soil and groundwater contaminated with inorganics and PAHs. The Final Report demonstrated attainment of the Statewide health standards. Approved: December 3, 2024.

8362-8280 State Road Site, Primary Facility ID # **873683**, 8362-8280 State Road, Philadelphia, PA 19136, City of Philadelphia, **Philadelphia County**. The Vertex Companies, LLC, 2501 Seaport Drive, Chester, PA 19013, on behalf of JRM Developers, 9525 Frankford Avenue, Philadelphia, PA 19114, submitted a Final Report concerning remediation of soil and groundwater contaminated with No. 2 fuel oil. The Report Was not acceptable to meet Statewide health and site-specific standards. Issued an administrative deficiency letter: December 4, 2024.

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

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

Riverfront Park Development, Primary Facility ID # **817623**, Tax Parcel 211-A-50, Pittsburgh, PA 15225, City of Pittsburgh, **Allegheny County**. Justin Lauterbach, 2001 Waterdam Plaza Drive, Suite 205, Canonsburg, PA 15317, on behalf of Jeanne M. Creese, 5050 Grand Avenue, Pittsburgh, PA 15225, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with arsenic, lead. The Report Was acceptable to meet site-specific standards. Approved: December 5, 2024.

Spicket Booster Station, Primary Facility ID # **878978**, 322 Calico Run Road, Waynesburg, PA 15370, Franklin Township, **Greene County**. Ronald F. Doumont, 100 Ryan Court, Suite 20, Pittsburgh, PA 15205, on behalf of Kyle Borden, 2200 Energy Drive, Canonsburg, PA 15317-6506, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, zinc. The Final Report Was not acceptable to meet Statewide health standards. Issued a technical deficiency letter: December 5, 2024.

HAZARDOUS WASTE TRANSPORTER LICENSE

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

Transporter License Expired

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

Contact: Jonathan Adams

Environmental Protection & Improvement Co. LLC, 319 Ave P, Newark, NJ 07105. **License No. PA-AH 0907**. Application received: December 1, 2024. Effective December 1, 2024.

Transporter License Reissued

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

Contact: Jonathan Adams.

Hazleton Oil & Environmental, Inc., 300 Tamaqua St., Hazleton, PA 18201. **License No. PA-AH 0713.** Application received: November 20, 2024. Effective November 20, 2024.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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.

PA5213820892. Tobyhanna Army Depot, 11 Hap Arnold Boulevard, Tobyhanna, PA 18466, Coolbaugh Township, **Monroe County**. A permit renewal for the continued operation of a hazardous waste storage facility. Application received: July 6, 2023. Issued: December 6, 2024.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2511 or RA-EPWM-NERO@pa.gov, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

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

WMGR091SE001. Oil Filter Recyclers, LLC, 3799 N. Dupont Highway, Dover, DE 19901, City of Philadelphia, **Philadelphia County**. This general permit is for a Determination of Applicability (DOA) under the conditions defined within General Permit No. WMGR091 for processing of used oil filters and beneficial use of the resultant scrap metal and waste oil at Philly Oil Crushers Facility, located at 3010 East Ontario Street, Philadelphia, PA 19134, in Philadelphia County. Application received: June 26, 2024. Issued: December 3, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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

Contact: Waste Management Program Manager.

WMGR138SW001. Woehler Landscape Supply Yard at 202, LLC, 1357 Streets Run Road, Pittsburgh, PA 15236, Peters Township, **Washington County**. A Determination of Applicability for coverage under Residual Waste General Permit No. WMGR138SW001 was issued for the processing of yard waste, land clearing and grubbing waste, concrete and asphalt waste, construction and demolition waste, and pre-consumer and post-consumer asphalt shingles at the Woehler Landscape Supply and Recycling Center, located at 202 Buckeye Street, Canonsburg, PA 15317. Application received: July 10, 2024. GP coverage issued: November 26, 2024.

Persons interested in reviewing the permit may contact Regional Files (412-442-4100), Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

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

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

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

AG5-59-00015C: NFG Midstream Covington LLC, 6363 Main Street, Williamsville, NY 14221, Sullivan Township, **Tioga County**. The Department approved the construction and operation of one 1,900 bhp Waukesha L7044GSI S5 natural gas-fired compressor engine controlled by SNCR, one 225 kW Kohler 200 REZXB natural gas-fired generator engine controlled by SNCR, one 340 kW Kohler 300 REZXC natural gas-fired emergency generator engine controlled by SNCR, one 214 kW John Deere 6068HF485 diesel-fired emergency generator engine, two 295-gallon oil storage tanks, and one 2.5 MMBtu/hr Cimarron Hy-Bon CH2.5 enclosed flare as well as the continued operation of all existing sources at the site, which includes two 1,380 bhp compressor engines and one 60 MMSCFD dehydrator unit as well as other ancillary equipment, pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at their Krause Compressor Station. Application received: November 12, 2024. Approved: December 6, 2024. Expiration date: December 5, 2029.

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

GP1-19-00010B: Wise Foods, Inc., 228 Raseley Street, Berwick, PA 18603, Berwick Borough, **Columbia County**. The Department approved authorization to construct and operate a Power Flame Incorporated Heat and Control manufactured Model HX-11.5 natural gas fired boiler with a rated heat input capacity of 17.2 MMBtu per hour pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-1: Gas and No. 2 Oil Fired Small Combustion Units at Wise Foods, Inc.'s Berwick Plant. Application received: November 4, 2024. Authorized: December 4, 2024. Expiration date: June 3, 2026.

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

Contact: Shailesh Patel, New Source Review Manager, 570-826-2341.

GP3-35-038: Northledge LLC, 930 Market Street, Bethlehem, PA 18017, Jessup Borough, **Lackawanna County**. The Department issued the general plan approval and Operating Permit GP3 for the installation and operation of portable non-metallic mineral processing equipment at the Jessup Borough location. Application received: October 1, 2024. Issued: December 9, 2024.

GP9-35-036: Northledge LLC, 930 Market Street, Bethlehem, PA 18017, Jessup Borough, **Lackawanna County**. The Department issued the general plan approval and Operating Permit GP9 for the installation and operation of engines associated with the portable non-metallic mineral processing equipment at the Jessup Borough location. Application received: October 1, 2024. Issued: December 9, 2024.

GP3-48-039: Northledge LLC, 930 Market Street, Bethlehem, PA 18017, Stockertown Borough, **Northampton County**. The Department issued the general plan approval and Operating Permit GP3 for the installation and operation of portable non-metallic mineral processing equipment at the Buzzi Unicem Stockertown location. Application received: October 1, 2024. Issued: December 9, 2024.

GP9-48-039: Northledge LLC, 930 Market Street, Bethlehem, PA 18017, Stockertown Borough, **Northampton County**. The Department issued the general plan approval and Operating Permit GP9 for the installation and operation of engines associated with the portable non-metallic mineral processing equipment at the Buzzi Unicem Stockertown location. Application received: October 1, 2024. Issued: December 9, 2024.

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

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

GP1-09-0109: PPB Energy/Philadelphia Park Casino Racetrack, 3001 Street Rd, Bensalem, PA 19020-2006, Bensalem Township, **Bucks County**. This action is for the issuance of a General Plan Approval and General Operating Permit for two 17 MMBtu Boilers located at the facility. Application received: November 12, 2024. Issued: December 3, 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.

GP5-63-00992B/AG5-63-00018B: MarkWest Liberty Midstream & Resources, LLC, 1515 Arapahoe St., Tower 1, Suite 1600, Denver, CO 80202, Robinson Township, **Washington County**. On December 4, 2024, to authorize construction and operation of: Four (4) 5,000 hp electric driven reciprocating compressors, One (1) Exterran (or equivalent) 150 MMSCFD TEG dehydration unit at Imperial Phase II equipped with a 2.5 MMBtu/hr and regen overheads controlled by an enclosed combustor, C204, rated at 7.0 MMBtu/hr, One (1) Reboiler rated at 2.5 MMBtu/hr, Loadout operations at Imperial with the increased throughputs, Blowdown and rod packing emissions associated with the electric compressor engines, Pigging equipment at Imperial; and Zeeco ground flare rated at 7.0 MMBtu/hr; and the existing sources: Two (2) 100-hp electric driven reciprocating compressors at Cibus Ranch, Eight (8) 5000-hp electric-driven reciprocating

compressors at Cibus Ranch, One (1) Exterran or equivalent, TEG dehydrator at Cibus Ranch, 130-145 MMSCF/day; equipped with three phase flash separator and reboilers, 2.5 MMBtu/hr; controlled by an enclosed flare rated at 7.0 MMBtu/hr. Installed in 2016, One (1) Enclosed Ground Flare of Flare Industries (or equivalent) at Cibus Ranch, at 7.0 MMBtu/hr, pilot heat rated at 0.08 MMBtu/hr, and control efficiency 98%. The flare is not a manufacturer tested model, One (1) TEG dehydrator of Exterran (or equivalent) at Imperial, 166 MMSCF/day; equipped with three phase flash separator and reboilers, 2.5 MMBtu/hr; controlled by an enclosed flare. Installed in 2018, One (1) Enclosed combustor rated at 7.0 MMBtu/hr with a destruction efficiency of 98%. This unit is not a manufacturer tested model, Four (4) 520-gallon methanol storage tanks. Two (2) tanks at Cibus Ranch and two (2) tanks are at Imperial. Estimated annual throughput is 4,168-gallons, Three (3) intermittent gas-driven pneumatic devices each rated at 13.5 scfh. Two (2) units are installed at Cibus, and one (1) unit is installed at Imperial, Venting/Blowdown and rod packing emissions associated with all the electric compressor engines, Pigging equipment at Cibus, One (1) Process Flare at Cibus manufactured by Zeeco, rated at 298 MMBtu/hr, and 98% control efficiency, methanol losses and measurement venting at their Cibus Ranch Imperial CS located in Robinson Township, Washington County. Application received: November 5, 2024. Authorized: December 4, 2024.

GP21-30-00816A: Perennial CMM Pennsylvania, LLC, 1375 County Road 8690, West Plains, MO 65775, Wayne Township, **Greene County**. The Department has issued a GP21-30-00816A general plan approval for one (1) 22.0 MMBtu/hr enclosed flare, manufactured by Perennial Energy LLC, model FL-78-30-E, serial FLR2063 with 98% control efficiency and 0.2 MMBtu/hr pilot that is located at the Cumberland Mine Borehole CMB 10 (39.795525° N, 80.245857° W). Application received: September 25, 2024. Authorized: December 5, 2024.

GP21-30-00825A: Perennial CMM Pennsylvania, LLC, 1375 County Road 8690, West Plains, MO 65775, Franklin Township, **Greene County**. The authorization under General Plan Approval and/or General Operating Permit for New or Modified Coal-Mine Methane Enclosed Flare (GP-21) has been issued to allow the construction and/or operation of one 22MMBtu/hr Enclosed Flare made by Perennial CMM Pennsylvania, LLC. Application received: September 5, 2024. Revised: September 27, 2024.

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

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

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

43-2700: CCL Container Hermitage Inc., 1 Llodio Drive, Hermitage, PA 16148, City of Hermitage, **Mercer County**. Issued a plan approval for the proposed construction and operation of an aerosol/beverage can manufacturing line (Source 114) at their facility located in the City of Hermitage, Mercer County. The proposed aerosol/beverage can manufacturing line will replace an existing aerosol/beverage can manufacturing line (Source 103) at the facility. New source 114 and the air contaminant emissions will be controlled by two (2) existing regenera-

tive thermal oxidizers (RTO) (Control Devices C06 and C08) and a fabric collector (C15A). The facility will remain Synthetic Minor after this project. This permit expires June 30, 2026. Application received: October 23, 2023. Issued: November 25, 2024.

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

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

46-0019B: Lockheed Martin Corp, 230 Mall Blvd, King of Prussia, PA 19406-2902, Upper Merion Township, **Montgomery County**. This action is for a plan approval for the installation of 2 spray booths, one robotic and one manual, in Building 100, along with two fume hoods which are insignificant sources. Application received: November 21, 2024. Issued: December 3, 2024.

09-0210B: Waste Management of Fairless, LLC, Old Bordentown Rd & Steel Rd S, Fairless Hills, PA 19030, Falls Township, **Bucks County**. This action is for an extension of the plan approval for the operation and shakedown of three 5,000 SCFM ultra-low emission flares to combust the landfill gas collected from GROWS, GROWS North, and Fairless Landfills. Application received: December 3, 2024. Issued: December 5, 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.

56-00262B: Mostoller Landfill, Inc., 7095 Glades Pike, Somerset, PA 15501, Brothersvalley Township, **Somerset County**. On December 6, 2024, the Department issued a plan approval to authorize an increase in allowable emissions from the leachate storage tank and a correction to the listed design capacity of the landfill at Mostoller Municipal Waste Landfill. The allowable emissions from the leachate storage tank have been increased from 0.34 ton/year to 2.7 tons/year VOCs. The correction of design capacity to 15.2 million tons of waste will result in no additional emissions. The plan approval includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at the facility located in Brothersvalley Township, Somerset County. Application received: June 20, 2022. Issued: December 6, 2024.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

11-00434: New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Rd., P.O. Box 77, New Enterprise, PA 16664, Jackson Township, **Cambria County**. On December 4, 2024, the Department issued a modified State-Only Operating Permit to New Enterprise Stone & Lime Co., Inc. for the Vintondale Quarry located in Jackson Township, Cambria County. The modification removes a requirement for the conveyers on site to be enclosed, while maintaining that their emissions must be controlled using water sprays. Sources of emissions consist of a sandstone processing plant, controlled by water sprays, and haul roads controlled by a water truck. Potential emissions

from this facility are estimated to be 40.5 TPY PM₁₀; and 19.6 TPY PM₁₀. Application received: August 28, 2024. Permit modification issued: December 4, 2024.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

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

05-05026: Steckman Ridge, LP, 8177 U.S. Route 220, Bedford, PA 15522, Monroe Township, **Bedford County**. For a de minimis emissions increase of 0.03 tpy VOC resulting from installation of a filter separator and associated piping components at the facility. This is the first de minimis emissions increase at the facility during the term of the current Operating Permit.

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

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

15-00010: Cleveland Cliffs Plate LLC, 139 Modena Rd, Coatesville, PA 19320, City of Coatesville, **Chester County**. On October 8, 2024, Cleveland Cliffs Plate LLC, submitted a De Minimis request to purchase four (4) additional oxy-fuel cutting torches at their Title V facility. The facility is a steel recycling and steel manufacturing facility. The purpose of the oxy-fuel cutting torches is to give the facility flexibility to cut steel slabs as necessary at a more efficient rate. The oxy-fuel torches have a potential to emit, in tons per year, of: Nitrogen Oxides—0.254; Carbon Monoxide—0.213; Volatile Organic Compounds—0.014; Sulfur Oxides—0.002; and Particulate Matter—0.019. All emission rates are below the threshold limits under 25 Pa. Code § 127.449(d). The facility performed a Non-attainment New Source Review (NNSR) analysis. Per the analysis, the new oxy-fuel cutting torches do not trigger NNSR. At the next permit action, the new sources will be added to the permit.

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: RA-EPCAMBRIADMO@pa.gov.

Mining Permit No. 56230101. NPDES No. PA0279897. Fieg Brothers, P.O. Box 38, Berlin, PA 15530, Brothersvalley Township, Somerset County. Commencement, operation and restoration of a bituminous surface and auger mine affecting 133.1 acres. Receiving streams: unnamed tributary to Buffalo Creek and Buffalo Creek classified for the following use: CWF. Application received: November 15, 2023. Permit issued: December 4, 2024.

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

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17940107. NPDES No. PA0219801. River Hill Coal Company, Inc., P.O. Box 141, Kylertown, PA 16847, Karthaus Township, Clearfield County. Renewal of a mining permit and NPDES permit for continued operation and restoration of a bituminous surface coal mine affecting 531.0 acres. Receiving stream(s): watershed of an unnamed tributary to Saltlick Run classified for the following use(s): HQ-CWF, MF. Application received: June 28, 2024. Accepted: July 18, 2024. Issued: December 3, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 35910101. NPDES Permit No. PA0595187. Pioneer Aggregates, Inc., 220 South River Street, Plains, PA 18705, Fell Township, Lackawanna County. Renewal of an anthracite surface mine operation affecting 425.0 acres. Receiving stream: Wilson Creek. Application received: June 24, 2021. Renewal issued: December 4, 2024.

Mining Permit No. 40663025. Wildcat Carbon Processing, LLC, 100 Hazlebrook Road, Hazleton, PA 18201, Hazle Township, Luzerne County. Transfer of an anthracite surface mine, coal refuse reprocessing and coal refuse disposal operation affecting 279.57 acres. Receiving stream: Black Creek. Application received: September 15, 2023. Transfer issued: December 5, 2024.

Mining Permit No. 40663025. GP104 Permit No. PAM123026. Wildcat Carbon Processing, LLC, 100 Hazlebrook Road, Hazleton, PA 18201, Hazle Township, Luzerne County. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Black Creek. Application received: September 15, 2023. Coverage issued: December 5, 2024.

Noncoal Permits

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 58232501. Johnson Quarries, Inc., P.O. Box 136, LaRaysville, PA 18829, Rush Township, Susquehanna County. Commencement, operation and restoration of a GP105 quarry operation affecting 10.0 acres. Receiving stream: UNT to North Branch Wyalusing Creek. Application received: November 21, 2022. Permit issued: December 9, 2024.

Mining Permit No. 58232501. GP104 Permit No. PAM123001. Johnson Quarries, Inc., P.O. Box 136, LaRaysville, PA 18829, Rush Township, Susquehanna County. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: UNT to North Branch Wyalusing Creek. Application received: November 21, 2022. Coverage issued: December 9, 2024.

Mining Permit No. 58230301. Three Lakes Stone, LLC, 405 TR Williams Road, Clifford Township, PA 18470, New Milford Township, Susquehanna County. Commencement, operation and restoration of a quarry operation affecting 44.1 acres. Receiving stream: Martins Creek. Application received: April 10, 2023. Permit issued: December 9, 2024.

Mining Permit No. 58230301. GP104 Permit No. PAM123014. Three Lakes Stone, LLC, 405 TR Williams Road, Clifford Township, PA 18401, New Milford Township, Susquehanna County. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Martins Creek. Application received: April 10, 2023. Coverage issued: December 9, 2024.

Mining Permit No. 58232509. S. McClain Stone Co., Inc., P.O. Box 585, Tunkhannock, PA 18657, Dimock Township, Susquehanna County. Commencement, operation and restoration of a GP105 quarry operation affecting 5.0 acres. Receiving stream: UNT to White Creek. Application received: May 15, 2023. Permit issued: December 9, 2024.

Mining Permit No. 58232509. GP104 Permit No. PAM123016. S. McClain Stone Co., Inc., P.O. Box 585, Tunkhannock, PA 18657, Dimock Township, Susquehanna County. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: UNT to White Creek. Application received: May 15, 2023. Coverage issued: December 9, 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

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

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

Permit No. 14244108. Wampum Hardware Co., 636 Paden Rd., New Galilee, PA 16141, Benner Township, Centre County. Blasting for Commercial Development Application received: December 2, 2024. Issued: December 4, 2024. Expiration date: December 31, 2025.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

Contact: Robert Graves, Completed Projects Section Chief, 717-783-7480.

E1112223-001. PA Department of General Services, 18th and Herr Streets, Harrisburg, PA 17125, Wilmore Borough, Cambria County. U.S. Army Corps of Engineers Pittsburgh District.

This permit is to construct and maintain a flood protection project along North Branch Little Conemaugh River (NBLC) and Little Conemaugh River (LC). The flood protection project is known as DGS 181-22 Phase 1 and consists of the following approximate features: (1) Removal of an existing spoil levee along NBLC, (2) The construction of an elevated flood plain along NBLC, (3) Construction of 800 linear feet of compacted earthen levee along NBLC, (4) Construction of 500 linear feet of compacted earthen levee along LC, (5) Construction of 5 levee drainage structures with flap gates and

sluice gates, (6) Construction of a new stormwater drainage system, (7) Construction of an interior drainage basin, (8) Construction of State Route 160 roadway elevation adjustment, and (9) Construction and installation of a levee closure structure across State Route 160 Latitude:

40°, 23', 6" N, Longitude: -78°, 43', 10" W. Application received: January 10, 2023. Approved: December 6, 2024.

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

Contact: RA-EPEASTERNNOGPRG@pa.gov.

E0829224-009. Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, Terry Township, Bradford County. U.S. Army Corps of Engineers Baltimore District.

Application received: July 12, 2024. Issued: December 4, 2024.

To construct, operate and maintain:

1. a 16-inch diameter temporary waterline and a timber mat bridge impacting 997 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.635739°, Longitude: -76.353943°);

2. a 16-inch diameter temporary waterline and a timber mat bridge impacting 911 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.630122°, Longitude: -76.352959°);

3. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet (400 square feet) of an unnamed tributary to Sugar Run (CWF, MF), 2,299 square feet of floodway impacts, and 256 square feet of Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.628490°, Longitude: -76.351057°);

4. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,900 square feet of floodway impacts to an unnamed tributary to Sugar Run (CWF, MF), and 4,429 square feet of Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.628216°, Longitude: -76.357169°);

5. a 16-inch diameter temporary waterline and a timber mat bridge impacting 579 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.628252°, Longitude: -76.359429°);

6. a 16-inch diameter temporary waterline and a timber mat bridge impacting 501 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.633946°, Longitude: -76.366627°);

7. a 16-inch diameter temporary waterline and a timber mat bridge impacting 861 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41.631333°, Longitude: -76.371667°);

8. a 16-inch diameter temporary waterline impacting 5 linear feet (85 square feet) of an unnamed tributary to Sugar Run (CWF, MF) and 11,762 square feet of floodway impacts (Colley, PA Quadrangle, Latitude: 41.622737°, Longitude: -76.374413°);

9. a 16-inch diameter temporary waterline and a ford crossing impacting 58 linear feet (85 square feet) of Sugar Run (CWF, MF) and 11,762 square feet of floodway impacts (Colley, PA Quadrangle, Latitude: 41.621200°, Longitude: -76.373835°);

10. a 16-inch diameter temporary waterline impacting 2,611 square feet of a Palustrine Emergent Wetland, 436 square feet of Palustrine Forested Wetland, 11 linear foot (18 square feet) of an unnamed tributary to Sugar Run

and 1,572 square feet of floodway impacts (Colley, PA Quadrangle, Latitude: 41.618944°, Longitude: -76.374384°);

11. a 16-inch diameter temporary waterline impacting 287 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41.615157°, Longitude: -76.37213°);

12. a 16-inch diameter temporary waterline and timber mat bridge impacting 695 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41.610831°, Longitude: -76.371844°);

The project will result in 94 linear feet (1,677 square feet) of temporary stream impacts, 24,121 square feet (0.554 acre) of temporary floodway impacts, 12,179 square feet (0.280 acre) of temporary PEM wetland impacts, and 436 square feet (0.010 acre) of temporary PFO wetland impacts, all for the purpose of establishing a temporary water supply for Marcellus well development in Terry Township, Bradford County.

