

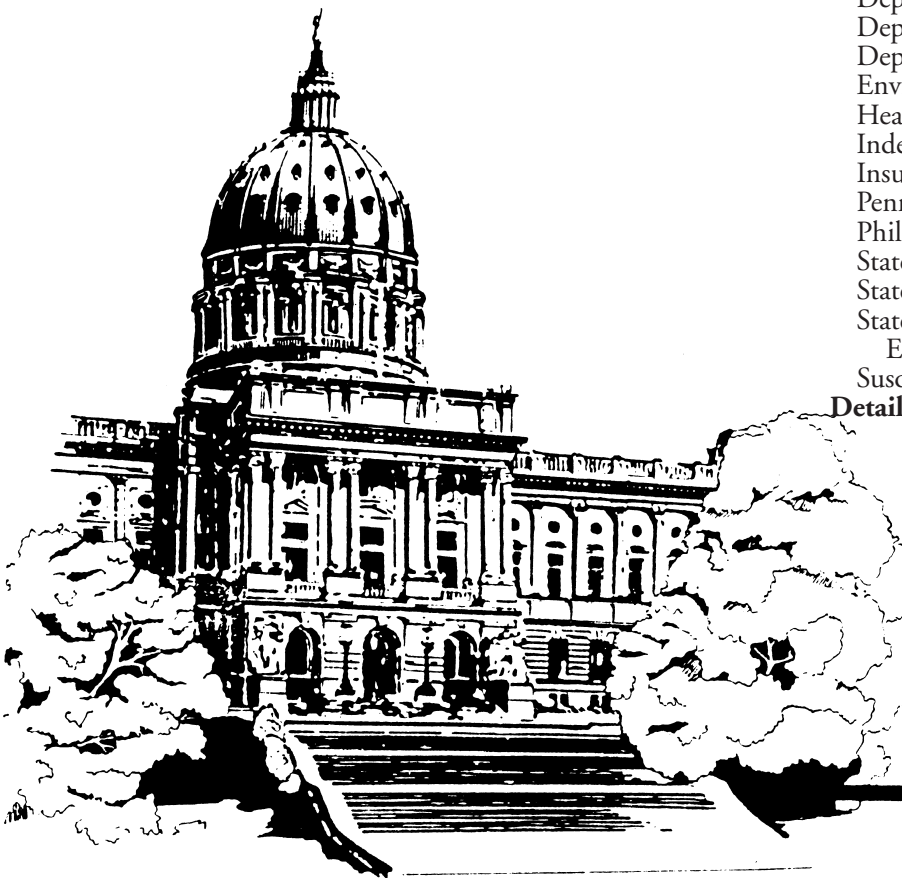
# PENNSYLVANIA BULLETIN

Volume 47  
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Department of Conservation and Natural Resources  
Department of Environmental Protection  
Department of Health  
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Department of Revenue  
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Philadelphia Parking Authority  
State Board of Education  
State Board of Nursing  
State Registration Board for Professional Engineers, Land Surveyors and Geologists  
Susquehanna River Basin Commission

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

**No. 514, September 2017**

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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 every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; 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 repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Notice of 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. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of 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 and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. 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. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

### **How to Find Documents**

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

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

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

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which 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.pabulletin.com](http://www.pabulletin.com).

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Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

#### **Fiscal Notes**

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed 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; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; 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; in that order, 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 that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2017.

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# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[ 204 PA. CODE CH. 215 ]

#### Special Independent Prosecutor's Panel

Under 18 Pa.C.S. § 9311(a) (relating to the selection of the special independent prosecutor's panel), the Court Administrator of Pennsylvania was required to determine and supervise the procedure for selecting members of the panel. Act 131 of 2016 repealed Chapter 93 of Title 18, and thus, 204 Pa. Code Ch. 215 is reserved.

THOMAS B. DARR,  
*Court Administrator of Pennsylvania*

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

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

##### CHAPTER 215. [ SPECIAL INDEPENDENT PROSECUTORS PANEL ] (Reserved)

§ 215.1. [ Special Independent Prosecutor's Panel ] (Reserved).

[ (a) Under 18 Pa.C.S. § 9311(a) (relating to selection of special independent prosecutor's panel), the Court Administrator of Pennsylvania is required to determine and supervise the procedure for selecting members of the panel.

(b) In accordance with 18 Pa.C.S. § 9311(a), a panel composed of one judge of the Commonwealth Court and two judges of the Courts of Common Pleas were chosen at random. The judges selected were: the Honorable Rochelle S. Friedman of Commonwealth Court, the Honorable Paul W. Tressler of Montgomery County Court of Common Pleas, and the Honorable Donald E. Machen of Allegheny County Court of Common Pleas.

(c) In accordance with § 9319(a), the Special Independent Prosecutor's Panel appointed Anthony M. Mariani, Esquire as independent counsel on February 4, 1999.

(d) In accordance with § 9319(a), the Special Independent Prosecutor's Panel appointed Anthony M. Mariani, Esquire as independent counsel on June 25, 1999 in an additional matter docketed at 1 I.C. 1998.

(e) In accordance with § 9319(a), the Special Independent Prosecutor's Panel appointed William F. Manifesto, Esquire as independent counsel on July 21, 1999 in a matter docketed at 1 I.C. 1999.

(f) Upon consideration of the Application for Appointment of Independent Counsel filed by Robert J. DeSousa, Esquire, Special Investigative Counsel for Preliminary Investigation No. 1 of 2000, the Application is granted and Carol A. Sweeney, Es-

quire is appointed as Independent Counsel pursuant to Section 9315(a)(2) of the Independent Counsel Authorization Act, Act of February 18, 1998, P.L. 24, No. 19. ]

[Pa.B. Doc. No. 17-1606. Filed for public inspection September 29, 2017, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Service of Petitions Filed Pursuant to the Municipal Claims and Tax Liens Act; Administrative Doc. No. 03 of 2017

#### Order

*And Now*, this 11th day of September, 2017, in order to ensure that appropriate notice of Sheriff Sale of real estate pursuant to the Municipal Claims and Tax Lien Act is given, it is hereby *Ordered* that effective with Petitions filed on and after January 2, 2018, the City of Philadelphia shall:

1) include as part of the Petition an Order substantially as follows as Exhibit 1.

2) as required by 53 P.S. § 7193.2(a)(2), serve a copy of the Petition and the Order issued by the Court by first class mail on the Respondent(s) to the address(es) registered as required by 53 P.S. § 7193.1(a)(1).

3) as provided in 53 P.S. § 7193.2(a)(1), post a true and correct copy of the Petition and Order issued by the Court on the most public part of the property as required by 53 P.S. § 7193.2(a)(1).

4) file an "Affidavit of Posting," substantially as follows as Exhibit 2, identifying the location on the premises where the Petition and this Order were posted and attaching date-and-time-stamped color photographs which display the posting as well as the location of the posting and establish that the said posted location is on the most public part of the premises accessible to the public.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1. As required by Pa.R.J.A. 103(d), this Administrative Order and the following forms were submitted to the Supreme Court of Pennsylvania Civil Procedural Rules Committee for review, and written notification has been received from the Rules Committee certifying that the provisions of this order and following forms are not inconsistent with any general rule of the Supreme Court. This Administrative Order and the following forms shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this Administrative Order and the following forms, as well as one copy of the Administrative Order and following forms shall be distributed to the Legislative Reference Bureau on a com-

puter diskette for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order and following forms shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://courts.phila.gov>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order and following forms shall also be published in *The Legal Intel-*

*ligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

*By the Court*

HON. JACQUELINE F. ALLEN,  
*Administrative Judge, Trial Division  
Court of Common Pleas  
Philadelphia County*

**Exhibit 1**

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION—CIVIL**

City of Philadelphia : \_\_\_\_\_ TERM, 201 \_\_\_\_  
 :  
 vs. : No. \_\_\_\_\_  
 :  
 Respondent : OPA:

**ORDER**

AND NOW, this \_\_\_\_\_, upon consideration of the Petition filed in connection with this matter, a rule is issued upon the Respondent to show cause why the following property:

[ADDRESS OF PROPERTY]

should not be sold free and clear of all liens and encumbrances, and it is hereby ORDERED as follows:

1. As provided in 53 P.S. § 7193.2(a)(1), Petitioner shall post a true and correct copy of this Order and the Petition on the most public part of the above property. The Petitioner shall file an Affidavit of Posting, in the attached format, identifying the location on the premises where the Petition and this Order were posted and attaching date-and-time-stamped color photographs which display the posting as well as the location of the posting and establish that the said posted location is on the most public part of the premises accessible to the general public;
2. As provided in 53 P.S. § 7193.2(a)(2), Petitioner shall serve a copy of this Order and the Petition, by first class mail on the Respondent(s) to the address(es) registered as required by 53 P.S. § 7193.1(a)(1);
3. Petitioner shall file the required Affidavit(s) of service and Proof(s) of Service with the Office of Judicial Records before the hearing date;
4. Respondent(s) shall have fifteen (15) days from the date of service to file a Response to the Petition; and
5. A hearing to determine whether service has been effectuated as ordered, and whether the relief requested ought to be granted is scheduled for \_\_\_\_\_ at 9:00 am in Courtroom 676 City Hall, Philadelphia. PA. In the event the Respondent(s) do(es) not appear, the Court shall proceed with the hearing or may appoint a Master who shall review the proof(s) of service and affidavit(s) of service and shall report to the Court whether service was effectuated as ordered and whether a Response to the petition was filed by the Respondent as ordered. The Court shall then issue an appropriate order.

BY THE COURT:

\_\_\_\_\_  
SUPERVISING JUDGE  
TRIAL DIVISION-CIVIL

**Exhibit 2**

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION—CIVIL**

City of Philadelphia : \_\_\_\_\_ TERM, 201 \_\_\_\_  
 :  
 vs. : No. \_\_\_\_\_  
 :  
 Respondent : OPA:

**AFFIDAVIT OF POSTING**  
(Attach additional Pages as Necessary)

ADDRESS OF PROPERTY POSTED: \_\_\_\_\_  
DOCUMENTS POSTED: Petition Filed: \_\_\_\_\_ Order Dated: \_\_\_\_\_

DESCRIBE SPECIFIC LOCATION & MANNER OF POSTING WITHIN THE PROPERTY:  
(The Petition and Order must be posted on most public part of property accessible to the general public)

DATE AND TIME POSTED: \_\_\_\_\_

NUMBER & DESCRIPTION OF DATE-TIME-STAMPED COLOR PHOTOGRAPHS: \_\_\_\_\_

Name of Process Server: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

I, the undersigned, being duly sworn according to law, depose and say that I posted the documents as described above and that the photographs accurately depict the posting. I verify that the facts herein set forth are true and correct to the best of my knowledge, information, and belief. This statement is being made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

\_\_\_\_\_  
Signature of Process Server DATE \_\_\_\_\_

[Pa.B. Doc. No. 17-1607. Filed for public inspection September 29, 2017, 9:00 a.m.]

# Title 255—LOCAL COURT RULES

## BUTLER COUNTY

### Local Rules of Civil Court; MsD No. 17-40210

#### Administrative Order of Court

And Now, this 12th day of September, 2017, it is hereby ordered and decreed that Local Rules of Court listed as follows pertaining to Butler County Court of Common Pleas Civil Court Division, are hereby amended:

- L205.2(b) Cover Sheet
- L1141(b) Consumer Credit or Residential Mortgage Foreclosure Program
- L1143 Commencement of Consumer Credit or Mortgage Foreclosure Action
- L1302 Appointment of Arbitrators
- L5001(e) Post Status Conference Order
- L5004(a) Settlement

These amendments are effective thirty days after publication of this notice and the within Amendments to Local Rules in the *Pennsylvania Bulletin*.

The Court directs the Court Administrator to:

1. File one paper copy of this Administrative Order and the within Local Rules of Civil Procedure with the Administrative Office of the Pennsylvania Courts.
2. File two paper copies of this Administrative Order and the within Local Rules of Civil Procedure and one (1) diskette/CD with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*
3. Forward one (1) copy of this Administrative Order and the within Local Rules of Civil Procedure to the administrative office of the *Butler County Legal Journal* for publication.
4. Publish this Local Rule on the Butler County Courts website.
5. File one copy of this Local Rule with the Butler County Prothonotary's office for public inspection and copying.

By the Court

THOMAS J. DOERR,  
*President Judge*

LOCAL RULES OF CIVIL PROCEDURE

Rule L205.2(b). Cover Sheet.

All complaints in civil action filed at the office of the Butler County Prothonotary shall be accompanied with a cover sheet which in substance is similar to the following:

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA CIVIL ACTION

Plaintiff, Case No.

v. Defendant.

Type of Document: Complaint in Civil Action

If this is a Complaint, designate whether the case is subject to Compulsory Arbitration (jurisdictional amount \$35,000) or not.

- amount in controversy does not exceed \$35,000
amount in controversy exceeds \$35,000
issues in case are not subject to Compulsory Arbitration

Does this complaint involve consumer credit card collection Y N
Does this complaint involve residential mortgage foreclosure proceedings Y N

Filed on behalf of (Plaintiff / Defendant)
Counsel of record for this party (Name of attorney primarily responsible)
Supreme Court I.D. No.

(Firm Name, if any)
(Address)
(Phone)
(Fax Number)
(E-Mail Address)

Rule L1141(b). Consumer Credit or Residential Mortgage Foreclosure Program.

In consumer credit or residential mortgage foreclosure proceedings, local procedural requirements shall apply to accomplish the implementation of the Consumer Credit or Residential Mortgage Foreclosure Diversion Program. Local rules affected in relation to residential mortgage foreclosure proceedings are as follows:

- L402 L1143.1(a)(b)(c)(d)(e)(f)
L1034(a) L3129.1
L1025(a) L3256
L1143(a)(b)(c)(d)(e)

Rule L1143. Commencement of Consumer Credit or Mortgage Foreclosure Action.

(a) In all consumer credit and residential mortgage foreclosure actions, the complaint shall include a "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" in the format set forth in below.

Date of Service:
Manner of Service:
By:

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

Plaintiff(s) vs. AD No. Defendant(s)

NOTICE OF CONSUMER CREDIT/RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM PURSUANT TO BUTLER COUNTY LOCAL RULE OF CIVIL PROCEDURE L-1143 AND L3129.1

A Complaint in Consumer Credit or Residential Mortgage Foreclosure has been filed with the Court that could cause you to lose your assets or home.

You may be able to participate in a court-supervised conciliation conference in an effort to resolve this matter with your lender.

If you do not have an attorney, you must take the following steps to be eligible for and to remain in the program. First, within ten (10) days of the date noted above, you must contact the Butler County Consumer Credit/Residential Mortgage Foreclosure Diversion Program information line at 724-431-0081. You must schedule and attend either group mortgage assistance program or credit assistance program, as instructed. These classes are available to you at NO CHARGE. Attendance at one of these classes is mandatory for your continued participation in the Court Conciliation program.

After attending the class, a housing or credit counselor may be available to work with you to review your finances and attempt to work with your lender to try to resolve the claims in this lawsuit. Eligibility for counseling is based upon financial guidelines, which will be discussed at the group class. If you are scheduled to meet with a counselor, you must

appear and you must provide the counselor with all requested financial information so that a loan resolution proposal can be prepared on your behalf. If you are not eligible for counseling, you will receive further instructions during the class concerning your obligation to communicate with the lender.

If you are represented by a lawyer, it is not necessary for you to call the information line. However, you and your attorney are responsible to communicate with the lender in advance of the conciliation conference.

To obtain admission to the Consumer Credit/Residential Mortgage Foreclosure Diversion Program, you or your attorney must complete a Request For Conciliation Conference form as provided at Butler County Local Rule L-1143(b), file the same with the Prothonotary, and serve a copy of said Request, by mail to the Plaintiff's address set forth below.

\*For further information you may also go to www.co.butler.pa.us or www.butlercountypabar.org/credit-crunch-program or call the Butler County Bar Association at 724-841-0130\*

IF YOU WISH TO PARTICIPATE IN THIS DIVERSION PROGRAM, YOU MUST ACT QUICKLY AND TAKE THE STEPS REQUIRED BY THIS NOTICE. THIS PROGRAM IS FREE.

Plaintiff must complete:

DISCLOSURE OF PLAINTIFF CONTACT INFORMATION

(person authorized to discuss case status and resolution options with the Defendant and/or the Defendant's representative)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

Email: \_\_\_\_\_

(b) To participate in the Consumer Credit or Residential Mortgage Foreclosure Diversion Program the defendant/borrower or his/her legal counsel shall follow Butler County Local Rule of Civil Procedure 1143.1 program requirements and file a Request for Conciliation Conference in the format set forth below. The Request for Conciliation Conference shall be filed with the Prothonotary within thirty 30 days of service of the Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program and shall be served upon the plaintiff/lender.

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

Plaintiff(s)

vs.

AD No.

Defendant(s)

REQUEST FOR CONCILIATION CONFERENCE (Butler County Local Rule of Civil Procedure L-1143(b))

Pursuant to the local rules governing the Butler County Consumer Credit or Residential Mortgage Foreclosure Diversion Program, the undersigned hereby certifies as follows:

- 1. This action involves consumer credit, or the Defendant is the owner of the residential property if this is a mortgage foreclosure action; and
2. If a residential mortgage foreclosure action, Defendant physically lives in the subject property, which is defendant's primary residence; and
3. Defendant has been served with a "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" and
a. If Defendant is self-represented:
(1) Defendant is scheduled to attend the \_\_\_\_\_(date) mortgage or credit assistance class as instructed by the Butler County Consumer Credit/Residential Mortgage Foreclosure Diversion Program information line; and
(2) Defendant will attend any follow up conference scheduled with the credit or housing counselor after the mortgage or credit assistance class; and
(3) Defendant will personally attend the court conciliation conference as scheduled by the Court.

Or-

b. If Defendant is represented by counsel:

- (1) I \_\_\_\_\_ am legal counsel of record for the Defendant.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unworn falsification to authorities.

\_\_\_\_\_  
Signature of Defendant/Defendant's Counsel

Person who Plaintiff should contact to discuss status of case and options to resolve:

Name \_\_\_\_\_ Office \_\_\_\_\_  
 Relationship to Defendant \_\_\_\_\_ Address \_\_\_\_\_  
 Phone \_\_\_\_\_ E-Mail \_\_\_\_\_  
 Fax # \_\_\_\_\_

(c) Upon receipt of the Request for Conciliation Conference, the Court Administrator shall issue a case management order. Conciliation conferences shall be scheduled and conducted in conformity with Butler County Local Rule of Civil Procedure L-11431.1, et seq.

(d) Service of process. For complaints filed and served before November 2, 2009, the "Notice Of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" may be served by certified mail to the record address of the Defendant or to Defendant's legal counsel of record, if any. The date of service shall be the date when the certified mail is delivered to Defendant or Defendant's counsel. However, if original service of the complaint has not been completed, service of the Notice shall be as per Butler County Local Rule of Civil Procedure L-402.

(e) Before any matter will be scheduled for consideration before the assigned judge or for arbitration, the plaintiff/lender must file an Affidavit, which discloses: the date and manner of service of the "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program"; whether or not the defendant/borrower has requested to participate in the Consumer Credit Residential Mortgage Foreclosure Diversion Program; and, whether or not there is a present, court-ordered stay in effect. The format for said Affidavit is set forth below.

**IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA**

Plaintiff(s)

vs.

AD No.

Defendant(s)

**AFFIDAVIT OF SERVICE AND STATUS OF CONSUMER CREDIT OR RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM**

(Butler County Rule of Civil Procedure L-1143(e) and L-1034(a) 1 and L-1035.2(a)(1) and L-3129.1(b) and L-3256)

I, \_\_\_\_\_, counsel for Plaintiff, in the above action, do hereby certify that on \_\_\_\_\_ the Defendant(s) was served with the "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program by \_\_\_\_\_, and that:

(method of service and by whom)

- (1) 30 days have passed since service of the Notice;
- (2) The Defendant(s) has not filed a Request for Conciliation Conference (Butler County Local Rule of Civil Procedure L-1143b); or
- (3) If a Request for Conciliation Conference has been filed, there is no present Court ordered Stay in effect.

Respectfully submitted,

\_\_\_\_\_  
Date

\_\_\_\_\_  
Plaintiff Counsel

**Rule L1302. List of Arbitrators. Appointment to Board.**

(a) The Prothonotary of Butler County shall compile and maintain a list of persons eligible and willing to serve as arbitrators. This list shall be comprised of members of the bar actively engaged in the practice of law primarily in Butler County. "Actively engaged in the practice of law primarily in Butler County" is defined as attorneys who regularly maintain an office in Butler County for the practice of law. Persons who have been determined to be eligible shall file a written consent to serve as an arbitrator with the Prothonotary. Arbitrators shall be selected by the Prothonotary from those persons who have filed their consents to serve.

(b) If an arbitrator is not able to serve on his or her appointed date, said arbitrator shall secure a replacement arbitrator from the list of attorneys who have consented to serve. Said arbitrator shall notify Court Administration and the Prothonotary of the replacement. The Prothonotary shall appoint said substitute attorney to replace arbitrator. Should a vacancy on the board of arbitrators occur prior to the hearing for any reason, or should a member of the board fail to attend the hearing, a member of the board shall notify the Prothonotary who shall immediately vacate that appointment and make an appointment to fill that vacancy. Should a vacancy on the board of arbitrators occur after the hearing takes place, but before an award is signed by all arbitrators, or should a member of the board fail to or refuse to perform his or her duties, the award shall be signed and filed by the remaining members of the board. If the remaining members of the board are unable to agree, they shall notify the Prothonotary who shall appoint a third member. Thereafter the Court Administrator shall schedule a re-hearing for the new board, which shall thereafter file an award.

(c) The board shall be chaired by a member of the bar admitted to the practice of law for at least ten (10) years. Other members of the panel must have been admitted to the bar.

(d) Each member of the board of arbitrators who has been duly sworn to hear a case shall receive as compensation a fee in the amount set by the court from time to time by administrative order. In cases requiring hearings that exceed one

half (1/2) day, the arbitrators may petition the court for additional compensation, which the court may grant for cause shown. The arbitrators shall be entitled to receive their compensation fees as follows:

- (1) Following hearing, after filing the award with the Prothonotary as per Butler County L.R.C.P. L1306; or
- (2) If a continuance is requested after the date of posting of a hearing time for the case as per Butler County L.R.C.P. L1303(d), the arbitrators shall be paid from the funds paid by the continuing party as per Butler County L.R.C.P. L1304; or
- (3) If a case settles after the posting of a hearing time for the case as per Butler County L.R.C.P. L1303(d), but before the scheduled arbitration hearing, the arbitrators shall be paid by the county as per administrative order under Local Rule L1302(d) upon Order of Court that directs payment in the case.
- (a) When counsel agree upon terms for settlement, they shall notify the Court, in writing, as soon as possible such that the case can be removed from the Arbitration hearing list. Any case that is removed from the list after posting of the time for arbitration under Local Rule L1303(d) which does not settle of record, shall not be re-listed for Arbitration unless the arbitrators fees paid to the original Arbitration panel as per Local Rule L1303(e) are reimbursed to the County by counsel for the parties.

Compensation fees paid to arbitrators shall not be taxed as costs or follow the award as other costs.

(e) Upon the filing of the arbitrators' award, discontinuance by the parties after the swearing of the arbitrators, Order of Court continuing the case after posting of a hearing time as per Butler County L.R.C.P. 1303(d)(2), Order of Court removing the case from Arbitration based upon settlement of the case of record as per Butler County L.R.C.P. L1302(d)(3), or an award by the Court in accordance with Pa.R.C.P. No. 1303(b), the Prothonotary shall certify such filing to the Court and submit a statement for payment to the Office of the Court Administrator. The County shall thereupon pay the applicable fee to each member of the board of arbitrators.

(f) If an arbitrator fails in his or her duties, or the board of arbitrators fails to file an award promptly, as required by Pa.R.C.P. No. 1306, the result will be the forfeiture of the arbitrator's fee.

**Rule L5001(e). Post Status Conference Order.**

In the event the parties reach a tentative agreement at the time of the Conciliation Conference and formal approval of the taxing bodies is required prior to settlement, the Court will enter an order in the following format:

**IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA**

IN RE Appeal of:

_____ )	
(NAME OF APPELLANT) )	
From the Butler County Board of )	Case No.: _____
Assessment Appeal )	
Tax ID No. _____ )	

---

School District: \_\_\_\_\_

Municipality: \_\_\_\_\_

Property of: \_\_\_\_\_

Property Address: \_\_\_\_\_

Intervenor: \_\_\_\_\_

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, at the time scheduled for a Status Conference in the above matter, Counsel have arrived at terms for tentative comprehensive settlement of this tax assessment appeal. However, approval of various governing boards is necessary. Counsel shall provide this Court with a status report on or before \_\_\_\_\_. Thereafter, a further Order will issue.

BY THE COURT:  
\_\_\_\_\_ J

**Rule L5004. Settlement.**

(a) *Settlement.* When counsel agree upon terms for settlement, they shall notify the Court, in writing, in the following format, as soon as possible such that the case can be removed from the hearing list:



IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

(NAME OF APPELLANT) )
From the Butler County Board of Assessment Appeal )
Tax ID No. \_\_\_\_\_ )
Case No.: \_\_\_\_\_

School District: \_\_\_\_\_
Municipality: \_\_\_\_\_
Property of: \_\_\_\_\_
Property Address: \_\_\_\_\_
Intervenor: \_\_\_\_\_

STIPULATION TO SETTLE

WHEREAS, the Appellant(s) filed an appeal to this Honorable Court of the assessment set for the above referenced property by the Board of Assessment Appeals of Butler County.

WHEREAS, based upon the risk and hazards of litigation, the parties have decided that it is in their best interest to settle the above-captioned matter based upon the terms and conditions outlined in this Stipulation to Settle.

NOW, THEREFORE, the undersigned, intending to be legally bound and to bind their respective clients, agree to the following settlement.

- After further review by all parties, it was agreed the assessment shall be as follows:
1. Commencing on \_\_\_\_\_, for the County and Township taxes, and \_\_\_\_\_, for the School taxes, the assessment shall be set based on a fair market value of \$ \_\_\_\_\_ and an assessed value of \$ \_\_\_\_\_ for tax year \_\_\_\_\_.
2. In determining the assessed value of the property, the County Assessment Office shall use a Common Level Ratio of \_\_\_\_\_%.
3. The parties agree that the Court should enter an Order in the form attached setting the assessed value as herein above set forth and ordering that the case be marked settled, discontinued, and ended.
4. The Appellant shall pay the appropriate fee, payable to the Prothonotary of Butler, for the discontinuance of this action. Payment shall accompany the filing of this stipulation.
5. If the docket is not settled within ten (10) days of the settlement date set forth in this Stipulation, Appellant shall appear as scheduled by the Court. Settlement of the docket shall cancel this hearing.
6. This Stipulation can be executed in counterparts.

Signature

[Pa.B. Doc. No. 17-1608. Filed for public inspection September 29, 2017, 9:00 a.m.]

LANCASTER COUNTY

Adoption of New Local Rule of Judicial Administration 520 Governing the Case Documents Public Access Policy; CPJ. No. 7, Page 1357; No. 12 AD 2017

Administrative Order

And Now, this 15th day of September 2017, it is hereby
Ordered, that the Lancaster County Court of Common Pleas adopts Local Rule of Judicial Administration 520 governing the Case Documents Public Access Policy for the 2nd Judicial District to become effective January 6, 2018.

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

- 1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.
3. Publish these Rules on the Lancaster County Court website at www.court.co.lancaster.pa.us.
4. Incorporation of the local rule into the set of local rules on www.court.co.lancaster.pa.us within thirty (30) days after the publication of the local rule in the Pennsylvania Bulletin.
5. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

By the Court

DENNIS E. REINAKER,
President Judge

**LOCAL RULES OF JUDICIAL ADMINISTRATION****Rule 101. Title and Citation.**

These Rules shall be known as the Lancaster County Rules of Judicial Administration and may be cited as "L.C.R.J.A. . . ."

Adopted 10-18-16                      Effective 1-1-17

**Rule 520. Case Documents Public Access Policy.****A. Establishment**

Pursuant to the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Court at Title 204. Chapter 213, this rule is adopted to define the policy to be followed by this Court.