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

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

E4601224-016. Whitpain Township, 960 Wentz Road, Blue Bell, PA 19422, Whitpain Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

Whitpain Township is proposing to rehabilitate the existing Mermaid Park by removing the impervious surfaces and to construct and maintain new playgrounds, walking paths, shade structure, and parking lot in and the along the 100-year assumed floodway of Stony Creek (TSF) resulting in approximately 0.279 acre of floodway impact. The site is located near the intersection of Old Arch and Jolly Roads (Lansdale, PA USGS map, Lat: 40.14975; Long: -75.29765) in Whitpain Township, Montgomery County. Latitude: 40.14975°, Longitude: -75.29765°. Application received: June 28, 2024. Accepted: July 12, 2024. Permit issued: December 5, 2024.

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

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

E6307224-007. Markwest Liberty Midstream & Resources, LLC, 4600 Barry Ct., Suite 500, Canonsburg, PA 15317, North Franklin and South Franklin Townships, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. (40.13822, -80.27952), Sub-Basin 20 (Upper Chartiers Creek), Quad Name: Washington West. The project proposes installation of a 20-inch diameter, 7,200-foot-long steel natural gas gathering pipeline within a 100-foot right-of-way (ROW) and installation of three associated temporary access roads. The proposed pipeline will connect the Vankirk natural gas well pad in the west to a tie-in point along the existing MarkWest Franklin Lakeview to Folly Hollow pipeline in the east. The project proposes impacts to four PEM wetlands and one PSS wetland, including 0.14 acre of temporary impacts and 0.18 acre of permanent impacts. Stream and floodway impacts are proposed for Chartiers Creek (WWF) and three unnamed tributaries, including 0.4 acre of temporary impacts and 1.37 acres of permanent impacts. Temporary impacts are associated with site access and include fill, clearing and grubbing. Permanent impacts are associated with the pipeline trench and ongoing ROW maintenance, including excavation, boring, clearing and grubbing, and stream bank stabilization. Total earth disturbance proposed is 17.63 acres. Application received: June 26, 2024. Issued: December 4, 2024.

DAM SAFETY

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-8568.

Contact: Curtis N. Brown, P.E., Project Review Section Chief, 717-783-7917.

D59-065A. Wellsboro Borough Municipal Authority, 14 Crafton Street, Wellsboro, PA 16901, Charleston Township, **Tioga County**. To modify, operate and maintain Lake Hamilton (PA-602) across Charleston Creek (WWF, MF), impacting 0.17 acre of wetlands (PEM) and 60 feet of stream for the purpose of meeting Commonwealth regulations and to continue to provide public water supply and flood control. Wetland mitigation is provided by purchasing credits through the Pennsylvania Integrated Ecological Services, Capacity Enhancement and Support Program. Latitude 41.7395 and Longitude -77.2650. Application received: March 13, 2024. Permit issued: December 9, 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.

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

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

ESCGP # 3 ESG076524004-00

Applicant Name **CNX Gas Co LLC—Bell Point Pad 6**

Contact Person Robert Bassett, (724) 485-3647

robertbassett@cnx.com

Address 200 Bell Point Road

City, State, Zip Avonmore, PA 15618

Township(s) Bell Township

County **Westmoreland County**

Receiving Stream(s) and Classification(s) 001. Lat 40.53583, Long -79.51579, Unnamed tributary to Kiskiminetas River, Ch 93 class WWF
 Application received: October 11, 2024
 Issued: December 4, 2024

ESCGP # 3 ESG073024013-00

**Applicant Name Equitrans Water Svc (PA) LLC—
 NIDBH016 Waterline**

Contact Person Kirsten Kiesel
 Senior Environmental Coordinator
 (412) 660-0979

kirsten.kiesel@eqt.com
 Address 0.77 mile south of Aleppoa Road and SR18
 (Golden Oaks Road)

City, State, Zip New Freeport, PA 15352
 Township(s) Gilmore Township, Jackson Township
 County **Greene County**

Receiving Stream(s) and Classification(s) 001. Lat 39.78734, Long -80.40052, UNT to Pennsylvania Fork Fish Creek, Ch 93 class WWF 002. Lat 39.79006, Long -80.39320, UNT to Pennsylvania Fork Fish Creek, Ch 93 class WWF 003. Lat 39.79058, Long -80.39247, Pennsylvania Fork Fish Creek, Ch 93 class WWF 004. Lat 39.79051, Long -80.38933, UNT to PA Fork Fish Creek, Ch 93 class WWF 005. Lat 39.78138, Long -80.38242, UNT to Blockhouse Run, Ch 93 class WWF 006. Lat 39.77820, Long -80.37971, UNT to Blockhouse Run, Ch 93 class WWF

Application received: August 29, 2024
 Issued: December 4, 2024

ESCGP # 3 ESG076324015-00

LLC—Wagers to Hallam Temporary Waterline
 Contact Person Karl Matz, (724) 873-3090

kmatz@rangeresources.com
 Address 596 Redd Run Road
 City, State, Zip Washington, PA 15301

Township(s) Amwell Township
 County **Washington County**

Receiving Stream(s) and Classification(s) 001. Lat 40.13892, Long -80.16787, UNT to Little Chartiers Creek, Ch 93 class HQ-WWF 002. Lat 40.13967, Long -80.17763, UNT to Redd Run, Ch 93 class TSF 003. Lat 40.14157, Long -80.18826, UNT to Redd Run, Ch 93 class TSF

Application received: September 20, 2024
 Issued: November 27, 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.

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

Contact: Jared, 814-332-6127.

Amer Gas, Storage Tank Facility ID # **03-80025**, 15126 US Route 422, Worthington, PA 16262, Worthington Borough, **Armstrong County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of Worthington Corner LLC, 15126 US Route 422, Worthington, PA 16226, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

**CORRECTIVE ACTION UNDER
 ACT 32, 1989**

PREAMBLE 3

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

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

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

remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

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

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Atlantic Motors, Storage Tank Facility ID # **54-50468**, 52 South Lehigh Street, Frackville, PA 17931, Frackville Borough, **Schuylkill County**. B & B Diversified Enterprises, P.O. Box 70, Barto, PA 19504, on behalf of Atlantic Motors, Inc., 51 State Road, Barnesville, PA 18214, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on December 5, 2024.

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

Contact: Jordan, 814-332-6172.

Country Fair Store 38, Storage Tank Facility ID # **25-91603**, 1810 Sassafras Street, Erie, PA 16502, City of Erie, **Erie County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of County Fair, Inc., 2251 East 30th Street, Erie, PA 16066, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the residential Statewide health standards and was approved by DEP on December 9, 2024.

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

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

Sunrise Sunoco 5, Storage Tank Facility ID # **65-02279**, Milepost 74.7 on East Bound Side of I-76, New Stanton, PA 15672, New Stanton Borough, **Westmoreland County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120-5005, on behalf of Pennsylvania Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17106-7676, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the residential Statewide health standards and was approved by DEP on December 4, 2024.

SPECIAL NOTICES

WASTE, AIR, RADIATION AND REMEDIATION

Public Notice of Proposed Consent Order and Agreement; Hazardous Sites Cleanup Act Precision National Plating Services Site, Lackawanna County.

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

Contact: Scott Bene, 570-826-2198.

The Department of Environmental Protection (DEP) under the authority of the Hazardous

Sites Cleanup Act (HSCA), 35 P.S. §§ 6020.101—6020.1305, The Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. §§ 691.1—691.1001, (“the Clean Streams Law”); the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, as amended, 35 P.S. §§ 6018.101—6018.1003 (“Solid Waste Management Act”) and Section 1917-A of the Administrative Code, the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. § 510-17 (“Administrative Code”) and the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C.A. §§ 9601 et seq. (“CERCLA”), has entered into a Consent Order and Agreement (CO&A) with the Precision National Plating Services, Inc. (“Precision”) regarding the Precision National Plating Site (Site).

Precision is a Delaware Corporation, and is the “owner” and/or “operator” of the Precision Site, which is 46 acres in size and is physically located at 198 Ackerly Road, 0.5 miles north of Clarks Summit in Abington Township, Lackawanna County, PA. From 1958 to 1999, the Precision Facility was used as a chrome-plating facility. During the period from 1956 to 1970, chromium wastes were disposed of in an unlined lagoon at the northern end of the facility. In May 1970, chromium-contaminated liquids leaked from a break in the lagoon’s retaining wall and were absorbed into soils in a drainage pathway leading from the break in the lagoon wall along Ackerly Road. Additional wastewater containing hazardous substances flowed along the drainage pathway leading to Ackerly Creek. On April 24, 1998, the United States Environmental Protection Agency (“EPA”) issued an Administrative Order to Precision to conduct a Removal action. Precision was then required to propose measures to mitigate any impacts to ecological receptors for EPA approval, and implement the EPA-approved measure to mitigate impacts to ecological receptors.

DEP has determined that it is in the public interest to resolve its response cost claims against Precision. Consequently, DEP and Precision have signed a Consent Order and Agreement (“CO&A”) through which Precision agreed to: (1) Complete all corrective actions noted in the Administrative Order on Consent dated May 3, 2012; (2) Work with Pennsylvania American Water Company for the installation of a waterline extension at and around the Site; and (3) Procure Environmental Covenants on properties impacted by or threatened to be impacted by chromium contamination from the Site.

This notice is provided under Section 1113 of HSCA, 35 P.S. § 6020.1113, which states that, “settlement shall become final upon the filing of DEP’s response to significant written comments.” DEP has reserved the right to withdraw its consent to the CO&A if comments concerning the CO&A disclose facts or considerations which

indicate that the CO&A is inappropriate, improper, or not in the public interest. A person adversely affected by the settlement may file an appeal with the Pennsylvania Environmental Hearing Board. A public comment period on the Agreement will extend for 60 days from the date of this notice. Persons may submit written comments regarding this CO&A within 60 days from today's date, by submitting them to Scott J. Bene in the Environmental Cleanup and Brownfields Program by email at sbene@pa.gov, or at 2 Public Square, Wilkes-Barre, PA, 18701. The CO&A is available for public review and comment from 8 a.m. to 4 p.m. at DEP's Northeast Regional Office, located at the previously listed address, by contacting either Scott J. Bene at 570.826.2198, or Michael T. Ferrence at 570-826-2259 or mferrence@pa.gov.

Hazardous Sites Clean-Up UNDER THE ACT OF October 18, 1988; Notice of Proposed Interim Response (506(b)).

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

Contact: Paul Vogel, 412-442-4132.

Tub Mill Farms and Clearview Farms, Elk Lick Township, Somerset County.

The Department of Environmental Protection (DEP), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.102—6020.1303), is proposing an interim response at Tub Mill Farms and Clearview Farms, Elk Lick Township, Somerset County, PA (Site).

The Tub Mill Farms and Clearview Farms are located off Spring Rd (State Route 669) and Oak Dale Rd, respectively. The Site consists of two parcels containing, among other waste, thousands of chemically treated utility poles and railroad ties. Utility poles and railroad ties have historically been treated with one of three main types of heavy-duty wood preservatives: chromated arsenical, creosote, and pentachlorophenol. Direct contact with and the leaching of these chemicals pose a human health and environmental risk. Additionally, the potential for aerosolized particles also poses a human health risk if the piles were to catch fire.

The primary objective of the project is to remove hazardous material at the Site consisting of, but not limited to, utility poles, railroad ties, and contaminated soils. Once removed, all hazardous materials will be properly disposed of according to all applicable Federal and state regulations for hazardous waste disposal.

The DEP has considered two alternatives for addressing contamination at the Site: 1) take no action and leave the utility poles and railroad ties in place or, 2) remove and properly dispose of utility poles, railroad ties, and contaminated soil at the Site.

The DEP chose alternative number 2: remove and properly dispose of utility poles, railroad ties, and contaminated soil at the Site. This alternative was chosen because it will address the threat of release of hazardous substances and will assure the proper handling and disposal of waste from the Site according to applicable or relevant and appropriate requirements.

This notice is being provided pursuant to Section 506(b) of HSCA. The Administrative Record which contains the information that forms the basis and documents the selection of this response action is available for public review and comment. The Administrative Record is available for review in paper copy by appointment by contact-

ing Stefanie Lewis at (412) 442-4041 or electronically at <https://www.dep.pa.gov/Southwest> under the Community Information Section for "Tub Mill and Clearview Farms HSCA."

The Administrative Record will be open for comment from December 21, 2024, through March 21, 2025. Any person may submit written comments into the Record during this time only, by sending them to Paul Vogel at 400 Waterfront Dr, Pittsburgh, PA 15222 or RA-EPSW-HSCA@pa.gov, or by delivering them to this office in person.

In addition, any person may present oral comments, for inclusion in the Administrative Record, at a virtual public hearing on January 22, 2025, at 6:00 PM. Any person wishing to present comments must register with Lauren Camarda at before January 21, 2024, by telephone at (412) 442-4203 or lcamarda@pa.gov. Registrants will receive a link and call-in details to join the virtual hearing.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service, or other accommodations to participate in the proceedings, should call Lauren Camarda at (412) 442-4203 or through the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how DEP may accommodate their needs.

[Pa.B. Doc. No. 24-1822. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of the Revised Application and Application Instructions for General Plan Approval and/or General Operating Permit for Coal-Mine Methane Enclosed Flares (BAQ-GPA/GP-21)

The Department of Environmental Protection (Department) has revised the application and application instructions for General Plan Approval and/or General Operating Permit for Coal-Mine Methane Enclosed Flares (BAQ-GPA/GP-21).

Applicants may now seek authorization to use GP-21 using the revised application available on the Department's web site at <http://www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=3623>. A physical copy of the application and application instructions can be obtained by contacting David Clark, P.O. Box 8468, Harrisburg, PA 17105, (717) 772-3942 or davclark@pa.gov.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-1823. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Board and Committee Meeting Schedules for 2025

The following is a list of 2025 advisory board and committee meetings associated with the Department of Environmental Protection (Department). Meetings will have an in-person participation option, and some may

also have remote options. Unless otherwise noted on the web site, remote participation will be offered by means of Microsoft Teams. These schedules and an agenda for each meeting, including meeting materials and details about in-person and remote participation options, will be available on the Department's web site at www.dep.pa.gov through the Public Participation tab. Prior to each meeting, the Department encourages individuals to visit the web site to confirm meeting date, time, location and remote participation options.

Persons in need of accommodations, as provided for in the Americans with Disabilities Act of 1990, should contact the individual listed for each board or committee, 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.

Aggregate Advisory Board

The Aggregate Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

February 19, 2025
May 21, 2025
August 20, 2025
November 5, 2025

Contact: Daniel E. Snowden, Bureau of Mining Programs, 400 Market Street, 5th Floor, Harrisburg, PA 17101 at dsnowden@pa.gov or (717) 783-8846.

Agricultural Advisory Board

The Agricultural Advisory Board has not yet scheduled meetings for 2025. Notices for upcoming meetings will be published in a future issue of the *Pennsylvania Bulletin*.

Contact: Robert Haines, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at robhaines@pa.gov or (717) 787-7565.

Air Quality Technical Advisory Committee

The Air Quality Technical Advisory Committee will meet at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

February 6, 2025
May 8, 2025
August 14, 2025
November 6, 2025

Contact: Kristina Snurkowski, Bureau of Air Quality, 400 Market Street, Harrisburg, PA 17101 at ksnurkowsk@pa.gov or (717) 772-4758.

Board of Coal Mine Safety

The Board of Coal Mine Safety will meet at 10 a.m. in Conference Rooms A and B, Cambria District Office, 286 Industrial Park Road, Ebensburg, PA 15931, on the following days:

March 5, 2025
June 11, 2025
September 3, 2025
December 3, 2025

Contact: Peggy Scheloske, Bureau of Mine Safety, 131 Broadview Road, New Stanton, PA 15672 at mscheloske@pa.gov or (724) 404-3143.

Citizens Advisory Council

The Citizens Advisory Council will meet at 12:30 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals interested in providing public comments are encouraged to sign up and provide written comments in advance of each meeting by contacting the person listed as follows. The meeting dates are as follows:

January 14, 2025
February 11, 2025
March 11, 2025
April 8, 2025
May 13, 2025
June 10, 2025
July 8, 2025
September 9, 2025
October 14, 2025
November 12, 2025

Contact: Ian Irvin, Citizens Advisory Council, P.O. Box 8459, Harrisburg, PA 17105-8459 at iirvin@pa.gov or (717) 787-8171.

Cleanup Standards Scientific Advisory Board

The Cleanup Standards Scientific Advisory Board will meet at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

March 18, 2025
July 16, 2025
October 22, 2025

Contact: Brie Sterling, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17101 at bsterling@pa.gov or (717) 783-9469.

Climate Change Advisory Committee

The Climate Change Advisory Committee will meet at 9 a.m. in Room 105, Rachel Carson Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

February 18, 2025
April 22, 2025
June 24, 2025
August 21, 2025
October 21, 2025
December 16, 2025

Contact: Lindsay Byron, Energy Programs Office, 400 Market Street, Harrisburg, PA 17101 at lbyron@pa.gov or (717) 772-8951.

Coal and Clay Mine Subsidence Insurance Board

The Coal and Clay Mine Subsidence Insurance Board will meet at 10 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, for their annual meeting on January 15, 2025.

Contact: James Charowsky, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA 17101 at jcharowsky@pa.gov or (717) 787-7007.

Coastal Zone Advisory Committee

The Coastal Zone Advisory Committee will meet at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

January 15, 2025
June 11, 2025

Contact: Allison Hoff, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA 17101 at alhoff@pa.gov or (717) 772-3950.

Environmental Justice Advisory Board

The Environmental Justice Advisory Board will meet in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

February 6, 2025, at 9:30 a.m.
 May 13, 2025, at 10 a.m.
 August 12, 2025, at 10 a.m.
 November 12, 2025, (joint meeting with Citizens Advisory Committee—time TBD)

Contact: Juan Serrat, Office of Environmental Justice, 400 Market Street, Harrisburg, PA 17101 at JSerratGon@pa.gov or (484) 250-5818.

Environmental Quality Board

The Environmental Quality Board will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Meetings will only be held when there is a sufficient number of agenda items for consideration. Individuals may attend the meetings in person or by remote participation on the following days:

February 11, 2025
 March 11, 2025
 April 8, 2025
 May 13, 2025
 June 10, 2025
 July 8, 2025
 August 12, 2025
 September 9, 2025
 October 14, 2025
 November 12, 2025
 December 9, 2025

Contact: Laura Griffin, Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477 at laurgriffi@pa.gov or (717) 772-3277.

Laboratory Accreditation Advisory Committee

The Laboratory Accreditation Advisory Committee will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

April 29, 2025
 October 28, 2025

Contact: Torrey Anderson-Green, Bureau of Laboratories, 2575 Interstate Drive, Harrisburg, PA 17105 at tandersong@pa.gov or (717) 346-8637.

Low-Level Waste Advisory Committee

The Low-Level Waste Advisory Committee will have their annual meeting at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101 on:

September 26, 2025

Contact: Rich Janati, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA 17101 at rjanati@pa.gov or (717) 787-2147.

Mine Families First Response and Communications Advisory Council

The Mine Families First Response and Communications Advisory Council has not yet scheduled meetings for 2025. Notices for upcoming meetings will be published in a future issue of the *Pennsylvania Bulletin*.

Contact: Peggy Scheloske, Bureau of Mine Safety, 131 Broadview Road, New Stanton, PA 15672 at mscheloske@pa.gov or (724) 404-3143.

Mining and Reclamation Advisory Board

The Mining and Reclamation Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

January 23, 2025
 April 24, 2025
 July 24, 2025
 October 23, 2025

Contact: Daniel E. Snowden, Bureau of Mining Programs, 400 Market Street, 5th Floor, Harrisburg, PA 17101 at dsnowden@pa.gov or (717) 783-8846.

Oil and Gas Technical Advisory Board

The Oil and Gas Technical Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

March 20, 2025
 June 25, 2025
 September 11, 2025
 December 11, 2025

Individuals who want to provide public comment are requested to submit written comments to the Department no later than 24 hours prior to the start of the meeting. Public comment should relate directly to a topic that is included on the meeting agenda and each commentator will be allowed up to 3 minutes to provide verbal comment to the board.

Contact: Todd M. Wallace, Department of Environmental Protection, Office of Oil and Gas Management, 400 Market Street, Harrisburg, PA 17101 at twallace@pa.gov or (717) 783-6395.

Public Water System Technical Assistance Center Board

The Public Water System Technical Assistance Center Board (the Safe Drinking Water Program's advisory committee) will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

February 20, 2025
 May 15, 2025
 August 28, 2025
 November 13, 2025

Contact: Dawn Hissner, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA 17101 at dhissner@pa.gov or (717) 787-9633.

Radiation Protection Advisory Committee

The Radiation Protection Advisory Committee will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

April 30, 2025
 October 15, 2025

Contact: John Chipppo, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA 17101 at jchipppo@pa.gov or (717) 783-9730.

Recycling Fund Advisory Committee

The Recycling Fund Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following day:

September 25, 2025 (joint meeting with the Solid Waste Advisory Committee)

Contact: Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA 17106-9170 at lahenry@pa.gov or (717) 772-5713.

Sewage Advisory Committee

The Sewage Advisory Committee will meet at 10 a.m. Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following dates:

Wednesday, April 16, 2025
Wednesday, September 17, 2025

Contact: Janice Vollero, Bureau of Clean Water, at jvollero@pa.gov or (717) 772-5157.

Small Business Compliance Advisory Committee

The Small Business Compliance Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

February 26, 2025
May 22, 2025
August 27, 2025
November 20, 2025

Contact: Lucas Hershey, Bureau of Air Quality, 400 Market Street, Harrisburg, PA 17101 at luchershey@pa.gov or (717) 787-7019.

Solid Waste Advisory Committee

The Solid Waste Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

March 27, 2025
June 12, 2025
September 25, 2025 (joint meeting with the Recycling Fund Advisory Committee)
December 17, 2025

Contact: Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA 17106-9170 at lahenry@pa.gov or (717) 772-5713.

State Board for Certification of Sewage Enforcement Officers

The State Board for Certification of Sewage Enforcement Officers will meet at 10 a.m. in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

May 7, 2025
June 25, 2025
September 10, 2025
November 5, 2025

Contact: Chloe Wilson, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at RA-SEOTrng@pa.gov or (717) 772-2186.

State Board for Certification of Water and Wastewater Systems Operators

The State Board for Certification of Water and Wastewater Systems Operators will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

February 12, 2025
April 9, 2025
June 18, 2025
August 13, 2025
October 8, 2025
December 10, 2025

Contact: Laura Chambers, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA 17101 at lchambers@pa.gov or (717) 772-5158.

State Water Plan—Regional Water Resource Committees

The State Water Plan—Regional Water Resource Committees have not yet scheduled meetings for 2025. Notices for upcoming meetings will be published in a future issue of the *Pennsylvania Bulletin*.

Contact: James Horton, Interstate Water Resources Management, 400 Market Street, Harrisburg, PA 17101 at jahorton@pa.gov or (717) 772-1100.

Storage Tank Advisory Committee

The Storage Tank Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

March 5, 2025
June 4, 2025
September 3, 2025
December 3, 2025

Contact: Randy Martin, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17101 at ramartin@pa.gov or (717) 772-5828.

Technical Advisory Committee on Diesel-Powered Equipment

The Technical Advisory Committee on Diesel-Powered Equipment (Diesel TAC) will meet at 10 a.m. in the Westmoreland Room, New Stanton District Office, 131 Broadview Road, New Stanton, PA 15672, on the following days:

January 8, 2025
April 9, 2025
July 9, 2025
October 8, 2025

Contact: Peggy Scheloske, Bureau of Mine Safety, 131 Broadview Road, New Stanton, PA 15672 at mscheloske@pa.gov or (724) 404-3143.

Water Resources Advisory Committee

The Water Resources Advisory Committee will meet at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, on the following days:

March 12, 2025
May 14, 2025
July 9, 2025
September 10, 2025
November 4, 2025

Contact: Bob Haines, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at robhaines@pa.gov or (717) 787-7565.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-1824. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mining and Reclamation Advisory Board Reclamation Committee Meeting

The Mining and Reclamation Advisory Board's (Board) Reclamation Committee will meet on January 14, 2025, from 10 a.m. to 12 p.m., in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are required to sign up in advance by contacting Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining," then "Mining and Reclamation Advisory Board," then "2025").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the January 14, 2025, meeting can be directed to Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-1825. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Proposed Designation Recommendations for the 2024 Primary Annual Fine Particulate Matter (PM_{2.5}) National Ambient Air Quality Standard; Public Hearing

The Department of Environmental Protection (Department) is seeking public comment on its proposed recommendations to the United States Environmental Protection Agency (EPA) for the designation of areas not meeting the revised annual health-based National Ambient Air Quality Standards (NAAQS) for fine particulates (PM_{2.5}). Reducing concentrations of this pollutant is important because levels above the health-based standard are a serious human health threat and can cause or contribute to other negative environmental impacts.

The EPA established a revised NAAQS for PM_{2.5} in February 2024. The annual standard for PM_{2.5} was made more protective and changed from 12 micrograms per cubic meter of air ($\mu\text{g}/\text{m}^3$) to 9 $\mu\text{g}/\text{m}^3$. An area does not attain the annual standard if the annual concentration, averaged over 3 years, is more than 9 $\mu\text{g}/\text{m}^3$. Following promulgation of new or revised air standards, states are given the opportunity to submit recommendations for attainment/nonattainment areas, supported by the most recent quality-assured and quality-controlled monitoring data.

The proposed designation recommendations are based primarily on air quality ambient monitoring (2021—2023), as well as emissions data, meteorology, geography/topography and jurisdictional boundaries. Based on this information, the Department is seeking comment on recommending that the EPA designate as "nonattainment" areas in Greater Pittsburgh; Harrisburg-Carlisle-York; Lancaster County and Greater Philadelphia. The Department is also seeking comment on recommending that the EPA designate the areas monitoring below the standard as "attainment" areas and the remaining areas in this Commonwealth as "unclassifiable/attainment."

The Department will be submitting recommendations by March 2025. The EPA is expected to make final designations in February 2026. The Department would then have 18 months to develop a plan for any areas designated as nonattainment to meet 2024 Primary PM_{2.5} NAAQS. This proposal is available on the Department's web site at <http://www.ahs.dep.pa.gov/eComment>.

The Department will provide the opportunity to hold three public hearings, if requested, to receive comments on the proposals. The first hearing will be held from 1 p.m. to 3 p.m. on January 21, 2025, in the Delaware River Room, in the Department's Southeast Regional Office, 2 East Main Street, Norristown, PA. The second hearing will be held from 1 p.m. to 3 p.m. on January 21, 2025, in the Waterfront Room, in the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA. The third hearing will be held from 1 p.m. to 3 p.m. on January 23, 2025, in the Susquehanna Room, in the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, 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 no less than 24 hours in advance of the public hearing to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their comments.

If by 12 p.m. on Monday, January 20, 2025, no person has expressed an interest in testifying at the hearings, the hearings will be cancelled. The Department will provide public notice on the Bureau of Air Quality webpage at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> if the hearings are cancelled at any of the previously listed locations. Persons may also contact the Department to find out if the hearings are cancelled by contacting Amanda Rodriguez at (717) 787-7677 or amarodrigu@pa.gov.

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

The Department must receive comments no later than January 24, 2025. Commentators are encouraged to submit comments using the Department's eComment system at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments 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 "PA PM_{2.5} Designations" as the subject line in written communication.

JESSICA SHIRLEY,
Acting Secretary

[Pa.B. Doc. No. 24-1826. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 29, 51 and 551—571 (relating to miscellaneous health provisions; general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Azura Valley Access Asc	28 Pa. Code § 567.53(1) (relating to sterilization control)
Azura Valley Access Center	28 Pa. Code § 567.53(1)
Children’s Dental Surgery of Philadelphia	28 Pa. Code § 551.22(3)(i) (relating to criteria for performance of ambulatory surgery on pediatric patients)
	28 Pa. Code § 555.32(a) (relating to administration of anesthesia)

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Suite 210, Commonwealth of Pennsylvania HUB, 2525 North 7th Street, Harrisburg, PA 17110, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1827. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Brain Injury Advisory Board Meeting

The Brain Injury Advisory Board (Board), established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C. § 300d-52), will hold a public meeting on Friday, February 7, 2025, from 10 a.m. to 3 p.m. The meeting will be held in person at the Pennsylvania Training and Technical Assistance Network, 6340 Flank Drive, Harrisburg, PA 17112 in the Cambria conference room.

Meeting materials will be sent out before the meeting and will also be available on the Board’s web site at bit.ly/3PX0VRQ and at the meeting location. Contact Nicole Johnson at njohnson@pa.gov with any questions.

The Department of Health’s (Department) Head Injury Program (HIP) strives to ensure that eligible individuals who have a traumatic brain injury receive high quality rehabilitative services aimed at reducing functional limitations and improving quality of life. The Board assists the Department in understanding and meeting the needs

of persons living with acquired brain injuries, both traumatic and nontraumatic, and their families. This quarterly meeting will provide updates on a variety of topics, including the number of people served by HIP. In addition, meeting participants will discuss budgetary and programmatic issues, community programs relating to traumatic and nontraumatic brain injuries and available advocacy opportunities.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Nicole Johnson, Division of Community Systems Development and Outreach, (717) 772-2763. For individuals with speech and/or hearing-impairments, contact V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1828. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospital has filed a request for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following request for exceptions relates to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Geisinger Jersey Shore Hospital	28 Pa. Code § 107.64 (relating to administration of drugs)

The previously listed request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Suite 210, Commonwealth of Pennsylvania HUB, 2525 North 7th Street, Harrisburg, PA 17110, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1829. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C. §§ 241(a) and 247b), will hold a public meeting at the Best Western Premier, 800 East Park Drive, Harrisburg, PA on Wednesday, January 15, 2025, from 9 a.m. to 5 p.m. and on Thursday, January 16, 2025, from 9 a.m. to 4:30 p.m.

Participants can also access the meetings virtually through the following options:

To join the Microsoft Teams meetings, individuals will need to connect by phone; this can be done by dialing the following number and entering the meeting ID listed as follows:

Day 1: Main Meeting

Call-In Information:

Toll Free: (267) 332-8737

Phone Conference ID: 778 477 260#

<https://bit.ly/3BgjnRb>

Day 1: Evaluation Subcommittee Time

Call-In Information:

Toll Free: (267) 332-8737

Phone Conference ID: 236 362 763#

<https://bit.ly/41rEkmo>

Day 1: Intersectional and Innovation Subcommittee Time

Call-In Information:

Toll Free: (267) 332-8737

Phone Conference ID: 580 910 435#

<https://bit.ly/4g60nnp>

Day 2: Main Meeting

Call-In Information:

Phone Number: (267) 332-8737

Phone Conference ID: 319 017 64#

<https://bit.ly/4grDScA>

Day 2: Evaluation Subcommittee Time

Call-In Information:

Toll Free: (267) 332-8737

Phone Conference ID: 399 381 574#

<https://bit.ly/4fWknJf>

Day 2: Intersectional and Innovation Subcommittee Time

Call-In Information:

Toll Free: (267) 332-8737

Phone Conference ID: 942 078 045#

<https://bit.ly/3ZJc9hO>

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention Integrated HIV Surveillance and Prevention Programs for Health Departments grant. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. No. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or for persons with a disability who wish to attend the meetings who require an auxiliary aid, service or other accommodation to do so, contact Kyle Fait, Planning Coordinator, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Health and Human Services Building, Harrisburg, PA 17120, (717) 260-8929, or for speech and/or hearing

impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department reserves the right to cancel these meetings without prior notice.

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1830. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Fair Acres Geriatric Center
340 North Middletown Road
Lima, PA 19037
FAC ID # 061002

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, 2525 North 7th Street, Suite 210, Harrisburg, PA 17110, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Secretary

[Pa.B. Doc. No. 24-1831. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments and Supplemental Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2024-2025 to establish new classes of supplemental payments for qualifying hospitals and discontinue certain disproportionate share hospital payments and supplemental payments.

The Department published notice of its intent to allocate funding for new payments and discontinue certain payments at 54 Pa.B. 3848 (July 6, 2024). The Department updated the qualifying criteria for certain supplemental payments by removing the reference of the *Pennsylvania Manual* (Volume 124) as a source for defining a city of the first class. The changes appeared on the State Plan pages submitted to the Centers for Medicare & Medicaid Services and approved on October 17, 2024.

The Department received no public comments during the 30-day comment period and will implement the payments set forth in the notice of intent and as previously noted.

Fiscal Impact

The FY 2024-2025 impact, as a result of the funding allocation for these payments, is \$45.423 million in total funds.

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1665. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2024-25 is \$12,364,000; (3) 1st Succeeding Year 2025-26 through 5th Succeeding Year 2029-30 are \$0; (4) 2023-24 Program—\$697,354,000; 2022-23 Program—\$589,137,000; 2021-22 Program—\$644,059,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-1832. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share and Supplemental Hospital Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2024-2025 inpatient disproportionate share hospital (DSH) payments to qualifying inpatient acute care general, psychiatric and rehabilitation hospitals and qualifying psychiatric and rehabilitation units of acute care general hospitals, outpatient supplemental payments to qualifying inpatient acute care general hospitals, direct medical education payments to qualifying inpatient acute care general hospitals and certain DSH and supplemental payments to new hospitals. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 54 Pa.B. 5918 (September 14, 2024). The Department received no public comments during the 30-day comment period and will implement the changes as described in its notice of intent.

Fiscal Impact

The FY 2024-2025 impact, as a result of the funding allocation for these payments, is \$258.220 million in total funds.

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1666. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2024-25 is \$87,016,000; (3) 1st Succeeding Year 2025-26 through 5th Succeeding Year 2029-30 are \$0; (4) 2023-24 Program—\$697,354,000; 2022-23 Program—\$589,137,000; 2021-22 Program—\$644,059,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-1833. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Federally Qualified Health Center and Rural Health Clinic Alternative Payment Methodology

This notice announces the implementation of an alternative payment methodology (APM) for Federally Qualified Health Centers (FQHC) and Rural Health Clinics (RHC) for a supplemental payment at the Medical Assistance (MA) Program Fee Schedule rate for a Long-Acting Reversible Contraceptive (LARC) device and its insertion, or the removal of a LARC device, in addition to payment for an encounter. The effective date of this APM will be the date that the Centers for Medicare & Medicaid Services approves the Department of Human Services' (Department) State Plan Amendment.

Background

Section 1902(bb)(1) of the Social Security Act (42 U.S.C. § 1396a(bb)(1)) provides for payment to FQHCs and RHCs using a Prospective Payment System (PPS) methodology. States can pay providers using an APM. See 42 U.S.C. § 1396a(bb)(6).

The supplemental payment provided by this APM will offset the high cost of LARC devices, allowing FQHCs and RHCs to keep an inventory of LARC devices on-hand and improving access to reproductive health for MA beneficiaries.

Insertion or removal of a LARC device in the FQHC and RHC settings

For FQHCs and RHCs that agree to accept this APM, the Department will pay for the LARC device and its insertion, or the removal of a LARC device, at the MA Program Fee Schedule rate in addition to payment for an encounter. FQHCs and RHCs are to bill procedure code T1015 to be paid their provider-specific PPS rate. FQHCs and RHCs are to bill the appropriate procedure codes, either for a LARC device and its insertion on two separate claim lines or the removal of a LARC device on a separate claim line, from the MA Program Fee Schedule.

Fiscal Impact

The estimated fiscal impact for Fiscal Year 2025-2026 is \$1.000 million in total funds (State and Federal) for this APM.

Public Comment

Interested persons are invited to submit written comments regarding this APM to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, P.O. Box 2675, Harrisburg, PA 17120 or to RA-PWMAProgComments@pa.gov. Comments received within 30 days will be reviewed and considered.

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

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1667. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2024-25 is \$0; (3) 1st Succeeding Year 2025-26 through 5th Succeeding Year 2029-30 are \$330,000; (4) 2023-24 Program—\$3,594,000,000; 2022-23 Program—\$3,418,000,000; 2021-22 Program—\$4,557,000,000; (7) MA—Capitation; (8) recommends adoption. No costs will be incurred in the current fiscal year.

[Pa.B. Doc. No. 24-1834. Filed for public inspection December 20, 2024, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Findings

Under section 2002 of The Administrative Code of 1929 (71 P.S. § 512) establishing the Department of Transportation (Department), the Director of the Bureau of Design and Delivery, as delegated by the Secretary of Transportation, makes the following written findings:

The Department is planning the projects listed as follows. Environmental and Section 4(f) Documentation have been developed for the projects to evaluate the potential environmental impacts caused by these projects. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System at <https://dominoappsbp.penndot.pa.gov/ceea/ceeamain.nsf>. The environmental, economic, social and other effects of the proposed projects have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed projects identified and all reasonable steps have been taken to minimize such effects.

• SR 0001, Section WCF—Chadds Ford Township, Delaware County.

Project Description: The project is for the construction of a multi-use trail.

Environmental Documents: CE 1b Evaluation approved on August 27, 2024, and two Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on June 13, 2024, and July 22, 2024.

Proposed Use of Section 4(f)/2002 Resources: Approximately 3.74-acres of right-of-way (ROW) will be required, with 1.90-acres within contributing properties, from the approximately 7,000-acres Brandywine Battlefield National Historic Landmark. Approximately 1.85-acres of ROW will be required, with 0.60-acre within contributing properties, from the Chadds Ford Historic District, both of which are listed on the National Register of Historic Places (NRHP).

• SR 0070, Section 10K—Fallowfield Township, Washington County.

Project Description: The project is for 7 miles of main-line improvements along Interstate 70.

Environmental Documents: CE 2 Evaluation approved on August 28, 2024, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on June 24, 2024.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.16-acre of ROW will be required from the 5.6-acres John Carson House Property, which was determined eligible for listing on the NRHP.

• **SR 0120 Section C02—City of Saint Marys, Elk County.**

Project Description: The project is the construction of a connector road that will route Northbound and Eastbound traffic from SR 0255 and SR 0210 around the area in Saint Marys called The Diamond.

Environmental Documents: ED 1b Evaluation approved on August 19, 2024, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on July 31, 2024.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.011-acre of sidewalk easement will be required from the Saint Marys Historic District which is listed on the NRHP.

• **SR 0286 Section 466—Young and Black Lick Townships, Indiana County.**

Project Description: The project is for the replacement of the existing structure that carries Main Street (SR 286) over Reeds Run.

Environmental Documents: CE 1b Evaluation approved on August 3, 2024, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land on August 2, 2024.

Proposed Use of Section 4(f)/2002 Resource: Approximately 0.05-acre of ROW will be required from the approximately 2,284-acres State Game Land No. 332, which qualifies as a Section 4(f)/2002 resource.

• **SR 0422, Section M2B—North Coventry Township, Chester County.**

Project Description: The project involves 1.46 miles of total reconstruction of SR 0422.

Environmental Documents: CE 2 Reevaluation approved on August 28, 2024, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on December 21, 2020.

Proposed Use of Section 4(f)/2002 Resource: The project will require approximately 0.06-acre of ROW from the 12-acres Riverbend Park, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 0518, Section STU—City of Sharon, Mercer County.**

Project Description: The project is for curb, sidewalk and drainage feature repairs or replacement on East State Street (SR 518) in the City of Sharon.

Environmental Documents: CE 1b Evaluation approved on August 13, 2024, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on July 22, 2024.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.0077-acre of sidewalk easement will be required from the 2.56-acres Frank Buhl Mansion Property, which is listed on the NRHP.

• **SR 2031 Section D50—Overfield Township, Wyoming County.**

Project Description: The project is for the replacement of the existing structure that carries Lake Road (SR 2031) over an unnamed tributary to Beaver Creek.

Environmental Documents: ED 1b Evaluation approved on August 22, 2024, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on July 22, 2024.

Proposed Use of Section 4(f)/2002 Resources: Approximately less than 0.01-acre of ROW and 0.13-acre of slope easement will be required from the 185-acres Lake Winola property, which qualifies as a Section 4(f)/2002 resource.

• **SR 3010, Section MSB—City of Philadelphia, Philadelphia County.**

Project Description: The project is the rehabilitation of the existing structure that carries Market Street (SR 3010) over the Schuylkill River, Schuylkill River Trail, SEPTA and CSX railroad line.

Environmental Documents: CE 2 Reevaluation approved on September 5, 2024, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 28, 2024, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on August 30, 2024.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.0024-acre of ROW and 0.0001-acre of aerial easement will be required from the Ramcat/Schuylkill Historic District, which is listed on the NRHP. Approximately 0.031-acre of aerial easement will be required from the Schuylkill River Trail, which qualifies as a Section 4(f)/2002 resource.

• **SR 7210 Section L00—Union Township, Crawford County.**

Project Description: The project is for the rehabilitation of the existing structure that carries Stopp Road (T-622) and Wightman Road (T-620) over Conneaut Outlet.

Environmental Documents: CE 2 Evaluation approved on August 27, 2024, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land on August 21, 2024.

Proposed Use of Section 4(f)/2002 Resource: Approximately 0.0165-acre of ROW will be required from the approximately 4.605-acres Shaws Landing Boat Access, which qualifies as a Section 4(f)/2002 resource.

• **SR 7301 Section BRG—Lebanon City, Lebanon County.**

Project Description: The project is for the replacement of the existing structure that carries North Lincoln Avenue (SR 7301) over Quittapahilla Creek.

Environmental Documents: CE 1b Evaluation approved on July 29, 2024, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on February 2, 2024.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.117-acre of ROW will be required, with 0.003-

acre within contributing properties, from the Bethlehem Steel Historic District, which was determined eligible for listing on the NRHP.

CHRISTINE A. SPANGLER, PE,
Director
Bureau of Design and Delivery

[Pa.B. Doc. No. 24-1835. Filed for public inspection December 20, 2024, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Request for Proposal for Financial Audit Services

The Health Care Cost Containment Council (Council), an independent State council that collects, analyzes and disseminates health care cost and quality-related information, seeks to obtain financial audit services. Interested parties may access the Request for Proposal at www.phc4.org beginning December 12, 2024, or by contacting René Greenawalt at rgreenawalt@phc4.org. Proposals are due to the Council no later than 5 p.m. on February 5, 2025.

The Council will award the contract at the public Council meeting on March 6, 2025, at 10 a.m.

BARRY BUCKINGHAM,
Executive Director

[Pa.B. Doc. No. 24-1836. Filed for public inspection December 20, 2024, 9:00 a.m.]

HOUSING FINANCE AGENCY

2025 Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund Plan; Draft

The Pennsylvania Housing Affordability and Rehabilitation Enhancement (PHARE) Fund was established by the act of November 23, 2010 (P.L. 1035, No. 105) (Act 105) to provide the mechanism by which certain allocated Federal or State funds, as well as funds from other outside sources, would be used to assist with the creation, rehabilitation and support of affordable housing throughout this Commonwealth.

Act 105 outlines specific requirements that include preferences, considerations, match funding options and obligations to utilize a percentage of the funds to assist households below 50% of the median area income. Act 105 provides a broad canvas regarding the types of programs and the specific uses of any funding to allow flexibility in working with other Federal and State acts and programs.

For Program Year 2025-2026, the PHARE Fund includes funds available through Marcellus Shale (Act 13 of 2012), the Realty Transfer Tax (RTT) (Act 58 of 2015) and the National Housing Trust Fund (HTF), authorized by the Housing and Economic Recovery Act of 2008 (Pub.L. No. 110-289).

As additional PHARE funding sources become available, the Housing Finance Agency (Agency) will administer them in accordance with this plan and without the need for additional notices or amendments.

This plan includes the following general sections: principles of PHARE, elements of the plan, application re-

quirements and timeline. Thereafter, the plan includes specific information and program requirements relating to each of the Marcellus Shale (Act 13 of 2012) funds, the RTT funds and the HTF funds.

Principles of PHARE

In accordance with Act 105, the moneys will be used to address significant and persistent housing needs in communities with the following additional criteria:

1) *Maximize resource leveraging*—To the greatest extent possible, the resources allocated will be used as leverage for other public and private resources. Additionally, local nonfinancial assets should be identified and leveraged where possible—including transportation, schools, recreation, employment, health, community and economic development support and other amenities.

• *Maintenance of Effort/Resource Coordination*—The Agency is seeking to ensure that PHARE applicants, where practical and relevant, are utilizing all other available sources of funding (Community Development Block Grant, HOME Community Service Block Grant, AHP, Emergency Solutions Grant, Continuum of Care, Housing of Urban Development (HUD), Neighborhood Assistance Program, Keystone Communities and the like). The Agency will review applications with an emphasis on ensuring maximum leveraging of other available resources. PHARE funds are not intended to substitute for, or supplant, other currently available sources of program/project funding. This provision is primarily intended to address local municipal or county-based real estate development projects where other Federal/non-Federal sources of funding may be applicable. Multicounty, regional or Statewide proposals addressing critical housing needs are still encouraged to apply.

2) *Affordability*—The Agency encourages applicants to address the issue of long-term affordability based on the local housing market conditions. To the greatest extent possible, programs and projects will be designed in ways to both maintain the investment made in the housing stock and to continue affordability after initial assistance. This could include revolving loan programs, shared equity homeownership and other strategies for addressing this objective.