**B. Election of Policy**

In compliance with Section 7, this Court elects subsection C. Parties will be required to file in all filing offices under its jurisdiction two versions of any document, a "Redacted Version" and an "Unredacted Version."

Adopted 7-1-17                      Effective 1-6-18

[Pa.B. Doc. No. 17-1609. Filed for public inspection September 29, 2017, 9:00 a.m.]

**LANCASTER COUNTY****Amendment of Local Rules of Civil Procedure;  
CI-17-00765****Administrative Order**

And Now, this 13th day of September 2017, it is hereby Ordered that the following Local Rules of Civil Procedure of the Court of Common Pleas of the 2nd Judicial District of Pennsylvania, Lancaster County, are amended as indicated, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Lancaster County District Court Administrator is Ordered to do the following:

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

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

3. Publish these Rules on the Lancaster County Court website at [www.court.co.lancaster.pa.us](http://www.court.co.lancaster.pa.us).

4. Incorporation of the local rule into the set of local rules on [www.court.co.lancaster.pa.us](http://www.court.co.lancaster.pa.us) within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

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

*By the Court*

DENNIS E. REINAKER,  
*President Judge*

**Rule 205.4. Electronic Filing and Service of Legal Papers.**

A. "Electronic Service" (e-service) means the electronic transmission of documents to a party, attorney or repre-

sentative under these rules. Electronic service does not include service of process or summons to gain jurisdiction over persons or property.

1. Civil Actions filed in the Court of Common Pleas of Lancaster County may be filed by electronic filing or eFiling. Also, parties may electronically serve other Advanced File & Serve registered users of the system.

2. *Registration.* Any person intending to use eFile must register with File and Serve Express (FileandServeExpress.com).

**B. Form of Documents Electronically Filed.**

1. *Format.* To the extent practicable it shall be formatted in accordance with the applicable rules governing formatting of paper documents, and in such other and further format as the Court may require from time to time. A document may exceed page limitation rules to a maximum of two (2) additional pages when the additional pages are attributed to the electronic conversion of filing process. The eFile system will automatically convert any filing to PDF format, but the original format will be available for downloading. The official record of the court is the PDF version.

2. *Title of Documents.* The title of each electronically filed document shall include: (1) Party or parties filing the document; (2) Descriptive title of the document; (3) Party or parties against whom relief, if any, is sought, and (4) Nature of the relief sought (e.g. Defendant ABC Corporation's Motion for Summary Judgment Against Plaintiff Jones).

**3. Signature.**

a. Each electronically filed document shall be deemed to have been signed by the attorney or party represented by an attorney authorizing such filing and shall bear a facsimile or typographical signature of such person, e.g. "/s/Adam Attorney". Each document eFiled by an attorney shall also include the typed name, address, and telephone number of the attorney or unrepresented party filing such document. Attorneys shall include their Pennsylvania bar number. Each electronically filed declaration and affidavit shall be deemed to have been signed by the declarant or affiant if an attorney or party not represented by an attorney has authorized such filing. Documents containing signatures of third-parties (i.e., unopposed motions, affidavits, stipulations, etc.) may also be filed electronically by indicating in the original signatures are maintained by the filing party in paper-format.

b. The electronic filing of a legal paper constitutes a certification by the filing party that the original hard copy was properly signed and, where applicable, verified; and a certification as provided by the signature to a legal paper under Pa.R.C.P. 1023(b), the violation of which shall be subject to the sanction provided in Pa.R.C.P. 1023(c). The filing party shall maintain the original hard copy of the document filed. Any other party at any time may require the filing party to file the original hard copy by filing with the Prothonotary and serving upon the filing party a notice to file the original hard copy with the Prothonotary within fourteen days of the filing of the notice.

**4. Filing Related Documents.**

a. Pleadings seeking judicial action such as Proposed Orders shall be filed separately.

b. Documents may be filed in electronic form, except that paper copies of any legal paper required by court rule or statute to be in paper form shall also be filed in

the form required. In the case of original process filed to commence an action, the filing party shall provide a sufficient number of paper copies of an electronically filed document in order to permit service by the Sheriff.

*C. Public Access to the Docket.*

1. The Prothonotary shall make a Public Access Terminal available to the general public to allow access to the Court's electronic case record in all eFiled cases. Copies made from the Court's electronic case records system shall be printed by the Prothonotary and copying fees will be charged in accordance with the Prothonotary's usual fee schedule.

*D. Filing Fees.*

1. Filing fees will be billed by File and Serve Express using the billing arrangements established through the File and Serve Express registration process.

2. Filing fees billed by File and Serve Express shall include Prothonotary's statutory filing fees.

*E. Sealed Documents.*

1. Documents intended to be filed under seal shall be designated by the filing party as "sealed" in the eFile system.

2. The filing details and document title will appear in the eFile system. The document can be viewed only by the Court, the Prothonotary staff, the filer, and those case participants who received service of that particular document. A party that was not served with the document can see only the document title in the case details, however, that party is not able to open or view the document.

*F. Time of eFiling and eService*

1. Any document filed electronically by 11:59 p.m. ET shall be considered eFiled with the court once the transmission is successfully completed ("authorized date and time") as recorded on the File and Serve Express System.

2. Delivery of e-service documents through File and Serve to other registered users shall be considered as valid and effective service and shall have the same legal effect as an original paper document. Recipients of e-service documents shall access their documents through the File and Serve system.

3. For the purpose of computing time to respond to documents received via e-service, any document served on a day or at a time when the court is not open for business shall be deemed served at the time of next opening of the court for business.

4. Parties who register to use File and Serve Express consent to receive e-service documents, other than service of subpoenas or summons.

*G. Obligation of Registered eFile Users to Maintain Proper Delivery Information*

Parties or attorneys who register to use the File & Serve system shall notify File and Serve Express within ten (10) days of any change in firm name, delivery address, fax number or e-mail address.

Revised 7-12-17 Effective 10-30-17

**Rule 208.3(a). Procedure for Disposition of Motion.**

*A. Praeceptum for Disposition.* Motions will be sent to the assigned judge for disposition upon completion of the briefing schedule pursuant to L.C.R.C.P. No. 208.3(b) below or by praecipe of any party, unless the parties agree to extend the briefing schedule. If the parties agreed to extend the briefing schedule, the parties shall

file a Notice of Extension of Briefing Schedule setting forth the agreed upon extension. The motion(s) at issue will be sent to the assigned judge for disposition upon completion of the agreed upon briefing schedule or by praecipe of any party.

*B. Oral Argument.* Any party may request oral argument by filing a praecipe at the time a brief is filed pursuant to Local Rule 208.3(b)A., B., or C.

*C. Emergency Motions.* Emergency motions must be presented to the assigned judge, or in the assigned judge's absence the business judge who will advise the parties how to proceed.

Revised 7-12-17 Effective 10-30-17

**Rule 1028(c). Preliminary Objections.**

*A. Preliminary Objections Pursuant to Pa.R.C.P. No. 1028(a)(2), (3) or (4).*

1. *Proposed Order.* All preliminary objections shall be accompanied by a proposed order.

2. *Stipulated Matters.* If the parties agree to the relief sought, the preliminary objections shall be accompanied by a stipulation signed by all affected counsel or unrepresented parties, a proposed order and a praecipe to assign the stipulated matter for disposition.

3. *Brief.* The party filing preliminary objections shall file a supporting brief within ten days of the date of filing of the preliminary objections. If a supporting brief is not filed within ten days of the filing of the preliminary objections, the preliminary objections shall be deemed withdrawn upon praecipe of the respondent. In that event, the objecting party shall file an answer to the complaint within twenty days of the date the praecipe is filed.

4. *Responsive Brief.* If a supporting brief is filed, the respondent shall file a responsive brief within twenty days after service of the supporting brief.

5. *Reply Brief.* The moving party may file a reply brief within five days after service of the responsive brief.

6. *Assignment.* After all briefs are filed the Prothonotary shall deliver the file to the assigned judge for disposition.

7. *Oral Argument.* Any party may request oral argument by filing a praecipe at the time of the filing of their brief. Oral argument shall be at the discretion of the judge.

*B. Preliminary Objections Pursuant to Pa.R.C.P. No. 1028(a)(1), (5) or (6).*

*C.* If the parties agree to extend the briefing schedule, the parties shall file a Notice of Extension of Briefing Schedule setting forth the agreed upon extension. The Objection(s) at issue will be sent to the assigned judge for disposition upon completion of the agreed upon briefing schedule or by praecipe of any party.

Any party filing preliminary objections pursuant to Pa.R.C.P. No. 1028(a)(1), (5) or (6) shall attach a notice to plead. Such objections are governed by Local Rules 206.1(a), 206.4(c) and 206.7.

Revised 7-12-17 Effective 10-30-17

**Rule 1301. Compulsory Arbitration. Scope.**

*A.* All civil suits or actions and landlord tenant disputes, where the amount in controversy is \$50,000.00 or less, when at issue, shall first be submitted to arbitration. In all landlord tenant disputes where the amount of

alleged damages in controversy is \$50,000 or less, the arbitrators may award possession of the property in addition to any damages proven.

B. This Rule shall not apply to cases involving title to real estate, cases which have been consolidated for trial with cases involving more than \$50,000.00 or cases requiring equitable or declaratory relief.

C. A case is at issue 120 days after the filing of the answer.

D. When the case is at issue, the Prothonotary shall notify the District Court Administrator.

Revised 7-12-17 Effective 10-30-17

[Pa.B. Doc. No. 17-1610. Filed for public inspection September 29, 2017, 9:00 a.m.]

### LANCASTER COUNTY

#### Amendment of Rule 507 of Local Rules of Criminal Procedure; C.P.J. No. 7, Page 1357; No. 11 AD 2017

##### Administrative Order

And Now, this 12th day of September 2017, it is hereby Ordered, to be effective 30 days after publication in the *PA Bulletin*, the Lancaster County Court of Common Pleas adopts the following local rules governing amendment of Rule 507 for the 2nd Judicial District.

The Lancaster County District Court Administrator is Ordered to do the following:

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

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

3. Publish these Rules on the Lancaster County Court website at [www.court.co.lancaster.pa.us](http://www.court.co.lancaster.pa.us).

4. Incorporation of the local rule into the set of local rules on [www.court.co.lancaster.pa.us](http://www.court.co.lancaster.pa.us) within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

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

*By the Court*

DENNIS E. REINAKER,  
*President Judge*

#### L.C.R.Crim.P. No. 507. Approval of Police Complaints and Arrest Warrant Affidavits by the Attorney for the Commonwealth—Local Option.

The District Attorney, having filed a certification pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, charging the crimes listed below, shall not hereafter be accepted by any judicial officer, unless the complaints and affidavits have the approval of an attorney for the Commonwealth before filing:

A. Criminal Homicide in violation of 18 Pa.C.S.A. Section 2501;

B. Murder in any degree in violation of 18 Pa.C.S.A. Section 2502;

C. Voluntary Manslaughter in violation of 18 Pa.C.S.A. Section 2503;

D. Involuntary Manslaughter in violation of 18 Pa.C.S.A. Section 2504;

E. Homicide by Vehicle in violation of 75 Pa.C.S.A. Section 3732;

F. Homicide by Vehicle While Driving Under Influence in violation of 75 Pa.C.S.A. Section 3735;

G. Rape in violation of 18 Pa.C.S.A. Section 3121;

H. Statutory Sexual Assault in violation of 18 Pa.C.S.A. Section 3122;

I. Involuntary Deviate Sexual Intercourse in violation of 18 Pa.C.S.A. Section 3123;

J. Aggravated Indecent Assault in violation of 18 Pa.C.S.A. Section 3125;

K. Sexual Assault in violation of 18 Pa.C.S.A. Section 3124.1;

L. Crimes Against Unborn Child in violation of 18 Pa.C.S.A. Chapter 26;

M. Arson in violation of 18 Pa.C.S.A. Section 3301;

N. Obscene and Other Sexual Materials in violation of 18 Pa.C.S.A. Section 5903;

O. Violation of the Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. Section 780-113(30) (Delivery or Possession with Intent to Deliver a Controlled Substance); and

P. Cruelty to Animals in violation of any offense listed in any section or subsection of 18 Pa.C.S.A. Sections 5533, 5534, 5535, 5536, 5539, 5542, 5543, 5544, 5548 and 5549.

[Pa.B. Doc. No. 17-1611. Filed for public inspection September 29, 2017, 9:00 a.m.]

## ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

### Selection of Special Independent Prosecutor's Panel

Under 18 Pa.C.S. § 9511(a) (relating to organization of panel), the Court Administrator of Pennsylvania is required to determine and supervise the procedure for selecting members of a Special Independent Prosecutor's Panel (Panel).

Through a random process conducted in accordance with the statute, the Court Administrator has chosen a Panel composed of one judge of the Superior Court of Pennsylvania and two judges of the Courts of Common Pleas. The judges selected include: the Honorable Judith Ference Olson, Judge of the Superior Court; the Honorable Robert J. Mellon, Judge of the Court of Common Pleas of Bucks County; and the Honorable Dominic F. Pileggi, Judge of the Court of Common Pleas of Delaware County.

As provided by 18 Pa.C.S. § 9511(b), the members of the Panel serve terms of three years. The terms of each member of the Panel commenced with the final selection of the Panel on September 11, 2017.

The Prothonotary of the Superior Court of Pennsylvania serves as the clerk of the Panel. *See* 18 Pa.C.S. § 9511(e).

THOMAS B. DARR,  
*Court Administrator of Pennsylvania*

[Pa.B. Doc. No. 17-1612. Filed for public inspection September 29, 2017, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE REGISTRATION BOARD FOR PROFES- SIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

[ 49 PA. CODE CH. 37 ]

#### Renewal Fee

The State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board) amends § 37.17 (relating to schedule of fees) to read as set forth in Annex A.

#### *Effective Date*

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*. The increased biennial renewal fee will be implemented with the September 30, 2017, biennial renewal.

#### *Statutory Authority*

Section 9(a) of the Engineer, Land Surveyor and Geologist Registration Law (act) (63 P.S. § 156(a)) requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period.

#### *Description and Need for this Final-Form Rulemaking*

Under section 9 of the act, the Board is required by law to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, the act provides that the Board shall increase fees if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period. The Board raises the majority of its revenue through biennial renewal fees. A small percentage of its revenue comes from other fees, fines and civil penalties. If fees are inadequate to meet the minimum enforcement efforts required, section 9(b) of the act requires the Bureau of Professional and Occupational Affairs (Bureau), after consultation with the Board, to increase the fees so that adequate revenues are raised to meet the required enforcement effort.

At the Board's meeting on March 12, 2014, representatives from the Department of State's (Department) Bureau of Finance and Operations (BFO) presented a summary of the Board's actual revenue and expenses for FY (FY) 2006-2007 through FY 2012-2013 and projected revenue and expenses through FY 2026-2027. At the end of FY 2012-2013 (a nonrenewal year), the Board accrued a deficit of approximately \$660,000. The BFO projected that, without an increase in the renewal fee, at the end of FY 2016-2017 (a nonrenewal year) the accumulated deficit would swell to approximately \$2.27 million and would continue to grow thereafter. The BFO projected that the Board's biennial expenses would increase from a total of \$2.704 million in FY 2013-2014 and FY 2014-2015 to \$3.228 million in FY 2020-2021 and FY 2021-2022. With approximately 32,200 licensees at that time, the BFO projected that these expenses would increase from \$85 to over \$100 per licensee per biennium. Therefore, the Board determined that it was necessary to raise fees to meet or

exceed projected expenditures in compliance with section 9(a) of the act. As a result, the Board voted at its March 12, 2014, meeting to propose increasing the biennial renewal fees from \$50 to \$100. Three years later, the BFO now projects that the accumulated deficit at the end of FY 2016-2017 will be \$1,187,926, with an operating deficit of \$617,140 in the 2015—2017 biennium. The BFO further projects that, without an increase in the renewal fee, the operating deficit will be \$687,000 in FY 2017-2018 and FY 2018-2019 and continue to increase to \$1.426 million by FY 2025-2026 and FY 2026-2027, adding to the accumulated deficit. Without the increase, the BFO projects that the accumulated deficit will soar to \$6,416,926 by the end of FY 2026-2027.

#### *Summary of Comments to the Proposed Rulemaking and the Board's Response*

Notice of proposed rulemaking was published at 45 Pa.B. 2368 (May 16, 2015), with a 30-day public comment period. The Board received public comments from the following licensees: Bill Adams, PG, PE; Gregg A. Davis, PLS; Lee Geisler, PLS; Mark B. Ios, PG, on behalf of the Pennsylvania Council of Professional Geologists; James Mulry, PG; Michael Napolitan, PG; Kevin R. Sech, PG, PE; Timothy M. Stahl, PE; Robert O. Taylor, II, PE; and David H. Widmer, PLS. The Board received comments from the House Professional Licensure Committee (HPLC) and the Independent Regulatory Review Commission (IRRC). The Board did not receive comments from the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC).

The licensees who commented objected to an increase in the renewal fee. Many licensees pointed out that the increased renewal fee is in addition to the recently imposed cost to comply with mandatory continuing education.

Some commentators suggested that a licensee who holds multiple licenses should pay a lower renewal fee for the second license and an even lower renewal fee for a third license. For congruency, the Board has never charged differing renewal fees, whether based upon the type of license or the number of licenses held. In addition to the greater difficulty of administration, varying the fees would require the Board to weigh the relative value of each license; the Board will not perform this task. Regardless of the number of licenses held, each license authorizes the holder to practice that profession without limitation other than the holder's proficiency. A licensee who qualifies for and chooses to hold an additional license receives that same full authorization as a licensee who holds only the single license. Were the Board to authorize a lesser renewal fee based upon the classification of the license or the number of licenses held, that would reduce the amount of revenue and require the Board to increase the renewal fees elsewhere to meet expenses.

A commentator suggested that the Board assess a renewal fee on engineers-in-training (and presumably the surveyors-in-training and geologists-in-training) who are not currently assessed a renewal fee. Under sections 4.2(b)(3), 4.3(b)(2) and 4.4(d) of the act (63 P.S. §§ 151.2(b)(3), 151.3(b)(2) and 151.4(d)), after completing the required education or experience instead of education and passing the fundamentals examination, a candidate for licensure receives the "in-training" certificate that is valid without time limitation until the individual becomes licensed. The issuance of the "in-training" certificate does

nothing more than act as the starting point for calculating the years of “progressive experience” required for licensure, and the Board does not renew this certification. The holder of an “in-training” certificate is receiving no authorization or other license from the Board and thus should not be expected to share in the overall cost of operating the Board, other than payment of the costs of processing the application for the “in-training” certificate.

A commentator pointed out that paying any increased renewal fee is more difficult for those licensees who have retired. However, a licensee who is retired and not practicing need not renew and is not required to complete continuing education. A retired licensee who wishes only to hold himself out as a retired licensee may take active-retired status under section 4.5(g)(1)(iii) of the act (63 P.S. § 151.5(g)(1)(iii)) and pay the renewal fee, but is exempt from the continuing education requirement.

Almost all of the public commentators suggested that the Board should first take steps to reduce its costs before considering an increase in the renewal fee. As discussed as follows, the vast majority of the Board’s costs are for the labor of the Department employees who process applications and other paperwork in the Board’s office, investigate complaints against licensees, prosecute those complaints or perform other legal services on behalf of the Board. The Board relies upon Department managers to assure that those employees charging time to the Board are actually performing those services, the services are necessary and the services are efficiently provided.

Some public commentators suggested increasing revenue through civil penalties, essentially putting more of

the burden on those who create the need for investigation, prosecution and adjudication of violations of the act. Civil penalties are not levied as a revenue source; these financial disincentives are designed to deter the respondent licensee and others from committing violations. After years of being limited to a maximum civil penalty of \$1,000, by the act of July 17, 2009 (P.L. 95, No. 25), the General Assembly authorized the Board and other licensing boards within the Bureau to levy civil penalties of up to \$10,000 per violation. See section 5(b)(4) of the act of July 2, 1993 (P.L. 345, No. 48) (Act 48) (63 P.S. § 2205(b)(4)). Yet, the civil penalty imposed in any given case must be designed for its deterrent effect and not simply to raise funds. Under section 5(b)(5) of Act 48, the General Assembly authorized boards in the Bureau to assess the costs of investigation against a respondent who has violated a law. The Board has recently seen an increase in revenue from civil penalties and costs of investigation, although it is not enough to avoid a renewal fee increase. It is worth noting that an increase in the number of complaints would be expected to increase the Board’s costs in investigating, prosecuting and adjudicating those complaints prior to an increased revenue from assessed civil penalties or costs is realized.

A public commentator suggested that the number of licensed professional land surveyors is decreasing, and spreading the same amount of costs over fewer licensees would result in a larger renewal fee even though, with fewer licensees, there should be reduced costs of regulation. The number of Board licensees has actually increased slightly in all three classes from FY 2013-2014 through FY 2016-2017, as follows:

<i>Licensees by class</i>	<i>FY 2013-2014</i>	<i>FY 2014-2015</i>	<i>FY 2015-2016</i>	<i>FY 2016-2017</i>
Professional engineer	27,786	29,286	28,653	29,937
Professional land surveyor	2,010	2,052	1,941	1,966
Professional geologist	2,240	2,312	2,204	2,282
<i>Total</i>	32,036	33,650	32,798	34,185

A public commentator suggested that the Board’s renewal fee should be kept comparable to the registration fees for a professional engineer in Ohio of \$40 per year and in Maryland of \$76 per 2 years. The biennial registration renewal fee in Delaware is \$50 for professional engineers. The biennial registration fee for professional engineers and professional land surveyors in New Jersey is \$80 (\$40 if retired). In addition to the mandatory continuing education fee of \$45, in New York the triennial renewal fee is \$210 for a professional engineer and \$210 for a professional land surveyor. The registration fee in West Virginia is \$70 biennially for professional engineers (\$30 if retired) and \$100 annually for professional land surveyors. The \$100 biennial renewal fee charged by the Board in this final-form rulemaking is not out of line with the fees charged in the surrounding states.

The HPLC requested that the Board provide the following information: major cost centers of the Board and any significant increases in its expenditures; actual revenue and expense numbers for FY 2013-2014 and an updated projection for FY 2014-2015; and any other measures the Board has considered that would help reduce the projected deficits, either reduction in expenses or increase in other forms of revenue. IRRRC also asked the Board to

provide more detailed information in the final-form rulemaking to support the need for the increased fee.

The cost centers of the Board fall into two broad categories—administrative costs and legal costs. Administrative costs include those associated with Board administration, the Commissioner of Professional and Occupational Affairs’ (Commissioner) office, the Revenue office and Departmental services (human resources, finance and operations, management information systems, press office, Legislative and policy offices, Secretary of the Commonwealth and deputies, and office of chief counsel). Legal costs include those costs associated with the legal office (prosecution division, Board counsel and services of experts), the Office of Hearing Examiners, the Professional Compliance Office and the Bureau of Enforcement and Investigation (BEI).

The largest cost center for the Board has historically been Board administration, which includes costs associated with the Board’s administrative staff, printing and mailing, publications, supplies, operating and fixed assets, and so forth. Board administration costs tend to fluctuate depending on whether a given year is a renewal year or not, as more administrative staff and resources are dedicated to the Board during a renewal year. This cost center has ranged from a low of \$315,529 during FY 2008-2009, a nonrenewal year, to a high of \$682,939 in

FY 2015-2016, a renewal year. The expenses of this cost center have averaged approximately \$499,126 per year from FY 2007-2008 through FY 2015-2016. During this time frame, this cost center has accounted for 43% of the Board's expenses.

The second largest cost center for the Board is the legal office, which includes personnel-related costs for Board counsel, prosecuting attorneys, regulatory counsel and legal support staff. It also includes direct charges such as expert witness fees and costs associated with legal notices published on behalf of the Board. Legal office costs are also dependent to a large degree on the number of complaints that are filed, investigated and prosecuted. However, it also includes costs associated with the Board's counsel and regulatory counsel, which tend to remain fairly constant unless there are significant special projects. For example, in FY 2010-2011 and FY 2011-2012, counsel prepared a final-form rulemaking to implement required continuing education, and in FY 2012-2013 and FY 2013-2014 counsel researched and prepared exposure drafts and a proposed rulemaking to address use of electronic seals and signatures. This cost center has ranged from a low of \$124,760 in FY 2008-2009 to a high of \$399,643 in FY 2013-2014, with an average cost of \$254,527 per year from FY 2007-2008 through FY 2015-2016. During this time frame, this cost center has accounted for 22% of the Board's expenses.

Another large cost center for the Board is the BEI, ranging from a low of \$78,930 in FY 2015-2016 to a high of \$157,791 in FY 2009-2010, with an average of \$129,277 from FY 2007-2008 through FY 2015-2016. These are the costs associated with investigatory services provided by the BEI to the Board and are entirely dependent upon how many complaints are filed, and how many of those complaints merit investigation. It is difficult to predict how many complaints may be filed in a given year, and historically the numbers have fluctuated dramatically, ranging from a low of 59 in FY 2004-2005 to a high of 326 in FY 2012-2013, with an average of 187 each year from FY 2007-2008 through FY 2013-2014. From FY 2007-2008 through FY 2015-2016, this cost center has accounted for 11% of the Board's expenses.

These three cost centers made up 76% of the Board's total expenses from FY 2007-2008 through FY 2015-2016. The remaining cost centers (Commissioner's office, Revenue office, Departmental services, Office of Hearing Examiners, Professional Compliance Office and Board members) comprise the remaining 24%.

In response to IRRC's request for updated financial information as the basis for the fee increase, the Board attached information prepared by the BFO to the Regulatory Analysis Form for this final-form rulemaking. This detailed information is also available upon request. The BFO reports that the Board's actual expenses were \$1,394,146 in FY 2013-2014 and \$1,227,117 in FY 2014-2015. The BFO also reports that the Board's actual revenue was \$1,787,824 in FY 2013-2014 and \$228,467 in FY 2014-2015, resulting in a biennial deficit of \$604,972. The BFO further reports that the Board's actual expenses were \$1,366,832 in FY 2015-2016 and are projected to be \$1,284,000 in FY 2016-2017 and that its actual revenue was \$1,809,692 in FY 2015-2016 and is projected to be \$224,000 in FY 2016-2017, resulting in a projected biennial operating deficit of \$617,140.

By increasing the renewal fee to \$100 beginning with the 2017—2019 biennium, the BFO projects that, following an additional operating deficit in the 2015—2017 biennium, there will be an operating surplus of \$1.022

million in the 2017—2019 biennium that will be used to recoup part of the accumulated deficit. Based upon the BFO's projections, the biennial renewal fee in this final-form rulemaking should be sufficient to recover the accumulated deficit by the end of FY 2021-2022. The BFO further projects that the amount of the operating surplus each biennium will continue to decrease as follows: \$853,000 in the 2019—2021 biennium; \$674,000 in the 2021—2023 biennium; \$484,000 in the 2023—2025 biennium; and \$283,000 by the 2025—2027 biennium. Expenditures are expected to outpace revenues and become an operating deficit during the 2027—2029 biennium or shortly thereafter. At that time, if these projections hold, the Board will be required to again evaluate the need for a fee increase.

#### *Fiscal Impact*

The increased biennial renewal fee will impact licensees of the Board. There are currently approximately 29,937 licensed professional engineers, 1,966 licensed professional land surveyors and 2,282 licensed professional geologists, a total of approximately 34,185 licensees who all will be required to pay more to renew their licenses in 2017 and thereafter. The vast majority of licensees are considered to be working for small businesses. This final-form rulemaking will have no other adverse fiscal impact on the private sector, the general public, or the Commonwealth or its political subdivisions.

#### *Paperwork Requirements*

This final-form rulemaking will require the Board to alter some of its forms to reflect the new renewal fee. However, this final-form rulemaking will not impose additional paperwork requirements upon the Commonwealth, political subdivisions, the regulated community or the private sector.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 4, 2015, the Board submitted a copy of the notice of proposed rulemaking, published at 45 Pa.B. 2368, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall submit to IRRC, the HPLC and the SCP/PLC copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the HPLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on August 23, 2017, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on August 24, 2017, and approved the final-form rulemaking.