3) *Address greatest need*—Given the current state of affordable housing in this Commonwealth, the lack of available rental and for-sale housing and the growing need for additional housing units affordable for low-to-moderate income households, PHARE funds will be prioritized to housing activities which create new housing units, rehabilitate blighted abandoned or otherwise at-risk housing and the preservation of existing owner-occupied and rental housing stock. PHARE funds will also be allocated in communities where the greatest housing needs are identified based on studies and assessments, interviews, real estate price factors, housing stock analysis and market studies. The limited resources available will be used to meet the most significant and pressing housing needs or to address longer term housing needs.

4) *Foster partnerships*—The funds will be used to maximize sustainable partnerships that will be committed to addressing the housing needs in these communities over a significant period of time. While the funds are to be used to directly support housing to meet community needs, the projects will also help establish capacity to address those needs over the long term.

Funding Priority: Proposals that incorporate whole person care including health care or social service entities, or both, offering additional holistic services to respond to the

needs of residents within the community where the project or program is located.

5) *Effective and efficient implementation*—Ensure that the resources are used effectively and efficiently to meet the housing needs. Given the expected demand for many types of housing will greatly exceed the program funds available, it is critical that the Agency dollars are used to maximize housing investments efficiently and effectively.

Funding Priority: Proposals that assist residents with the greatest need in that region and can document highly effective strategies to address unmet needs.

6) *Equitable and transparent allocation of funds*—Support activities that address systemic barriers and promote access to equitable and inclusive housing in well-resourced communities. The Agency will provide an annual report on the use of PHARE funds in accordance with legislative requirements.

Funding Priority: Proposals that decrease concentrated poverty, economic or racial segregation, address historic disparities in housing and improve living conditions for protected classes and marginalized populations.

7) *Emergency response to critical needs*—Providing immediate and necessary funding to address an emergent crisis, emergency housing needs or other unanticipated issues that may arise over the course of the year. The PHARE funds could be rapidly deployed to address these significant, unmet and emergency housing needs in this Commonwealth as determined by the Agency.

Elements of the Plan

Analysis of need—One of the most critical components of the plan is to continually assess housing needs throughout this Commonwealth. From both a quantitative and qualitative perspective the requirement to have accurate, reliable data from which funding decisions can be made is imperative.

It is important to recognize that this data will need to be municipality-specific to capture the unique and likely different housing needs in the various communities. In addition, the housing/real estate markets are diverse across communities and the analysis of need will require an understanding (qualitative and quantitative) of individual markets to make appropriate resource allocation decisions.

Building upon analysis already undertaken by the Agency and the Commonwealth, additional analysis may be performed to assess specific housing issues to identify housing needs (individuals with special needs, elderly, larger households, physical disabilities, homeless and the like) to appropriately target PHARE Fund resources to those in greatest need of housing. In addition to multiple types of housing analysis, the Agency will consider different income levels, nature of housing stock and the housing needs of those across a broad spectrum (homeless, near homeless, very low income, low income, temporary and seasonal workers, and permanent work force and the like).

Understanding of real estate market dynamics—The plan for the utilization of these resources has been developed to address and continuously reevaluate the specific housing real estate markets in each community. The housing and real estate development “capacity” will also have significant impact on the ability of these funds to be used effectively and efficiently to meet the needs of the communities.

There will be need for ongoing analysis of capacity (private, nonprofit and public) as part of the plan. Some

communities may not have had a significant housing market in decades while in others there may be a robust market addressing a significant portion of housing needs. The plan will help determine where additional housing development may be necessary or where other strategies may be implemented for meeting the housing needs in those communities.

Allocation and use—The funding vehicle’s allocation process, created by the plan, must also be supportive of and responsive to the needs of the housing and real estate development market to foster and coordinate local housing plans and resources. Funds may be used to support predevelopment, site acquisition and infrastructure development, planning and preconstruction activity in addition to direct support of development and operation of projects and housing programs including employee assisted housing programs. Funds may be provided in various forms designed to best support the activity including grants; market rate, amortizing, balloon, bridge or soft loans; capital contributions; capital financing subsidy support; operating and supportive service reserve funding; and rental or homeowner assistance. Funds may be specifically allocated to address timing issues presented in the development of affordable housing projects, for example, when other financing is available, construction season, local zoning or other approvals. Funds may also be directed for administration by the Agency for certain projects approved for low income housing tax credits or other Agency resources. Preliminary allocations may be made for projects/programs awaiting approval of additional resources.

Funds will have expenditure deadlines and approved programs/projects must begin within 2 years of funding award. Additional requirements for application submission will be outlined in the annual Request for Proposal (RFP).

High quality design and construction—A vital element of the plan will be the development of housing that is both of good quality design and construction and will be sustainable over a long period of time.

The opportunity to meet the growing housing needs in these communities will necessitate that this housing be available as an asset for the community for many generations. To meet this objective the Agency requires that projects, funded with these resources, meet the highest design and construction quality standards available and that all projects ensure sustainability to the long term (both financial and physical). Funds may be specifically allocated to support green and renewable energy sources and as leverage to consumer programs available through utility companies or other business partners.

PHARE Application Process

The elements of the application and allocation process include:

- Adoption of “plan” for managing the anticipated PHARE funds by the Agency each year.
- The Agency will establish an annual application process that will allow the Agency to address local housing needs.
 - The Agency may amend the plan, application and the allocation process at any time, upon written publication of the amendments.
- Announcement of application and possible training/information session concerning the elements of the application.

- Applications accepted and reviewed by the Agency staff based on the application and plan requirements.
- As part of the RFP process, the Agency will require that all applicants target a minimum of 30% of their awarded PHARE funds to support households with incomes below 50% of median area income.
- Project recommendations reviewed by the Agency.
- Announcement of preliminary funding approval.

The Agency may allocate existing funds, or funds that may become available, at any time outside of the application cycle but consistent with the principles, goals and elements of this plan.

Applicants are expected to satisfy the affordability requirements of the PHARE program and commit to a long-term sustainable program to maintain affordability (which may be documented with restrictive covenants or other program documents). Successful applicants must abide by all applicable Commonwealth laws relating to public sources of funds (fair housing, accessibility, wage rates, labor standards and the like).

Timeline

The Agency will align the application and funding timelines of its programs that support multifamily affordable rental housing—tax credits, PennHOMES and PHARE (Marcellus Shale, RTT and HTF)—to strategically and efficiently allocate these resources.

The following is the proposed timeline for 2025 program administration:

• PHARE Plan—Draft	December 2024
• PHARE Plan—Final	February 2025
• PHARE RFP—Issued	September 2025
• PHARE Applications Due	November 2025
• PHARE Funding Awards Announced	June/July 2026

Monitoring and Compliance

The Agency monitors the use of all awarded PHARE funds and provides technical assistance to grantees throughout the application, funding, grant implementation and closeout process. The Agency team reviews semiannual reports—submitted by all grantees twice per year, at the ends of January and July—to ensure grantee compliance with contract requirements and ensure the anticipated outcomes and local housing impact of their funded initiatives are in line with the grantees’ approved use of funds.

Grantees are required to meet all PHARE funding requirements and report on the following data for each awarded grant.

- Total amount of PHARE funds expended.
- Number of households served/impacted.
- Amount and percentage of funds used to benefit households below 50% of median area income.
- Amount and percentage of funds used to benefit households below 30% of median area income.
- Household income of each individual households assisted.
- Amount of funds used to assist each impacted household.
- Amount of administrative funds expended (capped at 5% of the total awarded funds).

- Sources and amounts of all matching/leveraged funds.
- Amount of funds used to remove barriers and support fair housing.

Grantees are also being asked to provide voluntary demographic information on the types of households benefitting from the use of PHARE funds. Organizations will provide data on the following household classifications.

- Military/Veterans status.
- Persons with disabilities.
- Race and ethnicity.

PHARE staff maintain constant contact with grantees until all funds are expended, all households are served or newly created or rehabbed housing units are housed and the final closeout report is submitted and approved for compliance. The Agency is in regular communication with grantees to provide technical assistance as needed to ensure grantees understand and comply with reporting requirements during all aspects of the grant period.

Organizations are advised to contact the Agency as soon as possible if their grant needs to be modified due to staff capacity/workforce issues or if there are any changes in economic conditions or local housing needs at any point during the grant term.

PHARE/Marcellus Shale Impact Fee (Act 13 of 2012)

Purpose and Priorities for Funding

The Marcellus Shale Impact Fee (Act 13 of 2012) provides the funding mechanism to address the housing needs in impacted counties/communities of the Marcellus Shale region. Fifty percent of the awarded funds must be spent in fifth through eighth class counties.

The Marcellus Shale Impact Fee legislation (Impact Fee Act) specifically allocates certain amounts from the impact fee into the PHARE Fund to address the following needs, including:

1. Support for projects that increase the availability of affordable housing for low-income and moderate-income individuals and families, people with disabilities and elderly people in counties where unconventional gas wells have been drilled (regardless of production levels).
2. Provide rental assistance, in counties where unconventional gas wells have been drilled, for individuals or families whose household income does not exceed the area median income.
3. Specifies that no less than 50% of the funds are to be used in fifth, sixth, seventh and eighth class counties.

Direct Allocation—The PHARE Fund will receive a direct yearly allocation from the portion of funds set aside for local distribution. The direct allocation is as follows: \$5.0 million each fiscal year beginning in 2013 and thereafter.

Windfall / Spillover Funds—Additional funds may become available because the Impact Fee Act limits amounts allocated to qualifying municipalities (as defined in the Impact Fee Act) and provides that any money remaining, after all allocations have been made to qualified municipalities, would also be deposited into the PHARE Fund.

PHARE proposals that exhibit readiness for implementation and which include significant leveraging of funds from public/private funding sources will be prioritized. It is likely that the funds in this program will not be

sufficient to meet all the housing needs and mitigate every housing impact created by the shale gas development; therefore, investment decisions will target the limited funds to projects that meet the principles previously outlined and most comprehensively address the elements of the plan.

Where possible, these funds will be targeted and stay focused on mitigating the very specific housing impacts created by the shale development in the impacted and designated communities. This element will likely result in the determination that while there may be worthy housing projects that could be funded with these resources, the focus of development will be on most comprehensively addressing the direct and tangible housing impacts. Priority may be given to target resources in tandem with approved county housing trust fund plans or plans for the utilization of local share impact fee funds, or both.

Eligible Applicants

Applicants eligible to receive PHARE/Marcellus Shale funds include counties that have adopted impact fees as well as municipalities who have further contributed to PHARE by means of windfall/spill over funds from the impact fee. While only eligible applicants may apply, nonprofit and for-profit organizations may be part of the application process.

Counties and municipalities may also delegate the role of “applicant” to a nonprofit or for-profit organization for purposes of the application. In the case where a county or municipality has designated another organization, agency or department to apply on their behalf, documentation identifying such must be included in the application.

There are many diverse interests that are concerned about the anticipated housing impact and therefore how these resources will be allocated to address the need. To the greatest extent possible, opportunities will be created for relevant and legitimate stakeholders to comment and advise the plan. This element will need to be managed for practicality and efficiency to maximize input.

Funding Priorities:

- Proposals which include a process where members of the community and other stakeholders may provide input on the application prior to submission.
- Proposals which include Optional Affordable Housing funds (Act 137 of 1989) or local share portions of the impact fee, or both.

The Agency also requests that applicants include information on how the county is using local shares of public resources, including local Act 13 of 2012 funds and Act 137 of 1989 (county-based housing trust fund) moneys, to address housing needs in the community.

Preliminary approval and funding of applications is contingent upon receipt of funds under Act 13 of 2012.

PHARE/RTT Fund (Act 58 of 2015)

In November 2015, Governor Wolf signed Act 58 of 2015, which, in part, directs certain RTT receipts to the PHARE Fund. This revenue source is available in all 67 counties of this Commonwealth.

Under Act 58 of 2015 (RTT), the Agency’s PHARE program will receive an allocation of funds based on a formula using 2014 year as a base. (The annual amount available for the PHARE program will be equal to the lesser of 40% of the difference between the total dollar amount of the RTT (imposed under section 1102-C of the Tax Reform Code of 1971 (72 P.S. § 8102-C) collected for

the prior fiscal year and the total amount of RTT estimated from the fiscal year beginning July 1, 2014).

In 2022, the legislature approved an additional increase on RTT funds to be allocated to the Agency. The Agency will receive \$80 million for the 2025-2026 PHARE program year.

Purpose and Priorities for Funding

The PHARE/RTT Program will provide funds to projects/programs providing sustainable and comprehensive solutions to address housing and community development needs across this Commonwealth.

These funds will be directed to address clearly articulated needs in communities based on the following priorities.

1. Preservation of the current stock of rental housing or the development/creation of new affordable rental housing to address unmet local need. This includes projects/programs for the elderly in danger of losing their homes and rental assistance to help families remain in their residence.

2. Funding for projects/programs to address ongoing housing needs for reducing homelessness, including specific and targeted vulnerable populations (veterans, people with disabilities, supportive housing for the elderly, re-entry population, families and youth).

3. Funding for comprehensive housing and redevelopment efforts that address blighted and abandoned properties impacting concerted community revitalization efforts, supported by clearly articulated community plans. This could include a variety of housing/redevelopment strategies such as acquisition, demolition, construction, rehabilitation, site remediation and other efforts.

4. Creating new opportunities for affordable homeownership. This may include closing cost/down payment assistance, financial education/counseling or other forms of assistance to potential first-time homebuyers as well as the development/construction of new homes and rehabilitation of existing housing.

5. Other efforts that address unmet housing and community development needs. This could include projects and programs to assist people living in manufactured communities, homeowners to remain in their homes through renovation/mortgage/utilities or other forms of housing services and assistance, addressing environmental conditions such as lead paint abatement, rapid rehousing efforts and emergency temporary housing needs resulting from disasters.

PHARE Funding Categories

The Agency will prioritize funding for proposals targeting at least one of the following housing initiatives (all proposals must fall under one of the seven funding categories):

- *4% Tax Credit Projects*—Projects submitted must include a minimum of 50 units. Projects with greater than 75 units will be prioritized for funding.

- * The Agency anticipates a commitment of up to \$10 million to support 4% tax credit developments.

- *9% Tax Credit Projects*—Projects that will complete an intent to submit as part of the Agency’s competitive annual tax credit program. Projects with greater than 75 units will be prioritized for funding.

- *Preservation/Rehabilitation/Renewal*—Rehabilitation of existing housing stock, demolition of blighted, at-risk housing and renewal of brownfields or vacant land for green space.

- *Rental Housing Creation*—Development of new, affordable rental units. This may include costs for acquisition, predevelopment, construction or significant rehabilitation, or both, and demolition where the development of affordable housing is the end goal.

- *Homelessness Prevention*—Address ongoing needs for individuals and families at risk for homelessness, including (but not limited to) rapid rehousing, rent/utility/transportation assistance, landlord outreach, case management and short-term emergency shelter care.

- Increase the availability of integrated housing opportunities, supportive services and resources for vulnerable populations such as veterans, the re-entry population, people dealing with addiction disorders, people with disabilities and at-risk youth.

- *Innovative Housing Solutions*—Piloting unique and creative approaches to addressing unmet housing needs and historic disparities in housing.

- *Health and Housing*—Targeted partnerships with healthcare providers to support and monitor the success of interventions related to housing determinants of health. Solutions to create new health care referral mechanisms with preference for programs that track and monitor community impacts to show structural system changes that build equity.

- Solutions to create new health care referral mechanisms to show structural community changes. Preference will be given to programs that track and monitor structural community impact.

- *Climate Resiliency*—Adaptive strategies for affordable housing that aim to address and mitigate the growing effects of climate change on housing access and affordability. This may include the use of environmentally conscious housing design and construction and the use of renewable energy sources and sustainable materials.

- *Trauma Informed Housing*—Social or environmental housing design strategies to build social cohesion, de-escalate chaos and stress, and foster resiliency to address the challenges trauma poses to traditional housing models and long-term individual and community success.

- *Homeownership*—Development of additional affordable for-sale housing units, also to include support for down payment and closing cost assistance programs for first-time homebuyers and vulnerable/underrepresented communities.

- *Housing Counseling and Financial Education*—Activities providing various types of housing counseling, including pre and post purchase, financial education, foreclosure prevention and other forms of direct client counseling to assist homeowners or renters.

- *Healthy Housing Investments*—Providing support to new construction and housing rehabilitation activities that include a capital contribution from a partnering health care organization. Participating entities may include hospital systems, health conversion foundation or insurers providing a financial contribution to the project in the form of a grant, loan, debt or the contribution of land or existing structures, or both.

Priorities for Selection

PHARE/RTT awards will be directed to projects and programs based on the following criteria for selection:

- Proposals that show significant leveraging of other funds (local, State and federal, public and private) to ensure maximum impact.

- Proposals that have all funding committed and can move rapidly to implementation and utilization.

- Proposals that embrace, partner with or are incorporated, or both, into a larger local, county or regional housing development plan.

- Proposals that satisfy local planning/zoning ordinances.

- Proposals that affirmatively further fair housing.

- Proposals that are specifically designed to address a clearly articulated need in a community or specific population.

- Housing activities must be ready to address how PHARE funding will be used to address persistent, historical and significant disparities and inequities that exist by race, class, income, culture and education.

- Proposals that embrace innovative approaches to Statewide housing and community development issues, address underserved and unmet housing needs across this Commonwealth and otherwise meet overall Agency goals for tackling community redevelopment.

- Documented capacity of applicant and ability to proceed with the project/program in a timely manner.

Eligible Applicants

Applicants eligible to receive PHARE/RTT funds include units of local government (counties, cities, boroughs, townships, town and home rule municipalities), nonprofit and for-profit entities, and economic, community and housing developments organizations in all 67 counties of this Commonwealth.

Applicants are expected to satisfy the affordability requirements of the PHARE program and commit to a long-term sustainable program to maintain affordability (which may be documented with restrictive covenants or other program documents). Applicants must abide by prevailing wage labor payment standards where applicable.

Preliminary approval and funding of applications is contingent upon receipt of funds under Act 58 of 2015.

PHARE/HTF

The HTF was enacted as part of the Housing and Economic Recovery Act of 2008 to provide resources to develop, preserve and rehabilitate housing for very low income and extremely low-income households. Funding for the HTF is derived from Fannie Mae and Freddie Mac earnings.

HTF funding will be made available to provide additional financial support to tax credit properties which increase the number of units set aside for extremely low-income tenants. The Agency received approval from the United States Department of HUD of the Commonwealth's HTF Allocation Plan and is awaiting release of funding from HUD. Upon receipt of HUD program documents and release of funding, the Agency will announce the application process in accordance with the HTF Allocation Plan.

A copy of the approved HUD HTF Allocation Plan can be found at <http://www.phfa.org/legislation/act105.aspx>.

Date: December 21, 2024

ROBIN L. WIESSMANN,
Executive Director

[Pa.B. Doc. No. 24-1837. Filed for public inspection December 20, 2024, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, December 5, 2024, and announced the following:

Regulations Deemed Approved Under Section 5(g) of the Regulatory Review Act—Effective November 30, 2024:

State Board of Osteopathic Medicine # 16A-5336: Licensure Requirements (amends 49 Pa. Code)

Actions Taken—Regulations Approved:

Department of Labor and Industry # 12-117: Impairment Ratings (amends 34 Pa. Code §§ 123.101—123.105)

State Board of Medicine # 16A-4962: Opioid Treatment Programs (amends 49 Pa. Code § 16.92)

State Board of Massage Therapy # 16A-726: Practice of Massage Therapy in Cosmetology or Esthetician Salons (amends 49 Pa. Code §§ 20.61 and 20.62)

State Board of Cosmetology # 16A-4518: Practice of Massage Therapy in Cosmetology or Estheticians Salons (amends 49 Pa. Code § 7.150)

State Board of Education # 6-354: Academic Standards and Assessment (amends 22 Pa. Code Chapter 4)

Office of Administration # 99-13: Civil Service Reform (amends 4 Pa. Code)

Department of General Services # 8-28: Commonwealth Parking Facilities (amends 4 Pa. Code §§ 71.1—71.6, 71.11, 71.12, 71.21, 71.31, 71.41—71.44, and 71.46)

Approval Order

Public Meeting Held
December 5, 2024

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Department of Labor and Industry—
Impairment Rating
Regulation No. 12-117 (# 3368)*

On April 12, 2023, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code §§ 123.101—123.105. The proposed regulation was published in the April 22, 2023 *Pennsylvania Bulletin* with a public comment period ending on May 22, 2023. The final-form regulation was submitted to the Commission on October 31, 2024.

This final-form rulemaking conforms the Department's regulations to Act 111 of 2018 and recent case law.

We have determined this regulation is consistent with the statutory authority of the Department (77 P.S. §§ 710 and 991(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
December 5, 2024

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Medicine—
Opioid Treatment Programs
Regulation No. 16A-4962 (# 3418)*

On October 3, 2024, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code § 16.92. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking will allow the initial physical examination required for prescribing, administering and dispensing controlled substances to be conducted by means of telehealth for patients being admitted into an Opioid Treatment Program. The rulemaking also replaces the word "drug" with the term "controlled substance."

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 422.8 and 422.41(8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
December 5, 2024

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Massage Therapy—
Practice of Massage Therapy in Cosmetology or
Esthetician Salons
Regulation No. 16A-726 (# 3392)*

On December 4, 2023, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Massage Therapy (Board). This rulemaking amends 49 Pa. Code §§ 20.61 and 20.62. The proposed regulation was published in the December 16, 2023 *Pennsylvania Bulletin* with a public comment period ending on January 16, 2024. The final-form regulation was submitted to the Commission on November 4, 2024.

This final regulation permits a licensed massage therapist to practice massage therapy within the approved premises of a licensed cosmetology salon or licensed esthetician salon.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 515.3) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

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Approval Order

Public Meeting Held
December 5, 2024

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Cosmetology—
Practice of Massage Therapy in Cosmetology or
Esthetician Salons
Regulation No. 16A-4518 (# 3391)*

On December 4, 2023, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Cosmetology (Board). This rulemaking amends 49 Pa. Code Section 7.150. The proposed regulation was published in the December 16, 2023 *Pennsylvania Bulletin* with a public comment period ending on January 16, 2024. The final-form regulation was submitted to the Commission on November 4, 2024.

This final regulation permits a massage therapist to practice within a licensed salon in a separate massage therapy room which must be a minimum of 90 square feet.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 515.3) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

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Approval Order

Public Meeting Held
December 5, 2024

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Education—
Academic Standards and Assessment
Regulation No. 6-354 (# 3404)*

On May 21, 2024, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education (Board). This rulemaking amends 22 Pa. Code Chapter 4. The proposed regulation was published in the June 15, 2024 *Pennsylvania Bulletin* with a public comment period ending on July 15, 2024. The final-form regulation was submitted to the Commission on October 24, 2024.

This final-form regulation updates the existing academic standards for Career Education and Work, Family and Consumer Sciences, and Economics. The rulemaking also establishes standalone academic standards for Personal Finance, shifts the grade level at which the elementary-level science assessment is administered and requires school entities to post various strategic plans on their publicly accessible web sites.

We have determined this regulation is consistent with the statutory authority of the Board (24 P.S. §§ 2-290.1, 15-1551, 26-2603-B, and 26-1604-B) and the intention of

the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

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Approval Order

Public Meeting Held
December 5, 2024

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq., dissenting; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Office of Administration—
Civil Service Reform
Regulation No. 99-13 (# 3412)*

On July 11, 2024, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Office of Administration (Office). This rulemaking amends 4 Pa. Code. The proposed regulation was published in the August 3, 2024 *Pennsylvania Bulletin* with a public comment period ending on September 3, 2024. The final-form regulation was submitted to the Commission on October 28, 2024.

This regulation establishes the regulatory structure governing application to, and employment in, civil service positions, as well as practice and procedure before the Secretary of Administration in accordance with Act 71 of 2018, commonly referred to as the Civil Service Reform Act.

We have determined this regulation is consistent with the statutory authority of the Office (71 Pa.C.S. § 2203(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

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Approval Order

Public Meeting Held
December 5, 2024

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Department of General Services—
Commonwealth Parking Facilities
Regulation No. 8-28 (# 3421)*

On October 29, 2024, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of General Services (Department). This rulemaking amends 4 Pa. Code §§ 71.1—71.6, 71.11, 71.12, 71.21, 71.31, 71.41—71.44, and 71.46. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation amends and updates Chapter 71 by deleting superfluous, outdated, conflicting, and unnecessary language. The amendments are required to deter misuse and abuse of Commonwealth parking spaces and places, modernize procedures, and ensure efficient and effective use of Commonwealth property.

We have determined this regulation is consistent with the statutory authority of the Department (71 P.S. §§ 186, 631.1(20), 632) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN F. MIZNER,
Vice Chairperson

[Pa.B. Doc. No. 24-1838. Filed for public inspection December 20, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Adoption of Standards for Exemption; Notice 2024-18

By this notice, under 40 Pa.C.S. § 7143(b) (relating to adoption of exemption standards of NAIC Valuation Manual), enacted under the act of June 14, 2023 (P.L. 4, No. 2), I hereby adopt the standards for exemption specified in the January 1, 2025, Edition of the NAIC Valuation Manual.

Companies with questions regarding this notice should direct them to the company's assigned financial analyst.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-1839. Filed for public inspection December 20, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

The State Life Insurance Company; Rate Increase Filing for Several Individual LTC Forms (LCR-134343811); Rate Filing

The State Life Insurance Company is requesting approval to increase the premium 365% on 362 policyholders of State Life LTC forms S-6000-P-PA, S-6001-P-PA, S-6002-P-PA, S-6003-P-PA, S-8000-P-PA, S-8001-P-PA, S-8002-P-PA, S-8003-P-PA, S-9000-P-PA, S-9001-P-PA, S-9002-P-PA and S-9003-P-PA.

Unless formal administrative action is taken prior to February 25, 2025, the subject filing may be deemed approved by operation of law.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 20 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-1840. Filed for public inspection December 20, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Surplus Lines Law; Exempt Commercial Purchaser Minimum Qualifying Amounts Adjustment Effective January 1, 2025; Notice 2024-19

Section 1610 of The Insurance Company Law of 1921 (40 P.S. § 991.1610) contains a definition for "exempt commercial purchaser." Within the definition are minimum qualifying amounts for three categories which are to be adjusted beginning January 1, 2015, and every 5 years thereafter. The definition is as follows:

"*Exempt commercial purchaser.*" Any person purchasing commercial insurance that, at the time of placement, meets the following requirements:

(1) The person employs or retains a qualified risk manager to negotiate insurance coverage.

(2) The person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of one hundred thousand (\$100,000) dollars in the immediately preceding twelve (12) months.

(3)(i) The person meets at least one of the following criteria:

(A) The person possesses a net worth in excess of twenty million (\$20,000,000) dollars, as adjusted under subparagraph (ii).

(B) The person generates annual revenues in excess of fifty million (\$50,000,000) dollars, as adjusted under subparagraph (ii).

(C) The person employs more than five hundred (500) full-time or full-time equivalent employees per individual insured or is a member of an affiliated group employing more than one thousand (1,000) employees in the aggregate.

(D) The person is a not-for-profit organization or public entity generating annual budgeted expenditures of at least thirty million (\$30,000,000) dollars, as adjusted under subparagraph (ii).

(E) The person is a municipality with a population in excess of fifty thousand (50,000) persons.

(ii) Beginning January 1, 2015 and every five years thereafter, the amounts under clauses (A), (B) and (D) shall be adjusted to reflect the percentage change for the five-year period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor and Industry.

(Emphasis added.)

Through the coordinated efforts of the National Association of Insurance Commissioners' Surplus Lines Task Force, adjustments have been calculated using Consumer Price Index data for the period June 2019—June 2024. The adjusted minimum qualifying amounts effective January 1, 2025, are as follows:

Subclause	Previous Minimum	Adjusted Minimum Effective January 1, 2025
(A)	\$23,781,160	\$29,179,483
(B)	\$59,452,900	\$72,948,708
(D)	\$35,671,740	\$43,769,225

Questions may be directed to the Office of Corporate and Financial Regulation, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-3952, fax (717) 787-8557, ra-in-company@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-1841. Filed for public inspection December 20, 2024, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-24-020, Dated November 8, 2024. Authorizes the collective bargaining agreement between the Commonwealth of Pennsylvania and Pennsylvania State Corrections Officers Association (PSCOA). The agreement is effective July 1, 2024, through June 30, 2028.

Governor's Office

Management Directive No. 220.11 Amended—Preservation of Commonwealth Deeds, Amended November 6, 2024.

AMY J. MENDELSON,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 24-1842. Filed for public inspection December 20, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cancelation of Certificates of Public Convenience for Motor Carriers; Failure to Maintain Evidence of Insurance

Public Meeting held
December 05, 2024

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

*Cancelation of Certificates of Public Convenience for
Motor Carriers; Failure to Maintain Evidence of
Insurance; M-2024-3052060*

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 ap-

propriate insurance requirements for motor carriers. Section 512 of the Code provides, in relevant part:

The commission may, as to motor carriers, prescribe, by regulation or order, such requirements as it may deem necessary for the protection of persons or property of their patrons and the public, including the filing of surety bonds, the carrying of insurance, or the qualifications and conditions under which such carriers may act as self-insurers with respect to such matters. All motor carriers of passengers... shall cover each and every vehicle, transporting such passengers, with a public liability insurance policy or a surety bond issued by an insurance carrier, or a bonding company authorized to do business in this Commonwealth, in such amounts as the commission may prescribe. . . .

66 Pa.C.S. § 512.

Consistent with this broad statutory charge, the Commission has promulgated regulations governing motor carrier insurance requirements at Chapter 32 of title 52 Pa. Code.¹ Those regulations provide, inter alia, that a motor carrier may not operate, and a certificate of public convenience will not be issued or remain in force, until there has been filed with and approved by the Commission a certificate of insurance by an insurer authorized to do business in Pennsylvania for the payment of claims resulting from the operation, maintenance, or use of a motor vehicle in the carrier's authorized service. See 52 Pa. Code §§ 32.11, 32.12. The certificate of insurance, commonly known as a Form E, is in a form prescribed and approved by the Commission and provides protection for bodily injury, death, or property damage. 52 Pa. Code § 32.2(a). Additionally, the Commission regulations require that certain carriers maintain evidence of cargo insurance via a certificate of insurance commonly known as a Form H. Further, the Commission's regulations require that evidence of insurance be maintained at all times with the Commission to ensure the protection of the public:

(h) *Compliance.* Failure to maintain evidence of insurance on file with the Commission in accordance with this chapter shall cause the immediate suspension of the rights and privileges conferred by a certificate of public convenience or permit held by the motor carrier. The Commission may establish rules under which suspended rights and privileges may be temporarily reinstated pending compliance with this chapter.

52 Pa. Code § 32.2(h).

The Commission has been notified that the motor carriers listed in Appendix A, attached hereto, no longer have acceptable evidence of insurance on file with the Commission. As such, the Commission sent all carriers a letter notifying them that their operating authority was suspended. Since the date of the suspensions, these motor carriers have failed to cure the deficiency and maintain acceptable evidence of insurance with the Commission, notwithstanding notification by the Commission of the suspension and the necessity to provide acceptable evidence of insurance.

Under these circumstances, we tentatively conclude that the motor carriers listed in Appendix A are not in compliance with the insurance requirements of 66 Pa.C.S. § 512 and our regulations at 52 Pa. Code Chapter 32. As

¹ 52 Pa. Code §§ 32.11—32.16.

such, it is appropriate to initiate the process to cancel their certificates of public convenience as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A is hereby tentatively approved as being in the public interest.

2. The Secretary's Bureau shall publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.

3. The Secretary shall serve a copy of this Tentative Order upon all motor carriers listed in Appendix A.

4. The Secretary shall file this Tentative Order at each motor carrier's assigned docket number.

5. To the extent that any of the motor carriers listed on Appendix A challenge cancellation of their Certificates of Public Convenience, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Comments shall be sent to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.

6. Alternatively, acceptable evidence of insurance may be filed with the Commission on behalf of the motor carriers listed in Appendix A, within thirty (30) days after publication of this order in the *Pennsylvania Bulletin*.

Motor carriers listed in Appendix A who desire to continue operations should immediately contact their insurance agents to secure compliance with Commission

insurance requirements. It is the motor carrier's responsibility to ensure compliance. Motor carriers can verify their insurance status at our Web Site at <https://www.puc.pa.gov/search/utility-authority-search/>.

Additionally, motor carriers may call our insurance hotline at (717)-787-1227 for more information.

7. Absent the timely filing of comments challenging the cancellation of the Certificate of Public Convenience or the timely filing of acceptable evidence of insurance, the Bureau of Technical Utility Services shall prepare a Secretarial Letter for issuance by the Secretary's Bureau canceling the carrier's applicable Certificate of Public Convenience. The Secretarial Letter shall direct the Department of Transportation to suspend the carrier's vehicle registration(s) consistent with 75 Pa.C.S. § 1375.

8. Upon issuance of the Secretarial Letter described in Ordering Paragraph No. 7 above, the applicable Certificate of Public Convenience of each non-compliant carrier shall be cancelled.

9. The Secretary serve a copy of the Secretarial Letter upon the Commission's Bureau of Investigation and Enforcement, Bureau of Technical Utility Services, Bureau of Administration, the Pennsylvania Department of Revenue—Bureau of Corporation Taxes, and the Pennsylvania Department of Transportation.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: December 05, 2024

ORDER ENTERED: December 5, 2024

Appendix A

Carriers Without Acceptable Evidence of Insurance

<i>Utility Code</i>	<i>Utility Name</i>	<i>Service Type</i>	<i>Insurance Type</i>
640236	CARS AND LIMOUSINES, INC.	Limousine, Airport Transfer	Liability
640798	MONARK STUDENT TRANSPORTATION CORPORATION	GP16+	Liability
640880	PAUL K. BROWN, INC.	GP11—15, GP16+	Liability
6410449	HAINES TRANSPORTATION SERVICES, INC.	GP11—15, GP16+, Airport Transfer, Limousine	Liability
641045	MARK A. COOPER	Limousine	Liability
6411671	SUPREME TRANSPORTATION, INC.	Limousine	Liability
641473	BEARD, BETTY JANE	Paratransit	Liability
641478	ASTRO LIMOUSINE SERVICE, INC.	Limousine	Liability
6416573	MEGA TRANSPORTATION SERVICE, LLC	Limousine	Liability
6418390	ALLSTATE LUXURY CAR SERVICE, LLC	Limousine	Liability
6419465	D B FISHER SCHOOL STUDENT TRANSPORTATION, INC.	GP16+	Liability
6420310	CHPH TRANSPORTATION, LLC	Paratransit	Liability
6421828	SLS PA, INC.	Limousine	Liability
6422655	DESIGNATED DRIVER LIMO SERVICE, INC.	Paratransit	Liability
6422778	HELPING INDIVIDUALS SUCCEED, LLC	GP11—15	Liability
6422787	SENIOR CARE CENTERS OF PENNSYLVANIA, INC.	Paratransit	Liability
6423227	WE CARE TRANSPORTATION SERVICES, LLC	Paratransit	Liability
6423248	WYNN TRANSIT, LLC	Paratransit	Liability
6424086	JUNIOR E. STAHL	Truck	Liability, Cargo

<i>Utility Code</i>	<i>Utility Name</i>	<i>Service Type</i>	<i>Insurance Type</i>
6425352	CLASS A LIMOUSINE, LLC	Limousine	Liability
6425389	DOMINION COACH, LLC	GP16+	Liability
6425523	PHILY LOGISTICS, LLC	Paratransit	Liability
6425783	TWELVE31 LOGISTICS, LLC	Paratransit	Liability
6425898	RECOVERY TRANSIT, LLC	Paratransit	Liability
6425976	FIVE BROTHERS TRANSPORTATION SERVICES, LLC	Paratransit	Liability
6426096	BETTER CARE TRANSPORTATION, LLC	Paratransit	Liability
6426249	PRISCILLA S. BEILER	Paratransit	Liability
6426425	LULU TRANSIT, LLC	Paratransit	Liability
6426454	HELPING HANDS TRANSPORTATION, LLC	Paratransit	Liability
6426467	LOTUS 412, LLC	Limousine	Liability
6426627	ACCORD COMMUNITY CARE SERVICES, LLC	Paratransit	Liability
6426636	SWIFT TRANSIT, INC.	Limousine	Liability
6426659	JAMES MARABLE	Paratransit	Liability
647770	ASV, LTD.	Limousine, Airport Transfer	Liability
700527	BALDO, DAVID RICHARD	HHG, Truck	Cargo
700841	DELIVERY TODAY, INC.	HHG, Truck	Liability
702655	DRC EXPEDITING, INC.	Truck	Cargo
703209	DONALD A. BENSON	Truck	Liability, Cargo
703716	MICHAEL P. BARNES	Truck	Liability
703844	IVAN K. KULP	Paratransit	Liability
704167	RUGGIERO BROTHERS, INC.	Truck	Liability, Cargo
704206	UPDEGRAFF, MARK E. TRUCKING, INC.	Truck	Liability, Cargo
704285	PICKEL'S GENERAL HAULING, LLC	Truck	Liability
705093	BURKE, LEO A.	Truck	Liability, Cargo
705636	ROY STRUBLE TRUCKING, INC.	Truck	Cargo
705984	J.R. TUNSTALL TRUCKING, LLC	Truck	Liability
706041	JEFFREY C. WEAKLAND	Truck	Liability
706236	A-TECH LOGISTICS, INC.	Truck	Liability
707701	RONCHER, ARTHUR C.	Truck	Cargo
707954	RANDY & DENISE TRUCKING, LLC	Truck	Liability, Cargo
708273	K B K TRUCKING, INC.	Truck	Liability
708276	BO-BACH'S TRANSPORT, INC.	Truck	Liability, Cargo
708741	SAMUEL DEAN SAYLOR	Truck	Cargo
708945	TIMOTHY D. KEPPLER	Truck	Liability
746620	FARRUGGIO'S BRISTOL & PHILADELPHIA AUTO EXPRESS, INC.	Airport Transfer, HHG, Truck	Liability, Cargo
775840	J & D'S, INC.	Paratransit, Truck	Liability
798130	MASTROCOLA TRUCKING, INC.	Truck	Liability
8910914	HOWICK MOTORS, INC.	Truck	Liability, Cargo
8911073	FENIELLO ENTERPRISES, LLC	Truck	Liability, Cargo
8911166	HAZLETON SCRAP RECYCLING, INC.	Truck	Liability
8911544	ROBERT A. SOSNICK	Truck	Liability, Cargo
8911548	STEPHEN J. MARTIN	Truck	Liability
8911585	CRYSTAL TRUCK-N, INC.	Truck	Liability
8911939	GERALD P. MAYHUGH, T/A MAYHUGH TRUCKING	Truck	Liability

<i>Utility Code</i>	<i>Utility Name</i>	<i>Service Type</i>	<i>Insurance Type</i>
8912416	RB FARMS, INC.	Truck	Cargo
8913054	CHRIS GREER	Truck	Liability
8913784	ORNER & SONS TRUCKING, INC.	Truck	Liability
8914194	MARK A. HENRY	Truck	Liability, Cargo
8914293	D L KING TRANSPORT, LLC	Truck	Liability, Cargo
8914704	JOHN BLUMFIELD	Truck	Liability
8915402	JOSE F. JOSE	Truck	Liability, Cargo
8916158	PROFESSIONAL KARRIERS, LLC, T/A PAUL AND SHIRLEYS SHIPPING	Truck	Liability, Cargo
8916668	MICHAEL'S MOVING AND STORAGE, INC.	HHG	Cargo
8916990	BIGTRUCKS L&T, LLP	Truck	Liability
8917124	CLINT GALLAGHER	Truck	Cargo
8917163	W J SCOTT, LLC	Truck	Liability, Cargo
8917188	PAVEMENT MAINTENANCE GROUP, LLC	Truck	Liability
8917631	DUSTIN EDWARD WELLS	Truck	Liability, Cargo
8917634	JWS CONTRACTING, INC.	Truck	Liability, Cargo
8917692	LAUREL RUN TRUCKING, INC.	Truck	Liability, Cargo
8917757	TERRY RAYMOND ROSS	Truck	Cargo
8918162	BRINTON TRANSPORT, LLC	Truck	Liability, Cargo
8918300	AJJT ENTERPRISES, LLC	Truck	Liability, Cargo
8918745	S & B TRUCKING, LLC	Truck	Liability
8918846	YODER LOGISTICS, LLC	Truck	Liability, Cargo
8918898	J T WILKOE TRANSPORT, LLC	Truck	Liability, Cargo
8919873	NRD TRUCKING, INC.	Truck	Liability
8920006	TRIPLE B TRUCKING, LLC	Truck	Liability
8920019	CAALD HAULING, INC.	Truck	Liability, Cargo
8920048	DAVID TUTTLE	Truck	Liability, Cargo
8920112	THE MOVING FIRM, LLC	HHG, Truck	Cargo
8920342	PHILLIPS AUTOMOTIVE TRANSPORT, LLC	Truck	Liability, Cargo
8920516	SEVERINO EXPRESS, LLC	Truck	Liability, Cargo
8920535	DAVID W. BARNHART	Truck	Cargo
8920753	HIGHWAY STAR LOGISTICS, LLC	Truck	Liability, Cargo
8920828	CLINTON EDWARD SCHIMP	Truck	Liability, Cargo
8921133	R COCHRAN TRANSPORT, LLC	Truck	Liability, Cargo
8921191	ON THE ROAD TRANS, LLC	Truck	Liability, Cargo
8921261	KOOSHA TRUCKING, LLC	Truck	Cargo
8921269	MILE MARKER TRUCKING, LLC	Truck	Liability, Cargo
8921639	J FENTON TRUCKING, LLC	Truck	Liability, Cargo
8921862	FEASLERS TRUCKING, LLC	Truck	Liability
8921917	AMERICAN TWIN MOVERS, INC.	HHG	Liability
8921998	KENNETH NICKESON	Truck	Liability
8922051	MCB TRUCKING, LLC	Truck	Cargo
8922231	M. BELL ENTERPRISE, LLC	Truck	Liability, Cargo
8922311	AARON MOUREY & WILLIAM ARMOLD	Truck	Liability
8922351	EARL SEELYE	Truck	Liability, Cargo
8922384	WEN CREST FARMS, LLC	Truck	Liability, Cargo
8922422	T & B HARKNESS TRUCKING, LLC	Truck	Liability

<i>Utility Code</i>	<i>Utility Name</i>	<i>Service Type</i>	<i>Insurance Type</i>
8922423	BRYAN E. DAVIS	Truck	Liability, Cargo
8922609	METARKO EXCAVATING, LLC	Truck	Liability
8922635	KEYSTONE EXCAVATING & DEVELOPMENT, LLC	Truck	Liability
8922721	PYRAMID TRUCKING, LLC	Truck	Liability, Cargo
8922911	BLUE MOUNTAIN EXPRESS, LLC	Truck	Liability, Cargo
8923072	DC WALTERS TRUCKING, LLC	Truck	Liability, Cargo
8923228	DAVID J. GOOD, LLC	Truck	Cargo
8923316	EXPANSION ENTERPRISES, LLC	Truck	Liability, Cargo
8923413	MIKE ROTE	Truck	Liability
8923550	SINGER TOWING AND RECOVERY, LLC	Truck	Liability, Cargo
8923610	HAINER CONTRACTING & EXCAVATING, INC.	Truck	Liability
8923711	AUMENT ENTERPRISE, LLC	Truck	Liability, Cargo
8923803	GREENOCTOPUS, LLC	Truck	Cargo
8924091	NORTHEAST FLUID SUPPLY & SERVICE, LLC	Truck	Liability, Cargo
8924270	A & L ROAD SHIPPING, LLC	Truck	Liability, Cargo
8924279	IBEMSI GROUP, LLC	Paratransit	Liability
8924290	NEW AGE TRUCKING, LLC	Truck	Liability
8924315	KJ NATIONAL, LLC	Truck	Liability, Cargo
8924335	LANE TRUCKING, LLC	Truck	Liability, Cargo
8924377	SISCON LOGISTICS, LLC	Truck	Liability, Cargo
8924754	STUTZMAN LOGISTICS, LLC	Truck	Liability, Cargo
8924837	WASHBOURNE & SONS TRANSPORTATION, LLC	Truck	Liability, Cargo
8924855	SHOWALTER TRUCKING, LLC	Truck	Cargo
8924895	VEGA AUTO CENTER, LLC	Truck	Liability, Cargo
8924985	PCW ENTERPRISE, LLC	Truck	Liability
8924994	BEW HAULING, LLC	Truck	Liability, Cargo
8925070	KIPPLE TRUCKING, LLC	Truck	Liability, Cargo
8925125	TJK-3 TRUCKING, LLC	Truck	Liability, Cargo
8925208	PJG PROPERTY MAINTENANCE, LLC	Truck	Cargo
8925321	D. A. L. DELIVERY SERVICES, LLC	Truck	Liability, Cargo
8925612	SERGEY MASLOV	Truck	Liability, Cargo
8925621	VZ5 TRANSPORT, LLC	Truck	Liability
8925651	RIDGE RUNNERS TRANSPORT, LLC	Truck	Liability, Cargo
8925721	K GARCIA ENTERPRISE, LLC	Truck	Liability
8925815	TB TRANSPORTATION, LLC	Truck	Liability, Cargo
8925851	PAVE-IT, INC.	Truck	Liability
8926038	BRIAN & SONS TRUCKING, LLC	Truck	Liability, Cargo
8926142	MP CUSTOM SERVICES, LLC	Truck	Cargo
8926168	NELIZA LAST MILE, INC.	Truck	Liability, Cargo
8926216	HILLTOP ENVIRONMENTAL SERVICES, LLC	Truck	Liability
8926233	G M L SERVICES, LLC	Truck	Liability
8926290	EAGLE CARRIERS, LLC	Truck	Liability, Cargo
8926296	FREIGHT ADDICTS TRANSPORT, LLC	Truck	Liability, Cargo
8926320	J DOC ENTERPRISES, INC.	Truck	Liability
8926337	ROYAL CROWN TRANSPORT, LLC	Truck	Cargo
8926350	GERALD SCOTT CHANDLER, JR.	Truck	Liability, Cargo
8926391	E BOOZER TRUCKING, LLC	Truck	Liability, Cargo

<i>Utility Code</i>	<i>Utility Name</i>	<i>Service Type</i>	<i>Insurance Type</i>
8926481	E-C TRANSPORTS, INC.	Truck	Liability, Cargo
8926607	PRESTIGE WORLDWIDE TRUCKING, LLC	Truck	Liability, Cargo
8926631	MERISCA TRUCKING, LLC	Truck	Liability, Cargo
8926637	BEST US MOVING, INC.	HHG	Liability
8926649	DOUBLE W FARMS, LLC	Truck	Liability, Cargo
8926758	ID WASHINGTON TRANSPORT, LLC	Truck	Liability, Cargo
8926801	KARCLIN, INC.	Truck	Liability, Cargo
8926868	RICHARD A. WILLETS	Truck	Cargo
8926898	RAPID TRANSPORT SOLUTIONS, LLC	Truck	Liability, Cargo
8927010	MOVIN WEIGHT, INC.	Truck	Liability, Cargo
8927076	DME TRANSPORT, LLC	Truck	Liability, Cargo
8927095	S&SHAULERS, LLC	Truck	Liability, Cargo
8927115	WINGS LIKE EAGLES DELIVERY, LLC	Truck	Liability, Cargo
8927119	UBER FRIGHT, LLC	Truck	Liability, Cargo
8927218	ESMERALDA EXPRESS, LLC	Truck	Liability, Cargo
8927252	WILLIAMS UNITED FREIGHT, LLC	Truck	Liability, Cargo
8927379	JOURNEYS EXPRESS TRANSPORTATION, LLC	Truck	Liability, Cargo
899562	RICHARD E. BOYER TRUCKING, LLC	Truck	Liability, Cargo
899903	RONALD E. FINK	Truck	Liability, Cargo

[Pa.B. Doc. No. 24-1843. Filed for public inspection December 20, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Columbia Gas of Pennsylvania, Inc.