#### *Additional Information*

Further information may be obtained by contacting Robin Shearer, Board Administrator, State Registration Board for Professional Engineers, Land Surveyors and Geologists, P.O. Box 2649, Harrisburg, PA 17105-2649, RA-engineer@pa.gov. Reference No. 16A-4713 (renewal fee) when requesting information.

#### *Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968



(P.L. 769, No. 240) and regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) This final-form rulemaking does not include amendments that enlarge the scope of the proposed rulemaking published at 45 Pa.B. 2368.

(4) This final-form rulemaking adopted by this order is necessary and appropriate for the administration of the act.

Order

The Board, acting under the act, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 37, are amended by amending § 37.17 to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as required by law.

(c) The Board shall submit this order and Annex A to IIRC, the HPLC and the SCP/PLC as required by law.

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

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

THEODORE TESLER, PG,
President

(Editor's Note: See 47 Pa.B. 5761 (September 9, 2017) for IIRC's approval order.)

Fiscal Note: Fiscal Note 16A-4713 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 37. STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

QUALIFICATIONS FOR LICENSURE

§ 37.17. Schedule of fees.

(a) Renewal fee. The Board will charge the following renewal fee:

Biennial renewal of registration ..... \$100

(b) Application fees. The Board will charge the following nonrefundable application fees:

Permission to sit for examination ..... \$50

Certification, licensure or registration ..... \$50

Temporary permit. .... \$25

(c) Other fees. The Board will charge the following fees:

Certification of license, registration, permit or scores ..... \$25

Verification of license, registration or permit. .... \$15

(d) Fees to testing organizations. Examination fees for state-specific examinations are established by agreement between the Commonwealth and the third-party testing

organizations that develop, administer and grade the examinations. Examination fees for the National examinations are established by NCEES or ASBOG. Examination candidates shall pay the required examination fees directly to the relevant testing organizations. Examination fees are paid separate from the application fees.

[Pa.B. Doc. No. 17-1613. Filed for public inspection September 29, 2017, 9:00 a.m.]

BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

[ 49 PA. CODE CH. 43b ]

Schedule of Civil Penalties—Podiatrists

The Commissioner of Professional and Occupational Affairs (Commissioner) adds § 43b.27 (relating to schedule of civil penalties—podiatrists) to read as set forth in Annex A.

Effective Date

This final-form rulemaking will be effective upon publication in the Pennsylvania Bulletin and will apply to violations that occur on or after the effective date.

Statutory Authority

Section 5(a) of the act of July 2, 1993 (P.L. 345, No. 48) (Act 48) (63 P.S. § 2205(a)) authorizes the Commissioner, after consultation with licensing boards in the Bureau of Professional and Occupational Affairs (Bureau), to promulgate a schedule of civil penalties for violations of the acts or regulations of the licensing boards.

Background and purpose

Act 48 authorizes agents of the Bureau to issue citations and impose civil penalties under schedules adopted by the Commissioner in consultation with the Bureau's boards and commissions. Act 48 citations streamline the disciplinary process by eliminating the need for formal orders to show cause, answers, adjudications and orders, and consent agreements. At the same time, a licensee who receives an Act 48 citation retains his due process rights to a hearing prior to the imposition of judgment. The use of Act 48 citations has increased steadily since 1996, when the program was first implemented, and they have become an important part of the Bureau's enforcement efforts. Section 5(b)(4) of Act 48 authorizes the State Board of Podiatry (Board), as a licensing board within the Bureau, to levy a civil penalty of not more than \$10,000 on a licensee or unlicensed person who violates a provision of the Podiatry Practice Act (act) (63 P.S. §§ 42.1—42.21c) or regulations of the Board. However, section 5(a) of Act 48 limits the civil penalty that may be levied by citation to no more than \$1,000 per violation.

This is the first time that the Board will participate in the Act 48 citation program. The Commissioner and the Board believe that it is necessary to implement the civil penalties in this final-form rulemaking to streamline the disciplinary process for lapsed license and continuing education violations.

Summary and Responses to Comments

Notice of proposed rulemaking was published at 45 Pa.B. 2704 (June 6, 2015), with a 30-day public comment period. No public comments were received. The House Professional Licensure Committee (HPLC) responded on July 14, 2015, that it wishes to take no formal action

until the final-form rulemaking is promulgated. The Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) did not submit comments. On August 5, 2015, the Independent Regulatory Review Commission (IRRC) submitted comments.

With regard to the proposed schedule of civil penalties for failure to complete required hours of continuing education during the 2 years preceding renewal or reactivation, IRRC asked whether the intent was to impose a civil penalty and not renew a license when a licensee fails to complete the required continuing education. Furthermore, IRRC also asked about how the Board intends to follow section 9.1 of the act (63 P.S. § 42.9a) that licensees may not renew a license if the licensee has not completed the required hours of continuing education.

The civil penalty schedule for failure to complete the required hours of continuing education in accordance with § 29.61(a) (relating to requirements for biennial renewal and eligibility to conduct educational conferences) is in addition to, and not in lieu of, the statutory requirement under section 9.1 of the act that licensees may not renew a license if the licensee has not completed the required hours of continuing education. That is, the Board will not renew a license unless the licensee certifies to the Board, subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities), that all required continuing education has been completed in accordance with § 29.61(c). If the licensee cannot certify that the licensee has completed 50 clock hours of continuing education in approved courses by the renewal deadline, the Board does not renew the individual's license and the license expires. Thereafter, the Board will reactivate the license only if the licensee subsequently proves compliance with the continuing education requirement. Upon review, it became apparent that because a license is not reactivated without proof of compliance, there could never be a situation when a citation would be issued for "failure to complete required hours of continuing education during the 2 years preceding... reactivation." For that reason, the final-form rulemaking was revised to delete this language and apply only to renewal.

Conversely, it is possible that after a licensee has certified compliance with the continuing education requirements and been renewed, a postrenewal audit may demonstrate that a licensee failed to complete all 50 required clock hours, or failed to complete at least 30 clock hours in courses and programs in podiatry approved by the Board or the Council on Podiatric Medical Education, or exceeded the maximum of 10 hours that may be completed in courses and programs that involve the use of the Internet or the reading of professional journals or magazine articles. See § 29.61(a). It is a postrenewal audit that identifies deficiencies that would trigger the issuance of a citation under this civil penalty schedule.

Additionally, the Commissioner is in the process of developing a system for the boards and commissions within the Bureau to track compliance with the continuing education requirements as part of the new Pennsylvania Licensing System (PALS). Initially, each licensee will be able to track completion of continuing education and upload certificates of completion to the licensee's dashboard. The Bureau's intent is that ultimately, when the continuing education modules of PALS are fully implemented, completion of the continuing education requirements will be validated up front and a licensee will be unable to renew until full compliance has been verified, in much the same way that the Bureau currently validates completion of the mandatory continuing education

in child abuse recognition and reporting required under 23 Pa.C.S. § 6383(b)(2) (relating to education and training).

With regard to the civil penalty schedule for practicing or offering to practice podiatry by a person whose license is expired, IRRC raised two concerns. First, IRRC asked whether, under a first offense, a licensee would be subject to a fine of \$500 or \$1,000 if the licensee practiced on a lapsed license for a period of 5 months and 1 day. IRRC also asked whether a month would mean a whole month and suggested that the Bureau clarify this in the final-form rulemaking. IRRC's second concern with the schedule was that first and second offenses were being treated differently so that a licensee who practiced on a lapsed license for 5 months and 1 day could receive a \$1,000 civil penalty for a first offense (5—12 months) and receive only a \$500 civil penalty for a second offense (less than 6 months). IRRC also observed that under the proposed schedule a licensee being charged with a first offense for practicing on an expired license for 3 or 4 months would pay the same civil penalty as a licensee being charged with a second offense for the same period of time (\$500). IRRC stated that it would be more reasonable if the penalties for second offenses are higher than the penalties for first offenses.

To address IRRC's two concerns regarding civil penalties for expired licenses, the Commissioner, with approval of the Board, revised the schedule of civil penalties to set the civil penalty for each month or portion of a month of practice on an expired license. For a first offense, the penalty for practicing on an expired license would be \$50 per month or portion of a month, not to exceed \$1,000. Violations exceeding 20 months would result in formal disciplinary action. For a second offense, the penalty would be increased to \$100 per month or portion of a month, not to exceed \$1,000, with violations continuing more than 10 months resulting in formal disciplinary action. Finally, for subsequent offenses, the penalty would be determined through formal disciplinary action. In this way, the civil penalties could not result in the inequities identified by IRRC in its comments.

#### *Fiscal Impact and Paperwork Requirements*

This final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions, and will reduce the paperwork requirements of the Commonwealth and the regulated community by eliminating the need for orders to show cause, answers, consent agreements and adjudications/orders for violations subject to the Act 48 citation process. The only fiscal impact of this final-form rulemaking will be borne by persons who violate the act or regulations of the Board and are subject to the civil penalties in § 43b.27.

#### *Sunset Date*

The Bureau and the Board continuously monitor the effectiveness of regulations. As a result, a sunset date has not been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 20, 2015, the Board submitted a copy of the notice of proposed rulemaking, published at 45 Pa.B. 2704, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall submit to IRRC, the HPLC and the SCP/PLC copies of comments received during the public comment period, as well as other documents when requested. In

preparing the final-form rulemaking, the Board has considered all comments from IRRC and the HPLC.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on August 23, 2017, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on August 24, 2017, and approved the final-form rulemaking.

*Additional Information*

Further information may be obtained by contacting the Commissioner or the State Board of Podiatry, P.O. Box 2649, Harrisburg, PA 17105-2649, RA-podiatry@pa.gov.

*Findings*

The Commissioner finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) This final-form rulemaking is necessary and appropriate for administering and enforcing the authorizing act identified in this preamble.

*Order*

The Commissioner, acting under the authority of Act 48, orders that:

(a) The regulations of the Commissioner, 49 Pa. Code Chapter 43b, are amended by adding § 43b.27 to read as set forth in Annex A.

(b) The Commissioner shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General as required by law.

(c) The Commissioner shall submit this order and Annex A to IRRC, the HPLC and the SCP/PLC as required by law.

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

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

IAN J. HARLOW,

*Commissioner of Professional and Occupational Affairs*

(*Editor's Note:* See 47 Pa.B. 5761 (September 9, 2017) for IRRC's approval order.)

**Fiscal Note:** 16A-4413. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 43b. COMMISSIONER OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**SCHEDULE OF CIVIL PENALTIES, GUIDELINES FOR IMPOSITION OF CIVIL PENALTIES AND PROCEDURES FOR APPEAL**

**§ 43b.27. Schedule of civil penalties—podiatrists.**

**STATE BOARD OF PODIATRY**

<i>Violation Under 63 P.S.</i>	<i>Violation Under 49 Pa. Code</i>	<i>Title/Description</i>	<i>Civil Penalty</i>
Section 42.12	Section 29.14(a)	Practicing or offering to practice podiatry by a person whose license is expired	1st offense—\$50 per month, or portion of a month, not to exceed \$1,000; over 20 months—formal action 2nd offense—\$100 per month, or portion of a month, not to exceed \$1,000; over 10 months—formal action Subsequent offenses—formal action
Section 42.9a	Section 29.61(a)	Failure to complete required hours of continuing education during the 2 years preceding renewal	1st offense—\$50 per hour of deficiency, not to exceed \$1,000; over 20 hours—formal action 2nd offense—\$100 per hour of deficiency, not to exceed \$1,000; over 10 hours—formal action Subsequent offenses—formal action

[Pa.B. Doc. No. 17-1614. Filed for public inspection September 29, 2017, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 19, 2017.

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, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt 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, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

#### BANKING INSTITUTIONS

##### Mutual Holding Company Reorganizations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-13-2017	Slovak Savings Bank Pittsburgh Allegheny County	Filed

Application for approval to reorganize into a two-tier mutual holding company structure.

##### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-28-2017	Orrstown Bank Shippensburg Cumberland County	301 West Main Street New Holland Lancaster County	Opened
9-6-2017	Fleetwood Bank Fleetwood Berks County	216 East Philadelphia Avenue Boyertown Berks County	Opened
9-18-2017	Univest Bank and Trust Co. Souderton Montgomery County	574 Main Street Bethlehem Northampton County	Approved
9-18-2017	Univest Bank and Trust Co. Souderton Montgomery County	1 Heritage Drive Gordonville Lancaster County	Approved

##### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
9-12-2017	Hyperion Bank Philadelphia Philadelphia County	Filed

Amendment to Article VI of the institution's Articles of Incorporation provides for a decrease in the par value per share of common stock.

#### CREDIT UNIONS

##### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
9-19-2017	Butler Armco Employees Credit Union Butler Butler County	Effective

Amendment to Article 1 of the institution's Articles of Incorporation provides for change in corporate title to Armco Credit Union. Article 8 amended and restated in its entirety.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 17-1615. Filed for public inspection September 29, 2017, 9:00 a.m.]

# DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## Riparian Forest Buffers and Snowmobile/ATV Grant Opportunities

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has available grant funding for projects proposing the installation of riparian forest buffers and projects proposing the acquisition, planning, development, rehabilitation or maintenance of snowmobile or ATV trails. Grant funding for these two opportunities will be

awarded through a competitive grant application process. Applicants can apply for this funding between October 2, 2017, and December 20, 2017, through the Department's online grant application portal. A brief webinar on both programs will be held and recorded on Wednesday, October 4, 2017. Riparian forest buffer information will be shared at 10 a.m. followed by snowmobile/ATV program information at 11 a.m. More information about these grant opportunities and the application process is available at <https://www.grants.dcnr.state.pa.us/Dashboard/Grants>.

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 17-1616. Filed for public inspection September 29, 2017, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). 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).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be 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 the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. 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. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### I. NPDES Renewal Applications

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0253146 (Sewage)	Windber Country Club 1392 Forest Hills Drive Salix, PA 15952-9201	Cambria County Adams Township	Little Paint Creek (18-E)	Yes
PA0217522 (Sewage)	Municipal Authority of the Borough of Smithton PO Box 342 Smithton, PA 15479-0342	Westmoreland County Smithton Borough	Unnamed Tributary to Youghiogheny River (19-D)	Yes
PA0217786 (Sewage)	New Eagle Borough STP 157 Main Street New Eagle, PA 15067-1145	Washington County New Eagle Borough	Monongahela River (19-C)	Yes
PA0022276 (Sewage)	Southmoreland School District STP 200 Scottie Way Scottdale, PA 15683-1066	Westmoreland County East Huntingdon Township	Unnamed Tributary to Stauffer Run (19-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0065323 (Sewage)	Jacob A Schray Residence 189 E. Mountain Road Wind Gap, PA 18091	Northampton County Bushkill Township	Unnamed Tributary of West Branch Sobers Run (1-F)	Yes
PA0035637 (Sewage)	PennDOT Rest Stop No. 55 WWTP I-81 North near exit 202 Greenfield Twp., PA 18411	Lackawanna County Greenfield Township	Unnamed Tributary of South Branch Tunkhannock Creek (4-F)	Yes

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0083470	Paradise Twp Sew Auth 2 Township Drive PO Box 40 Paradise, PA 17562	Paradise Twp/ Lancaster County	Pequea Creek/7K	Y
PA0261912	Scooters Mountainside Tavern 4587 Chambersburg Road Biglerville, PA 17307-9531	Franklin Twp/ Adams County	Marsh & Rock Creeks/13D	Y
PA0087530	Paul McAnulty 3651 Waggoners Gap Road Carlisle, PA 17015-9540	North Middleton Twp/ Cumberland County	Conodoguinet Creek/7B	Y
PA0087033	Rachel Esh 6352 McClay's Mill Road Newburg, PA 17240	Lurgan Twp/ Franklin County	Conodoguinet Creek/7B	Y
PA0248070	Mifflintown Borough Muni Auth 259 Water Plant Road Mifflintown, PA 17059	Milford Twp/ Juniata County	Dry Swale Juniata River/12A	Y
PA0030511	Bermudian Springs High School 7335 Carlisle Pike York Springs, PA 17372-0501	Huntingdon Twp/ Adams County	Conewago Creek/7F	Y

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0000183 (Industrial)	General Electric Transportation System Erie 2901 E Lake Road Bldg 9-201 Erie, PA 16531-0001	Erie County Lawrence Park Township	Unnamed Stream (15-A)	Yes
PA0263974 (Sewage)	Joel Steele SRSTP 138 Saint Joe Road Butler, PA 16002-0050	Butler County Oakland Township	Unnamed Tributary of Bonnie Brook (20-C)	Yes

## II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.  
Phone: 412.442.4000.*

**PA0031933**, Industrial, SIC Code 4911, **NRG Power Midwest LP**, 121 Champion Way, Suite 200, Canonsburg, PA 15317-5817. Facility Name: Brunot Island Generating Station. This existing facility is located in the City of Pittsburgh, **Allegheny County**.

Description of Existing Activity: The application is for renewal of an NPDES permit for existing discharges of cooling tower blowdown, treated sewage, miscellaneous low volume wastes, and storm water.

The receiving stream(s), the Ohio River, is located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Internal Monitoring Point 201 are based on a design flow of 0.014 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>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	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Hydrazine	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 301 are based on a design flow of 0.018 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>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	9.0 Max	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.53 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Free Available Chlorine	0.83	2.09	XXX	Report	Report	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Chromium, Total	0.83	0.83	XXX	Report	Report	XXX
Zinc, Total	4.17	4.17	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Hydrazine	XXX	XXX	XXX	0.002	0.002	XXX
Hexachlorobenzene (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.003	0.004	0.008
Benzo(a)Anthracene	XXX	XXX	XXX	Report	Report	XXX
Benzo(a)Pyrene	XXX	XXX	XXX	Report	Report	XXX
Benzo(k)Fluoranthene	XXX	XXX	XXX	Report	Report	XXX
3,4-Benzofluoranthene	XXX	XXX	XXX	Report	Report	XXX
Chrysene	XXX	XXX	XXX	Report	Report	XXX
Dibenzo(a,h)Anthracene	XXX	XXX	XXX	Report	Report	XXX
Indeno(1,2,3-cd)Pyrene	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
N-Nitrosodimethylamine (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.007	0.011	0.018

The proposed effluent limits for Outfall 002 are based on a design flow of 0.03 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	0.0009	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	Report	Report	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Apr 1 - Oct 31	XXX	XXX	XXX	200	XXX	400
Nov 1 - Mar 31	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
				Geo Mean		

The proposed effluent limits for Outfall 003 are based on a design flow of 0.026 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>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	9.0	XXX
					Max	
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0.26 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	

Debris collected on the intake racks shall not be returned to the waterway.

The proposed effluent limits for Outfall 005 are for storm water discharges.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report Max	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions: requirements for 1) storm water discharges associated with industrial activities; 2) chemical additive use; 3) data collection for cooling water intake structures pursuant to Section 316(b) of the Clean Water Act; 4) sampling for compliance with water quality limits below target quantitation limits; and 5) a compliance schedule for water quality limits at Outfall 001. The permittee has the option of resampling Outfall 001 and submitting analytical results during the comment period. If supported by the new analytical results, the parameters subject to interim reporting and final water quality limits at Outfall 001 will be removed from the final permit without further public notice. Hydrazine and ammonia-nitrogen reporting at IMP 201 may also be removed if the permittee confirms that hydrazine is no longer used.

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.



*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970.*

**PA0026018**, Sewage, SIC Code 4952, **Borough of West Chester**, Goose Creek Wastewater Treatment Plant, 351 Snyder Avenue, West Chester, PA 19382. Facility Name: West Chester Taylor Run STP. This existing facility is located in East Bradford Township, **Chester 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), Taylor Run, is located in State Water Plan watershed 3-H and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD—Interim Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Aluminum, Total	XXX	9.4 Daily Max	XXX	XXX	0.75 Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Toxicity, Chronic—Ceriodaphnia Survival (TUC)	XXX	XXX	XXX	XXX	Report	XXX
Reproduction (TUC)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic—Pimephales Survival (TUC)	XXX	XXX	XXX	XXX	Report	XXX
Growth (TUC)	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.05	XXX	0.15
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	311.4	475	XXX	25.0	40.0 Wkly Avg	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	188	282	XXX	15.0	23.0 Wkly Avg	30
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000*
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	375	XXX	XXX	30.0	XXX	60
Ammonia-Nitrogen						
Nov 1 - Apr 30	94	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	31	XXX	XXX	2.5	XXX	5
Total Phosphorus						
Nov 1 - Mar 31	25	XXX	XXX	2.0	XXX	4
Apr 1 - Oct 31	20.0	XXX	XXX	1.6	XXX	3.2

\*Shall not exceed in more than 10% of samples

The proposed effluent limits for Outfall 003 are based on an average flow of stormwater.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Optimization
- E. Discharge to Small Stream
- F. Operator Notification
- G. TMDL/WLA Data
- H. Fecal Coliform Reporting
- I. Operations and Maintenance Plan
- J. Compliance Schedule
- K. Pretreatment Program
- L. WET Testing
- M. Requirements for Stormwater Outfalls

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

The EPA Waiver is not in effect.

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*Northeast Regional Office: Regional Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone: 570.826.2511.*

**PA0026107**, Sewage, SIC Code 4952, **Wyoming Valley Sanitary Authority**, P.O. Box 33A, Wilkes-Barre, PA 18703. Facility Name: Wyoming Valley Sanitary Authority WWTP. This existing facility is located in Hanover Township, **Luzerne 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 Susquehanna River, is located in State Water Plan watershed 05B 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 concentration effluent limits for Outfall 001 are based upon the average dry weather flow of 32 MGD. The proposed mass-based effluent limits for CBOD<sub>5</sub> and TSS for Outfall 001 are based upon the hydraulic design capacity of 50 MGD which includes stormwater inflow within the facility's wastewater collection/conveyance system.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	10,425	16,680	XXX	25	40	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	12,510	18,765	XXX	30	45	60

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	25	40	50

The proposed effluent limits for Stormwater Outfall 059 are based on a design flow of N/A MGD.

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

The proposed effluent limits for Stormwater Outfall 060 are based on a design flow of N/A MGD.

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

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

*Effluent Limitations*

<i>Parameter</i>	<i>Mass Units (lbs) <sup>(1)</sup></i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	25	50
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrite-Nitrate as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	584,467	XXX	XXX	XXX
Net Total Phosphorus	Report	77,929	XXX	XXX	XXX

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

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

- Chesapeake Bay Nutrient Requirements
- Management and Control of Combined Sewer Overflows
- Implementation of the Long-Term Control Plan
- Requirements Applicable to Stormwater Outfalls
- Operation and Implementation of a Pretreatment Program
- Whole Effluent Toxicity Testing

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570.826.5472.

The EPA Waiver is not in effect.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**PA0031551**, Sewage, SIC Code 8211, **Chambersburg School District**, 435 Stanley Avenue, Chambersburg, PA 17201-3605. Facility Name: Lurgan Township Elementary School. This existing facility is located in Lurgan Township, **Franklin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00338 MGD.—Limits.

**PA0081515**, Sewage, SIC Code 4952, **Lancaster County Career & Tech Center**, PO Box 527, Willow Street, PA 17584-0527. Facility Name: Lancaster County Career & Tech Center Brownstown. This existing facility is located in West Earl 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(s), Conestoga River, 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 0.0043 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0043 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Report	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

**PA0022535**, Sewage, SIC Code 4952, **Millersburg Area Authority Dauphin County**, 101 West Street, Millersburg, PA 17061-1363. Facility Name: Millersburg STP. This existing facility is located in Millersburg Borough, **Dauphin County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 6-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 1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0 Max	XXX
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 <sub>5</sub> )	209	334	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	250	375	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen*	Report	18,265	XXX	XXX	XXX	XXX
Net Total Phosphorus*	Report	2,435	XXX	XXX	XXX	XXX

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

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

- Stormwater Prohibition, Approval Contingencies, Proper Waste/solids Management, Restriction on receipt of hauled in waste under certain conditions and Chlorine minimization requirement and WET testing requirements

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

The EPA Waiver is not in effect.

<i>Parameter</i>	<i>Effluent Limitations</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Mass Units (lbs/day)</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	6.0	XXX	XXX	9.0	XXX
Dissolved Oxygen	XXX	5.0	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)						
Interim limit	XXX	XXX	XXX	0.38	XXX	1.3
Final limit	XXX	XXX	XXX	0.24	XXX	0.79
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60

<i>Parameter</i>	<i>Mass Units (lbs/day)</i>		<i>Effluent Limitations</i>			<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Concentrations (mg/L) Average Monthly</i>	<i>Maximum</i>	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	16.5	XXX	XXX
May 1 - Oct 31	XXX	XXX	XXX	5.5	XXX	11

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameter</i>	<i>Mass Units (lbs)</i>		<i>Effluent Limitations</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly Average</i>	<i>Concentrations (mg/L) Maximum</i>	<i>Instant. Maximum</i>
Ammonia—N	Report	Report	Report	XXX	XXX
Kjeldahl—N	Report	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	Report	XXX	XXX
Total Phosphorus	Report	Report	Report	XXX	XXX

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

The EPA Waiver is in effect.

**PA0082694**, Sewage, SIC Code 4952, **East St Clair Township Municipal Authority Bedford County**, PO Box 55, Fishertown, PA 15539-0055. Facility Name: East St Clair Township Fishertown STP. This existing facility is located in East Saint Clair Township, **Bedford 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), Adams Run, is located in State Water Plan watershed 11-C and is classified for 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 0.112 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	23.3	37.4	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	28.0	42.0	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX

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

The EPA Waiver is in effect.

**PA0082732**, Sewage, SIC Code 4952, **East St Clair Township Municipal Authority Bedford County**, PO Box 55, Fishertown, PA 15539-0055. Facility Name: East St Clair Township Stone Creek STP. This existing facility is located in East Saint Clair Township, **Bedford 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), Dunning Creek, is located in State Water Plan watershed 11-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 0.112 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	23.4	37.4	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	28	42	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs) Total Kjeldahl Nitrogen	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs) Total Phosphorus	Report Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

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

The EPA Waiver is in effect.

**PA0261645**, Sewage, SIC Code 7011, **Officers Christian Fellowship**, 4500 Milligans Cove Road, Manns Choice, PA 15550-8016. Facility Name: Heritage House White Sulphur Springs STP. This existing facility is located in Harrison Township, **Bedford 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), Sulphur Springs Creek, is located in State Water Plan watershed 11-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 0.0098 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
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 <sub>5</sub> ) Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	25.0	40.0	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Fecal Coliform (No./100 ml) Oct 1 - Apr 30	Report	Report	XXX	30.0	45.0	XXX
May 1 - Sep 30	XXX	XXX	XXX	2,000 Geo Mean 200 Geo Mean	XXX	10,000 1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs) Total Nitrogen	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	Report	XXX	XXX



Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs) Total Kjeldahl Nitrogen	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs) Total Phosphorus	XXX Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

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

The EPA Waiver is in effect.

**Application No. PA0260053**, Concentrated Animal Feeding Operation (CAFO), **Zimmerman Jason S (Jason Zimmerman Farm CAFO)**, 260 Golden Rule Drive, New Enterprise, PA 16664-8701.

Zimmerman Jason S has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Jason Zimmerman Farm CAFO, located in South Woodbury Township, **Bedford County**.

The CAFO is situated near Beaver Creek in Watershed 11-D, which is classified for High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 499.0 animal equivalent units (AEUs) consisting of 3,000 wean to finish swine, 2,000 nursery pigs, and 20 beef cattle. Manure is transferred via slatted floors to a shallow pit system, which gravity flows to a 150' × 150' × 10' lagoon outside. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate PA Technical Guide Standards. 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 25-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.

**PA0024074**, Sewage, SIC Code 4952, **Shoemakersville Municipal Authority Berks County**, 115 E 9th Street, Shoemakersville, PA 19555-1608. Facility Name: Shoemakersville WWTP. This existing facility is located in Shoemakersville Borough, **Berks County**.

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

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-B and is classified for Migratory Fishes 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 0.75 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Color (Pt-Co Units)	XXX	XXX	XXX	200	XXX	XXX
CBOD <sub>5</sub>	156	250	XXX	25.0	40.0	50
		Wkly Avg				
BOD <sub>5</sub> Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	187	281	XXX	30.0	45.0	60
Total Dissolved Solids	20,641	Wkly Avg XXX	XXX	3,300.0	4,000.0 Daily Max	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	125	XXX	XXX	20.0	XXX	40
Copper, Total	Report	Report	XXX	Report	Report	XXX
Total Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Total Phosphorus	XXX	Report	XXX	XXX	Report	XXX
PCBs, Total (ng/L)	XXX	Report	XXX	XXX	Report	XXX
					Daily Max	

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.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.3636.

**PA0027553**, Sewage, SIC Code 4952, **Pine Creek Municipal Authority**, P.O. Box 608, Avis, PA 17721-0608.

Facility Name: Pine Creek Municipal Authority Sewer System STP. This existing facility is located in Pine Creek Township, **Clinton 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 West Branch Susquehanna River, is located in State Water Plan watershed 9-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.6 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	330	530	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )		Wkly Avg			Wkly Avg	
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	400	600	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet Light Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Aluminum, Total	21.70	43.36	XXX	2.0	4.0	XXX
Antimony, Total (µg/L)	2.53	3.80	XXX	190.32	285.48	380.64
Cadmium, Total (µg/L)	Report	Report	XXX	Report	Report	XXX
Copper, Total (µg/L)	0.68	1.03	XXX	51.69	77.53	103.38
Iron, Dissolved	136.05	204.07	XXX	10.19	15.29	20.39

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Iron, Total	32.55	65.00	XXX	3.0	6.0	XXX
Manganese, Total	21.70	43.36	XXX	2.0	4.0	XXX
Pentachlorophenol (µg/L)	0.42	0.64	XXX	32.21	48.31	64.42
2,4,6-Trichlorophenol	3.19	4.79	XXX	0.23	0.35	0.47
Acrolein (µg/L)	Report	Report	XXX	Report	Report	XXX
Dibenzo(a,h)Anthracene (µg/L)	Report	Report	XXX	Report	Report	XXX
Hexachlorobutadiene (µg/L)	Report	Report	XXX	Report	Report	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

Parameters	Mass Units (lbs)			Concentrations (mg/L)		
	Monthly	Annual	Monthly	Average	Maximum	Instant. Maximum
	Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen*	Report	23,744	XXX	XXX	XXX	XXX
Net Total Phosphorus*	Report	3,166	XXX	XXX	XXX	XXX

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

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

- Chesapeake Bay Nutrient Requirements
- Whole Effluent Toxicity—No Permit Limits
- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is not in effect.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

**PA0002143**, Industrial, SIC Code 2611, 2621, **Domtar Paper Co. LLC**, 100 Center Street, Johnsonburg, PA 15845-1301. Facility Name: Domtar Johnsonburg Mill. This existing facility is located in Johnsonburg Borough, **Elk County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste and Stormwater.

The receiving streams, Riley Run (Outfall 001), East Branch Clarion River (Outfalls 003—010), West Branch Clarion River (Outfall 102) and Clarion River (Outfall 002), are located in State Water Plan watershed 17-A and are classified for, warm water fishes (Riley Run), high quality waters—cold water fishes (East Branch Clarion River), and cold water fishes (Clarion River & West Branch Clarion River), aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 13.2 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Daily	Daily	Minimum	Daily	Daily	Instant. Maximum
	Average	Maximum		Average	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	XXX	736	920
Biochemical Oxygen Demand (BOD <sub>5</sub> )	10,545	19,400	XXX	90	XXX	225
Total Suspended Solids	Avg Mo	15,360	29,161	XXX	Report	XXX
Adsorbable Organic Halides (AOX)	Avg Mo	939	1,433	XXX	XXX	XXX
Dioxin (pg/L)	XXX	XXX	XXX	0.09	XXX	0.22
				Avg Mo		

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Daily Average</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Daily Average</i>	<i>Daily Maximum</i>	
Heat Rejection Rate (MBTUs/day) (°F)						
Jan 1 - 31	7,890	XXX	XXX	Report	XXX	XXX
Feb 1 - 28	8,010	XXX	XXX	Report	XXX	XXX
Mar 1 - 31	7,450	XXX	XXX	Report	XXX	XXX
Apr 1 - 15	7,360	XXX	XXX	Report	XXX	XXX
Apr 16 - 30	6,760	XXX	XXX	Report	XXX	XXX
May 1 - 15	6,170	XXX	XXX	Report	XXX	XXX
May 16 - 31	6,080	XXX	XXX	Report	XXX	XXX
Jun 1 - 15	5,990	XXX	XXX	Report	XXX	XXX
Jun 16 - 30	5,670	XXX	XXX	Report	XXX	XXX
Jul 1 - 31	5,590	XXX	XXX	Report	XXX	XXX
Aug 1 - 15	5,500	XXX	XXX	Report	XXX	XXX
Aug 16 - 31	5,290	XXX	XXX	Report	XXX	XXX
Sep 1 - 15	5,350	XXX	XXX	Report	XXX	XXX
Sep 16 - 30	5,410	XXX	XXX	Report	XXX	XXX
Oct 1 - 15	6,580	XXX	XXX	Report	XXX	XXX
Oct 16 - 31	6,810	XXX	XXX	Report	XXX	XXX
Nov 1 - 15	7,040	XXX	XXX	Report	XXX	XXX
Nov 16 - 30	7,360	XXX	XXX	Report	XXX	XXX
Dec 1 - 31	7,870	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Suboutfall 202 are based on a design flow of N/A MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Daily Maximum</i>	<i>Maximum</i>	
Flow (MGD)						
Internal Monitoring Point Chloroform	Report	Report	XXX	XXX	XXX	XXX
Internal Monitoring Point Pentachlorophenol (µg/L)	6.2	10.4	XXX	XXX	XXX	XXX
Internal Monitoring Point 2,3,4,6-Tetrachlorophenol (µg/L)	XXX	XXX	XXX	5.0	XXX	XXX
Internal Monitoring Point 2,3,7,8-Tetrachlorodibenzofuran (pg/L)	XXX	XXX	XXX	2.5	XXX	XXX
Internal Monitoring Point 2,3,7,8-Tetrachlorodibenzo-p-dioxin (pg/L)	XXX	XXX	XXX	31.9	XXX	XXX
Internal Monitoring Point 3,4,5-Trichlorocatechol (µg/L)	XXX	XXX	XXX	10	XXX	XXX
Internal Monitoring Point 2,4,5-Trichlorophenol (µg/L)	XXX	XXX	XXX	5.0	XXX	XXX
Internal Monitoring Point 3,4,6-Trichlorocatechol (µg/L)	XXX	XXX	XXX	2.5	XXX	XXX
Internal Monitoring Point 3,4,5-Trichloroguaiacol (µg/L)	XXX	XXX	XXX	5.0	XXX	XXX
Internal Monitoring Point 3,4,6-Trichloroguaiacol (µg/L)	XXX	XXX	XXX	2.5	XXX	XXX
Internal Monitoring Point 4,5,6-Trichloroguaiacol (µg/L)	XXX	XXX	XXX	2.5	XXX	XXX
Internal Monitoring Point 2,4,6-Trichlorophenol (µg/L)	XXX	XXX	XXX	2.5	XXX	XXX
Internal Monitoring Point Tetrachlorocatechol (µg/L)	XXX	XXX	XXX	2.5	XXX	XXX
Internal Monitoring Point Tetrachloroguaiacol	XXX	XXX	XXX	5.0	XXX	XXX
Internal Monitoring Point Trichlorosyringol (µg/L)	XXX	XXX	XXX	5.0	XXX	XXX
Internal Monitoring Point	XXX	XXX	XXX	2.5	XXX	XXX

The proposed effluent limits for Outfalls 001, 102, 003-010 are based on a design flow of N/A MGD.

Consisting of non-polluting stormwater from the site, alone or in combination with other wastewaters.

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

- Solid Waste Disposal
- Chemical Additives
- Stormwater
- Certification in Lieu of Monitoring for Chloroform
- Best Management Practices
- 2° Temperature Rise
- 316(a) Thermal Variance Verification
- Control of Stormwater Runoff
- Monitoring Waiver
- Water Quality Based Limits at or Below Detection Limits—Dioxin

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is not in effect.

**PA0265268**, Sewage, SIC Code 8800, **Charles Meuser**, P.O. Box 6, Youngsville, PA 16371. Facility Name: Charles Meuser SRSTP. This proposed facility is located in Brokenstraw Township, **Warren County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0265187**, Sewage, SIC Code 8800, **Christine Mueller**, 1491 Bimber Run Road, Tidioute, PA 16351. Facility Name: Christine Mueller SRSTP. This proposed facility is located in Limestone Township, **Warren County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated domestic sewage from a single family residence.

The receiving stream, Bimber Run, is located in State Water Plan watershed 16-F 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.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

- Requirement to submit an Annual Maintenance Report and a Discharge Monitoring Report
- No stormwater admitted to the treatment system
- Aerobic tank pumping requirement
- Solids handling

- Abandonment of the treatment system (for public sewage)

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0265136**, Sewage, SIC Code 4952, 8800, **Unity Presbyterian Church**, 1857 Mercer West Middlesex Road, Mercer, PA 16137. Facility Name: Unity Presbyterian Church Properties SRSTP. This proposed facility is located in Lackawannock Township, **Mercer County**.

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

The receiving stream is located in State Water Plan watershed 20-A and is classified for trout stoking, 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 0.0005 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0221902**, Industrial, SIC Code 0831, 2499, **Matson Lumber Company**, 132 Main Street, Brookville, PA 15825-1213. Facility Name: Matson Lumber Corsica Plant. This existing facility is located in Union Township, **Jefferson County**.

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

The receiving stream(s), Unnamed Tributary of Little Mill Creek and Coder Run, is located in State Water Plan watershed 17-B and 17-C and are 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 0.0001 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report Daily Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	100	100
Oil and Grease	XXX	XXX	XXX	15	20	30

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report Daily Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements Applicable to Stormwater Outfalls

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is not in effect.

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**III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law**


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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.*

**WQM Permit No. 1517406**, Sewage, **Walmoore Holsteins, Inc.**, 1826 Howellmoore Road, West Grove, PA 19390.

This proposed facility is located in Londonberry Township, **Chester County**.

Description of Action/Activity: Construction of an HDPE-lined Manure Storage Pond.

**WQM Permit No. 4617407**, Sewage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

This proposed facility is located in Springfield Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sewage pump station.

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

**WQM Permit No. 4517402**, Sewage, **Borough of East Stroudsburg**, P.O. Box 303, East Stroudsburg, PA 18301.

This existing facility is located in East Stroudsburg Borough, **Monroe County**.

Description of Proposed Action/Activity: The project is for the replacement of raw wastewater pumps, grit removal equipment, and other associated appurtenances at the wastewater treatment plant. There will be no change to the permitted hydraulic or organic capacity at the treatment plant.

**WQM Permit No. 5217403**, Sewage, **PA American Water Co. (Marcel Lakes Wastewater Treatment Plant)**, 800 West Hershey Park Drive, Hershey, PA 17033.

This proposed facility is located in Delaware Township, **Pike County**.

Description of Proposed Action/Activity: The "Phase II Project" Marcel Lakes Wastewater Treatment Plant upgrades include: New "wet weather" polymer additive system for Sequence Batch Reactors (SBRs) with previous relocation of phosphorus treatment chemical injection to SBRs by prior owner/operator; Replacement SBR decanters; Conversion of tertiary clarifier into equalization tank with new mechanical mixers/pumps; Replacement sludge pumps at sludge pumping chamber; Replacement Ultraviolet Disinfection System; New re-aeration unit; Replacement aerobic digesters; and associated piping, appurtenances, etc. No change to overall plant hydraulic/organic load capacity proposed.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 5070402 A-1**, Sewerage, **Loysville Village Municipal Authority**, PO Box 133, Loysville, PA 17047.

This proposed facility is located in Tyrone Township, **Perry County**.

Description of Proposed Action/Activity: amendment of the DEP—WQM permit # 5070402.

**WQM Permit No. WQG0211703**, Sewerage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013.

This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: general permit for sewer extensions and /or pump stations.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 4317408**, Sewage, **Francis Simendinger**, 1182 East Lake Road, Transfer, PA 16154-2724.

This proposed facility is located in Delaware Township, **Mercer County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 4317409**, Sewage, **David Lewis & Suzanne Glosner**, 130 East Avenue, Greenville, PA 16125-2638.

This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

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**VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities**


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*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD090010	St. Luke's Quakertown Hospital	Bucks	Milford Township	Unnamed Tributary to Unami Creek

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Carbon County Conservation District, 5664 Interchange Road, Lehighton, PA 18235-5114.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130009	Brian Stroup 425 Springhouse Ln Palmerton, PA 18071	Carbon	Lower Towamensing Township	UNT to Hunter Creek and Buckwha Creek (HQ-CWF), MF

*Pike County Conservation District, 556 Route 402, Hawley, PA 18428.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD520004	PA Dept. of Transportation 55 Keystone Ind Park Dunmore, PA 18512	Pike	Greene & Palmyra Townships	Wallenpaupack Creek (HQ-CWF, MF) East Branch Wallenpaupack Creek (HQ-CWF, MF) Kleinhans Creek (HQ-CWF, MF), Sand Spring Creek (HQ-CWF, MF) EV Wetland, EV Wetland

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD210012 Renewal of PAI-0321-12-003	Carlisle Moose Lodge # 761 25 E. High Street Carlisle, PA 17013	Cumberland County	Middlesex Township	Letort Spring Run (Designated Use: CWF; Existing Use: HQ-CWF)
PAD210011	SDKM WPT II, LLC c/o Clarius Partners, LLC 200 W. Madison Street Suite 3401 Chicago, IL 60606	Cumberland County	West Pennsboro Township	Big Spring Creek (Designated Use: CWF, MF; Existing Use: HQ-CWF, MF) West Branch Mount Rock Spring Creek (WWF, MF)

## VII. List of NOIs for NPDES and/or Other General Permit Types

PAG-12      CAFOs

### CAFO Notices of Intent Received

*Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**NPDES Permit No. PAG124832, CAFO, Curvin Martin, 322 Hatchery Road, Dalmatia, PA 17017-8210.**

This existing facility is located in Lower Mahanoy Township, **Northumberland County**.

Description of size and scope of existing operation/activity: The facility is comprised of approximately 37,224 ducks. There is a total of 100.23 AEUs.

The receiving stream, Unnamed Tributary of Mahantango Creek, is in watershed 6-C and classified for: Migratory Fishes and Warm Water Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

### MS4 PAG-13 Notices of Intent Received

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136380	California Borough 225 Third Street California, PA 15419	California Borough, Washington County	Yes	No



## NOTICES

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<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136125	Dawson Borough PO Box 68 Dawson, PA 15428-0068	Dawson Borough, Fayette County	Y	N
PAG136186	Everson Borough 232 Brown Street Everson, PA 15631-1108	Everson Borough, Fayette County	Y	N
PAG136382	East Vandergrift Borough Westmoreland County 254 Kennedy Avenue East Vandergrift, PA 15629	East Vandergrift Borough, Westmoreland County	Y	N
PAG136336	Glenfield Borough 265 Dawson Avenue Sewickley, PA 15143-2225	Glenfield Borough, Allegheny County	Yes	No

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG130009	Aldan Borough 1 W. Providence Road Aldan, PA 19018	Aldan Borough Delaware County	N	Y
PAG130090	Chester City 1 Fourth Street Chester, PA 19013	Chester City Delaware County	N	Y
PAG130089	Chester Township 1150 Engle Street Chester, PA 19013	Chester Township Delaware County	N	Y
PAG130138	Collegeville Borough 491 E. Main Street Collegeville, PA 19426	Collegeville Borough Montgomery County	N	Y
PAG130120	Collingdale Borough 800 Macdade Boulevard Collingdale, PA 19023	Collingdale Borough Delaware County	N	Y
PAG130013	Conshohocken Borough 720 Fayette Street Conshohocken, PA 19428	Conshohocken Borough Montgomery County	N	N
PAG130095	Douglas Township 1320 E. Philadelphia Avenue Gilbertsville, PA 19525	Douglass Township Montgomery County	N	Y
PAG130140	Downingtown Borough 4 W. Lancaster Pike Downingtown, PA 19335	Downingtown Borough Chester County	Y	N
PAG130035	Doylestown Borough 57 W. Court Street Doylestown, PA 18901	Doylestown Borough Bucks County	N	Y
PAG130050	Falls Township 188 Lincoln Highway Suite 100 Fairless Hills, PA 19030	Falls Township Bucks County	N	Y
PAG130092	Glenolden Borough 36 E. Boon Street Glenolden, PA 19036	Glenolden Borough Delaware County	N	Y
PAG130034	Hatboro Borough 414 S. York Road Hatboro, PA 19040	Hatboro Borough Montgomery County	N	Y
PAG130149	Jenkintown Borough 700 Summit Avenue Jenkintown, PA 19046	Jenkintown Borough Montgomery County	N	N
PAG130126	Lansdowne Borough 12 E. Baltimore Avenue Lansdowne, PA 19050	Lansdowne Borough Delaware County	N	Y

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG130148	Limerick Township 646 W. Ridge Pike Limerick, PA 19468	Limerick Township Montgomery County	N	Y
PAG130011	Lower Makefield Township 1100 Edgewood Road Yardley, PA 19067	Lower Makefield Township Bucks County	N	Y
PAG130076	Millbourne Borough 9 Park Avenue Upper Darby, PA 19082	Millbourne Borough Delaware County	N	Y

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG132313	Rice Township 3000 Church Road Mountaintop, PA 18707	Rice Township, Luzerne County	Y	N
PAG132314	Conyngham Borough 215 Main Street Conyngham, PA 18219	Conyngham Borough, Luzerne County	N	Y
PAG132230	Avoca Borough 950 Main Street Avoca, PA 18641	Avoca Borough, Luzerne County	N	Y
PAG132232	Warrior Run Borough Corner Of Front And Hanover Street Wilkes-Barre, PA 18706	Warrior Run Borough, Luzerne County	Y	N
PAG132280	Banks Township 350 N Pine Street Summit Hill, PA 18250-1302	Banks Township, Carbon County	Y	N
PAG132289	Mahoning Township Carbon County 2685 Mahoning Drive E Lehighton, PA 18235-9723	Mahoning Township, Carbon County	Y	N

#### **MS4 Notices of Intent Received**

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133557	Fairview Township 599 Lewisberry Road New Cumberland, PA 17070	Fairview Township York County	N	Y
PAG133590	Defense Distribution Center 5750 3rd Street, Building 750 New Cumberland, PA 17070	York County	N	Y
PAG133528	Colebrookdale Township Berks County 765 W Philadelphia Avenue Boyertown, PA 19512-8610	Colebrookdale Township, Berks County	N	Y
PAG133502	Bally Borough Berks County 425 Chestnut Street Bally, PA 19503-9614	Bally Borough, Berks County	Y	N
PAG133584	Lancaster Township Lancaster County 1240 Maple Avenue Lancaster, PA 17603-4856	Lancaster Township, Lancaster County	N	Y

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133724	Christiana Borough Lancaster County 10 W. Slokom Ave Christiana, PA 17509	Christiana Borough, Lancaster County	Y	N
PAG133723	Letterkenny Township Franklin County 4924 Orrstown Rd Orrstown, PA 17244	Letterkenny Township, Franklin County	Y	N
PAG133526	Union Township Berks County 1445 E. Main Street Douglassville, PA 19518	Union Township, Berks County	Y	N
PAG133689	Dauphin County 1451 Peters Mountain Road Dauphin, PA 17509	Dauphin County	N	N

### STATE CONSERVATION COMMISSION

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

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

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

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

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### ACT 38 NUTRIENT MANAGEMENT PLANS

#### CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Westview Farm Galen Nolt 222 Little Britain Church Rd. Peach Bottom, PA 17563	Lancaster	395	930.76	Dairy/ Swine/ Poultry	HQ	R
Walnut Run Farms Carl & John Myer 292 Elm Rd Lititz, PA 17543	Lancaster	1,200	2,490.39	Dairy	NA	R
Wen-Crest Farms, LLC 549 Schaeffer Road Lebanon, PA 17042	Lebanon	1,422	1,074.29	Broilers, Steers	NA	Renewal
John Pepper Enterprise, LLC John Pepper 2624 Granville Road Granville Summit, PA 16926	Bradford	75	771.35	Swine	NA	Renewal

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons 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 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, the Department 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.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### SAFE DRINKING WATER

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

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

##### Application No. 4017509, Public Water Supply.

Applicant	<b>Aqua Pa, Inc.</b> 1 Aqua Way White Haven, PA 18661
[Township or Borough]	Kingston Township <b>Luzerne County</b>
Responsible Official	Patrick R. Burke, PE Aqua Pa, Inc. 1 Aqua Way White Haven, PA 18661
Type of Facility	PWS
Consulting Engineer	Jonathan Morris, PE GHD Inc. 326 East Second St. Bloomsburg, PA 17815
Application Received Date	9/11/2017

Description of Action	The application proposes Aqua Pa's Dug Well Improvement Project consisting of enlarging the well station, revising the 4-log demonstration study, replacing chemical feed pumps, revising spill containment provisions, and adding a hard piped eyewash station with heater.
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*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

##### Application No.—Construction—Public Water Supply.

Applicant	<b>Country Club Park</b>
Township/Borough	Potter Township
County	<b>Centre County</b>
Responsible Official	Mr. Budd Brooks 124 Short Road Spring Mills, PA 16875
Type of Facility	Public Water Supply
Consulting Engineer	Garrett A. Stoy 2007 Cato Avenue State College, PA 16801
Application Received Date	09/08/2017
Description of Action	Authorizes the removal of existing, unnecessary, greensand filters and associated piping from the treatment building.

### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

##### Application No. 4297502-MA3, Minor Amendment.

Applicant	<b>Aiken Water Company</b>
Township or Borough	Keating Township
Responsible Official	Jim Wilcox
Type of Facility	Public Water Supply
Consulting Engineer	Michele Aukerman Uni-Tec Consulting Engineers 2007 Cato Avenue State College, PA 16801
Application Received Date	September 15, 2017
Description of Action	Replace use of chlorine gas with liquid sodium hypochlorite in disinfection procedure.

##### Application No. 4303504-MA1, Minor Amendment.

Applicant	<b>Greenville Municipal Water Authority</b>
Township or Borough	Greenville Borough
Responsible Official	Carol Paul
Type of Facility	Public Water Supply
Consulting Engineer	Robert Horvat/Entech Engineering

Application Received      September 14, 2017  
Date

Description of Action      Switching from ammonium  
hydroxide to liquid ammonium  
sulfate (LAS) mediated  
chloramine generation.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 1

### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department 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. A person who demonstrates attainment of one or a combination of cleanup standards or 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 contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons 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 Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, 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 date specified as follows. During this comment period, the municipality may request that the person identified 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 the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appro-

priate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**315 Columbia Street**, 315 Columbia Street, City of Bethlehem, **Northampton County**, Environmental Consulting Inc., 2002 Renaissance Boulevard, King of Prussia, PA 19406, on behalf of J.G. Petrucci Co. Inc., 171 Route 173, Suite 201, Asbury, NJ 08802, submitted a Notice of Intent to Remediate. Groundwater impacts were discovered at the site during the completion of due diligence activities. The proposed future use of the property is for residential purposes. The Notice of Intent to Remediate was published in *The Morning Call* on August 25, 2017.

### RESIDUAL WASTE GENERAL PERMITS

**Application(s) Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**General Permit Application No. WMGR081D007. AERC Acquisition Corporation d.b.a. AERC Recycling Solutions, A Clean Earth Company**, 2330 Southwest 26th Street, Allentown, PA 18103. An application for ownership change/permit reissuance for this electronics recycling operation located in City of Allentown, **Lehigh County**. The application was received by the Department on September 5, 2017 and deemed administratively complete by the Regional Office on September 13, 2017.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Application(s) for Determination of Applicability Renewal received under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste other than Coal Ash.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**General Permit No. WMGR028SW007. New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664. A permit renewal application for continued coverage under general permit WMGR028 for

the beneficial use of baghouse fines and/or scrubber pond precipitates from Bakersville Blacktop, 391 Glades Pike, Somerset, PA 15501 located in Jefferson Township, **Somerset County**, was received on April 6, 2017 and deemed administratively complete by the Regional Office on September 18, 2017. (Previously assigned permit ID number was WMGR028D007B.)

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412.442.4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654.5984. Comments concerning the application should be directed to the Waste Management Program Manager, DEP Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, 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 Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department'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 Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons 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 Department'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.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, 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 the Department determines this type of notification is sufficient. Requests for a public

hearing and any relevant information should be directed to the appropriate Department 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.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits 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.**

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

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

**46-00251: Anders-Detweiler Funeral Home** (130 East Broad Street, Souderton, PA 18964-1209) located in Souderton Borough, **Montgomery County** for the renewal of a State Only (Natural Minor) Operating Permit No. 46-00251. Anders-Detweiler Funeral Home operates a human crematory at its current facility. The crematory is a dual chamber unit manufactured by Matthews Cremation Division. The Crematory contains the best available technology, to include; maximum operating temperatures, retention times, and using natural gas as a fuel. The operating permit also contains work practice standards, monitoring and recordkeeping requirements, and operating restrictions designed to keep the crematory operating within all applicable air quality requirements.

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

*Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.*

**30-00233B: Hill Top Energy Center, LLC** (747 3rd Avenue, 2nd Floor, New York, NY 10017) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue plan approval no. 30-00233B to Hill Top Energy Center, LLC (HTEC) for the construction and temporary operation of a 620 MW combined cycle natural gas-fired combined cycle power plant in Cumberland Township, **Greene County**. The proposed facility includes one (1) 3,509 MMBtu/hr General Electric International, Inc. (GE) model no. GE 7HA.02 natural gas-fired combined cycle combustion turbine equipped with heat recovery steam generator (HRSG) with supple-

mental 981.4 MMBtu/hr HHV natural gas fired duct burners; controlled by selective catalytic reduction and oxidation catalyst, one (1) 42 MMBtu/hr HHV natural gas-fired auxiliary boiler, one (1) 6.4 MMBtu/hr HHV natural gas-fired fuel gas heater, one (1) 18.77 MMBtu/hr HHV, 2,682 hp diesel-fired emergency generator engine, one (1) 2.95 MMBtu/hr, 422 hp diesel-fired emergency fire pump engine, an 8-cell mechanical draft evaporative cooling tower controlled by drift eliminators, and miscellaneous components in natural gas service and circuit breakers controlled by leak detection and repair.

Potential to emit from the facility will be limited to 173.10 tons of nitrogen oxides (NO<sub>x</sub>), 160.14 tons of carbon monoxide (CO), 23.42 tons of sulfur dioxide (SO<sub>2</sub>), 60.11 tons of volatile organic compounds (VOC), 18.41 tons of total hazardous air pollutants (HAPs), 5.78 tons of formaldehyde (HCHO), 111.92 tons of particulate matter (filterable and condensable), 110.25 tons of particulate matter with an aerodynamic diameter less than 10 microns (filterable and condensable), 108.18 tons of particulate matter with an aerodynamic diameter less than 2.5 microns (filterable and condensable), 13.06 tons of sulfuric acid mist (H<sub>2</sub>SO<sub>4</sub>), 136.46 tons of ammonia (NH<sub>3</sub>), and 2,324,350 tons of carbon dioxide equivalents (CO<sub>2e</sub>) per year.

This authorization is subject to the Prevention of Significant Deterioration (PSD) requirements of 40 CFR 52.21, New Source Review (NSR) requirements of 25 Pa. Code Chapter 127 Subchapter E, and the Best Available Technology (BAT) requirements of 25 Pa. Code § 127.1. The Department has determined that the proposed facility satisfies best available control technology (BACT), lowest achievable emission rate (LAER), and the Department's BAT requirements.

The proposed sources are also subject to the following Standards of Performance for New Stationary Sources (NSPS): 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR Part 60, Subpart IIII—Standards of Performance for Compression Ignition Internal Combustion Engines, 40 CFR Part 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines, and 40 CFR Part 60, Subpart TTTT—Standards of Performance for Greenhouse Gas Emissions for Electric Utility Generating Units. The sources are also subject to the following National Emissions Standards for Hazardous Air Pollutants: 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards

for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.31 and 123.41. This plan approval has been conditioned to ensure compliance with all applicable rules. This includes emission restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a Title V Operating Permit in accordance with 25 Pa. Code Subchapter G.