Public Meeting held
December 5, 2024

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

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Columbia Gas of
Pennsylvania, Inc.; M-2024-303811*

Opinion and Order

By the Commission:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is a proposed Joint Petition for Approval of Settlement (Settlement, Settlement Agreement, or Petition) filed on October 11, 2024, by the Commission's Bureau of Investigation and Enforcement (I&E) and Columbia Gas of Pennsylvania, Inc. (Columbia Gas or the Company) (collectively, the Parties), with respect to an informal investigation conducted by I&E. Both Parties filed Statements in Support of the Settlement. The Parties submit that the proposed Settlement is in the public interest and is consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201, Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations. (Policy Statement). Petition at 10.

Before issuing a final decision on the merits of the proposed Settlement, and consistent with the requirement of 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.¹

History of the Proceeding

This matter concerns a welding burn-through² and in-service repair at Columbia Gas's regulator station # 4539 in Rochester, Beaver County, Pennsylvania (Rochester Station) that was discovered by I&E engineering staff on or about October 14, 2021. During I&E's inspection of the Rochester Station, evidence of a welding burn-through was observed on one of the welds. I&E learned that Columbia Gas's contractor, Infrasource, experienced the burn-through while performing in-service welding at the Rochester Station. The Infrasource welder attempted to repair the burn-through while the Rochester Station was in service and operating. In addition, the burn-through repair was inspected by the same Infrasource welder and remained in service for approximately 4 months, during which time there were no explosions, property damage, or injuries. Petition at 4.

Upon discovering that the regulator was still in service after the burn-through and in-service repair, I&E requested that Columbia Gas perform daily leak testing around and on the Rochester Station. The leak surveys started on October 16, 2021, and ended on January 13, 2022, when Columbia Gas installed a temporary regulator at that location. Columbia Gas took Regulator Station # 4539 out of service in January 2022, so that the proper repairs could be made. Petition at 5.

¹ As discussed, *infra*, because of the nature of the incident, as described in the Settlement, it is appropriate to publish the Settlement in the *Pennsylvania Bulletin*.

² A burn-through is a portion of the root bead where excessive penetration has caused the weld puddle to be blown into the pipe, leaving an open hole or cavity.

On April 5, 2022, I&E returned to perform an inspection on the permanent repairs and to review the daily leak survey records. I&E found that the welder who performed the repair was qualified and the piping and fittings installed for the repair were pressure tested prior to installation and soap tested after installation. Petition at 5.

Columbia Gas's Welding Manual was effective at the time of the welding burn-through and in-service repair. The Welding Manual provides that cracks, arc burns, and burn-throughs are not permitted in the visual examination of butt and fillet welds. Columbia Gas's Welding Manual provides that defective welds shall either be repaired or cut out and specifically identifies how "cracks" and "arc burns" must be repaired or cut out, but the Welding Manual provides no guidance how to repair a burn-through. Petition at 5.

The Welding Manual details how to perform in-service welds; however, it does not specify whether the repair of a burn-through can be undertaken while the pipeline is in-service. Finally, Columbia Gas's Welding Manual provides that all welds shall be visually inspected to ensure that the weld is performed in accordance with approved procedures and standards. Petition at 5.

Columbia Gas's Welding Manual directs that personnel performing the visual inspection be trained in specific areas, be experienced in welding construction, and pass the Operator Qualification exam. The Welding Manual provides that the welder performing the weld may also be the person performing the visual inspection of the weld. Petition at 6.

I&E conducted a thorough investigation and concluded that Columbia Gas's contractor performed an in-service repair of a welding burn-through and that Columbia Gas failed to have procedures or processes in place for making an in-service repair of a welding burn-through. Petition at 6.

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. Petition at 6. As previously indicated, the Parties filed the instant Settlement on October 11, 2024.

If this matter had been fully litigated, I&E would have proffered evidence and legal arguments to demonstrate that Columbia Gas violated certain provisions of the Public Utility Code (Code),³ Commission regulations,⁴ and/or certain provisions of the Code of Federal Regulations (CFR)⁵ in that:

- a. Columbia Gas failed to have welding procedures in place that identify how to repair a burn-through and whether that repair can be performed when the pipeline is in-service. If proven, this is a violation of 49 CFR § 192.13(c) (General Requirements), 49 CFR § 192.225(b) (Welding Procedures), and 49 CFR § 192.245(c) (Repair or Removal of Defects); and
- b. Columbia Gas's contractor, Infrasource, inspected the burn-through weld, on which an unapproved repair was attempted without a procedure and outside the parameters of any accepted procedure, and which Columbia Gas permitted to remain in service for approximately 4-months. If proven, this is a violation of 49 CFR § 192.241(a) (Inspection and Test of Welds), 49 CFR § 192.303 (Compliance with Specifications or Standards), 49 CFR § 192.305 (Inspec-

tion), 49 CFR § 192.13(a)(1) (General Requirements), and 52 Pa. Code § 59.33(a) (Safety).

Petition at 5-6.

Had this matter been fully litigated, Columbia Gas would have contended that it did not violate provisions of the Code, Commission regulations, and/or the CFR. Petition at 7.

Terms and Conditions of the Settlement

The Parties submit that the Settlement is a complete settlement related to I&E's informal investigation and represents a compromise by both I&E and Columbia Gas of their competing positions. The Parties further state that the Settlement constitutes a negotiated resolution of the issues addressed therein. The Parties urge the Commission to approve the Settlement in its entirety and without modification, as being in the public interest and consistent with the Commission's Policy Statement. Petition at 13.

The Settlement consists of the Joint Petition for Approval of Settlement containing the terms and conditions of the Settlement, Proposed Ordering Paragraphs (Appendix A to the Petition), and the respective Statements in Support of the Settlement of I&E (Appendix B to the Petition) and Columbia Gas (Appendix C to the Petition), filed on October 11, 2024.

The essential terms of the Settlement are set forth in Paragraphs 31–34 of the Petition. Petition at 8–10. These terms and conditions are excerpted in relevant part, as follows:

31. I&E and Columbia Gas, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Settlement without modification will create the following rights and obligations:

A. Civil Penalty:

Columbia Gas will pay a civil penalty in the amount of Nine Thousand Dollars (\$9,000.00) pursuant to 66 Pa.C.S. § 3301(c). Said payment will be made within thirty (30) days of the entry date of the Commission's Final Order approving the Settlement Agreement and will be made by certified check or money order payable to the "Commonwealth of Pennsylvania." The docket number of this proceeding will be indicated with the certified check or money order and the payment will be sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

The civil penalty will not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f). Columbia Gas will not seek recovery of any portion of any agreed upon total civil penalty amount in any future ratemaking proceeding.

B. Procedures Related to Welding Burn-Throughs and In-Service Repairs:

Columbia Gas shall develop procedures and directions to either cut out and/or repair welds with a burn-through on in-service pipelines and review the procedure with all employee and contract welders welding on Columbia Gas facilities.

³ 66 Pa.C.S. §§ 101 et seq.

⁴ 52 Pa. Code § 59.33(a).

⁵ 49 CFR §§ 192.13(a)(1) et seq.

C. Procedures Related to Revocation of Welder Qualifications:

Columbia Gas shall amend its Welding Manual, to reference the Columbia Operator Qualification Plan Section E: Reasonable Cause to Verify Qualification, and "Review of Individuals (Field Failures)" as they pertain to welder performance. Columbia Gas will also ensure that employees and contractors are knowledgeable about this procedure.

D. Retraining, Requalification, and Inspection of Welds:

The welder who performed the burn-through weld at Regulator Station # 4539 has been retrained and requalified by Columbia Gas. Within 30 days of the issuance of a final order approving this settlement, Columbia Gas will provide I&E Pipeline Safety a list of all LP project jobs on which this welder completed welds, from which I&E Pipeline Safety will select a sample size and location where Columbia Gas will conduct visual, and if necessary, a non-destructive review of the welds.

E. Advisory Bulletin and Tailgate Updates:

Columbia Gas will issue an advisory bulletin and host tailgate updates to all appropriate company and contractor personnel regarding burn-through and in-service welding.

F. Quality Assurance/Quality Control Practice:

Columbia Gas will review and amend, as needed, its existing Quality Assurance/Quality Control practice for welds completed by second party contractors. The results of Columbia Gas's review will be made available to I&E Pipeline Safety.

G. Causal Analysis for Welding Issues:

Columbia Gas will conduct a causal analysis when a pipeline burn-through occurs on an in-service pipeline. Columbia Gas will also conduct a causal analysis for other weld related issues, as appropriate.

H. In-Service Welding Procedures:

Columbia Gas will review and amend, as needed, in-service welding procedures in its Welding Manual and related welder training.

32. Upon Commission approval of the Settlement in its entirety without modification, I&E will not file any complaints or initiate other action against Columbia Gas at the Commission with respect to the allegations that were the subject of I&E's instant investigation.

33. Following the performance of the non-monetary, remedial measures referenced above, Columbia Gas will file with the Commission a verification acknowledging that the non-monetary, remedial measures have been met or complied with, pursuant to 52 Pa. Code § 5.591.

34. I&E and Columbia Gas jointly acknowledge that approval of this Settlement Agreement is in the public interest and fully consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations and avoids the time and expense of further litigation, which entails hearings, travel for out-of-state witnesses, and the preparation and filing of briefs,

exceptions, and reply exceptions, as well as possible appeals. Attached as Appendices B and C are Statements in Support submitted by I&E and Columbia Gas, respectively, setting forth the basis upon which the Parties believe the Settlement Agreement is in the public interest.

Petition at 8—10.

The proposed Settlement is conditioned on the Commission's approval, without modification, of any of its terms or conditions. If the Commission does not approve the proposed Settlement or makes any change or modification to the proposed Settlement, either Party may elect to withdraw from the Settlement. Petition at 11.

The Parties agree that the underlying allegations were not the subject of any hearing and that there has been no order, findings of fact, or conclusions of law rendered in this proceeding. Further, by entering into this Settlement Agreement, the Respondent has made no concession or admission of fact or law and may dispute all issues of fact and law for all purposes in any other proceeding. This Settlement may not be used by any other person or entity as a concession or admission of fact or law. The Parties acknowledge that this Settlement Agreement reflects a compromise of competing positions, does not necessarily reflect any party's position with respect to any issues raised in this proceeding, and does not, in any way, constitute a finding or admission of guilt. Petition at 12.

This Settlement represents a complete settlement of I&E's informal investigation against Columbia Gas' alleged violations of state and federal regulations. The Parties expressly acknowledge that this Settlement Agreement represents a compromise of positions and does not, in any way, constitute a finding or an admission concerning the alleged violations of state or federal law. Petition at 13-14.

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 (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 (Order entered September 13, 2012); *Pa. PUC, Bureau of Investigation and Enforcement v. Liberty Power Holdings, LLC*, Docket No. M-2019-2568471 (Order entered August 8, 2019).

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, 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 with Appendices, which include the Parties' Proposed Ordering Paragraphs 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-2024-3038111, 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-2024-3038111, 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-2024-3038111, a final Opinion and Order will be issued by the Commission.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: December 5, 2024

ORDER ENTERED: December 5, 2024

**Appendix A
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :
Bureau of Investigation and :
Enforcement's Investigation of Columbia : Docket No. M-2024-3038111
Gas of Pennsylvania, Inc.'s welding burn- :
through on a regulator station in :
Rochester, Beaver County, Pennsylvania :

JOINT PETITION FOR APPROVAL OF SETTLEMENT

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code §§ 5.41 and 5.232, the Pennsylvania Public Utility Commission's ("Commission") Bureau of Investigation and Enforcement ("I&E" or "Complainant") and Columbia Gas of Pennsylvania, Inc. ("Columbia Gas" or "Company") (hereinafter referred to collectively as the "Parties" or "Joint Petitioners") hereby submit this Joint Petition for Approval of Settlement ("Settlement" or "Settlement Agreement") to resolve all issues related to a welding burn-through⁶ on a regulator station in Rochester, Beaver County, Pennsylvania ("Incident"). I&E and Columbia Gas respectfully request that the Commission approve the Joint Petition, without modification, for the compelling public interest reasons set forth, *infra*. Also attached are Proposed Ordering Paragraphs (Appendix A) and Statements in Support of the Settlement expressing the individual views of I&E (Appendix B) and Columbia Gas (Appendix C), respectively.

I. Introduction

1. The Parties to this Settlement Agreement are the Pennsylvania Public Utility Commission's Bureau of In-

vestigation and Enforcement, by its prosecuting attorneys, 400 North Street, Harrisburg, Pennsylvania 17120 and Columbia Gas,⁷ a natural gas distribution company ("NGDC"), with a principal place of business of 121 Champion Way, Suite 100, Canonsburg, PA 15317.

2. The Pennsylvania Public Utility Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within this Commonwealth, as well as other entities subject to its jurisdiction, pursuant to 66 Pa.C.S. §§ 101, et seq.

3. I&E is the entity established to prosecute complaints against public utilities and other entities subject to the Commission's jurisdiction pursuant to 66 Pa.C.S. § 308.2(a)(11); see also Implementation of Act 129 of 2008; Organization of Bureaus and Offices, Docket No. M-2008-2071852 (Order entered August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E).

4. Section 501(a) of the Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Code.

5. Pursuant to Section 59.33(b) of the Commission's regulations, 52 Pa. Code § 59.33(b), I&E's Pipeline Safety

⁶ A burn-through is as a portion of the root bead where excessive penetration has caused the weld puddle to be blown into the pipe, leaving an open hole or cavity.

⁷ Columbia Gas of Pennsylvania, Inc. is a NiSource Company.

Division (“Pipeline Safety”) has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101–60503 and as implemented at 49 CFR Parts 191–193, 195 and 199. The Federal pipeline safety laws and regulations prescribe the minimum safety standards for all natural gas and hazardous liquid public utilities in the Commonwealth.

6. Section 3301(c) of the Code, 66 Pa.C.S. § 3301(c), which is specific to gas pipeline safety violations, authorizes the Commission to impose civil penalties on any person or corporation, defined as a public utility, who violates any provisions of the Code or any regulation or order issued thereunder governing the safety of pipeline or conduit facilities in the transportation of natural gas, flammable gas, or gas which is toxic or corrosive. Section 3301(c) further provides that a civil penalty of up to Two Hundred Thousand Dollars (\$200,000) per violation for each day that the violation persists may be imposed, except that for any related series of violations, the maximum civil penalty shall not exceed Two Million Dollars (\$2,000,000) or the penalty amount provided under Federal pipeline safety laws, whichever is greater.

7. Civil penalties for violations of Federal pipeline safety laws and regulations are adjusted annually to account for changes in inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Pub.L. 114-74, § 701, 129 Stat. 599, 28 U.S.C. § 2461 note (Nov. 2, 2015) (amending the Federal Civil Penalties Inflation Adjustment Act of 1990). The applicable adjustment made by the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (“PHMSA”) occurred on December 28, 2023 and revised the maximum civil penalty to Two Hundred Sixty-Six Thousand, Fifteen Dollars (\$266,015.00) for each violation and for each day the violation continues, with a maximum penalty not to exceed Two Million, Six Hundred Sixty Thousand, One Hundred Thirty-Five Dollars (\$2,660,135.00) for a related series of violations. 88 Fed. Reg. 89560 (Dec. 28, 2023).

8. Columbia Gas is a “public utility” as that term is defined at 66 Pa.C.S. § 102 as it is engaged in providing public utility service as an NGDC in the Commonwealth of Pennsylvania to the public for compensation.

9. Columbia Gas, as an NGDC, is subject to the power and authority of the Commission pursuant to Section 501(c) of the Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders.

10. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over this subject matter and the actions of Columbia Gas in its capacity as an NGDC.

II. Background

11. On or about October 14, 2021, engineers with I&E’s Pipeline Safety Division (“Pipeline Safety”) conducted an inspection of Regulator Station # 4539, located in Rochester, Beaver County, Pennsylvania.

12. During the inspection, Pipeline Safety observed evidence of a welding burn-through on one of the regulator station welds.

13. Columbia Gas’s contractor, Infrasource, performed alterations on Regulator Station # 4539, which remained in-service while the work was performed.

14. While performing the in-service welding on the regulator station, a burn-through occurred. The burn-through required repair and the Infrasource welder at-

tempted to repair the burn-through while the regulator station was in service and operating.

15. The burn-through repair was inspected by the Infrasource welder and remained in service for approximately 4-months. While the welding burn-through and in-service repair remained in service, there were no explosions, property damage, or injuries.

16. Upon discovering that the regulator was still in service after the burn-through and in-service repair, Pipeline Safety requested daily leak surveys around and on the regulator station. The daily leak surveys started on October 16th, 2021, and ended on January 13th, 2022, when Columbia Gas installed a temporary regulator station at that location.

17. In January of 2022, Regulator Station # 4539 was taken out of service so that the proper repairs could be made. On April 5th, 2022, I&E-Safety returned to Regulator Station # 4539 to perform an inspection on the permanent repairs and review the daily leak survey records. The welder who performed the repair was qualified. The piping and fittings installed for the repair were pressure tested prior to installation, then soap tested, once they were installed.

18. Columbia Gas’s Welding Manual was effective at the time of the welding burn-through and in-service repair.

19. Columbia Gas’s Welding Manual provides that cracks, arc burns, and burn-throughs are not permitted in the visual examination of butt and fillet welds.

20. Columbia Gas’s Welding Manual provides that defective welds shall either be repaired or cut out and specifically identifies how “cracks” and “arc burns” must be repaired or cut out but provides no guidance how to repair a burn-through.

21. The Welding Manual details how to perform in-service welds; however, it does not specify whether the repair of a burn-through can be undertaken while the pipeline is in-service.

22. Columbia Gas’s Welding Manual provides that all welds shall be visually inspected to ensure that the weld is performed in accordance with approved procedures and standards.

23. Columbia Gas’s Welding Manual directs that personnel performing the visual inspection be trained in specific areas, be experienced in welding construction, and pass the Operator Qualification exam, and allows that the welder performing the weld may also be the person performing the visual inspection of the weld.

24. Pipeline Safety conducted a thorough investigation and concluded that Columbia Gas’s contractor performed an in-service repair of a welding burn-through and Columbia Gas failed to have procedures or processes in place for making an in-service repair of a welding burn-through.

III. Alleged Violations

25. Had this matter been fully litigated rather than resolved through this Settlement, I&E would have proffered evidence and legal argument that Columbia Gas violated certain provisions of the Public Utility Code, Commission regulations, and/or Code of Federal Regulations in that:

a. Columbia Gas failed to have welding procedures in place that identify how to repair a burn-through and whether that repair can be performed when the pipeline is in-service. If proven, this is a violation of 49 CFR

§ 192.13(c) (General Requirements), 49 CFR § 192.225(b) (Welding Procedures), and 49 CFR § 192.245(c) (Repair or Removal of Defects); and

b. Columbia Gas's contractor, Infrasource, inspected the burn-through weld, on which an unapproved repair was attempted without a procedure and outside the parameters of any accepted procedure, and which Columbia Gas permitted to remain in service for approximately 4-months. If proven, this is a violation of 49 CFR § 192.241(a) (Inspection and Test of Welds), 49 CFR § 192.303 (Compliance with Specifications or Standards), 49 CFR § 192.305 (Inspection), 49 CFR § 192.13(a)(1) (General Requirements), and 52 Pa. Code § 59.33(a) (Safety).

26. Had this matter been fully litigated rather than resolved through this Settlement, Columbia Gas would have contended that it did not violate provisions of the Public Utility Code, Commission regulations, and/or Code of Federal Regulations.

IV. Settlement Terms

27. Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest, as set forth at 52 Pa. Code § 5.231(a), I&E and Columbia Gas held a series of discussions and meetings that culminated in this Settlement. I&E and Columbia Gas desire to: (i) terminate I&E's informal investigation; and (ii) settle this matter completely without litigation. The Parties recognize that this is a disputed claim and given the inherent unpredictability of the outcome of a contested proceeding, the Parties further recognize the significant and more immediate benefits of amicably resolving the disputed issues through settlement as opposed to time-consuming and expensive litigation.