HTEC has conducted air quality analyses which satisfy the requirements of the Prevention of Significant Deterioration (PSD) regulations codified in 40 CFR 52.21 and 25 Pa. Code § 127.83.

In accordance with 40 CFR 52.21(k)—(n), HTEC provided air quality analyses of HTEC's emissions of CO, NO<sub>x</sub>, particulate matter less than or equal to 2.5 micrometers in diameter (PM<sub>2.5</sub>), and particulate matter less than or equal to 10 micrometers in diameter (PM<sub>10</sub>). Hill Top Energy Center's source impact analyses demonstrate that the Hill Top Energy Center's emissions would not cause or contribute to air pollution in violation of the National Ambient Air Quality Standards for CO, nitrogen dioxide (NO<sub>2</sub>), PM<sub>2.5</sub>, or PM<sub>10</sub>. Additionally, Hill Top Energy Center's source impact analyses demonstrate that the HTEC's emissions would not cause or contribute to air pollution in violation of the Class II or Class I PSD increments for NO<sub>2</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub>.

In accordance with 40 CFR 52.21(o), HTEC provided additional impact analyses of the impairment to visibility, soils, and vegetation that would occur as a result of the Hill Top Energy Center and general commercial, residential, industrial, and other growth associated with the Hill Top Energy Center.

In accordance with 40 CFR 52.21(p), written notice of the proposed Hill Top Energy Center has been provided to the Federal Land Managers of nearby Federal Class I areas as well as initial screening calculations to demonstrate that the Hill Top Energy Center's emissions would not adversely impact air quality related values and visibility in nearby Federal Class I areas.

In accordance with the public notice requirements in 25 Pa. Code § 127.45(b)(4), the degree of Class II and Class I PSD increment consumption expected to result from the operation of the Hill Top Energy Center is provided in the following tables:

Table 1: Degree of Class II PSD Increment Consumption from Operation of the Hill Top Energy Center

<i>Pollutant</i>	<i>Averaging Period</i>	<i>Degree of Class II PSD Increment Consumption</i>		<i>Class II PSD Increment</i> <i>micrograms per cubic meter</i>
		<i>micrograms per cubic meter</i>	<i>Percent of Class II PSD Increment</i>	
NO <sub>2</sub>	Annual	< 0.93044	< 3.73%	25
PM <sub>2.5</sub>	24-hour	< 1.73249	< 19.25%	9
	Annual	< 0.17772	< 4.45%	4
PM <sub>10</sub>	24-hour	< 2.08381	< 6.95%	30
	Annual	< 0.25583	< 1.51%	17

Table 2: Degree of Class I PSD Increment Consumption from Operation of the Hill Top Energy Center

Pollutant	Averaging Period	Degree of Class I PSD Increment Consumption		Class I PSD Increment micrograms per cubic meter
		micrograms per cubic meter	Percent of Class I PSD Increment	
NO <sub>2</sub>	Annual	< 0.00336	< 0.14%	2.5
PM <sub>2.5</sub>	24-hour	< 0.03775	< 1.89%	2
	Annual	< 0.00209	< 0.21%	1
PM <sub>10</sub>	24-hour	< 0.03747	< 0.47%	8
	Annual	< 0.00208	< 0.06%	4

HTEC's plan approval application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the plan approval application for the facility, a person may contact the Department at 412-442-4000.

A person may oppose the proposed plan approval by filing a written protest with the DEP through Alexander Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; via email to [asandy@pa.gov](mailto:asandy@pa.gov); or via fax to 412-442-4194. Each protest or set of written comments must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Plan Approval (30-00233B), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

The Department will hold a public hearing from 6:00—8:00 PM on Thursday, November 2, 2017, at Carmichaels Area Senior High School Auditorium, 215 N Vine Street, Carmichaels, PA 15320, to take oral testimony regarding this Air Quality Plan Approval application. Notice of this hearing is separately published within this *Pennsylvania Bulletin*.

#### PLAN APPROVAL

#### PUBLIC HEARINGS

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

**30-00233B: Hill Top Energy Center, LLC (HTEC),** Proposed Plan Approval Authorization, Cumberland Township, **Greene County**.

In accordance with 25 Pa. Code § 127.48, notice is hereby given that the Pennsylvania Department of Environmental Protection (Department) will hold a public hearing from 6:00—8:00 PM on Thursday, November 2, 2017, at the Carmichaels Area Senior High School Auditorium, 215 N Vine Street, Carmichaels, PA 15320.

The purpose of the hearing is to take testimony concerning the Department's intent to issue plan approval 30-00233B to HTEC for the construction and temporary operation of a proposed 620 MW combined cycle natural gas-fired combined cycle power plant in Cumberland Township, Greene County. Separate notice of intent to

issue the plan approval is concurrently published in the *Pennsylvania Bulletin* to solicit public comments.

In accordance with 25 Pa. Code §§ 127.48 and 127.49, the Department will accept and record testimony concerning HTEC's application. Those wishing to present testimony during the hearing should contact Environmental Community Relations Coordinator, Lauren Fraley, at 412.442.4203 or [lfraley@pa.gov](mailto:lfraley@pa.gov) before noon on November 2, 2017, to register. Individuals who do not register may also present testimony the day of the hearing. Organizations are encouraged to designate one witness to present testimony on behalf of the organization. Persons unable to attend the public hearing can submit three copies of a written statement to the Department within 10 days thereafter. Written statements should be sent through Alexander Sandy, via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to [asandy@pa.gov](mailto:asandy@pa.gov); or fax to 412.442.4194. Each written statement must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval (PA-30-00233B) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act of 1990 should contact Lauren Fraley or the Pennsylvania AT&T Relay Service at 1.800.654.5984 (TDD) to discuss how Department may accommodate your needs.

#### OPERATING PERMITS

#### Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507.

**39-00018: Stanley Vidmar, Inc., Allentown Plant** (11 Grammes Rd., Allentown, PA 18103-4760) The Department intends to issue a renewal Title V Operating Permit for the manufacture of office furniture facility located in Allentown City, **Lehigh County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The main sources at this facility consist of gas and ceiling heaters, air makeup units, and spray booths. The sources are controlled by dry filters. These sources have the potential to emit major quantities of regulated pollu-



tants above Title V emission thresholds. The proposed Title V Operating Permit shall include emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**20-00035: Molded Fiber Glass Companies, Tray Company** (6175 US Highway 6, Linesville, PA 16424). In accordance with 25 Pa. Code §§ 127.441, 127.425 and 127.521, the Department is providing notice that they intend to issue a renewed Title V Operating Permit for the Reinforced Plastic Manufacturing Facility, located in Linesville Borough, **Crawford County**. The facility's major emission sources include: Two (2) 4.2 MMBtu/hr Boilers, Air Make-Up & Space Heaters (16.1 MMBtu/hr), Process Heaters (0.55 MMBtu/hr), Closed Molding Operations, a Degreasing Operation, an Emergency Generator (80 kW), Finishing Operations, a Wet Resin Mix Room, two (2) Preform Ovens/Machines, a Curing Oven, a Surface Coating Operation, and eight (8) Resin Storage Tanks. The facility is electing to limit its styrene throughput for the Closed Molding Operations, its solvent usage for the Degreasing Operation, its preform throughput for the Preform Ovens/Machines, and its surface coating usage for the Surface Coating Operation in order to maintain its VOC emissions below major thresholds (50 tons per year), thus avoiding recently promulgated RACT requirements. The potential emissions of the major pollutants from the facility with these limitations are as follows: PM<sub>10</sub>: 3.89 TPY, PM<sub>2.5</sub>: 0.27 TPY, NO<sub>x</sub>: 11.48 TPY, SO<sub>x</sub>: 0.07 TPY, CO: 5.23 TPY, VOC: 48.93 TPY, Styrene: 43.60 TPY, and CO<sub>2</sub>: 13,452 TPY; thus, the facility is subject to Title V requirements for potential emissions of a single Hazardous Air Pollutant in excess of ten (10) tons (Styrene). The Boilers and Process Heater are subject to 40 CFR 63 Subpart DDDDD NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. The Emergency Generator is subject to 40 CFR 63 Subpart ZZZZ NESHAP for Stationary Reciprocating Internal Combustion Engines. The facility is subject to 40 CFR 63 Subpart WWWW NESHAP for Reinforced Plastic Composites Production. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**42-00174: Casella Waste Management of PA, Inc.** (19 Ness Lane, Kane, PA 16735), the Department intends to issue the renewal of the Title V Operating Permit to an active municipal solid waste (MSW) landfill located in Sergeant Township, **McKean County**. This facility has two permitted sources, which are the landfill and a degreaser unit. The landfill gas generated is controlled and destroyed by an enclosed flare. With a design capacity exceeding 2.5 million megagrams or 2.5 million cubic meters, the facility is Title V because of rulemaking. The facility is subject to 40 CFR 63 Subpart AAAA (National Emission Standards for Hazardous Air Pollutants for MSW Landfills) and § 40 CFR 60 Subpart WWW (Standards of Performance of MSW Landfills). Expected to be promulgated within the next two years, 40 CFR 60 Subpart Cf, which pertains to Emission Guidelines and Compliance Times for MSW Landfills applicable to MSW landfills constructed, reconstructed, or modified on or

before July 17, 2014, is incorporated into the renewal permit. For the duration of the renewal permit (2017 to 2022), the facility is an area source with maximum PTEs of 12.5, 5.0, 3.8, 1.7, 1.0, 0.7, and 0.5 TPY for CO, NO<sub>x</sub>, SO<sub>x</sub>, VOC, PM<sub>10</sub>, multiple HAPs, and single HAP, respectively.

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**Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**09-00187: Sims Metal East, LLC.** (300 S Steel Rd, Morrisville, PA 19067-3614) for operation of their metal recycling facility in Falls Township, **Bucks County**. The permit is for a non-Title V (State only) facility. Major sources of air emissions include a hammermill and air classifier, conveyors, stockpiles, and a wet suppression system for the control of fugitive particulate matter. There are no new sources and no new applicable regulations at this facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**22-03017: Hoover Funeral Homes & Crematory, Inc.** (6011 Linglestown Road, Harrisburg, PA 17112) to issue a State Only Operating Permit for a human crematory unit at the facility located in Lower Paxton Township, **Dauphin County**. The potential emissions from the facility are estimated at 1.55 tpy of NO<sub>x</sub>, 1.30 tpy of CO, 0.31 tpy of PM<sub>10</sub>, 0.48 tpy of SO<sub>x</sub> and 0.11 tpy of VOC. 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.

**22-05046: Pennsy Supply, Inc./Fiddlers Elbow N. Quarry** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105-3331) to issue a State Only Operating Permit for a hot mix batch asphalt plant in Lower Swatara Township, **Dauphin County**. The facility 2016 actual emissions are estimated at 37.3 tons of CO, 2.56 tons of NO<sub>x</sub>, 2.53 tons of PM, 0.43 ton of SO<sub>x</sub>, 0.78 ton of VOC, and 0.71 ton of 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 derived from 40 CFR Part 60 Subpart I-Standard of Performance for Hot Mix Asphalt Facilities, and 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**06-03021: Post Precision Castings, Inc.** (21 Walnut Street, Strausstown, PA 19559) for operation of a metals casting facility in Upper Tulpehocken Township, **Berks County**. The facility potential emissions are 12.35 tpy of NO<sub>x</sub>, 10.0 tpy of CO, less than 4.4 tpy of PM, 0.07 tpy of SO<sub>x</sub>, and 0.66 tpy of VOCs. The Operating Permit will

include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; 40 CFR Part 63 Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources; and 40 CFR Part 63 Subpart ZZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.*

**49-00009: Masonite Corporation** (980, Point Township Drive, Northumberland, PA 17857) to issue a renewal State Only (Synthetic Minor) Operating Permit for their Northumberland Door Plant located in Point Township, **Northumberland County**. The facility is currently operating under State Only (Synthetic Minor) Operating Permit 49-00009. The facility's main sources include five (5) spray booths, two (2) pre-finish lines, a milling and sanding operation, a gluing operation, a cleanup operation, one emergency generator, one parts washer and several space heaters. This renewal permit also includes spray booth (# 6), an air make-up unit and a wastewater evaporator constructed under plan approval 49-00009C via administrative amendment form. The facility has potential emissions of 7.46 TPY of CO; 8.99 TPY of NO<sub>x</sub>; 0.06 TPY of SO<sub>x</sub>; 64.19 TPY of PM/PM<sub>10</sub>; <50 TPY of VOCs; <10 TPY any single HAP; <25 TPY combined HAPs; 10,628.91 TPY GHGs.

The emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The surface coating operation is subject to Title 25 Pa. Code § 129.52—Surface Coating Processes. The gluing operation (Source ID P107) is subject to requirements of 25 Pa. Code § 129.77—Control of emissions from the use of application of adhesives, sealants, primers and solvents.

The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Title 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98. 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 570-327-0550.

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

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

**11-00497: Gautier Steel Ltd.** (80 Clinton Street, Johnstown, PA 15901), In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a State Only Operating Permit renewal

(SOOP-11-00497) to Gautier Steel Ltd. to authorize the continued operation of rolling mills at their the "Johnstown Plant" located in Johnstown City, **Cambria County**.

The facility's air contamination sources consist of seven (7) major combustion units which include Mill Reheat Furnaces of various capacities rated between 8.0 MMBtu/hr and 24.0 MMBtu/hr. There are five (5) other minor combustion units of various capacities rated between 0.2 MMBtu/hr and 2.2 MMBtu/hr.

Potential emissions from the facility are 83.0 tons CO, 88.0 tons NO<sub>x</sub>, 1.0 ton SO<sub>x</sub>, 8.0 tons PM<sub>10</sub>, 6.0 tons VOC for any consecutive 12-month period of operation. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Other State requirements for fugitive emissions, particulate limits, and malodors have been included. The permit includes emission limitations, and operational, monitoring, reporting, and recordkeeping requirements for the facility.

Gautier Steel Ltd. State Only Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality State Only Operating Permit for this project, a person may contact Thomas Kaminski at thkaminski@pa.gov or 412.442.4097.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 11-00497) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

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.

Comments, protests and requests for a public hearing should be directed to Jesse S. Parihar, Air Quality Engineering Specialist, Department of Environmental

Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (jparihar@pa.gov, fax 412.442.4194)

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**33-00152: Dominion Transmission, Inc. Stoney Run Station** (Route 36, Punxsutawney, PA). The Department is providing notice that they intend to issue a new State Only Operating Permit for the natural gas production station located in Gaskill Township, **Jefferson County**. The facility's major emission sources include: three (3) two-stroke lean-burn natural gas-fired engines (384 HP), a TEG (tri-ethylene glycol) natural gas dehydrator (25 mmSCF/day) and its 0.50 MMBtu/hr natural gas-fired reboiler, two (2) storage tanks, and facility fugitives. The potential emissions of the major pollutants from the facility are as follows: PM<sub>10</sub>: 1.7 TPY, NO<sub>x</sub>: 82.1 TPY, SO<sub>x</sub>: 0.022 TPY, CO: 27.5 TPY, and VOC: 43.1 TPY; thus, the facility is a natural minor. The three engines are subject to 40 CFR Part 63, Subpart ZZZZ, NESHAP for stationary RICE, and the TEG dehydrator is subject to 40 CFR Part 63, Subpart HH, NESHAP for natural gas production facilities. The permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**42-00194: Glenn O Hawbaker Shinglehouse Plant 8** (711 E. College Ave., Bellefonte, PA 16823-6854), the Department intends to issue the renewal of the State Only Operating Permit for the sand and gravel operations located in Ceres Township, **McKean County**. The facility is a Natural Minor. The primary sources at the facility include crushers, conveyors, screening, and material stockpiles. The facility is subject to 40 CFR Part 60, Subpart OOO—pertaining to nonmetallic mineral processing. The Water spray is used to minimize fugitive emissions from the mineral processing. The facility occasionally uses a Powerscreen Commander 510 which is a mobile unit for screening that is limited to 2,000 hours of use on a 12-month consecutive period. The unit is powered by a Deutz 1012C Diesel engine rated at 97 HP. The facility is restricted to 16 hours per day, 6 days per week, and 3,840 hours per year. The capacity of the crushers is limited to 350 TPH. The potential emissions from the facility are less than the following: 6.09 TPY NO<sub>x</sub>; 0.28 TPY hydrocarbons; 0.16 TPY SO<sub>x</sub>; 7.79 TPY PM<sub>10</sub>; and, 1.22 TPY CO. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**61-00200: Webco Industries Tube Division** (363 Seneca Street, Oil City, PA 16301-1311), the Department intends to issue the renewal of the State Only Operating Permit for the steel pipe and tube manufacturing operations located in Oil City, **Venango County**. The facility is a Natural Minor. The primary sources at the facility include two larger space heaters (8 MMBtu/hr each), a radiant tube furnace, a gas generator, parts washers, emergency generators, a cold draw lube tank, an induction line electric furnace and space heaters (less than 2.5 MMBtu/hr). The potential emissions from the facility are less than the following: 13 TPY NO<sub>x</sub>; 13 TPY CO; 1.2 TPY PM; 0.1 TPY SO<sub>x</sub>; and 2.9 TPY VOC. The emergency engines are subject to 40 CFR 63 Subpart ZZZZ pertaining to NESHAPs for Reciprocating Internal Combustion Engines. The renewal permit contains emission restric-

tions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.*

*Contact: Edward Wiener, Chief—Telephone: 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

**N15-001: Ivy Hill Cemetery Company** (1201 Easton Road, Philadelphia, PA 19150) for the operation of a human crematory in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) natural gas fired 150 pounds per hour cremation units, two (2) natural gas fired 100 pounds per hour cremation units, and two (2) natural gas fired 200 pounds per hour cremation units. The mercury emission limits for the two (2) 200 pounds per hour cremation units were removed as crematory incinerators do not meet the definition of hospital, medical and infectious waste incinerators and are therefore not subject to 40 CFR Part 60, Subpart Ce, Table 1.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or 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.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); 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); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the 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. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401

water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before 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.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; 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.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

#### *Coal Applications Received*

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

**17101601 and NPDES No. PA0236055 and GP12-17101601. Victor, LLC**, (3056 Washington Avenue, P.O. Box 128, Clearfield, PA 16830). To renew the permit for the Victor Tipple in Greenwood Township, **Clearfield County** and related NPDES Permit. Includes renewal of Air Quality GPA/GP12 Authorization. No additional discharges. The application was considered administratively complete on September 12, 2017. Application received November 4, 2016.

**63841304 and NPDES No. PA0111643. Laurel Run Mining Company**, (1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit for the Vesta Mine in North, East and West Bethlehem Townships, Centerville and Deemston Boroughs, **Washington County** and related NPDES Permit for reclamation only. No additional discharges. The application was considered administratively complete on September 13, 2017. Application received May 10, 2017.

**30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC**, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Harvey Mine in Richhill and Morris Townships, **Greene County** and related NPDES Permit for the 4A-1 and 4A-2 degas boreholes. Surface Acres Proposed 9.4. No additional discharges. The application was considered administratively complete on September 14, 2017. Application received May 5, 2017.

**32851601 and NPDES No. PA0095966. P & N Coal Company, Inc.**, (P.O. Box 332, Punxsutawney, PA 15767). To renew the permit for the Hillman Tipple in Banks Township, **Indiana County** and related NPDES Permit for reclamation only. No additional discharges. The application was considered administratively complete on September 18, 2017. Application received June 6, 2017.

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

**Permit No. 13743002T. Coal Contractors (1991), Inc.**, (P.O. Box 39, Hazleton, PA 18201), transfer of an existing anthracite surface mine and coal refuse reprocessing operation from Pagnotti Enterprises, Inc. in Banks and Hazle Townships, **Carbon and Luzerne Counties** affecting 930.0 27 acres, receiving streams: Catawissa Creek and Beaver Creek, classified for the following uses: cold water and migratory fishes. Application received: September 11, 2017.

#### *Noncoal Applications Received*

*Effluent Limits*—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

<i>Parameter</i>	<i>Table 2</i>		
	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

**63090601 and NPDES Permit No. PA0251712. Mon River Aggregates, LLC** (P.O. Box 435, Millsboro, PA 15348). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in East Bethlehem Township, **Washington County**, affecting 50.3 acres. Receiving streams: unnamed tributaries to Ten Mile Creek and Ten Mile Creek, classified for the following use: WWF. Potable water supply: PA American Water Company/Brownsville Plant and Tri-County Joint Municipal Authority. Renewal application received: September 11, 2017.

### **MINING ACTIVITY NPDES DRAFT PERMITS**

This notice provides information about applications for a new, amended or renewed 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 (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

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

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

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

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

Alkalinity greater than acidity\*

\*The parameter is applicable at all times.

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 Chapter 77 are pH 6 to 9 and other parameters the Department 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.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0214400 (Mining Permit No. 56911602), Berwind Coal Sales Company**, (509 15th Street, Windber, PA 15963-1603). A renewal to the NPDES and mining activity permit for the Huskin Run Tipple in Shade Township, **Somerset County**. Receiving stream: Hinson Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on September 16, 2014. Application received December 6, 2013.

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

*Outfall 001* discharges to: Hinson Run

The proposed effluent limits for Outfall 001 (Lat: 40° 09' 37" Long: 78° 50' 45") are:

<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)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	Report	Report	-
pH	(S.U.)	6.0	-	9.0 Max	-
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Alkalinity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Acidity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mos/kg)	-	Report	Report	-
Arsenic	(mg/l)	-	Report	Report	-
Selenium	(mg/l)	-	Report	Report	-
Silver	(mg/l)	-	Report	Report	-

EPA Waiver not in effect.

**NPDES No. PA0214442 (Mining Permit No. 32901602), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the I-22 Tipple in Burrell Township, **Indiana County**. Receiving stream: UNT 44710 to Conemaugh River, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on October 21, 2014. Application received December 13, 2013.

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

*Outfall 001* discharges to: UNT 44710 to Conemaugh River

The proposed effluent limits for Outfall 001 (Lat: 40° 26' 31" Long: 79° 15' 3") are:

<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	1.0	1.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	Report	Report	-
pH	(S.U.)	6.0	-	-	9.0
Alkalinity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Acidity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	9.0 Max	-
Arsenic	(mg/l)	-	Report	Report	-
Sulfates	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chlorides	(mg/l)	-	-	-	Report

*Outfall 002* discharges to: UNT 44710 to Conemaugh River

The proposed effluent limits for Outfall 002 (Lat: 40° 26' 36" Long: 79° 15' 4") are:

<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	1.0	1.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	Report	Report	-
pH	(S.U.)	6.0	-	-	9.0
Alkalinity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Acidity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	9.0 Max	-
Arsenic	(mg/l)	-	Report	Report	
Sulfates	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chlorides	(mg/l)	-	-	-	Report

EPA Waiver not in effect.

**NPDES No. PA0092631 (Mining Permit No. 32841602), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the Clymer Tipple in Cherryhill Township, **Indiana County**. Receiving stream: Dixon Run, classified for the following use: CWF. Receiving stream: UNT to Dixon Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on January 19, 2016. Application received August 21, 2015.

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

*Outfall 001* discharges to: Dixon Run

The proposed effluent limits for Outfall 001 (Lat: 40° 41' 06" Long: 79° 00' 44") are:

<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	1.0	1.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	50	100	-
pH	(S.U.)	6.0	-	-	9.0
Alkalinity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Acidity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	9.0 Max	-
Arsenic	(mg/l)	-	Report	Report	
Sulfates	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chlorides	(mg/l)	-	-	-	Report

*Outfall 002* discharges to: UNT Dixon Run

The proposed effluent limits for Outfall 002 (Lat: 40° 41' 01" Long: 79° 00' 42") are:

<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	1.0	1.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	50	100	-
pH	(S.U.)	6.0	-	-	9.0
Alkalinity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Acidity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	9.0 Max	-
Arsenic	(mg/l)	-	Report	Report	-
Selenium	(mg/l)	-	Report	Report	
Sulfates	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chlorides	(mg/l)	-	-	-	Report

*Outfall 003* discharges to: Dixon Run

The proposed effluent limits for Outfall 003 (Lat: 40° 41' 11" Long: 79° 00' 37") are:

<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	1.0	1.0

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	50	100	-
pH	(S.U.)	6.0	-	-	9.0
Alkalinity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Acidity (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	9.0	-
				Max	
Sulfates	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chlorides	(mg/l)	-	-	-	Report

EPA Waiver not in effect.

**NPDES No. PA0037109 (Mining Permit No. 32841317), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the Lucerne No. 9 Mine in Young and Conemaugh Townships, **Indiana County**. Receiving stream: UNT 43157 of Blacklegs Creek, classified for the following use: CWF. Receiving stream: Hooper Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on December 28, 2016. Application received May 25, 2016.

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

*Outfall 005* discharges to: Unnamed Tributary to Blacklegs Creek

The proposed effluent limits for Outfall 005 (Lat: 40° 31' 03" Long: 79° 22' 41") are:

<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	-
pH	(S.U.)	6.0	-	9.0	-
				Max	
Alkalinity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Acidity Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	50	100	-

*Outfall 006* discharges to: Hoopers Run

The proposed effluent limits for Outfall 006 (Lat: 40° 34' 05" Long: 79° 20' 33") are:

<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	-
pH	(S.U.)	6.0	-	9.0	-
				Max	
Alkalinity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Acidity Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	50	100	125

EPA Waiver not in effect.

**NPDES No. PA0214515 (Mining Permit No. 32831602), General Trade Corporation**, (745 Power Plant Road, New Florence, PA 15944). A renewal to the NPDES and mining activity permit for the Central Preparation Plant in West



Wheatfield Township, **Indiana County**. Receiving stream: UNT Conemaugh River, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on May 1, 2013. Application received March 12, 2013.

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

*Outfall 001* discharges to: Unnamed Tributary to Conemaugh River

The proposed effluent limits for Outfall 001 (Lat: 40° 23' 27" Long: 79° 03' 55") are:

<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)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	1.0	2.0	2.5
Total Suspended Solids	(mg/l)	-	35.0	70.0	90.0
Sulfate	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	Report	Report	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Acidity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-
pH	(S.U.)	6.0	-	9.0 (Max)	-

*Outfall 002* discharges to: Unnamed Tributary to Conemaugh River

The proposed effluent limits for Outfall 002 (Lat: 40° 23' 21" Long: 79° 04' 05.5") are:

<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)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	1.0	2.0	2.5
Selenium	(mg/l)	-	Report	Report	-
Total Suspended Solids	(mg/l)	-	35.0	70.0	90.0
Sulfate	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	Report	Report	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Acidity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-
pH	(S.U.)	6.0	-	9.0 (Max)	-

*Outfall 003* discharges to: Unnamed Tributary to Conemaugh River

The proposed effluent limits for Outfall 003 (Lat: 40° 23' 28" Long: 79° 04' 25.5") are:

<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)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	1.0	2.0	2.5
Total Suspended Solids	(mg/l)	-	35.0	70.0	90.0
Sulfate	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	Report	Report	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Acidity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Net (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-
pH	(S.U.)	6.0	-	9.0 (Max)	-

EPA Waiver not in effect.

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

**NPDES No. 0251607 (Mining permit no. 30090101), Shannopin Materials, LLC., 308 Dents Run Road, Morgantown, WV 26501 renewal NPDES permit for a bituminous surface mine in Monongahela Township, Greene**

**County**, affecting 120 acres. Receiving stream(s): unnamed tributaries to the Monongahela River and an unnamed tributary to Dunkard Creek, classified for the following use: WWF. The unnamed tributary to Dunkard Creek is included in the Dunkard Creek Watershed TMDL. Application received: December 21, 2015.

The treated wastewater outfalls listed below discharge to unnamed tributary A to Monongahela River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Mine Drainage Treatment

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	2.4	4.8	6.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
Sulfates (mg/L)		Monitor & Report	

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

Alkalinity must exceed acidity at all times.

The stormwater outfalls listed below discharge to unnamed tributary A to Monongahela River:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	2.4	4.8	6.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
Sulfates (mg/L)		Monitor & Report	

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

Alkalinity must exceed acidity at all times.

The stormwater outfalls listed below discharge to unnamed tributary B to Monongahela River:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
Sulfates (mg/L)		Monitor & Report	

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

Alkalinity must exceed acidity at all times.

The stormwater outfalls listed below discharge to unnamed tributary to Dunkard Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
004	N	Stormwater
005	N	Stormwater

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Sulfates (mg/L)		Monitor & Report	

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

Alkalinity must exceed acidity at all times.

*Noncoal NPDES Draft Permits*

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

**NPDES Permit No. PA0118460 on Surface Mining Permit No. 7473SM2. Hercules Cement Co., LP d/b/a Buzzi Unicem USA**, (P.O. Box 69, Stockertown, PA 18083), renewal of an NPDES Permit for a limestone quarry operation in Upper Nazareth and Palmer Townships, **Northampton County**, affecting 330.0 acres. Receiving streams: Bushkill Creek, classified for the following uses: HQ—cold water and migratory fishes and Schoeneck Creek, classified for the following uses: warm water and migratory fishes. Application received: December 22, 2014.

The proposed effluent limits for all outfalls in the permit are described below.

The outfalls listed below discharge to Bushkill Creek and Schoeneck Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
007A	No	Non-Process Groundwater/Pit Sump
007B	No	Non-Process Groundwater/Pit Sump
007C	No	Non-Process Groundwater/Pit Sump

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge (MGD)		62.0		
Total Suspended Solids		10.0	20.0	25.0
Alkalinity greater than Acidity <sup>1</sup>				

<sup>1</sup> The 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. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the 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. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an 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 Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**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(a) of the FWPCA.**

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E46-1152. Pennsylvania Department of Transportation Engineering District 6**, 7000 Geerdes Blvd. King of Prussia, Towamencin Township, **Montgomery County**, ACOE Philadelphia District.

The Pennsylvania Department of Transportation (PennDOT) is proposing to perform the below listed water obstruction and encroachment activities associated SR 1006, Section MFB Bridge replacement over Skippack Creek:

1) To replace the existing three-span, rolled steel I-beam bridge with a two-span prestressed concrete spread box beam bridge over Skippack Creek (TSF/MF) (W.U.S. 1).

2) The removal of the existing structures and their footers from within Skippack Creek (TSF/MF) (W.U.S. 1) and the construction and maintenance of the proposed piers, footers, and associated scour protection for the proposed bridge structural and foundation system.

3) To construct temporary cofferdams to facilitate the removal of the existing piers and to construct the proposed piers for the replacement bridge structure over the Skippack Creek (TSF/MF) (W.U.S. 1).

4) To relocate 85 linear feet of an unnamed tributary to Skippack Creek (TSF/MF) (W.U.S. 3) upstream of the proposed bridge.

The proposed project will have 154 linear feet (0.037 acre/1,631 square feet) of permanent waterway impact and 75 linear feet (0.093 acre/4,062 square feet) of temporary waterway impact. Total of 0.267 acre/11,594

square feet of permanent floodway impact and 0.184 acre/8,014 square feet of temporary floodway impact are proposed. The project is located within Evansburg State Park on Old Forty Foot Rd. in Towamencin Township, Montgomery County; (USGS PA Collegeville Quadrangle—Latitude 40.228513 N, Longitude 75.380899 W).

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

**E02-1755. Guardian Storage Bethel Park, LLC**, 5879 Centre Avenue, Pittsburgh, PA 15206, in Bethel Park Borough, **Allegheny County**, U.S. Army Corps of Engineers, Pittsburgh District.

To construct and maintain the Guardian Storage Facility with impacts consisting of the permanent excavation and grading of approximately 0.31 acre of the floodway/floodplain of Sawmill Run (WWF). The project is located approximately 40 feet south of the intersection of Library Road and Valley Drive (Bridgeville, PA Quadrangle, Latitude: 40°21'9.5975"; Longitude: -80°01'35.1107").

**E48-445. IPT Brodhead DC LLC**, 301 Route 17 North, Suite 206, Rutherford, NJ 07070, in Bethlehem Township, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 20-foot wide, 60-LF vegetated trapezoidal stormwater outfall channel within the floodway of the Monocacy Creek (HQ-CWF, MF) for the purpose discharging stormwater from the Brodhead Road Distribution Center. The project is located directly northwest of the intersection of S.R. 191 (Linden Street) and U.S. Route 22 in Bethlehem Township, Northampton County. (Nazareth, PA Quadrangle, Latitude: 41°40'46.25"; Longitude: -75°20'43.15").

**E54-364. Lake Hauto Club**, 140 Maple Terrace, Nesquehoning, PA 18240, in Rush Township, **Schuylkill County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain an outfall structure in the floodway of a UNT to Nesquehoning Creek (HQ-CWF, MF) consisting of an 15-inch HDPE pipe and an R-3 rip rap channel. The project is located at the end of Spruce Terrace. (Tamaqua, PA Quadrangle, Latitude: 40°50'8"; Longitude: -75°56'12").

**E02-1771. Allegheny Land Trust**, 416 Thorn Street, Sewickley, PA 15143, in Blawnox Borough, **Allegheny County**, U.S. Army Corps of Engineers, Pittsburgh District.

To construct and maintain a 13-foot tall by 14-foot wide metal-arch sculpture with concrete foundation on Sycamore Island at river mile 9 of the Allegheny River (WWF). The project is located approximately 1,200 feet east of the intersection of 1st Street and Cable Way in Blawnox Borough, Allegheny County. (Braddock, PA Quadrangle, Latitude: 40°29'20.7"; Longitude: -79°51'31.7").

**E39-557. Lehigh Parkway Apartments LLC**, 2268 S. 12th Street, Suite 101, Allentown, PA 18103, in City of Allentown, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a vegetated outfall channel with a riprap lined energy dissipator within the floodway of Little Lehigh Creek (HQ-CWF, MF). The channel has an 8-foot bottom width, 3:1 side slopes and is lined with a high performance turf reinforcement matting. The project is located along the east side of Lehigh Parkway East

(Allentown East, PA Quadrangle Latitude: 41°35'21.1" Longitude: -75°29'11.8" in the City of Allentown, Lehigh County. (Allentown East, PA Quadrangle, Latitude: 41°35'21.1"; Longitude: -75°29'11.8").

**E45-610. Aqua Pennsylvania Inc.**, 1 Aqua Way, White Haven, PA 18661, in Polk Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Robin Hood Lakes Water System Improvements project.

1. An 8-inch DIP water line crossing of Sterners Run (EV, MF).
2. A 6-inch HDPE water line crossing of Sterners Run (EV, MF).
3. A 6-inch DIP water line crossing of Sterners Run (EV, MF).
4. An 8-inch HDPE water line crossing of a UNT to Sterners Run (EV, MF).
5. A 6-inch DIP water line crossing of a UNT to Sterners Run (EV, MF).
6. A 6-inch DIP water line crossing of a UNT to Sterners Run (EV, MF).
7. A 6-inch HDPE water line crossing of a UNT to Sterners Run (EV, MF).
8. An 8-inch HDPE water line crossing of a UNT to Sterners Run (EV, MF).
9. A 6-inch DIP water line crossing of a UNT to Sterners Run (EV, MF).
10. A 6-inch DIP water line crossing of a UNT to Sterners Run (EV, MF).
11. A 6-inch DIP water line crossing of a UNT to Sterners Run (EV, MF).
12. A 6-inch DIP water line crossing of a UNT to Sterners Run (EV, MF).
13. An 8-inch HDPE water line crossing of a UNT to Sterners Run (EV, MF).
14. A 6-inch HDPE water line crossing of a UNT to Sterners Run (EV, MF).

The project is throughout the Robin Hood Lakes Development at various locations. (Pohopoco Mountain, PA Quadrangle, Latitude: 40°51'58"; Longitude: -75°31'48").

**E40-800. Department of Transportation, Engineering District 4-0**, 55 Keystone Industrial Park, Dunmore, PA 18512, Butler Township, **Luzerne County**, Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a precast reinforced concrete arch bridge across an unnamed tributary to Culver Creek having a 12-foot span and a 6-foot underclearance. The project will also result in the relocation of 224 feet of an unnamed tributary to Culver Creek and a de minimus impact to 0.002 acre of wetlands.

The project is located at S.R. 4016, Segment 0100, Offset 2020, (Shickshinny, PA Quadrangle, Latitude: 41°53'27.22" N; Longitude: -75°49'26.94" W) in Union Township, Luzerne County.

## ACTIONS

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

## FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action 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—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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.

Important legal rights are at stake, however, so individuals should contact 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.

## I. NPDES Renewal Permit Actions

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217123 (Sewage)	Plumville STP 602 Kolter Drive Indiana, PA 15701-3570	Indiana County South Mahoning Township	North Branch Plum Creek (17-E)	Yes
PA0217875 Sewage	Lance Daniels SRSTP 5647 Somerset Pike Boswell, PA 15531	Somerset County Jenner Township	(18-E)	Y
PA0255262 (Sewage)	Landy SRSTP 108 Osage Path Stoystown, PA 15563	Somerset County Indian Lake Borough	Indian Lake (18-E)	Yes
PA0093611 (Sewage)	ST Development Company STP 195 Enterprise Lane Connellsville, PA 15425-6617	Fayette County Bullskin Township	Unnamed Tributary to Irish Run (19-D)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0094536 (Sewage)	Forest Hills Middle School STP 549 Locust Street Sidman, PA 15955	Cambria County Croyle Township	Unnamed Tributary of South Fork Little Conemaugh River (18-E)	Yes
PA0031470 (Sewage)	Penns Manor Area School District 6003 Route 553 Highway Clymer, PA 15728-8318	Indiana County Cherry Hill Township	Rose Run (18-D)	Yes

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0064131 (Sewage)	Raceway Truck Stop P.O. Box 239 Harford, PA 18823-0239	Schuylkill County Tremont Township	Swatara Creek (07-D)	Yes

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0032051 SEW	Granville Township 100 Helen Street Lewistown, PA 17044-2437	Granville Township Mifflin County	Juniata River in Watershed(s) 12-A	N
PA0247901 SEW	Sharon R. Stover 156 Cliff Road Harrisburg, PA 17112	East Hanover Township Dauphin County	Manada Creek Watershed(s) 7-D	Y

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114898 (Sewage)	Madison Township MA Jerseytown Sewer System PO Box 620 Millville, PA 17846-0620	Columbia County Madison Township	Mud Creek (10-D)	Yes
PA0234036 (Industrial)	Reagent Chemicals Williamsport Site 115 US Highway 202 Ringoos, NJ 08551-1913	Lycoming County Williamsport City	Unnamed Tributary of West Branch Susquehanna River (10-A)	Yes

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0263940 (Sewage)	Brittney L & Tanner J Golembeski SRSTP 15702 Dickson Road Meadville, PA 16403	Crawford County Woodcock Township	Unnamed Tributary to Woodcock Creek (16-A)	Yes

## **II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions**

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.*

**NPDES Permit No. PA0009024**, Industrial, SIC Code 3339, **Global Tungsten & Powders Corp.**, 1 Hawes Street, Towanda, PA 18848-2134.

This existing facility is located in North Towanda Township, **Bradford County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Industrial Waste.

**NPDES Permit No. PA0232904**, Sewage, SIC Code 4952, **PNW, Inc.**, 1246 E College Avenue, State College, PA 16801-6809.

This proposed facility is located in Worth Township, **Centre County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

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**III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law**


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*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

**WQM Permit No. 0208201 A-1**, Industrial Waste, SIC Code 14, **Lafarge North American Inc.**, 4810 Buttermilk Hollow Road, West Mifflin, PA 15122.

This existing facility is located in West Mifflin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Modifications to the existing passive wetland treatment system to include the addition of pH adjustment at the system headworks.

**WQM Permit No. 6510402-A2**, Sewage, **Mon Valley Sewer Authority**, 20 S Washington Street, Donora, PA 15033.

This proposed facility is located in Carroll Township, **Washington County**.

Description of Proposed Action/Activity: Replace gaseous chlorine system with calcium hypochlorite system.

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.*

**WQM Permit No. 0906404**, Sewage, Renewal, **Toll Brothers, Inc.**, 250 Gibraltar Road, Horsham, PA 19044-2323.

This proposed facility is located in Buckingham Township, **Bucks County**.

Description of Action/Activity: Approval for renewal of a WQM Part II to continue operation of a 19,193 gpd wastewater treatment plant with a spray irrigation system.

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

**WQM Permit No. 5217405**, Sewage, SIC Code 4941, **Aqua Pennsylvania Wastewater Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3489.

This proposed facility is located in Lackawaxen Township, **Pike County**.

Description of Proposed Action/Activity: WQM Permit to replace an existing comminutor with a grinding pump at the Masthope Wastewater Treatment Plant.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 3617405**, Sewerage, **Ephrata Borough Authority**, 124 S State Street, Ephrata, PA 17522-2411.

This proposed facility is located in Ephrata Borough, **Lancaster County**.

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

- Approximately 2,010 ft. of 8" gravity sanitary sewer.

- 1,400 ft. of 4" force main.

- One (1) new pump station consisting of a wet well, valve vault, and an emergency generator.

The wet well will contain two (2) submersible pumps, each rated at 120 gpm at 58 ft. TDH.

**WQM Permit No. 0117402**, Sewerage, **Lake Meade Municipal Authority**, 59 Curtis Drive, East Berlin, PA 17316-9220.

This proposed facility is located in Reading Township, **Adams County**.

Description of Proposed Action/Activity:

This permit approves the operation of sewage facilities consisting of:

Upgradation of Intermediate Pump Station # 1 with two suction lift pumps in fiberglass enclosure on precast concrete base with control panel and necessary connections, ventilation, and appurtenances.

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.*

**WQM Permit No. 1895403 A-1**, Sewage, SIC Code 4952, **Beech Creek Borough Authority**, Clinton County, PO Box 216, Beech Creek, PA 16822-0216.

This existing facility is located in Beech Creek Borough, **Clinton County**.

Description of Proposed Action/Activity: Beech Creek Keswin Pump Station rebuild.

**WQM Permit No. 4911401 A-1**, Sewage, SIC Code 4952, **Zerbe Township**, 800 Mahanoy Street, Trevorton, PA 17881-1106.

This existing facility is located in Zerbe Township, **Northumberland County**.

Description of Proposed Action/Activity: Modification of existing influent pumps to increase design pump capacity.

**WQM Permit No. 1908201 A-5**, Industrial, **Big Heart Pet Brands, Inc.**, 6670 Low Street, Bloomsburg, PA 17815-8613.

This existing facility is located in South Centre Township, **Columbia County**.

Description of Proposed Action/Activity: Replace existing float aerator network with four venturi style aerators delivering over 4,700 pounds of dissolved oxygen per day to the wastewater treatment lagoon.

**WQM Permit No. 1417404**, Sewage, SIC Code 4952, **Pnw Inc.**, 1246 E College Avenue, State College, PA 16801-6809.

This proposed facility is located in Worth Township, **Centre County**.

Description of Proposed Action/Activity: construction of a new small flow treatment facility consisting of two 1,250-gallon septic tanks, 2,000-gallon recirculation tank, two ORENCO AdvanTex AX20 units and Ultraviolet Light disinfection.

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**VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

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*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150016	Sweetbriar Investment Properties, LP 1595 Paoli Pike Suite 201 West Chester, PA 19380	Chester	Kennett Township	Unnamed Tributary to East and West Branch of Red Clay Creeks TSF-MF

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450021	Monroe Retail, LLC c/o Radame Perez 668 Crescent Ave, 2nd Floor Bronx, NY 10458	Monroe	Chestnuthill Township	Pohopoco Creek (CWF, MF)/EV
PAD450035	PPL Electric Utilities Corp. c/o Mrs. Margret Welker Two North Ninth Street Allentown, PA 18101-1139	Monroe	Jackson, Chestnuthill, Polk Townships	UNT to Appenzel Creek 1, 2, 3—(HQ CWF, MF), Fall Creek—(EV MF), UNT to Fall Creek 1, 2—(EV, MF), Hyspie Creek—(EV, MF), UNT to Sugar Hollow Creek 1, 2—(CWF, MF), McMichael Creek—(EV, MF), Sugar Hollow Creek—(CWF, MF), Pohopoco Creek—(HQ-CWF, MF), UNT to Pohopoco Creek 1—6, (CWF, MF), UNT to McMichaels Creek—(EV, MF)
PAD390024	F&M Land Company 1486 Hampton Road Allentown, PA 18104	Lehigh	Weisenberg Township	UNT to Lyon Creek (HQ-CWF, MF)
PAD390031	PPL Electric Utilites Corp. 2 North 9th St. Allentown, PA 18101	Lehigh	Lower Milford Township	UNT to Hosensack Creek Southwest (CWF, MF) UNT to Hosensack Creek Central (HQ-CWF, MF) UNT to Hosensack Creek Northeast (HQ-CWF, MF) EV Wetland
PAD450032	St. Luke's Hospital, Monroe 100 Saint Luke's Lane Stroudsburg, PA 18360	Monroe	Stroud Twp	UNT to Pocono Creek (HQ-CWF, MF) Wigwam Run (HQ-CWF, MF)
PAD390030	Ciocca Properties, LP 321 S. West End Blvd. Quakertown, PA 18951	Lehigh	Lower Macungie Township	Cedar Creek (HQ-CWF, MF)



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480028	Segal & Morel at Forks Township X, LLC c/o Mr. Kenneth Segal 991 Route 22 West Bridgewater, NJ 08807	Northampton	Forks Township	UNT to Delaware River (CWF, MF)
PAD350001	2 North Ninth Street Allentown, PA 181010	Lackawanna	Clarks Summit Borough Dalton Borough Glenburn Township Newton Township Ransom Township City of Scranton South Abington Township & West Abington Township	Leach Creek (TSF, MF), Summit Lake Creek (TSF, MF), Ackerly Creek (TSF, MF), Trout Brook (CWF, MF), South Branch Leach Creek (TSF, MF), Keyser Creek (CWF, MF), Gardner Creek (CWF, MF), Falls Creek (CWF, MF)
PAD400004	PPL Electric utilities Corp 2 N 9th St Allentown, PA 18101-1139	Luzerne	Bear Creek Township	Pine Creek (CWF, MF) Laurel Run (CWF, MF)
PAD480030	Nic Zawarski and Sons Builders, Inc. c/o Taras W. Zawarski 1441 Linden Street Bethlehem, PA 18018	Northampton	Bethlehem City	Monocacy Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD110001	Mid-Atlantic Interstate Transmission, LLC 800 Cabin Hill Drive Greensburg, PA 15601	Cambria County	Cambria Township, Munster Township, Allegheny Township	UNT to Clearfield Creek (CWF); UNT to North Branch Little Conemaugh River (CWF); North Branch to Little Conemaugh River (CWF); UNT to Howells Run (CWF); Clearfield Creek (WWF)

## **VII. Approvals to Use NPDES and/or Other General Permits**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### **List of NPDES and/or Other General Permit Types**

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

*Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Doylestown Township Bucks County	PAC090038	Doylestown Hospital 595 West State Street Doylestown, PA 18901-2554	Cooks Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Britain Township Bucks County	PAC090065	Metro Storage New Britain, LLC 13528 West Boulton Boulevard Lake Forrest, IL 60045	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAC460095	Colonial School District 230 Flourtown Road Plymouth Meeting, PA 19462	Spring Mill Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hazle Township Luzerne County	PAC400007	Gonnella Frozen Products, LLC/Kent Beernink 1117 E Wiley Rd Schaumburg, IL 60173	Stony Creek (CWF), MF	Luzerne Conservation District 570-674-7991
Westfall Township Pike County	PAC520001	Paddler Point LLC 520 W Nyack Rd West Nyack, NY 10994	Delaware River (WWF, MF)	Pike County Conservation District 570-226-8220

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bethel Township Lebanon County Issued	PAC380029	Daniel P. Chirico 154 West Main Street Fredericksburg, PA 17026	Elizabeth Run Earlkill Run WWF/WWF	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275

## NOTICES

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Cambria Township	PAC110020	Central Commons, LLC 200 Brush Run Road Greensburg, PA 15601	Howells Run (CWF); UNT to Howells Run (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 22 Ebensburg, PA 15931 (814) 472-2120
Elk Lick Township	PAC560010	Don Brenneman 333 Corporate Drive Grantsville, MD 21536	Casselman River (WWF)	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Rostraver Township	PAC650034	Westmoreland County Bureau of Parks and Recreation 194 Donohoe Road Greensburg, PA 15601	UNT to Youghiogeny River (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Trafford Borough	PAC650037	Maronda Homes, Inc. 11 Timberglen Drive Imperial, PA 15126	Turtle Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650039	Westmoreland County Parks and Recreation 194 Donohoe Road Greensburg, PA 15601  Westmoreland County Historical Society 362 Sand Hill Road Suite 1 Greensburg, PA 15601	Crabtree Creek (WWF); UNT to Jacks Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Derry Township	PAC650042	Peoples TWP, LLC 1201 Pitt Street Pittsburgh, PA 15221	Saxman Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Salem Township	PAC650046	PTV XXXVII, LLC 1563 Woodward Drive Extension Greensburg, PA 15601	UNT to Kiskiminetas River (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township	PAC650047	RWS Development Company, RC 8958 Hill Drive North Huntingdon, PA 15642	UNT to Brush Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Washington Township	PAC650049	Woodland Park Properties, LLC 4458 Cherryland Street Pittsburgh, PA 15214	UNT to Pucketa Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township	PAC650050	PDS Industries, Inc. 1 Quality Way Irwin, PA 15642	Brush Creek (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township	PAC650051	Frank and Diane Tropiano 13 Barri Drive Irwin, PA 15642	Lyons Run (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
City of Latrobe Derry Township	PAC650052	Latrobe Municipal Authority 104 Guerrier Road Box 88 Latrobe, PA 15650	UNT to Loyalhanna Creek (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
East Huntingdon Township	PAC650054	Gulisek Construction, LLC 1145 State Route 30 Mount Pleasant, PA 15666	UNT to Buffalo Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650057	Municipal Authority of Westmoreland County 124 Park and Pool Road New Stanton, PA 15672	State Creek (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township Irwin Borough Manor Borough	PAC650060	Western Westmoreland Municipal Authority 12441 Route 993 North Huntingdon, PA 15642	Brush Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650061	University of Pittsburgh 3400 Forbes Avenue Pittsburgh, PA 15213	Slate Creek (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
City of Erie Erie County	PAC250030	UPMC Hamot 201 State Street Erie, PA 16550	Presque Isle Bay WWF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403

## NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Cranberry Township Butler County	PAC100007	O'Reily Auto Parts 20541 Route 19 Cranberry Township, PA 16066	Tributary to Brush Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Conewango Township Warren County	PAC620002	Ed Shults Group, Inc. 4060 Market Street Warren, PA 16365	UNT Connewango Creek	Warren County Conservation District 4000 Conewango Avenue Warren, PA 16365 814-726-1441

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Blawnox Borough Allegheny County	PAG036203	Sunoco Partners Marketing & Terminals LP 701 Freeport Road Blawnox, PA 15238-2757	Allegheny River—18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Robinson Township Allegheny County	PAG036152	Covestro, LLC 1 Covestro Circle Pittsburgh, PA 15205	Campbells Run, Lintons Run and Pinkertons Run—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-10*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Richhill Township Greene County	PAG106199	Columbia Gas Trans LLC 5151 San Felipe Street Suite 2400 Houston, TX 77056	Enlow Fork—20-E	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
East Donegal Township Lancaster County	PAG123661	Lamar M Moyer 180 Endslow Road Marietta, PA 17547-9109	Watershed 7-G	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
East Donegal Township Lancaster County	PAG123752	Shelmar Acres LLC 304 Colebrook Road Mount Joy, PA 17552-9776	Watershed 7-G	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
East Donegal Township Lancaster County	PAG123564	Mike Buckwalter 350 Rock Point Road Marietta, PA 17547-9209	Watershed 7-G	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
East Hanover Township Lebanon County	PAG123538	Swatara Creek Swine, LLC 6 S Broad Street Lititz, PA 17543	Watershed 7-D	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Shamokin Township Northumberland County	PAG124861	R & F Family Farms 473 Irish Valley Road Paxinos, PA 17860-7018	Little Shamokin Creek—6-B	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

**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. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. 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.

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  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Stoner’s Hijos Hill, Inc. 7678 Oellig Road Mercersburg, PA 17236	Franklin	1,410.6	1,381.50	Dairy	NA	Approved
Jeff & Aretha Funk Funk Family Farms 18255 Fort Davis Road Mercersburg, PA 17236	Franklin	374.6	636.25	Swine (Wean to Finish)	N/A	Approved

**CAFO NMP  
PUBLIC NOTICE SPREADSHEET—ACTIONS (Approval/Disapproval)**

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproval</i>
Murmac Farms 2336 Zion Road Bellefonte, PA 16823	Centre	1,173	2,723.5	Dairy	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483.

TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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.

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

*Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.*

**Permit No. 0917519**, Public Water Supply.

Applicant	<b>Township of Falls Authority</b> 557 Lincoln Highway Fairless Hills, PA 19030
Township	Falls
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	Remington, Vernick & Beach Engineers 5010 E. Trindle Road # 3 Mechanicsburg, PA 17050
Permit to Construct Issued	September 13, 2017

**Operations Permit # 4616514** issued to: **Upper Dublin School District**, 1580 Fort Washington Avenue, Maple Glen, PA 19002 [(1460467)] Upper Dublin Township, **Montgomery County**, on September 12, 2017 for the operation of Fort Washington Elementary School-Caustic Soda and Orthophosphate Addition facilities approved under construction permit # 4616514.

**Operations Permit # 4616515** issued to **Upper Dublin School District**, 1580 Fort Washington Avenue, Maple Glen, PA 19002 [(1460468)] Upper Dublin Township, **Montgomery County**, on September 12, 2017 for the operation of Upper Dublin High School-Caustic Soda and Orthophosphate Addition facilities approved under construction permit # 4616515.

**Operations Permit # 1516508** issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, [(1460073)] East Whiteland Township, **Chester County** on September 15, 2017 for the operation of Booster Pump at the Chester Valley Tank Yard facilities approved under construction permit # 1516508.

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

**Application No. 2450084**, Public Water Supply.

Applicant	<b>Lynwood Acres Mobil Home Park</b> RR # 1 Box 1444 East Stroudsburg, PA 18301
[Township or Borough]	Middle Smithfield Township <b>Monroe County</b>
Responsible Official	Mr. Dennis M. Dougherty Lynwood Acres Mobil Home Park RR # 1 Box 1444 East Stroudsburg, PA 18301
Type of Facility	PWS
Consulting Engineer	Pennoni Associates, Inc. 672 N. River Street Suite 313 Plains, PA 18705
Permit Issue Date	09/05/2017

**Application No. 2450133**, Public Water Supply.

Applicant	<b>PA American Water Company</b> 800 W. Hershey Park Drive Hershey, PA 17033
[Township or Borough ]]	Stroud Township <b>Monroe County</b>
Responsible Official	Mr. David Kaufman Vice President-Engineering
Type of Facility	Public Water Supply
Consulting Engineer	Jeremy Nelson, P.E. Pennsylvania American Water Company 83 Aston Mountain Road Pittston, PA 18643
Permit Issued	09/07/2017

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Operation Permit No. 3617504 MA** issued to: **Quiet Haven Motel (PWS ID No. 7360557)**, East Lampeter Township, **Lancaster County** on 9/14/2017 for facilities approved under Construction Permit No. 3617504 MA.

**Operation Permit No. 6716508** issued to: **The Carlisle Group, Inc. (PWS ID No. 7670005)**, Franklin Township, **York County** on 9/12/2017 for facilities at Walmar Manor MHP submitted under Application No. 6716508.

**Transferred Comprehensive Operation Permit No. 3060118** issued to: **Mountain Springs Investors, LLC (PWS ID No. 3060118)**, Upper Bern Township, **Berks County** on 9/14/2017. Action is for a Change in Ownership for Mountain Springs Mobile Home Park, Berks County for the operation of facilities previously issued to Mountain Springs Camping Resort Enterprises, LLC.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. 4917502-MA—Operation—Public Water Supply.**

Applicant	<b>Pennsylvania American Water Company</b>
Township/Borough	Delaware Township

County **Northumberland County**  
 Responsible Official Mr. David R. Kaufman  
 Vice President of Engineering  
 Pennsylvania American Water  
 Company  
 800 West Hersheypark Drive  
 Hershey, PA 17033

Type of Facility Public Water Supply  
 Consulting Engineer Mr. Craig B. Darosh, P.E.  
 Pennsylvania American Water  
 Company  
 4 Wellington Blvd., Suite # 2  
 Wyomissing, PA 19610

Permit Issued September 12, 2017  
 Description of Action Authorizes operation of the  
 Watsontown Reservoir following  
 replacement of its liner and  
 floating cover with acceptable  
 geomenbranes.