28. This matter is worthy of resolution without litigation as the remedial measures agreed to by the Company in this Settlement Agreement include valuable safety enhancements that go above and beyond what the Company could be required to implement via strict adherence to the provisions of the relevant state and federal regulations.

29. The Parties recognize that their positions and claims are disputed and further recognize the significant and more immediate benefits of amicably resolving the disputed issues through settlement as opposed to time-consuming and expensive litigation.

30. The terms and conditions of the Settlement Agreement, for which the Parties seek Commission approval, are set forth below.

31. I&E and Columbia Gas, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Settlement without modification will create the following rights and obligations:

A. Civil Penalty:

Columbia Gas will pay a civil penalty in the amount of Nine Thousand Dollars (\$9,000.00) pursuant to 66 Pa.C.S. § 3301(c). Said payment will be made within thirty (30) days of the entry date of the Commission's Final Order approving the Settlement Agreement and will be made by certified check or money order payable to the "Commonwealth of Pennsylvania." The docket number of this proceeding will be indicated with the certified check or money order and the payment will be sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

The civil penalty will not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f). Columbia Gas will not seek recovery of any portion of any agreed upon total civil penalty amount in any future ratemaking proceeding.

B. Procedures Related to Welding Burn-Throughs and In-Service Repairs:

Columbia Gas shall develop procedures and directions to either cut out and/or repair welds with a burn-through on in-service pipelines and review the procedure with all employee and contract welders welding on Columbia Gas facilities.

C. Procedures Related to Revocation of Welder Qualifications:

Columbia Gas shall amend its Welding Manual, to reference the Columbia Operator Qualification Plan Section E: Reasonable Cause to Verify Qualification, and "Review of Individuals (Field Failures)" as they pertain to welder performance. Columbia Gas will also ensure that employees and contractors are knowledgeable about this procedure.

D. Retraining, Requalification, and Inspection of Welds:

The welder who performed the burn-through weld at Regulator Station # 4539 has been retrained and requalified by Columbia Gas. Within 30 days of the issuance of a final order approving this settlement, Columbia Gas will provide I&E Pipeline Safety a list of all LP project jobs on which this welder completed welds, from which I&E Pipeline Safety will select a sample size and location where Columbia Gas will conduct visual, and if necessary, a non-destructive review of the welds.

E. Advisory Bulletin and Tailgate Updates:

Columbia Gas will issue an advisory bulletin and host tailgate updates to all appropriate company and contractor personnel regarding burn-through and in-service welding.

F. Quality Assurance/Quality Control Practice:

Columbia Gas will review and amend, as needed, its existing Quality Assurance/Quality Control practice for welds completed by second party contractors. The results of Columbia Gas's review will be made available to I&E Pipeline Safety.

G. Causal Analysis for Welding Issues:

Columbia Gas will conduct a causal analysis when a pipeline burn-through occurs on an in-service pipeline. Columbia Gas will also conduct a causal analysis for other weld related issues, as appropriate.

H. In-Service Welding Procedures:

Columbia Gas will review and amend, as needed, in-service welding procedures in its Welding Manual and related welder training.

32. Upon Commission approval of the Settlement in its entirety without modification, I&E will not file any complaints or initiate other action against Columbia Gas at the Commission with respect to the allegations that were the subject of I&E's instant investigation.

33. Following the performance of the non-monetary, remedial measures referenced above, Columbia Gas will

file with the Commission a verification acknowledging that the non-monetary, remedial measures have been met or complied with, pursuant to 52 Pa. Code § 5.591.

34. I&E and Columbia Gas jointly acknowledge that approval of this Settlement Agreement is in the public interest and fully consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations and avoids the time and expense of further litigation, which entails hearings, travel for out-of-state witnesses, and the preparation and filing of briefs, exceptions, and reply exceptions, as well as possible appeals. Attached as Appendices B and C are Statements in Support submitted by I&E and Columbia Gas, respectively, setting forth the basis upon which the Parties believe the Settlement Agreement is in the public interest.

V. Conditions Of Settlement

35. This document represents the Settlement Agreement in its entirety and constitutes a negotiated resolution solely of the above-referenced investigation. 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 conflict of laws provisions.

36. The Parties agree that this Settlement may be executed in one or more counterparts, each of which will be deemed an original, and all of which taken together constitute one and the same agreement that is binding upon the Parties as if they executed a single petition.

37. In order to effectuate this Joint Petition, the undersigned parties request that the Commission issue a Final Order approving the Joint Petition without modification.

38. The Settlement is conditioned upon the Commission's approval of the terms and conditions contained in this Joint Petition for Approval of Settlement without modification. If the Commission modifies this Settlement Agreement, any party may elect to withdraw from this Settlement Agreement and may proceed with litigation or take such other action 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.

39. The consequence of any party withdrawing from this Joint Petition as set forth above is that all issues associated with the requested relief presented in the proceeding may be fully litigated by the filing of a Formal Complaint or such other action may be taken as deemed appropriate unless otherwise stipulated between the parties and all obligations of the parties to each other set forth herein are terminated and of no force and effect.

40. The Parties agree that the underlying allegations were not the subject of any hearing and that there has been no Order, findings of fact, or conclusions of law rendered in this Complaint proceeding. It is further understood that, by entering into this Settlement Agreement, Columbia Gas has made no concession or admission of fact or law and may dispute all issues of fact and law for all purposes in any other proceeding, including but not limited to any civil proceedings, that may arise as a result of the circumstances described in this Joint Settle-

ment Petition, nor may this settlement be used by any other person or entity as a concession or admission of fact or law.

41. The Parties acknowledge that this Settlement Agreement reflects a compromise of competing positions, does not necessarily reflect any party's position with respect to any issues raised in this proceeding, and does not in any way constitute a finding or an admission of guilt.

42. 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 and in the public interest. This Settlement 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 any other proceedings, except to the extent necessary to effectuate or enforce the terms and conditions of this Settlement Agreement. This Settlement does not preclude the Parties from taking other positions in any other proceeding but is conclusive in this proceeding and may not be reasserted in any other proceeding or forum except for the limited purpose of enforcing the Settlement by a Party.

43. Columbia Gas does not admit to any violations of state or federal law with respect to the Incident.

44. The Parties agree that upon the filing of the Settlement, the three year requirement to bring a prosecution for this matter, found at 66 Pa.C.S. § 3314, shall be tolled until such time the Commission issues an Order approving or rejecting the Settlement Agreement or a Party files its election to withdraw from the Settlement Agreement, whichever occurs later in time.

45. In the event the Commission rejects the Settlement or approves the Settlement with modifications or conditions, Columbia Gas may raise affirmative defenses in any formal proceeding brought by I&E in connection with the Incident, including but not limited to, defenses based on state or federal statutes of limitation.

46. I&E and Columbia Gas shall make good faith efforts to obtain approval of the Joint Petition by the Commission including, but not limited to, submitting Statements in Support of the Joint Petition. Both Parties' Statements in Support of the Joint Petition shall support the position that the agreed-to civil penalty to be paid by Columbia Gas is adequate and consistent with the Commission's Policy Statement on settlement of investigations and the Rosi Standards for civil penalties and thus in the public interest.

47. I&E and Columbia Gas jointly acknowledge that approval of this Settlement Agreement is in the public interest and is fully consistent with the Commission's Policy Statement for evaluating litigated and settled proceedings involving violations of the Code and Commission regulations, 52 Pa. Code § 69.1201. The Commission will serve the public interest by adopting this Joint Petition for Approval of Settlement.

48. The Joint Petition avoids the time and expense of litigation in this matter before the Commission, which likely would entail the filing of a Formal Complaint, the preparation for and attendance at hearings, and the preparation and filing of testimony, briefs, reply briefs, exceptions, and reply exceptions. The Parties further recognize that their positions and claims are disputed and, given the inherent unpredictability of the outcome of a contested proceeding, the Parties recognize the benefits of amicably resolving the disputed issues through settlement.

49. Since the Parties agree to the terms of the Joint Petition, adopting it will eliminate the possibility of any appeal from the Commission Secretarial Letter or Order, thus avoiding the additional time and expense that they might incur in such an appeal.

50. This settlement consists of the entire agreement between I&E and Columbia Gas regarding the matters addressed herein. Moreover, this Settlement Agreement represents a complete settlement of I&E's informal investigation of the alleged violations of state and federal regulations regarding the Incident, as discussed, supra.

51. The terms and conditions of this Settlement Agreement represent 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 Columbia Gas of Pennsylvania, Inc. respectfully request that the Commission issue an Order approving the terms of this Settlement Agreement in their entirety, without modification, as being in the public interest.

Respectfully Submitted,
Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement

By: Colby B. Widdowson
Prosecutor

PA Attorney ID No. 326185
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
cwiddowson@pa.gov

Date: October 11, 2024

Columbia Gas of Pennsylvania, Inc.

By: Theodore J. Gallagher (ID # 90842)
121 Champion Way, Suite 100
Canonsburg, PA 15317
tjgallagher@nisource.com
Attorney for Columbia Gas of
Pennsylvania, Inc.

Date:

Appendix A
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, :
Bureau of Investigation and :
Enforcement's Investigation of Columbia : Docket No. M-2024-3038111
Gas of Pennsylvania, Inc.'s welding burn- :
through on a regulator station in :
Rochester, Beaver County, Pennsylvania :

JOINT PROPOSED ORDERING PARAGRAPHS

1. That the Joint Settlement Petition filed on October 11, 2024 between the Commission's Bureau of Investigation and Enforcement and Columbia Gas of Pennsylvania, Inc. is approved in its entirety without modification.

2. That, in accordance with Section 3301(c) of the Public Utility Code, 66 Pa.C.S. § 3301(c), within thirty (30) days of the date this Order becomes final, Columbia Gas of Pennsylvania, Inc. will pay a civil penalty of Nine Thousand Dollars (\$9,000.00). Said payment will be made by certified check or money order payable to "Commonwealth of Pennsylvania" and will be sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

3. That the civil penalty will not be tax deductible or passed through as an additional charge to Columbia Gas of Pennsylvania, Inc.'s customers in Pennsylvania.

4. That upon fulfillment of the non-monetary, remedial measures set forth in Paragraph 31 of the Joint Petition for Settlement, Columbia Gas of Pennsylvania, Inc. will file with the Commission a verification acknowledging compliance with the non-monetary remedial measures, pursuant to 52 Pa. Code § 5.591.

5. A copy of this Opinion and Order will be served upon the Financial and Assessment Chief, Bureau of Administration.

6. That upon receipt of the civil penalty and the verifications acknowledging that the non-monetary remedial measures set forth in Paragraph 31 of the Joint Petition for Settlement have been fulfilled the above-captioned matter shall be marked closed.

Appendix B
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, :
Bureau of Investigation and Enforcement's :
Investigation of Columbia Gas of : Docket No. M-2024-3038111
Pennsylvania, Inc.'s welding burn-through :
on a regulator station in Rochester, Beaver :
County, Pennsylvania :

**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 matter docketed above, submits this Statement in Support of the Settlement Agreement between I&E and Columbia Gas of Pennsylvania, Inc. ("Columbia Gas," "Respondent," or "Company").⁸ I&E avers that the terms and conditions of the Settlement are just and reasonable and in the public interest for the reasons set forth herein.

I. Background

The I&E Pipeline Safety Division ("Pipeline Safety") serves as a registered agent for the Pipeline and Hazardous Materials Safety Administration ("PHMSA"), a federal agency housed in the U.S. Department of Transportation and, as such, is contracted to enforce Federal pipeline safety standards on jurisdictional intrastate pipelines. Pipeline Safety employs engineer-inspectors who possess engineering degrees and are trained and qualified by PHMSA to perform pipeline safety inspections and verify compliance with the Federal pipeline safety standards, which the Commission has adopted for natural gas public utilities operating in the Commonwealth. 52 Pa. Code § 59.33(b). Accordingly, Pipeline Safety maintains exclusive jurisdiction over pipeline safety on the intrastate pipeline facilities of natural gas public utilities in Pennsylvania.

In this matter, Pipeline Safety conducted an in-depth investigation of a welding burn-through on a Columbia Gas regulator station in Rochester, Beaver County, Pennsylvania ("Incident"). Columbia Gas's contractor performed an in-service repair of a welding burn-through, and Columbia Gas failed to have procedures or processes in place for making an in-service repair of a welding burn-through. The welding burn-through and in-service repair remained in service for approximately 4-months and did not result in any property damage or injury. The results of the investigation formed the basis for the allegations set forth in the Settlement Agreement.

On or about October 14, 2021, engineers with Pipeline Safety conducted an inspection of Regulator Station # 4539. During the inspection, Pipeline Safety observed evidence of a welding burn-through on one of the regulator station welds. Columbia Gas hired a contractor, Infrasource, to perform alterations on Regulator Station # 4539, which remained in-service while performing the work. Columbia Gas indicated to Pipeline Safety that while performing the in-service welding on the regulator station, a burn-through occurred. The burn-through required repair and the Infrasource welder repaired the burn-through while the regulator station was in-service and operating.

At the time of repair, Columbia Gas did not have a procedure directing how to repair a welding burn-through, nor a procedure for an in-service repair of a burn-through. Pursuant to Columbia Gas procedures, welders are permitted to perform the visual inspection of their own welds, which is what occurred in this case.

Upon discovering that the regulator was still in service after the burn-through and in-service repair, Pipeline Safety requested daily leak surveys around and on the regulator station. The daily leak surveys started on October 16th, 2021, and ended on January 13th, 2022, when Columbia Gas installed a temporary regulator station at that location.

In January of 2022, Regulator Station # 4539 was taken out of service so that the proper repairs could be made. On April 5th, 2022, I&E-Safety returned to Regulator Station # 4539 to perform an inspection on the permanent repairs and review the daily leak survey records. The welder who performed the repair was qualified. The piping and fittings installed for the repair were pressure tested prior to installation, then soap tested, once they were installed.

The crux of I&E's allegations are that Columbia Gas's contractor performed an in-service repair of a welding burn-through and Columbia Gas failed to have procedures or processes in place directing how to repair a welding burn-through or for making an in-service repair of a welding burn-through. Had this matter been fully litigated rather than resolved through this Settlement, I&E would have proffered evidence and legal argument that Columbia Gas violated certain provisions of the Public Utility Code, Commission regulations, and/or Code of Federal Regulations in that:

a. Columbia Gas failed to have welding procedures in place that identify how to repair a burn-through and whether that repair can be performed when the pipeline is in-service. If proven, this is a violation of 49 CFR § 192.13(c) (General Requirements), 49 CFR § 192.225(b) (Welding Procedures), and 49 CFR § 192.245(c) (Repair or Removal of Defects); and

b. Columbia Gas's contractor, Infrasource, inspected the burn-through weld, on which an unapproved repair was attempted without a procedure and outside the parameters of any accepted procedure, and which Columbia Gas permitted to remain in service for approximately 4-months. If proven, this is a violation of 49 CFR § 192.241(a) (Inspection and Test of Welds), 49 CFR § 192.303 (Compliance with Specifications or Standards), 49 CFR § 192.305 (Inspection), 49 CFR § 192.13(a)(1) (General Requirements), and 52 Pa. Code § 59.33(a) (Safety).

On October 4, 2024, the Parties filed a Joint Petition for Approval of Settlement in the instant matter resolving all issues between I&E and Columbia Gas. This Statement in Support is submitted in conjunction with this Settlement Agreement.

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 culminated in this Settlement Agreement, which, once approved, will resolve all issues related to I&E's informal investigation. Columbia Gas has been cooperative with I&E related to identifying policies and procedures, facilities, and training that can be further improved to assist Columbia Gas in enhancing the safety and reliability of service and to satisfy the commitments that I&E has required in the settlement process. The

⁸ I&E and Columbia Gas are collectively referred to herein as the "Parties."

Settlement, if approved, will provide substantial public benefits including improved training of field personnel and supervisory staff, improved safety procedures, and improved Quality Assurance/Quality Control practices.

Had this matter been fully litigated rather than resolved through this Settlement, I&E would have proffered evidence and legal argument that Columbia Gas violated Public Utility Code, Commission regulations, and/or Code of Federal Regulations, and which Columbia Gas would have disputed. This Settlement Agreement results from the compromises of the Parties. I&E recognizes that, given the inherent unpredictability of the outcome of a contested proceeding, the benefits to amicably resolving the disputed issues through settlement outweigh the risks and expenditures of litigation. I&E submits that the Settlement constitutes a reasonable compromise of the issues presented and is in the public interest as it provides for a number of relevant corrective measures, as well as a civil penalty. As such, I&E respectfully requests that the Commission approve the Settlement without modification.

III. Terms of Settlement

Under the terms of the Settlement Agreement, I&E and Columbia Gas have agreed to a civil penalty and extensive remedial measures which enhance safety and directly respond to the allegations raised by I&E. A summary of the remedial measures are as follows:

1. Columbia Gas will pay a civil penalty of Nine Thousand Dollars (\$9,000.00), which will not be tax deductible or recovered in any future rate making proceeding (Paragraph 31(A));

2. Columbia Gas will develop procedures for repairs of weld burn-throughs on in-service pipelines and review these procedures with its welders (Paragraph 31(B));

3. Columbia Gas will amend its Welding Manual to clearly identify procedures for revoking a welders qualifications and will ensure its employees and contractors are knowledgeable about the procedure (Paragraph 31(C));

4. Columbia Gas has retrained and requalified the welder who performed the burn-through weld on Regulator Station # 4539 and Columbia Gas will review a sampling of other welds performed by this welder (Paragraph 31(D));

5. Columbia Gas will issue an advisory bulletin and host tailgate updates regarding burn-through and in-service welding (Paragraph 31(E));

6. Columbia Gas will review and amend, as needed, its existing Quality Assurance/Quality Control practice for welds completed by second party contractors. (Paragraph 31(F));

7. Columbia Gas will conduct a causal analysis when a pipeline burn-through occurs on an in-service pipeline and for other weld related issues, as appropriate. (Paragraph 31(G)); and

8. Columbia Gas will review and amend, as needed, in-service welding procedures in its Welding Manual and related welder training (Paragraph 31(H)).

In consideration of Columbia Gas's payment of a civil penalty and numerous remedial measures, I&E agrees that it has released Columbia Gas from all past claims that were or could have been made for monetary and/or other relief based on allegations associated with the welding burn-through on a regulator station in Rochester, Beaver County, Pennsylvania.

IV. Legal Standard for Settlement Agreements

Commission policy promotes settlements. See 52 Pa. Code § 5.231. Settlements lessen the time and expense that the Parties must expend on litigating a case and 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) at p. 11. 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 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.

The Commission will not apply the 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.*

The first factor considers whether the conduct at issue was of a serious nature, such as willful 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 submits that the conduct alleged in the Complaint does not rise to the level of willful fraud or misrepresentation, but is of a more serious nature than a mere administrative error. I&E alleges that Columbia Gas's contractor performed an in-service repair of a welding burn-through and Columbia Gas failed to have procedures or processes in place directing how to repair a welding burn-through or for making an in-service repair of a welding burn-through. While this conduct did not result in an explosion, property damage, or injuries, I&E submits that any conduct involving in-service welding and weld integrity on natural gas pipelines should be taken seriously due to the inherent danger involved if such pipelines should leak, rupture, or otherwise fail. Further, the actions and inactions of Columbia Gas described above constitute conduct that did not cause harm or damage, but did increase the risk to public health and safety, and therefore, I&E submits that the civil penalty is warranted in this case. The seriousness of the conduct at issue is addressed in the corrective measures that the Company has already taken and will take, as well as the payment of the agreed-upon civil penalty.

The second factor considers whether the resulting consequences of Columbia Gas's alleged conduct 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). In this case, there was no property damage, nor fatalities or injuries. As I&E has alleged, performance of an in-service burn-through repair without procedures or processes in place and that repair remaining in service for 4-months resulted in an increased risk to public safety, but no actual harm. The agreed-upon civil penalty and remedial measures of the Settlement acknowledge the potential for serious consequences and are designed to further enhance the safety of Columbia Gas's service and facilities, especially as it pertains to welds on its pipelines.

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 Columbia Gas's alleged conduct was intentional or negligent does not apply since this matter is being resolved by settlement of the Parties.

The fourth factor to be considered is whether Columbia Gas has made efforts to change its practices and procedures to prevent similar conduct in the future. 52 Pa. Code § 69.1201(c)(4). In response to this incident, Columbia Gas has engaged in appropriate measures to correct the conduct at issue and prevent similar future conduct. Columbia Gas has taken and agrees to take further remedial action. A comprehensive list of the remedial actions that Columbia Gas has taken and agreed to undertake is outlined in the Settlement Agreement at Paragraph 31. Some of the more significant remedial actions include, but are not limited to: (1) developing procedures either cut out and/or repair welds with a burn-through on in-service pipelines; (2) retraining and requalifying the welder who performed the burn-through weld; (3) educating Columbia Gas's personnel and contractors regarding burn-throughs and in-service welding; (4) improving its Quality Assurance/Quality Control practice for welds completed by second party contractors; and (5) conducting a causal analysis when a pipeline burn-through occurs on an in-service pipeline and for other weld related issues, as appropriate.

Each of the remedial actions and commitments described at Paragraph 31 of the Settlement Agreement, address the alleged conduct at issue and are designed to prevent a similar incident from occurring again. Notably, these actions will place Columbia Gas in a better position to oversee the construction and maintenance of its facilities, improve its quality control, and reduce risk in its existing and future facilities. The remedial actions demonstrate that Columbia Gas is taking appropriate actions to enhance the safety of its distribution system, improve the reliability of its operations, and prevent similar occurrences in the future. These improvements will provide a significant benefit to public safety.

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). In this matter, there is no evidence that customers were affected.

The sixth factor to be considered relates to the compliance history of Columbia Gas. 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 company may result in a higher

penalty. Id. Columbia Gas has had a recent history of compliance issues in the preceding 10-year time period. In that time span, there were four significant settlements entered into based on Columbia Gas's failure to follow the Code, Commission regulations, and/or the Code of Federal Regulations.⁹ It should be noted that the prior history mainly involved issues of over pressurization, an issue not present in the instant matter. In this matter, the repair of the burn-through weld without procedures did not lead to a gas release, explosion, property damage, injuries, or death.

The seventh factor to be considered relates to whether the Company cooperated with the Commission's investigation. 52 Pa. Code § 69.1201(c)(7). "Facts establishing bad faith, active concealment of violations, or attempts to interfere with Commission investigations may result in a higher penalty." Id. As previously referenced, Columbia Gas cooperated with I&E's investigation and has been cooperative with I&E related to identifying policies and procedures, facilities, and training that can be further improved to assist UGI in enhancing the safety and reliability of service and to satisfy the commitments that I&E has required in the settlement process.