**Permit No. 1714502-MA—Operation-Partial—Public**  
**Water Supply.**  
 Applicant **Union Township Municipal**  
**Authority**  
 Township/Borough Union Township  
 County **Clearfield County**  
 Responsible Official Mr. Jarome D. Heffner,  
 Chairman  
 Union Township Municipal  
 Authority  
 P.O. Box 98  
 Rockton, PA 15856

Type of Facility Public Water Supply  
 Consulting Engineer Mr. Brian S. Sekula, P.E.  
 The EADS Group, Inc.  
 15392 Route 322  
 Clarion, PA 16214

Permit Issued September 13, 2017  
 Description of Action Authorizes operation of the  
 re-coated 100,000-gallon,  
 steel-finished, water-storage  
 tank.

**Permit No. 4916504-MA—Operation—Public Water**  
**Supply.**  
 Applicant **Aqua Pennsylvania, Inc.**  
 Township/Borough Coal Township  
 County **Northumberland County**  
 Responsible Official Mr. Patrick R. Burke  
 Director of Operations  
 Aqua Pennsylvania, Inc.  
 204 East Sunbury Street  
 Shamokin, PA 17872-0909

Type of Facility Public Water Supply  
 Consulting Engineer Mr. Jonathan W. Morris  
 GHD  
 1240 North Mountain Road  
 Harrisburg, PA 17112

Permit Issued September 14, 2017  
 Description of Action Authorizes operation of the  
 repaired and repainted 2.5 MG  
 Natalie water-storage tank.

*Southwest Region: Water Supply Management Program  
 Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-  
 4745.*

**Permit No. 3016508**, Public Water Supply.  
 Applicant **East Dunkard Water**  
**Authority**  
 PO Box 241  
 2790 South Eighty Eight Road  
 Dilliner, PA 15327

[Borough or Township] Dunkard Township  
 County **Fayette**  
 Type of Facility Water system  
 Consulting Engineer Harshman CE Group, LLC  
 100 Courson Hill Road  
 Washington, PA 15301

Permit to Construct September 14, 2017  
 Issued

**Permit No. 6517501**, Public Water Supply.  
 Applicant **Highridge Water Authority**  
 17 Maple Avenue  
 Blairsville, PA 15717

[Borough or Township] Fairfield Township  
 County **Westmoreland**  
 Type of Facility Temporary tank and clearwell  
 painting  
 Consulting Engineer Gibson-Thomas Engineering Co.,  
 Inc.  
 1004 Ligonier Street  
 Latrobe, PA 15650

Permit to Construct September 14, 2017  
 Issued

**Permit No. 1117507**, Public Water Supply.  
 Applicant **Glendale Valley Municipal**  
**Authority**  
 1800 Beaver Valley Road  
 Flinton, PA 16640

[Borough or Township] White and Chest Townships  
 County **Cambria**  
 Type of Facility Booster pump station at  
 Glendale Yearound  
 Consulting Engineer Keller Engineers  
 420 Allegheny Street  
 Post Office Box 61  
 Hollidaysburg, PA 16648

Permit to Construct September 14, 2017  
 Issued

**Permit No. 0217518MA**, Public Water Supply.  
 Applicant **Hampton Shaler Water**  
**Authority**  
 PO Box 66  
 3101 McCully Road  
 Allison Park, PA 15101

[Borough or Township] O'Hara Township  
 County **Allegheny**  
 Type of Facility Elfinwild Road booster pump  
 station



Consulting Engineer Hampton Shaler Water Authority  
PO Box 66  
3101 McCully Road  
Allison Park, PA 15101

Permit to Construct September 14, 2017  
Issued

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5650032) Hempfield Township, **Westmoreland County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 6517516.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5650032) Penn Township, **Westmoreland County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 6517517.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5650032) Allegheny Township, **Westmoreland County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 6517514.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5650032) Bell Township, **Westmoreland County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 6517518.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5650032) Allegheny Township, **Westmoreland County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 6517513.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5020025) City of McKeesport, **Allegheny County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 0217522.

**Operations Permit** issued to: **Tri-County Joint Municipal Authority**, 26 Monongahela Avenue, Fredericktown, PA 15333, (PWSID # 5630045) Centerville Borough, **Washington County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 6316509MA.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5260036) East Huntingdon Township, **Westmoreland County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 2617510.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5260036) Hempfield Township, **Westmoreland County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 2617512.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5260036) North Huntingdon Township, **Westmoreland County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 2617514.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5260036) Hempfield Township, **Westmoreland County** on September 12, 2017 for the operation of facilities approved under Construction Permit # 2617515.

**Permit No. 0217518MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Hampton Shaler Water Authority</b> PO Box 66 3101 McCully Road Allison Park, PA 15101
[Borough or Township]	O'Hara Township
County	<b>Allegheny</b>
Type of Facility	Kirkwood Drive pressure reducing vault and waterline
Consulting Engineer	Hampton Shaler Water Authority PO Box 66 3101 McCully Road Allison Park, PA 15101
Permit to Construct Issued	September 14, 2017

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit No. 366W013-T2-MA5,** Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Township or Borough	Coolspring Township
County	<b>Mercer</b>
Type of Facility	Public Water Supply
Consulting Engineer	Robert Horvat, P.E. Entech Engineering, Inc. 400 Rouser Road Building 2, Suite 200 Coraopolis, PA 15108
Permit to Construct Issued	September 15, 2017

**Permit No. 3704501-MA2,** Public Water Supply.

Applicant	<b>New Wilmington Municipal Authority</b>
Township or Borough	New Wilmington Borough
County	<b>Lawrence</b>
Type of Facility	Public Water Supply
Consulting Engineer	Matthew Arena, P.E. HRG Engineering 3755 East State Street Hermitage, PA 16148
Permit to Construct Issued	September 15, 2017

#### 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 Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**WA 05-547D,** Water Allocations. **Saxton Borough Municipal Authority (PWS ID No. 4050021), Bedford**

**County.** The applicant is requesting the right to withdraw up to 330,000 gallons per day (gpd) for public water supply purposes from an existing intake on the Raystown Branch of the Juniata River located in Bedford County. Permittee Contact: Steve Stoudnour, Chairman, Saxton Borough Municipal Authority, PO Box 173, Saxton, PA 16678. Consulting Engineer: Mark V. Glenn, P.E., Gwin, Dobson & Foreman, Inc., 3121 Fairway Dr., Suite B, Altoona, PA 16602-4475. Permit Issued: 8/31/2017.

**WA 38-1004A, Water Allocations. Fredericksburg Sewer & Water Authority (PWS ID No. 7380035), Lebanon County.** A Modification Order to the existing permit granting the right to purchase a maximum of 500,000 gpd based on a 30-day average, from the City of Lebanon Authority was extended until October 14, 2019. Permittee Contact: James A. Heisey, Authority Chairman, Fredericksburg Sewer & Water Authority, 113 East Main Street, PO Box 161, Fredericksburg, PA 17026. Consulting Engineer: Paul Lutzkanin, P.E., Steckbeck Engineering & Surveying Inc., 279 North Zinns Mill Road, Suite A, Lebanon, PA 17042. Permit Issued: 9/12/2017.

**WA 06-840A, Water Allocations. West Reading Borough (PWS ID No. 3060078), Berks County.** Application for a subsidiary water allocation permit for the right to purchase 1.0 million gallons per day, based on a 30-day average, from Western Berks Water Authority. Permittee Contact: Richard Sichler, Borough Manager, West Reading Borough, 500 Chestnut Street, West Reading, PA 19611-1219. Consulting Engineer: Karen C. Pollock, P.E., Systems Design Engineering, 1032 James Drive, Lessport, PA 19533. Permit Issued: 9/14/2017.

**WA 36-137B, Water Allocations. Quarryville Borough Authority (PWS ID No. 7360112), Lancaster County.** This application is for a subsidiary water allocation permit granting the right to purchase up to 285,000 gallons per day, based on a 30-day average from Pennsylvania-American Water Company-Coatesville System. Permittee Contact: William Lamparter, Maintenance Supervisor, Borough of Quarryville, 300 St. Catherine Street, Quarryville, PA 17566. Consulting Engineer: Bryan Panther, P.E., ARRO Consulting Inc, 108 West Airport Road, Lititz, PA 17543. Permit Issued: 9/14/2017.

*Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**WA26-1007, Water Allocations. Masontown Borough, 1 East Church Avenue, Masontown, PA 15461, Fayette County.** The right to purchase 300,000 gallons of water per day, peak month, from Southwestern Pennsylvania Water Authority.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

##### Plan Location:

Borough or Township	Borough or Township Address	County
Cumberland Township	1370 Fairfield Road Gettysburg, PA 17325	Adams

*Plan Description:* Approval of a revision to the official plan of Cumberland Township, Adams County. The project is known as the Gettysburg Battlefield Resort. The plan provides for the construction of a wastewater treatment

plant to replace a malfunctioning on-lot disposal system serving an existing campground on 40 acres. Total estimated sewage flows are 30,000 gpd with a proposed stream discharge to an un-named tributary of Plum Run. The proposed development is located at 1960 Emmitsburg Road in Cumberland Township, Adams County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-01911-308-3 and the APS ID is 944169. Permits for the sewage disposal system must be obtained in the name of the property owner.

## 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—6026.907).**

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 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, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Wisniewska Property, 7109 Mountain Court, Middle Smithfield Township, Monroe County.** LaBella Associates D.P.C., 1000 Dunham Drive, Suite B, Dunmore, PA

18512, on behalf of Agata Wisniewska, 45 Monahan Avenue, Staten Island, NY 10314, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Ethylbenzene, Naphthalene, Toluene, 1,2,4-TMB, 1,3,5-TMB, MTBE, and Cumene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Former Carbondale MGP**, 8th Avenue & Mill Street, City of Carbondale, **Lackawanna County**. Stantec Consulting Services Inc., 400 David Drive, Suite 400, Plymouth Meeting, PA 19462, on behalf of UGI Penn Natural Gas, 2525 North 12th Street, Reading, PA 19612, submitted a Final Report concerning remediation of site soil and groundwater contaminated with PAH, and VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**CCI Heavy Duty Parts, Inc.**, 504-510 Race Street, City of Scranton, **Lackawanna County**. AMEC E & I, 751 Arbor Way, Suite 180, Blue Bell, PA 19422 on behalf of CCI Heavy Duty Truck Parts Inc., 155 Harlem Avenue, Glenview, IL 60025, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Acetone, Benzene, Carbon Disulfide, Chloroform, Ethylbenzene, Methylcyclohexane, Methylene Chloride, Tetrachloroethene, Toluene, Vinyl Chloride, Xylenes, Acenaphthene, Acenaphthylene, Anthracene, Benzo(a)-anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Benzo(k)fluoranthene, Chrysene, Dibenz(a,h)anthracene, Fluoranthene, Fluorene, Indeno(1,2,3-cd)pyrene, Naphthalene, Phenanthrene, and Pyrene. The report is intended to document remediation of the site to meet the residential Statewide Health Standard for soils & groundwater.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**JRF Motorsports LLC Property**, 348 Memorial Highway, Fleetwood, PA 19522, Ruscomber Township, **Berks County**. Liberty Environmental, 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of VIST Bank, 1240 Broadcasting Road, P.O. Box 6219, Wyomissing, PA 19610-0219, and Strahn Law Offices, 5341 Perkiomen Avenue, Reading, PA 19606, submitted a Final Report concerning the remediation of site soil and groundwater contaminated with used motor oil from an aboveground storage tank. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Frankford Arsenal/5501 Tacony Street**, 5501 Tacony Street, Philadelphia, PA 19137, Philadelphia City, **Philadelphia County**. Langan Engineering and Environmental Services, Inc., 30 South 17th Street, Suite 1300, Philadelphia, PA 19103, on behalf of Philadelphia Authority for Industrial Development (PAID), 1500 Market Street, Suite 2600 West, Philadelphia, PA 19102, submitted a Final Report concerning remediation of site soil contaminated with VOCs, SVOCs, PAHs and PCBs. The report is intended to document remediation of the site to meet the Site Specific Standard.

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

**Crompton Petrolia**, 100 Sonneborn Lane, Fairview Township, **Butler County**. Environmental Resources Management, Inc., 800 Cranberry Woods Drive, Suite 290, Cranberry Township, PA 16066, on behalf of Sonneborn, LLC, 100 Sonneborn Lane, Petrolia, PA 16050,

submitted a Risk Assessment/Remedial Investigation Report concerning the remediation of site soil contaminated with p-isopropyltoluene, acenaphthylene, benzo[g,h,i]perylene, carbazole, phenanthrene, benzene sulfonic acid (BSA), meta-benzene sulfonic acid (m-BDSA), arsenic, lead, mercury, para-phenol sulfonic acid (p-PSA), BSA, m-BDSA, aluminum, beryllium, cobalt, iron, manganese, thallium, 1,2-dibromo-3-chloropropane, n-nitrosodi-n-propylamine and site groundwater contaminated with acetone, BSA, benzene, m-BDSA, 1,2-dichloroethane, p-PSA, 1,2-dichloropropane, aluminum, ethylbenzene, antimony, 2-hexanone, arsenic, p-isopropyltoluene, barium, naphthalene, beryllium, 1,2,3-trichlorobenzene, boron, 1,2,4-trichlorobenzene, cadmium, 1,2,4-trimethylbenzene, chromium, 1,3,5-trimethylbenzene, cobalt, 2,4-dinitrotoluene, copper, di-n-octyl phthalate, iron, phenanthrene, lead, manganese, mercury, nickel, selenium, silver, thallium, vanadium, zinc, bromodichloromethane, bromoform, bromomethane, carbon tetrachloride, chlorobenzene, chloroform, 1,2-dibromo-3-chloropropane, 1,2-dibromoethane, 1,4-dichlorobenzene, 1,1-dichloroethene, cis-1,3-dichloropropene, trans-1,3-dichloropropene, hexachlorobutadiene, methylene chloride, 1,1,1,2-tetrachloroethane, 1,1,2,2-tetrachloroethane, 1,1,2-trichloroethane, trichloroethene, 1,2,3-trichloropropane, vinyl chloride, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, bis[2-chloroethyl]ether, carbazole, 2-chlorophenol, chrysene, dibenz[a,h]anthracene, 3,3-dichlorobenzidine, 2,4-dichlorophenol, 2,4-dinitrophenol, hexachlorobenzene, hexachlorobutadiene, hexachlorocyclopentadiene, hexachloroethane, indeno[1,2,3-cd]pyrene, isophorone, 3-nitroaniline, 4-nitroaniline, nitrobenzene, 4-nitrophenol, n-nitrosodi-n-propylamine, n-nitrosodiphenylamine, pyrene, and resorcinol. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Laymon Trucking LLC Asphalt Spill**, PA Route 6 Eastbound Near Off-Ramp 62, Brokenstraw Township, **Mercer County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073, on behalf of Laymon Trucking Company, LLC, 1470 Bryant Road, Mount Vernon, OH 43050, submitted a Final Report concerning the remediation of site soil contaminated with pyrene, indeno[1,2,3-cd]pyrene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[g,h,i]perylene, benzo[a]anthracene, and chrysene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**FedEx**, 2600 Hirtzel Road, North East Township, **Erie County**. GZA Environmental, Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102, on behalf of YRC Freight, 10990 Roe Avenue, Overland Park, KS 66211, submitted a Final Report concerning the remediation of site soil contaminated with cis-1,2-dichloroethene, 1,1-dichloroethene, vinyl chloride, trichloroethylene and site groundwater contaminated with trichloroethylene. The report is intended to document remediation of the site to meet the Background Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Stan-

dards Act (act) require the Department 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 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. 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 Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Route 33 Exit off of Route 78 East**, Route 78 East, Route 33 North Exit Interchange, Lower Saucon Township, **Northampton County**. JMT Environmental Inc., P.O. Box 22044, Lehigh Valley, PA 18002, on behalf of Standard Valerie Transportation LLC, 2150 South Highway 45-52, Kanakee, IL 60691, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard for soil, and was approved by the Department on September, 2017.

**Anderson Property**, 716 Horizon Drive, Stroud Township, **Monroe County**. Envirosearch Consultants Inc., P.O. Box 940, Springhouse, PA 19477, on behalf of Kevin

and Dina Anderson, 716 Horizon Drive, Stroudsburg, PA 18360, submitted a Final Report concerning remediation of site soils contaminated with No. 2 Fuel Oil Compounds. The report is intended to document remediation of the site to meet the Statewide Health Standard, and was approved by the Department on September 20, 2017.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Former Hanover RUS Facility**, 121 North Blettner Avenue, Hanover, PA 17331, Penn Township, **York County**. Arcadis U.S., Inc., 10 Friends Lane, Suite 200, Newtown, PA 18940, on behalf of Cintas Corporation, 27 Whitney Drive, Milford, OH 45150, submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. The Report was approved by the Department on September 14, 2017.

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

**FedEx**, 2600 Hirtzel Road, North East Township, **Erie County**. GZA Environmental, Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102, on behalf of YRC Freight, 10990 Roe Avenue, Overland Park, KS 66211, submitted a Final Report concerning the remediation of site soil contaminated with cis-1,2-dichloroethene, 1,1-dichloroethene, vinyl chloride, trichloroethylene and site groundwater contaminated with trichloroethylene. The Report was disapproved by the Department on September 19, 2017.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

#### Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003) and regulations to transport hazardous waste.

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.*

#### *Hazardous Waste Transporter License Reissued*

**RSO, Inc.**, PO Box 1450, Laurel, MD 20725. License No. PA-AH 0578. Effective Sep 19, 2017.

**Waste Recovery Solutions, Inc.**, 343 King Street, Myerstown, PA 17067. License No. PA-AH 0683. Effective Sep 18, 2017.

#### *Hazardous Waste Transporter License Expired*

**Chemtron Corp.**, 35850 Schneider Ct., Avon, OH 44011. License No. PA-AH 0199. Effective Aug 31, 2017.

#### *Renewal Applications Received*

**RSO, Inc.**, PO Box 1450, Laurel, MD 20725. License No. PA-AH 0578. Effective Sep 19, 2017.

**Waste Recovery Solutions, Inc.**, 343 King Street, Myerstown, PA 17067. License No. PA-AH 0683. Effective Sep 18, 2017.

### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Renewal of a Determination of Applicability issued under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**General Permit No. WMGR028SC003A. Glenn O. Hawbaker, Inc.,** Plants 5 & 6 Milroy Facility, 155 Hostetler Quarry Rd., Milroy, PA 17063 in Armagh Township, **Mifflin County.** The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to Glenn O. Hawbaker, Inc. for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on September 19, 2017.

Persons interested in obtaining more information about these general permits may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

### AIR QUALITY

**General Plan Approval and Operating Permit 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.**

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

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

**GP3-46-0149: Allied Recycling Company** (1752 Limekiln Pike, Dresher, PA 19025) On September 14, 2017 for Portable Nonmetallic Mineral Processing Plant in Merion Township, **Montgomery County.**

**GP11-46-0062: Allied Recycling Company** (1752 Limekiln Pike, Dresher, PA 19025) On September 14, 2017 for a nonroad engine in Merion Township, **Montgomery County.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**GP1-36-05023: F & M Hat Co., Inc.** (103 Walnut Street, Denver, PA 17517) on September 12, 2017, for two existing natural gas-fired boilers, rated at 15.7 and 11.5 MMBtu/hr respectively, under GP1, at the hat manufacturing facility located in Denver Borough, **Lancaster County.**

**GP1-06-03170: Sealed Air Corp.** (450 Riverfront Drive, Reading, PA 19602) on September 8, 2017, for a new natural gas/# 2 oil-fired boiler, rated at 26.78 MMBtu, under GP1, at the paper manufacturing facility located in the City of Reading, **Berks County.**

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

*Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.*

**GP5-30-00175E: Laurel Mountain Midstream Operating, LLC** (2000 Commerce Drive, Park Place Corporate Center 2, Pittsburgh, PA 15275) on September 18, 2017, to allow the continued operation of the existing Davis Compressor Station located in Jefferson Township, **Greene County.**

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**GP2-25-1010B: American Biodiesel Energy** (4680 Iroquois Ave, Erie, PA 16511) on September 12, 2017, for the authority to operate one 12,000 gallon fixed roof, open vent methanol storage tank (Tank ID 001) (BAQ-GPS/GP2) located at their facility in Harborcreek Township, **Erie County.**

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Contact: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.*

**40-00123B: Vita Line Products Inc.** (1111 N. Park Drive, Humboldt Industrial Park, Hazle Twp., PA 18202-9720) on September 18, 2017 for the installation of new Kibble/Extruder Dryer Line with controls at the site located in Hazle Twp., **Luzerne County.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**36-05081B: Lancaster County Solid Waste Management Authority** (1299 Harrisburg Pike, Lancaster, PA 17603) on September 14, 2017, for the construction of a vertical expansion to the existing Frey Farm Landfill site located at the Creswell-Frey Farm Landfill in Manor Township, **Lancaster County.**

**67-03179A: Gichner Systems Group, Inc** (490 E. Locust Street, Dallastown, PA 17313) on September 13, 2017, for a surface coating operation at Plant 3, 631 S. Richmond Avenue, located in York Township, **York County.**

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.*

**08-00003J: Jeld-Wen, Inc.** (PO Box 311, Towanda, PA 18848) on September 12, 2017 for the modification of the

Die Form Surface Coating Operation at their facility located in Wysox Township, **Bradford County**.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**37-318B: Kennametal Inc., Northgate Facility** (P.O. Box 5186, New Castle, PA 16105), on September 18, 2017 issued a Plan Approval for the installation of a baghouse at your facility in Neshannock Township, **Lawrence County**. This is a State Only facility.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**09-0196H: Abington Reldan Metals LLC** (550 Old Bordentown Road, Fairless Hills, PA 19030-4510) On September 14, 2017 for installation and operation of one unit of Matte Furnace and associated dry lime injection system in Falls Township, **Bucks County**.

**09-0196I: Abington Reldan Metals LLC** (550 Old Bordentown Road, Fairless Hills, PA 19030-4510) On September 14, 2017 for replacing Thermal Destructor No. 1 and its associated afterburner ad baghouse with new units in Falls Township, **Bucks County**.

**09-0236: Covanta Metals Market LLC** (445 South Street, Morristown, NJ 07960-6475) On September 13, for a Non-Ferrous Metals Recovery facility in Falls Township, **Bucks County**.

**46-0289: Scott Building Corporation** (2939 Felton Road, Norristown, PA 19401-1359) On September 2, 2017 for the installation of a portable non-metallic processing plant in East Norriton Township, **Montgomery County**.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**21-05056A: Fry Communications, Inc.** (101 Fry Drive, Mechanicsburg, PA 17050) on September 11, 2017, for construction of a web offset printing press and afterburner unit at their Building 4 plant in Silver Spring Township, **Cumberland County**. The plan approval was extended.

**07-05001F: Appvion Inc.** (100 Paper Mill Road, Roaring Spring, PA 16673) on September 13, 2017, to extend the plan approval for the following activity at the Spring Mill located in Roaring Spring Borough, **Blair County**:

1. Installation of a wet electrostatic precipitator (Source ID C036) to further control particulate matter (PM) emissions from the No. 3 Power Boiler (Source ID 036) in order to comply with 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (MACT Subpart DDDDD);

2. Modification of the existing venturi wet scrubber (Source ID C17) that controls PM and HCl emissions from the No. 3 Power Boiler; and

3. Construction of a fly ash handling system (Source ID 201) consisting of a fly ash storage silo whose PM emissions will be controlled by a bin vent collector (Source ID C201).

**06-03117H: Custom Processing Services, Inc.** (2 Birchmont Drive, Reading, PA 17606-3266) on September 15, 2017, for the construction and temporary operation of a fabric filter for nuisance dust control, as well as of a micronizing mill controlled by a fabric collector, at the custom milling facility located in Exeter Township, **Berks County**. The plan approval was extended.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.*

**18-00030A: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17745-3348) on September 18, 2017 to extend the authorization to operate paper making machines at their facility located in Castanea Township, **Clinton County** on a temporary basis to March 17, 2018. The plan approval has been extended.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**25-923A: Erie Power LLC** (131 Varick St., Suite 1006, New York, NY 10013) on September 15, 2017, effective September 30, 2017, has issued a plan approval extension for the installation of a 1,000 kW (1,341 bhp) diesel-fired emergency generator in North East Township, **Erie County**. This is a Title V facility.

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**Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**38-05003: Carmeuse Lime, Inc.** (3 Clear Spring Road, Annville, PA 17003-9054) on September 11, 2017, for the lime manufacturing facility located in North Londonderry Township, **Lebanon County**. The Title V permit was renewed.

**ARP-01-05029: NRG Wholesale Generation, LP** (121 Champion Way, Canonsburg, PA 15317-5817) on September 11, 2017, for the operation of Hunterstown electric generating station located in Straban Township, **Adams County**. The facility is subject to Title IV (Acid Rain). This action is a renewal of the facility's Acid Rain Permit.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**09-00229: Brenner Aerostructures** (450-3 Winks Lane, Bensalem, PA 19020) On September 2017, for the issuance of the initial State-only Operating permit for the operation of an existing and two new coating paint booths. This facility is located in Bensalem Township, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**06-03029: Yuasa Battery, Inc.** (2901 Montrose Ave., Laureldale, PA 19605) on September 13, 2017, for the lead-acid battery manufacturing facility located in Laureldale Borough, **Berks County**. The State-only permit was renewed.

**38-03062: Sunoco Pipeline LP** (525 Fritztown Road, Sinking Spring, PA 19608) on September 15, 2017, for the natural gas liquid (ethane, propane, butane or a mixture of these) pumping station located in West Cornwall Township, **Lebanon County**.