The eighth factor to be considered is the appropriate settlement amount necessary to deter future violations. 52 Pa. Code § 69.1201(c)(8). I&E submits that given the nature of Columbia Gas's conduct and the nature of the resulting consequences, a civil penalty amount of \$9,000.00, which is not tax deductible, nor recoverable from ratepayers, is an appropriate penalty payment in this case. I&E further submits that the monetary cost of Columbia Gas's performance of all of the remedial measures is sufficient to deter Columbia Gas from committing future violations.

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 provides comparable or even superior relief to prior enforcement matters involving similar pipeline safety violations. The instant Settlement Agreement should be viewed on its own merits and is fair and reasonable. However, in looking at the relevant factors that are comparable to other pipeline matters involving pipeline safety violations that resulted in serious consequences, the instant Settlement is consistent with past Commission actions, in that a substantial civil penalty will be paid and numerous, valuable corrective actions to address the alleged violations will be or have been performed.

The tenth factor considers "other relevant factors." 52 Pa. Code § 69.1201(c)(10). I&E submits that an additional relevant factor—whether the case was settled or litigated—is of pivotal importance to this Settlement Agreement. A settlement avoids the necessity for the governmental agency to prove elements of each allegation. In return, the opposing party in a settlement agrees to a lesser fine or penalty, or other remedial action. Both

⁹ In *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa., Inc.*, Docket No. M-2014-2306076 (Order entered December 18, 2014) Columbia Gas paid a civil penalty in the amount of \$200,000 in connection with incidents that included failure to check and service valves at the required regulatory interval, pipelines operating at pressures exceeding the maximum allowable operating pressure, and lack of pressure regulation devices to prevent accidental over pressuring. In *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa., Inc.*, Docket No. M-2016-2378672 (Order entered December 7, 2017), Columbia Gas paid a civil penalty amount of \$50,000.00 following two separate incidents of contractor employee injuries in 2013. In *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa., Inc.*, Docket No. M-2022-3012079 (Order entered August 3, 2023), Columbia Gas entered into a settlement agreement, in which, it agreed to pay a civil penalty of \$990,000 following an over pressurization incident that led to a natural gas explosion, causing injuries to four individuals and significant property damage. In *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa., Inc.*, Docket No. M-2021-3005572 (Order entered August 24, 2023), Columbia Gas entered into a settlement agreement, in which, it agreed to pay a civil penalty of \$535,000 following allegations of overpressure events that did not result in harm or property damage.

Parties negotiate from their initial litigation positions. The fines and penalties, and other remedial actions resulting from a fully litigated proceeding are difficult to predict and can differ from those that result from a settlement. Reasonable settlement terms can represent economic and programmatic compromise while allowing the Parties to move forward and to focus on implementing the agreed upon remedial actions and enhancing public safety.

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. The Parties believe that approval of this Settlement Agreement is in the public interest. Acceptance of this Settlement Agreement in its entirety avoids the necessity of further administrative and potential appellate proceedings at what would have been a substantial cost to the Parties.

Wherefore, I&E supports the Settlement Agreement as being in the public interest and respectfully requests that the Commission approve the Settlement in its entirety without modification.

Respectfully submitted,
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Dated: October 11, 2024

Appendix C
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, :
Bureau of Investigation and Enforcement's :
Investigation of Columbia Gas of :
Pennsylvania, Inc.'s welding burn-through :
on a regulator station in Rochester, Beaver :
County, Pennsylvania :

Docket No. M-2024-3038111

COLUMBIA GAS OF PENNSYLVANIA, INC'S
STATEMENT IN SUPPORT OF SETTLEMENT
AGREEMENT

Columbia Gas of Pennsylvania, Inc. ("Columbia Gas" or "the Company"), by and through its counsel, hereby respectfully submits its Statement in Support of the Settlement Agreement submitted in the captioned proceeding. The terms and conditions of the Settlement Agreement are in the public interest and represent a fair, just, reasonable, and equitable resolution of the matters described therein. Approval of the Settlement Agreement is consistent with the Commission's Policy Statement for Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations, 52 Pa. Code § 69.1201.

Columbia Gas and the Commission's Bureau of Investigation and Enforcement ("I&E")(Columbia Gas and I&E referred to collectively as "the Parties") engaged in extensive exchange of information and negotiation and, as a result, I&E and the Company have agreed upon the terms embodied in the Settlement Agreement. Columbia Gas submits that the Settlement Agreement is in the public interest, as supported by the following factors:

I. Background

1. As described in the Joint Petition for Approval of Settlement ("Settlement" or "Settlement Agreement"), this Settlement resolves an investigation by I&E relating to a welding burn-through that I&E's Pipeline Safety Division observed during an October 14, 2021 inspection of Columbia Gas's Regulator Station # 4539 located in Rochester, Beaver County, Pennsylvania and the in-service repair of that welding burn-through.

2. I&E and other bureaus with enforcement authority are the entities established by statute to initiate proceedings against public utilities that are prosecutory in

nature. (Delegation of Prosecutory Authority to Bureaus with Enforcement Responsibilities, M-00940593, Order entered September 2, 1994), as amended by Act 129 of 2008, 66 Pa.C.S.A. § 308.2(a)(11). Moreover, pursuant to Section 59.33(b) of the Commission's regulations, 52 Pa. Code § 59.33(b), I&E's Safety Division has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101—60503 and as implemented at 49 CFR Parts 191—193, 195 and 199.

3. Columbia Gas has its principal place of business located in Canonsburg, Pennsylvania and at all times relevant to this proceeding was a public utility, as defined by 66 Pa.C.S. § 102, engaged in providing natural gas service to the public for compensation.

II. Parties' Positions

4. The averments of I&E contained in the Settlement Agreement were formulated without the benefit of a hearing and certain averments are or may be disputed by Columbia Gas. As stated in Paragraph 26 of the Settlement, had this matter been fully litigated rather than resolved through this Settlement, Columbia Gas would have contended that it did not violate provisions of the Public Utility Code, Commission regulations, and/or Code of Federal Regulations.

5. The Parties' agreement to settle the matters described in I&E's averments was made without any admission or prejudice to any position that they might adopt during any subsequent administrative or court proceeding of whatever nature, including any necessary subsequent litigation of the issues addressed in the Settlement Agreement if this settlement is rejected by the Commission or otherwise properly withdrawn by either of the parties.

III. Settlement Agreement

6. The parties to the Settlement Agreement have engaged in extensive and detailed discussions with respect

to each of the matters described in Paragraphs 11 through 25 under the heading "Background" and the alleged violations in Paragraphs 25 of the Settlement Agreement. The purpose of this Settlement Agreement is to resolve these matters without litigation in a manner that minimizes concerns regarding future similar events.

7. Columbia Gas has been cooperative and pro-active in addressing the concerns identified in the Settlement Agreement, including the alleged violations identified in Paragraph 25 of the Settlement Agreement.

8. Based upon the foregoing, under Paragraph 31 of the Settlement Agreement the parties have agreed to the entry of an Order directing as follows:

A. Civil Penalty:

Columbia Gas will pay a civil penalty in the amount of Nine Thousand Dollars (\$9,000.00) pursuant to 66 Pa.C.S. § 3301(c). Said payment will be made within thirty (30) days of the entry date of the Commission's Final Order approving the Settlement Agreement. ***

*** The civil penalty will not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f). Columbia Gas will not seek recovery of any portion of any agreed upon total civil penalty amount in any future ratemaking proceeding.

B. Procedures Related to Welding Burn-Throughs and In-Service Repairs:

Columbia Gas shall develop procedures and directions to either cut out and/or repair welds with a burn-through on in-service pipelines and review the procedure with all employee and contract welders welding on Columbia Gas facilities.

C. Procedures Related to Revocation of Welder Qualifications:

Columbia Gas shall amend its Welding Manual, to reference the Columbia Operator Qualification Plan Section E: Reasonable Cause to Verify Qualification, and "Review of Individuals (Field Failures)" as they pertain to welder performance. Columbia Gas will also ensure that employees and contractors are knowledgeable about this procedure.

D. Retraining, Requalification, and Inspection of Welds:

The welder who performed the burn-through weld at Regulator Station # 4539 has been retrained and requalified by Columbia Gas. Within 30 days of the issuance of a final order approving this settlement, Columbia Gas will provide I&E Pipeline Safety a list of all LP project jobs on which this welder completed welds, from which I&E Pipeline Safety will select a sample size and location where Columbia Gas will conduct visual, and if necessary, a non-destructive review of the welds.

E. Advisory Bulletin and Tailgate Updates:

Columbia Gas will issue an advisory bulletin and host tailgate updates to all appropriate company and contractor personnel regarding burn-through and in-service welding.

F. Quality Assurance/Quality Control Practice:

Columbia Gas will review and amend, as needed, its existing Quality Assurance/Quality Control practice for welds completed by second party contractors. The results of Columbia Gas's review will be made available to I&E Pipeline Safety.

G. Causal Analysis for Welding Issues:

Columbia Gas will conduct a causal analysis when a pipeline burn-through occurs on an in-service pipeline. Columbia Gas will also conduct a causal analysis for other weld related issues, as appropriate.

H. In-Service Welding Procedures:

Columbia Gas will review and amend, as needed, in-service welding procedures in its Welding Manual and related welder training.

9. Columbia Gas submits that the Settlement Agreement is in the public interest and, therefore, requests that the Commission approve the Settlement Agreement as such. The Settlement Agreement is expressly conditioned upon the Commission's approval without modification. The Parties have agreed that if the Commission modifies the terms of the Settlement Agreement, any party may give notice to the other that it is withdrawing from the Joint Petition for Approval of Settlement. Such notice must be in writing and must be given within twenty (20) business days of the entry of an Order modifying the Settlement.

10. Nothing contained in the Settlement Agreement may be used or construed by any person as an admission of any fact by Columbia Gas. The Settlement Agreement is proposed by the Parties without any admission against, or prejudice to, any position which any party may adopt during any subsequent administrative or court proceeding of whatever nature.

IV. *Compliance with the Commission's Policy Statement on Litigated and Settled Proceedings Involving Violation of the Public Utility Code and Commission Regulations*

11. Columbia asserts that approval of the Settlement Agreement is consistent with the Commission's Policy Statement for Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations, 52 Pa. Code § 69.1201 ("Policy Statement").

12. Under this Policy Statement, the Commission will consider specific factors when evaluating settlements of alleged violations of the Public Utility Code and Commission's Regulations. These factors are: (1) Whether the conduct at issue was of a serious nature, such as willful fraud or misrepresentation; (2) Whether the resulting consequences of the conduct at issue were of a serious nature, such as personal injury or property damage; (3) Whether the conduct at issue was deemed intentional or negligent (may only be considered when evaluating litigated cases); (4) Whether the regulated entity made efforts to modify internal policies and procedures to address the conduct at issue and prevent similar conduct in the future; (5) The number of customers affected and the duration of the violation; (6) The compliance history of the regulated entity that committed the violation; (7) Whether the regulated entity cooperated with the Commission's investigation; (8) The amount of the civil penalty or fine necessary to deter future violations; (9) Past Commission decisions in similar situations; and (10) Other relevant factors. 52 Pa. Code § 69.1201(c).

13. When applied to settled cases, the Commission will not apply the standards as strictly as it will in litigated cases. 52 Pa. Code § 69.1201(b).

14. Regarding the first standard and starting point in the Policy Statement, whether the conduct at issue was of a serious nature, such as willful fraud or misrepresentation, there is no suggestion in the Background or Alleged Violations sections of the Settlement Agreement that

Columbia Gas engaged in willful fraud or misrepresentation. Notwithstanding, Columbia Gas recognizes and acknowledges that the provision of natural gas service to the public is, by its nature, a serious matter and that a leaking gas facility associated with a welding burn-through can result in property damage, personal injury and/or loss of life. The terms of the Settlement Agreement adequately take Columbia Gas's alleged conduct into account, while also taking the Company's response to the incident into consideration.

15. Regarding the second standard set out in the Policy Statement, whether the resulting consequences attributable to the conduct at issue were of a serious nature, Columbia Gas refers to Paragraph 15 of the Settlement, wherein the parties state that "While the welding burn-through and in-service repair remained in service, there were no explosions, property damage, or injuries." Columbia Gas submits that the terms of the Settlement Agreement, including the proposed civil penalty, appropriately reflect the consequences attributable to the alleged conduct at issue. The corrective actions the Company has agreed to implement are designed to minimize the likelihood that a similar incident will occur in the future.

16. Since this is a settled matter, the third standard set out in the Policy Statement, whether the alleged conduct at issue was intentional or negligent, is not at issue.

17. Under the fourth standard in the Policy Statement, the Commission will consider modifications that may include activities such as training and improving company techniques and supervision, as well as the time it took to correcting the conduct, and the involvement of top-level management in correcting the conduct. All of these considerations weigh in favor of approval of approving the Settlement in this matter. The Settlement Agreement describes Columbia Gas's commitments regarding: modifications to procedures related to welding burn-throughs and in-service repairs; amendments to the Company's welding manual; retraining and requalification of the welder at issue that Columbia proactively undertook; inspection of a sample of the welder's completed welds (sample size to be selected by I&E); issuance of an advisory bulletin and hosting tailgate updates to employees and contractors; review of the Company's quality assurance/quality control practices, and sharing the results with I&E; causal analyses for future welding burn-throughs or other weld related issues, and; review and amendment, as needed, of Columbia Gas's in-service welding procedures and related welder training. These measures have been reviewed and approved by the Company's senior management.

18. Regarding the fifth standard in the Policy Statement, no customers were affected by the alleged conduct at issue. Columbia acknowledges that the burn-through and in-service repair of the weld at issue remained in service for approximately four months, and submits that the terms of the Settlement appropriately reflect that duration.

19. Regarding the sixth standard in the Policy Statement, in the past twelve years the Commission has assessed civil penalties ranging from \$50,000 to \$990,000 pursuant to settlements between Columbia Gas and I&E related to allegations of gas safety violations. See Docket Nos. M-2014-2306067; M-2016-2378672; M-2021-3005572; and M-2022-3012079.

The alleged conduct in the case that is the subject of the current Settlement Agreement is different than the

conduct at issue in those prior matters, and there is no prior history of the Company's safety violations regarding welding in general, or welding burn-throughs and in-service repairs specifically. The civil penalty that Columbia Gas and I&E have agreed upon in the instant matter reflects that history.

20. Regarding the seventh standard in the Policy Statement, Columbia Gas maintains that the Company cooperated with I&E in its investigation. Columbia Gas provided timely responses to data requests submitted to the Company by I&E during the course of its investigation.

21. Regarding the eighth standard in the Policy Statement, Columbia Gas submits that the proposed civil penalty of \$9,000 will adequately serve to deter future violations, especially in light of the non-monetary remedial measures under the Settlement Agreement that are meant to mitigate the risk of future occurrences like the incident that is the subject of this proceeding. As noted above, there is no history of Columbia Gas safety violations regarding welding issues.

22. Regarding the ninth standard in the Policy Statement, as discussed in Paragraph 19, above, the alleged conduct in the case that is the subject of the current Settlement Agreement is different than the conduct at issue in those prior matters. Columbia Gas is unaware of past Commission decisions that address welding burn-throughs and or in-service weld repairs.

23. Regarding the tenth standard in the Policy Statement, Columbia Gas submits that that it is in the public interest to settle this matter so as to avoid the expense of litigation. Moreover, the Settlement is in the public interest through remedial measures that will promote gas safety and reliability in Columbia Gas's service territory that will benefit the public.

24. Columbia Gas submits that both Parties' efforts have resulted in fair and equitable settlement that is in the public interest. The Commission has consistently encouraged settlements to avoid the time and expense associated with litigation. Columbia Gas submits that the Settlement Agreement is in the public interest because it recognizes the gravity of the alleged incident, while effectively addressing and resolving the issues raised by the ensuing investigation, and avoids the time and expense of litigation, which would entail hearings, filings of briefs, exceptions, reply exceptions, and possible appeals. The Company has also agreed to pay a civil penalty and to comply with the Commission's Regulations. The Settlement Agreement clearly meets the standards set forth in Section 69.1201.

Wherefore, Columbia Gas of Pennsylvania, Inc. respectfully requests that the Pennsylvania Public Utility Commission adopt an order approving the terms of the Settlement Agreement as being in the public interest.

Respectfully submitted
Columbia Gas of Pennsylvania, Inc.

By: Theodore J. Gallagher (PA Atty
ID 90842)
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Date: October 11, 2024

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement's Investigation of Columbia Gas of Pennsylvania, Inc.'s welding burn-through on a regulator station in Rochester, Beaver County, Pennsylvania : : Docket No. M-2024-3038111

CERTIFICATE OF SERVICE

I hereby certify that I have this day 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: Theodore J. Gallagher, Esq. 121 Champion Way, Suite 100 Canonsburg, PA 15317 tjgallagher@nisource.com Counsel for Columbia Gas of Pennsylvania, Inc. Colby B. Widdowson Prosecutor PA Attorney ID 326185

Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120 717-787-2139 cwiddowson@pa.gov Date: October 11, 2024

[Pa.B. Doc. No. 24-1844. Filed for public inspection December 20, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 6, 2025. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by January 6, 2025. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at https://www.puc.pa.gov/efiling/Default.aspx. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the docket number as follows or by searching the applicant's web site.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2024-3051880. Ride For \$ 5, LLC, t/a Joe's Ride (3205 East Market Street, Apartment M9, York, York County, PA 17402) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in York County. Attorney: Osvaldo Espinosa, Esquire, Espinosa & Associates, LLC, 243 North Duke Street, Lancaster, PA 17602.

A-2024-3052004. On Call Private Shuttle Service, LLC (2485 Merel Drive, Hatfield, Montgomery County, PA 19473) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Bucks, Delaware, Lehigh and Montgomery.

A-2024-3052170. Discount Cab Service, LLC (6369 Knapp Drive, Harrisburg, Dauphin County, PA 17111) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in Pennsylvania; excluding service originating out of the Counties of Allegheny, Berks, Bucks, Chester, Delaware, Fayette, Indiana, Lancaster, Montgomery, Somerset and Westmoreland, and the City and County of Philadelphia. Attorney: Ali M. Audi, Esquire, Audi Law, PLLC, 20 Briarcrest Square, Suite 206, Hershey, PA 17033.

Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2024-3052427. EMS Southwest, Inc. (4158 Old William Penn Highway, Murraysville, Westmoreland County, PA 15668) discontinuance of service and cancellation of its certificates, to transport, as a common carrier, by motor vehicle, at A-00122205,F.1 and A-2017-2609418, persons in paratransit service, from points in the Counties of Allegheny, Armstrong, Bedford, Butler, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland, to points in Pennsylvania, and return.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2024-3052218. Ace World Wide Moving and Storage Company (6001 South Ace Industrial Drive, Cudahy, WI 53110) to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

Application of the following for the approval of the transfer of stock as described under the application.

A-2024-3052412. Kinetic Movers, LLC (13476 Mockingbird Lane, Orrstown, Franklin County, PA 17244) a corporation of the Commonwealth, for the approval of a change in the membership of the limited liability corporation from Alexandria Smith and Karsten DeSario to Karsten DeSario. Upon completion of the change of membership, Karsten DeSario will be the sole member of the limited liability corporation. *Attorney:* Andrew J. Horowitz, Esquire, 525 William Penn Place, Suite 1710, Pittsburgh, PA 15219.

Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2024-3052440. Green's Transportation Service, LLC (8200 Noblestown Road, McDonald, Washington County, PA 15057) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons upon call or demand, in the Borough of Canonsburg, and the Townships of Cecil, Chartiers and North Strabane, Washington County, and points in Washington County within an airline distance of 10-statute miles of the Borough of Canonsburg; and in the Townships of Cross Creek, Hanover, Hopewell, Independence, Jefferson and Smith, and the Boroughs of Burgettstown and West Middletown, all in Washington County, as originally Docketed at A-00115729. *Attorney:* William H. Stewart, III, Esq., 310 Grant Street, Suite 2310, Pittsburgh, PA 15219.

A-2024-3052461. Lamega Taxi, LLC (62 South Poplar Street, Hazleton, Luzerne County, PA 18201) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-2017-2596091, persons in call or demand, between points in Hazleton, Luzerne County, and within a 5-mile radius of the boundaries of said city.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-1845. Filed for public inspection December 20, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due January 6, 2024, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Latino Taxi Service, LLC; Docket No. C-2024-3051577

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Latino Taxi Service, LLC, Respondent, maintains its principal place of business at 25 East Broad Street, West Hazleton, Pennsylvania, 18202.
2. That Respondent was issued a certificate of public convenience for taxi authority by this Commission on October 11, 2017, at Pa. PUC No. 6320054 certificate A-2017-2613993.
3. That on October 9, 2024, PUC Enforcement Officer Kevin Kistulentz conducted a traffic stop at Poplar Street, Hazleton, Luzerne County, PA. The vehicle was a 2017 Chevrolet Cruz, PA registration TX51457 the last four of the vehicle identification number 0020. The driver was Yarin Martich transporting a passenger from Diamond Avenue to Arthur Street, both located in Hazleton, Luzerne County, PA.
4. That Officer Kistulentz conducted a Driver/Vehicle Compliance Report (DVCR). The following violations were discovered:
 - a. PA state inspection decal had expired at the end of September 2024.
 - b. No consumer decal was displayed as required.
5. That Respondent, by allowing a vehicle to be operated without a state inspection decal, has violated 52 Pa. Code § 29.405. The penalty for this violation is \$250.00.
6. That Respondent, by allowing a vehicle to be operated without a consumer information decal, has violated PA 52 PA § 29.318. The penalty for this violation is \$50.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Latino Taxi Service, LLC the amount of three hundred dollars (\$300.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,
 Brian B. Mehus, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 400 North Street
 Harrisburg, PA 17120

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 30 October 2024

Brian B. Mehus, Acting Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 400 North Street, 3rd Floor
 Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street, 2nd Floor
 Harrisburg, PA 17120

D. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceedings shall be closed.

E. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 24-1846. Filed for public inspection December 20, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Wastewater Service

A-2024-3052459. Pennsylvania-American Water Company. In the matter of the application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply wastewater service to the public in an additional portion of West Caln Township, Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 6, 2025. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point file system with advanced notice to the Commission prior to submittal.

Applicant: Pennsylvania-American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055

Through and By Counsel for: Erin K. Fure, Esquire, Pennsylvania-American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 24-1847. Filed for public inspection December 20, 2024, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101.

January 16, 2025	Account of Candida Baez-Vizcaino (Effective Date of Retirement)	10 a.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to attend the proceeding should contact the Appeal Docket Clerk at (717) 412-3677 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

TERRILL J. SANCHEZ,
Executive Director

[Pa.B. Doc. No. 24-1848. Filed for public inspection December 20, 2024, 9:00 a.m.]

END OF ISSUE