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

*Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.*

**33-00085: Symmco Inc.** (40 South Park St., Sykesville, PA 15865-0039), on August 30, 2017, the Department issued the renewal of the Natural Minor Operating Permit for a powdered metal production facility that manufactures sintered metal parts. Permitted sources at the facility include sintering furnaces, degreasers, space and comfort heaters, and an emergency generator. With potential to emit 3.44, 1.90, 1.48, 0.15, and 0.11 TPY of PM, NO<sub>x</sub>, CO, SO<sub>x</sub>, and VOC, respectively, the facility is Natural Minor for permitting purposes. Incorporated into the renewal operating permit, the emergency generator, which was initially permitted through a Request for Determination (RFD), is subject to § 40 CFR 60 Subpart JJJJ pertaining to New Source Performance Standards for stationary spark ignition internal combustion engines. Two deactivated sources are removed from the operating permit. Work practice requirements for the afterburners of three sintering furnaces have been revised to reflect actual operations at the facility and implement a 1,200°F minimum afterburner temperature requirement.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.*

The City of Philadelphia, Air Management Services (AMS) issued a Minor State Only Operating Permit for the following facility:

**OP16-000009: Bottling Group, LLC** (11701 Roosevelt Boulevard, Philadelphia, PA 19154) for the operation of a bottling facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) natural gas-fired 4 MMBTU/hr boilers, a 0.41 MMBTU/hr natural gas-fired boiler, a 0.68 MMBTU/hr natural gas-fired boiler, three (3) ink printers totaling 778 gallons per year, twelve (12) syrup mixing tanks, bottling line cleaning solvents, lubricants, and two (2) parts washers.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**15-00133: Immaculata University** (1145 King Road, Immaculata, PA 19345-9903) On September 13, 2017 for the issuance of an administrative amendment to incorporate plan approval 15-0133 into the State Only Operating Permit for this facility located in East Whiteland Township, **Chester County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.*

**49-00020: Truck Accessories Group, LLC** (3560 Housels Run Road, Milton, PA 17847-9006) on September 14, 2017, for the significant modification to the Title V operating permit TVOP 49-00020 for the incorporation of Reasonable Available Control Technology (RACT II) requirements pursuant to 25 Pa. Code §§ 129.96—129.100 at the Milton facility located in Milton Borough, **Northumberland County**. The revised Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**18-00030: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17745-3348) on September 18, 2017 issued a Title V operating permit for the significant modification to the Title V operating permit TVOP 49-00020 for the incorporation of Reasonable Available Control Technology (RACT II) requirements pursuant to 25 Pa. Code §§ 129.96—129.100 for their facility located in Castanea Township, **Clinton County**. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**07-05004B: Altoona Terminal DE LLC** (664 Burns Avenue, Altoona, PA 16635) Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the de minimis emissions increases of 0.628 tpy VOC at the petroleum products terminal in Allegheny Township, **Blair County**. The increase, approved by DEP on September 7, 2017, results from butane unloading at loading racks and into the existing bulk storage tanks. The loading racks are controlled by vapor recovery units. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

**06-05068: Scranton Altoona Terminal/Reading Terminal DE LLC/Sinking Spring Terminal** (901 Mountain Home Road, PO Box 2070, Sinking Spring, PA 19608)

Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the de minimis emissions increases of 0.5205 tpy VOC at the petroleum products terminal in Sinking Spring Borough, **Berks County**. The increase, approved by DEP on September 8, 2017, results from butane unloading at loading racks and into the existing bulk storage tanks. The loading racks are controlled by carbon adsorption units. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

**21-05021: Mechanicsburg Terminal DE LLC/Mechanicsburg North Terminal** (127 Texaco Road, Mechanicsburg, PA 17050) Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the de minimis emissions increases of 0.3724 tpy VOC at the petroleum products terminal in Silver Spring Township, **Cumberland County**. The increase, approved by DEP on September 8, 2017, results from butane unloading at loading racks and into the existing bulk storage tanks. The loading racks are controlled by vapor recovery and vapor combustor units. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

**22-05054: Highspire Terminal DE LLC/Highspire Term Corp** (900 S. Eisenhower Blvd., PO Box 2621, Middletown, PA 17105) Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the de minimis emissions increases of 0.4386 tpy VOC at the petroleum products terminal in Lower Swatara Township, **Dauphin County**. The increase, approved by DEP on September 8, 2017, results from butane unloading at loading racks and into the existing bulk storage tanks. The loading racks are controlled by carbon adsorption units. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

**38-05019: Helix Ironwood, LLC** (305 Prescott Road, Lebanon, PA 17042). Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for a de minimis emissions increase of 0.45 tpy PM<sub>10</sub>, 0.86 tpy NO<sub>x</sub>, 0.34 tpy CO, 0.11 tpy VOC, 0.34 tpy SO<sub>2</sub>, 0.65 tpy NH<sub>3</sub> and 0.08 tpy H<sub>2</sub>SO<sub>4</sub> mist resulting from the use of Steam Injected Power Augmentation Technology (SPAG) at its electric power generation facility located in South Lebanon Township, **Lebanon County**. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a).** The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

### Coal Permits Issued

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.*

**Permit No. 56110105 and NPDES No. PA0263257. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for the continued operation and restoration of a bituminous surface mine in Southampton Township, **Somerset County**, affecting 318.4 acres. Receiving streams: unnamed tributaries to the North Branch of Jennings Run; unnamed tributary to Rush Run, classified for the following uses: cold water fishes and high quality cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 13, 2017. Permit issued: September 11, 2017.

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

**17960108. Corey L. Shawver DBA Hilltop Coal Company** (12 Dutchtown Road, Houtzdale, PA 16651). Permit renewal for reclamation only of a bituminous surface coal mine located in Bigler Township, **Clearfield County** affecting 13.7 acres. Receiving stream(s): Unnamed Tributaries of Muddy Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 10, 2017. Permit issued: September 11, 2017.

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

**03970110 and NPDES Permit No. PA0202134. Mears Enterprises, Inc.** (P.O. Box 157, Clymer, PA 15728). Revision permit issued for upgrade of a treatment system and renewal permit issued for continued treatment to an existing bituminous surface mine, located in Valley Township, **Armstrong County**, affecting 27.4 acres. Receiving streams: Unnamed tributaries of Cowanshannock Creek to Cowanshannock Creek to the Allegheny River. Application received: March 27, 2015 and June 3, 2016. Permit issued: September 12, 2017.

**02020201 and NPDES Permit No. PA0250121. Robindale Energy Services, Inc.** (226 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Revision application for land use change from Coal Valley Sales property to residential to an existing bituminous surface mine, located in Plum Borough, **Allegheny County**, affecting 172 acres. Receiving streams: Unnamed tributary to Little Plum Creek and Little Plum Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: February 9, 2017. Permit revision issued: September 13, 2017.

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

**Permit No. 40020201R3. South Tamaqua Coal Pockets, Inc.**, (P.O. Box 577, Tamaqua, PA 18252), renewal for reclamation activities only of an anthracite coal refuse reprocessing operation in Hazle Township, **Luzerne County** affecting 113.0 acres, receiving stream: Catawissa Creek. Application received: January 19, 2017. Renewal issued: September 12, 2017.

**Permit No. PAM112002R. South Tamaqua Coal Pockets, Inc.**, (P.O. Box 577, Tamaqua, PA 18252), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40020201 in Hazle Town-



ship, **Luzerne County**, receiving stream: Catawissa Creek. Application received: January 19, 2017. Renewed issued: September 12, 2017.

**Permit No. 54920201R5. Northeastern Power Co.**, (PO Box 7, McAdoo, PA 18237), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Kline and Packer Townships, **Schuylkill and Carbon Counties** affecting 876.0 acres, receiving stream: Little Schuylkill River. Application received: June 28, 2017. Renewed issued: September 13, 2017.

**Permit No. PAM113058R, Northeastern Power Co.**, (PO Box 7, McAdoo, PA 18237), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54920201 in Kline and Packer Townships, **Schuylkill and Carbon Counties**, receiving stream: Little Schuylkill River. Application received: June 28, 2017. Renewed issued: September 13, 2017.

#### *Noncoal Permits Issued*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.*

**PAM417015-GP104. Sandy Bend, Inc.**, 107 Bookmere Lane, Belleville, PA 17004. General NPDES Permit for stormwater discharges associated with mining activities on Noncoal Permit No. 44960301 located in Bratton Township, **Mifflin County**. Receiving stream: Juniata River, classified for the following use: warm water fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: August 25, 2017. Coverage Approved: September 11, 2017.

**PAM417016-GP104. RR Miller & Sons, Inc.**, 10961 Worleytown Road, Greencastle, PA 17225. General NPDES Permit for stormwater discharges associated with mining activities on Noncoal Permit No. 28070801 located in Montgomery Township, **Franklin County**. Receiving stream: West Branch Conococheague Creek, classified for the following uses: trout stocked fishes, migratory fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: August 31, 2017. Coverage Approved: September 12, 2017.

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

**61110304. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, Suite 203, State College, PA 16803) Renewal of existing NPDES permit No. PA0259217 in Barkeyville Borough, **Venango County**. Receiving streams: Unnamed tributaries to East Branch Wolf Creek and unnamed tributary to North Branch Slippery Rock Creek. Application received: June 15, 2017. Permit Issued: September 12, 2017.

**16160301 and NPDES Permit No. PA0259705. Glen-Gery Corporation** (1166 Spring Street, P.O. Box 7001, Reading, PA 19610) Commencement, operation and restoration of a large industrial minerals mine in Monroe Township, **Clarion County**, affecting 238.0 acres. Receiving streams: Unnamed tributaries to Piney Creek and unnamed tributaries to Reids Run. Application received: February 1, 2017. Permit Issued: September 12, 2017.

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

**Permit No. 8073SM2A1C9 and NPDES Permit No. PA0595519. Glasgow, Inc.**, (P.O. Box 1089, Glenside, PA 19038), renewal of NPDES permit for discharge of treated

mine drainage from a quarry operation in Upper Merion Township, **Montgomery County**, receiving stream: Schuylkill River. Application received: July 18, 2013. Renewal issued: September 12, 2017.

**Permit No. 5077SM1C and NPDES Permit No. PA0225452. H & K Group, Inc.**, (P.O. Box 196, Skip-pack, PA 19474), correction to an existing quarry operation to incorporate SMP No. 40960303 into the permit for a total of 142.99 acres and include NPDES Permit for discharge of treated mine drainage in Lehman Township, **Luzerne County**, receiving streams: Pikes Creek and unnamed tributary of Hunlock Creek. Application received: March 14, 2014. Correction issued: September 13, 2017.

**Permit No. 48870301C13 and NPDES Permit No. PA0593893. H & K Group, Inc.**, (P.O. Box 196, Skip-pack, PA 19474), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Lower Mount Bethel Township, **Northampton County**, receiving streams: Mud Run and Delaware River. Renewal issued: September 14, 2017.

**Permit No. 5476SM4A1C4 and NPDES Permit No. PA0612049. Glasgow, Inc.**, (P.O. Box 1089, Glenside, PA 19038), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Montgomery Township, **Montgomery County**, receiving stream: unnamed tributary to Little Neshaminy Creek. Application received: January 31, 2011. Renewal issued: September 14, 2017.

**Permit No. 5476SM4A1C5 and NPDES Permit No. PA0612049. Glasgow, Inc.**, (P.O. Box 1089, Glenside, PA 19038), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Montgomery Township, **Montgomery County**, receiving stream: unnamed tributary to Little Neshaminy Creek. Application received: March 27, 2017. Renewal issued: September 14, 2017.

**Permit No. PAM117004, Pioneer Aggregates, Inc.**, (215 East Saylor Avenue, Laflin, PA 18702), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 35030301 in Fell Township, **Lackawanna County**, receiving stream: Wilson Creek. Application received: January 6, 2017. Permit issued: September 14, 2017.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications 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 Issued*

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

**10174103. Wampum Hardware Co.** (2856 Stoystown Road, Friedens, PA 15541-7020) Blasting activity permit for the construction of a well pad in Jackson Township, **Butler County**. This blasting activity permit expires on December 31, 2017. Permit Issued: August 31, 2017.

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

**63174002. Consol PA Coal Company** (1000 Consol Energy Drive, Canonsburg, PA 15317). Blasting activity permit for the construction/demolition of the Enlow Fork 8 North # 1 Airshaft, located in Morris Township, **Washington County** with an expiration date of September 8, 2018. Blasting permit issued: September 11, 2017.

**03174001. Precision Geophysical Inc.** (2695 State Route 83, South Millersburg, OH 44654). Blasting activity permit for the construction of the North Buffalo 2D, to conduct seismic activity located in West Franklin, North Buffalo, South Buffalo, East Franklin, and Manor Township, **Armstrong County** with an expiration date of June 25, 2018. Blasting permit issued: September 11, 2017.

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

**Permit No. 15174103. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Sunoco Mariner Pipeline in Wallace and Upper Uwchlan Townships, **Chester County** with an expiration date of September 7, 2018. Permit issued: September 13, 2017.

**Permit No. 06174117. J Roy's, Inc.**, (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Wexford Court in Caernarvon Township, **Berks County** with an expiration date of September 14, 2018. Permit issued: September 18, 2017.

**Permit No. 06174118. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Heidelberg Crossing in Heidelberg and South Heidelberg Township, **Berks County** with an expiration date of September 30, 2018. Permit issued: September 18, 2017.

**Permit No. 09174109. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Milford Senior Living aka Lifequest in Milford Township, **Bucks County** with an expiration date of August 11, 2018. Permit issued: September 18, 2017.

**Permit No. 38174116. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Matt Newswanger Barn in Millcreek Township, **Lebanon County** with an expiration date of October 30, 2017. Permit issued: September 18, 2017.

**Permit No. 38174117. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Towns at Mayapple Woods in South Annville Township, **Lebanon County** with an expiration date of September 30, 2018. Permit issued: September 18, 2017.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with 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.

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, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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.

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.

### Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E46-1156. Conshohocken Brewing Company, LLC**, 739 E. Elm Street, Conshohocken, PA 19428-2301, Bridgeport Borough, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a 4,327 SF of a new seating garden in the 100-year floodway of the Schuylkill River (MF, WWF) associated with the Conshohocken Brewing Company Restaurant. Work will include, fencing, plants, gravel, and seating area. The site is located immediately downstream of the existing DeKalb Street; Norristown, PA, USGS Map, Latitude: 40.1091; Longitude: -75.3346) in Bridgeport Borough, Montgomery County. This joint permit application is considered after the fact permit.

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**EA15-020. Brandywine Red Clay Alliance**, 1760 Unionville-Wawaset Road, West Chester, PA 19382, Uwchlan Township, **Chester County**, ACOE Philadelphia District. To perform the following water obstruction and encroachment activities along approximately 400 linear feet of Plum Run (Perennial, WWF, MF):

1. Installation of in-stream stabilization structures including rock cross vanes, j-hooks, rock vanes and root wads.

2. Streambank grading for the establishment of a floodplain bench.

3. Installation of native riparian plantings for stabilization and enhancement efforts outside of the channel.

4. Temporary impacts to the watercourse associated with the proposed streambank grading and installation of the structures.

The Plum Run 14-14 site is located near the intersection of Chesterdale Farm Lane and Lenepe Road in East Bradford Township, Chester County (West Chester, PA USGS Quadrangles, Latitude 39.92347 N"; Longitude—75.62150 W").

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E02-1750. Buckeye Partners, L.P.**, One Greenway Plaza, Suite 600, Houston, TX 77046. Ross Township, **Allegheny County**, Army Corps of Engineers Pittsburgh District.

To restore, stabilize and maintain an approximately 100-foot reach of a Tributary to Little Pine Creek (TSF) for the purpose of protecting an existing exposed 18-inch diameter petroleum pipeline. Work will consist of the placement of fill in eroded areas along the channel, regrading and stabilizing the banks of the channel, restoring the bed of the channel using riprap and natural streambed material, and the installation of a rock cross vane. The project is located along Coventry Court, near Lingay Drive Road (Ambridge and Emsworth, PA Quadrangle Latitude: 40°33'12"; Longitude: -79°59'21").

**E02-1749. Buckeye Partners, L.P.**, One Greenway Plaza, Suite 600, Houston, TX 77046. Shaler Township, **Allegheny County**, Army Corps of Engineers Pittsburgh District.

To Place and maintain two (2)- eight (8) foot by ten (10) foot concrete mats, rip-rap and natural stream bed material within 0.02 acre of an Unnamed Tributary (UNT) to Pine Creek (aka Stream 1) (TSF) for the purpose of restoring protective cover to an exposed 18" liquid petroleum pipeline. The project is located near the intersection of Mount Royale Boulevard and Hampton Avenue. The Project will result in 40 LF of permanent impact and 15 LF of temporary impact to the aforementioned UNT to Pine Creek (aka Stream 1) (Glenshaw, PA Quadrangle Latitude: 40°33'13.7"; Longitude: -79°58'17.8").

**E40-787. William Strausser**, 7 Park Street, Harveys Lake, PA 18618. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To modify and maintain an existing dock/marina within the basin of Harveys Lake (HQ-CWF) with work consisting of constructing a 50 sq. ft. floating dock addition and replacing two 10-inch pilings. The project is located approximately at Pole 154, Lakeside Drive (Harveys Lake, PA Quadrangle Latitude: 41°22'26.1"; Longitude: -76°2'50.4").

**F40-028. City of Pittston**, 35 Broad Street, Pittston, PA 18640, in City of Pittston, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following site in the floodplain of the Susquehanna River. Site will be restored to open space. Site is located in the City of Pittston, Luzerne County.

1. 100 Benedict Street (Pittston, PA Quadrangle Latitude: 41.326539°; Longitude: -75.795528°).

**F40-029. Conyngham Township**, 10 Pond Hill Road, Mocanaqua, PA 18655, in Conyngham Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in Conyngham Township, Luzerne County.

1. 2 Main Street (Shickshinny, PA Quadrangle Latitude: 41.147675°; Longitude: -76.144883°)

2. 64 Main Street (Shickshinny, PA Quadrangle Latitude: 41.144806°; Longitude: -76.143347°)

3. 58 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.140772°; Longitude: -76.141328°)

4. 56 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.140772°; Longitude: -76.141328°)

5. 27 Railroad Street (Shickshinny, PA Quadrangle Latitude: 41.143933°; Longitude: -76.143567°)

6. 25 Railroad Street (Shickshinny, PA Quadrangle Latitude: 41.143933°; Longitude: -76.143567°)

7. 2 Park Street (Shickshinny, PA Quadrangle Latitude: 41.137664°; Longitude: -76.1398°)

8. 21-23 Railroad Street (Shickshinny, PA Quadrangle Latitude: 41.144233°; Longitude: -76.143761°)

9. 104 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.138914°; Longitude: -76.140489°)

10. 11 Main Street (Shickshinny, PA Quadrangle Latitude: 41.146656°; Longitude: -76.1449°)

11. 12 Main Street (Shickshinny, PA Quadrangle Latitude: 41.146656°; Longitude: -76.1449°)

12. River Street (Shickshinny, PA Quadrangle Latitude: 41.139483°; Longitude: -76.1419°)

13. 35-37 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.141242°; Longitude: -76.142119°)

14. 100-102 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.139053°; Longitude: -76.140528°)

15. 39-41 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.141108°; Longitude: -76.142039°)

16. 96-98 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.139169°; Longitude: -76.140622°)

17. 137 1/2 River Street (Shickshinny, PA Quadrangle Latitude: 41.139994°; Longitude: -76.142086°)

18. 139 1/2 River Street (Shickshinny, PA Quadrangle Latitude: 41.140067°; Longitude: -76.142153°)

19. 138 1/2 River Street (Shickshinny, PA Quadrangle Latitude: 41.139875°; Longitude: -76.142247°)

20. 95-97 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.139069°; Longitude: -76.141006°)

21. 106 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.138731°; Longitude: -76.140314°)

22. 119 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.137972°; Longitude: -76.14°)

**F40-030. City of Pittston**, 35 Broad Street, Pittston, PA 18640, in City of Pittston, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following site in the floodplain of the Susquehanna River. Site will be restored to open space. Site is located in the City of Pittston, Luzerne County.

1. 101 Towpath Court (Pittston, PA Quadrangle Latitude: 41.334933°; Longitude: -75.787453°).

**F40-031. Nescopeck Borough**, 501 Raber Avenue, Nescopeck, PA 18635, in Nescopeck Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following site in the floodplain of the Susquehanna River. Site will be restored to open space. Site is located in Nescopeck Borough, Luzerne County.

1. 331 Cooper Street (Berwick, PA Quadrangle Latitude: 41.050981°; Longitude: -76.226125°).

**F40-032. Shickshinny Borough**, 35 West Union Street, Shickshinny, PA 18655, in Shickshinny Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in Shickshinny Borough, Luzerne County.

1. 53 North Main Street (Shickshinny, PA Quadrangle Latitude: 41.15475°; Longitude: -76.148608°)

2. 10 South Main Street (Shickshinny, PA Quadrangle Latitude: 41.152878°; Longitude: -76.150447°)

3. 43 West Union Street (Shickshinny, PA Quadrangle Latitude: 41.153553°; Longitude: -76.151978°)

4. 66 Susquehanna Avenue (Shickshinny, PA Quadrangle Latitude: 41.154869°; Longitude: -76.1478°)

5. 42 North Main Street (Shickshinny, PA Quadrangle Latitude: 41.154592°; Longitude: -76.149394°)

6. 106 Susquehanna Avenue (Shickshinny, PA Quadrangle Latitude: 41.155947°; Longitude: -76.147006°)

7. 179 North Main Street (Shickshinny, PA Quadrangle Latitude: 41.158992°; Longitude: -76.144825°)

8. 15 East Union Street (Shickshinny, PA Quadrangle Latitude: 41.152775°; Longitude: -76.1497°)

9. 22 West Union Street (Shickshinny, PA Quadrangle Latitude: 41.153556°; Longitude: -76.150944°)

**F40-033. West Pittston Borough**, 555 Exeter Avenue, West Pittston, PA 18643, in West Pittston Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in West Pittston Borough, Luzerne County.

1. 1300 Susquehanna Avenue (Pittston, PA Quadrangle Latitude: 41.322656°; Longitude: -75.800761°)

2. 16 Atlantic Avenue (Pittston, PA Quadrangle Latitude: 41.323197°; Longitude: -75.800183°)

3. 19 Philadelphia Avenue (Pittston, PA Quadrangle Latitude: 41.323608°; Longitude: -75.800289°)

4. 35 Laco Street (Pittston, PA Quadrangle Latitude: 41.328096°; Longitude: -75.793284°)

5. 18 Montgomery Street (Pittston, PA Quadrangle Latitude: 41.325511°; Longitude: -75.797194°)

**F40-034. Nescopeck Township**, P.O. Box 314, Nescopeck, PA 18635, in Nescopeck Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in Nescopeck Township, Luzerne County.

1. 574 River Road (Berwick, PA Quadrangle Latitude: 41.062280°; Longitude: -76.154982°)

2. River Road (Berwick, PA Quadrangle Latitude: 41.06415°; Longitude: -76.148372°)

**F40-035. Plymouth Township**, 925 Main Street, Plymouth, PA 18651, in Plymouth Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following site in the floodplain of the Susquehanna River. Site will be restored to open space. Site is located in Plymouth Township, Luzerne County.

1. 1084-1086 West Main Street (Wilkes-Barre West, PA Quadrangle Latitude: 41.228633°; Longitude: -75.971869°)

**F40-036. Jenkins Township**, 46 1/2 Main Road, Jenkins Township, PA 18640, in Jenkins Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in Jenkins Township, Luzerne County.

1. 1633 River Road (Pittston, PA Quadrangle Latitude: 41.303647°; Longitude: -75.827717°)

2. 1495 River Road (Pittston, PA Quadrangle Latitude: 41.306578°; Longitude: -75.823056°)

3. 1485 River Road (Pittston, PA Quadrangle Latitude: 41.307144°; Longitude: -75.821928°)

4. 1657 River Road (Pittston, PA Quadrangle Latitude: 41.302919°; Longitude: -75.828928°)

5. 15 Turner Street (Pittston, PA Quadrangle Latitude: 41.302647°; Longitude: -75.828053°)

**F40-037. Plains Township**, 126 North Main Street, Plains, PA 18705, in Plains Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following site in the floodplain of the Susquehanna River. Site will be restored to open space. Site is located in Plains Township, Luzerne County.

1. 171 Courtright Street (Pittston, PA Quadrangle Latitude: 41.290269°; Longitude: -75.848864°)

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

**E02-1766, Equitrans, LP**, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222, Forward Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Construct and maintain a temporary road crossing across approximately 0.55 acre of PEM wetland (aka Wetland W-BB7), in association with the installation of a 20" natural gas pipeline (aka the H-318 Pipeline), which is a component of the Equitrans Expansion Project (Project). The temporary road crossing is located at 614 McVicker Lane (Monongahela, PA USGS Topographic Quadrangle Latitude: 40°, 13', 51"; Longitude: W: -79°, 56', 11"; Pittsburgh Corps District) in Forward Township,

Allegheny County, and shall be removed after pipeline installation is completed. This temporary road crossing is one component of this larger project, for which the Department granted conditional state water quality certification (DEP File No. WQ05-001), on July 18, 2017. Portions of this larger project are located in Allegheny, Greene and Washington Counties.

**E63-686, Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Park West Two, Third Floor, Pittsburgh, PA 15275, Morris Township, **Washington County**, Pittsburgh ACOE District.

Has been given consent to:

1. Remove an existing 69'-1.5" long by 30'-4.5" wide, single span, steel beam bridge over Tenmile Creek (TSF), with an under clearance of 14'-8";

2. Construct & maintain a replacement, 95' long by 39'-9" wide, single span, pre-stressed concrete spread box beam bridge over Tenmile Creek, with an under clearance of 13'-3";

3. Construct and maintain rock slope protection in the floodway on the upstream and downstream side of the aforementioned structure, R-7 rock riprap scour protection chocked with R-4 rock along both abutments, and associated improvements to the guiderails and approach roads;

4. Remove and replace an existing 18" outfall pipe in the floodplain of Tenmile Creek; and

5. Place and maintain fill in 178 linear feet of an existing unnamed tributary to Tenmile Creek (aka UNT-1) (TSF), and to construct and maintain 188 linear feet of new, relocated channel.

This project will impact approximately 90 linear feet of Tenmile Creek and 178 linear feet of UNT to Tenmile Creek for the purpose of replacing the existing structurally deficient structure over Tenmile Creek. The project is located at State Route 0221, Segment 0080, Offset 2172, approximately 0.8 mile from the intersection between State Route 0018 & State Route 0221, in Prosperity, PA 15329. (Prosperity USGS Topographic Quadrangle, Latitude: 40° 02' 03", Longitude: -80° 15' 59"; Sub-basin: 19B; Pittsburgh Corps District), in Morris Township, Washington County.

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E10-512, PennDOT Engineering District 10-0**, 2550 Oakland Ave., Indiana, PA 15701. SR 4012, Section 251, Segment 0030, Offset 0538 Bridge Replacement in Mercer and Marion Townships, **Butler County**, ACOE Pittsburgh District (West Sunbury, PA Quadrangle N: 41°, 06', 18"; W: 79°, 58', 55").

To remove the existing structure and to construct and maintain a single-span bridge having a span of 65-ft, an out-to-out length of 33.54-ft and an underclearance of 4.83-ft across McMurray Run (CWF) and including approach work to widen the existing travel lanes involving the removal and replacement of three existing culverts and the relocation of approximately 135-ft of a tributary to McMurray Run resulting in a total of 308 linear feet of permanent stream impacts and 465 linear feet of temporary stream impacts on SR 4012, Section 251, Segment 0030, Offset 0538 approximately 1 mile east of SR 0008 at Forestville (West Sunbury, PA Quadrangle N: 41°, 06', 18"; W: 79°, 58', 55") in Marion and Mercer Townships, Butler County.

**E42-374, JBR Partners, LP**, 214 West 4th Street, Emporium, PA 15834, Robbins Brook Road over Robbins Brook in Norwich Township, **McKean County**, ACOE Pittsburgh District (Crosby, PA Quadrangle N: 41° 44' 1.67", W: -78° 24' 36.68").

Remove the existing structure and construct and maintain a single-span, premanufactured steel I-beam bridge with a timber deck and concrete landscape block abutments having a span of approximately 29 feet and an underclearance of approximately 8 feet across Robbins Brook on Robbins Brook Road approximately 1 mile from intersection with West Valley Road (Crosby, PA Quadrangle N: 41°, 44', 1.67"; W: 78°, 24', 36.68") in Norwich Township, McKean County.

*District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA.*

**E5929-068: HEP Tioga Gathering, LLC**, 16211 La Cantera Parkway, Suite 202, San Antonio, TX, 78256, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 1,565 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Nauvoo, PA Quadrangle 41° 34'27"N, 77°07'43"W);

2) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 417 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41°34'33"N, 77°07'36"W);

3) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 814 square feet of an exceptional value palustrine scrub-shrub (EV-PSS) wetland (Nauvoo, PA Quadrangle 41°34'33"N, 77°07'34"W);

4) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 1,735 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41°34'37"N, 77°07'32"W);

5) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 1,607 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41°34'38"N, 77°07'32"W);

6) A temporary work area using timber mats and two 16 inch diameter natural gas pipelines via horizontal directional drill impacting 4,954 square feet of an exceptional value palustrine emergent/forest (EV-PEM/PFO) wetland and 25 linear feet of Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41°34'49"N, 77°07'44"W).

The project will result in 25 linear feet of temporary stream impacts, 1,943 square feet (0.04 acre) of permanent wetland impacts, and 9,149 square feet (0.21 acre) of temporary wetland impacts all for the purpose of installing a natural gas gathering line in Liberty Township, Tioga County.

#### 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, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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.

Important legal rights are at stake, however, so indi-

viduals 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 & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.*

ESCGP-2 # ESG15-059-0004 Major Modification  
 Applicant Name Rice Drilling B, LLC  
 Contact Person Joseph Mallow  
 Address 2200 Rice Drive  
 City, State, Zip Canonsburg, PA 15317  
 County Greene County  
 Township(s) Morris, Center and Grays Townships  
 Receiving Stream(s) and Classification(s) UNTs to Grays Fork (HQ-WWF), UNTs to Patterson Creek (HQ-WWF)

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012515003-1	MarkWest Liberty Midstream and Resources, LLC 4600 J. Barry Court Suite 500 Canonsburg, PA 15317	Washington County	Smith Township	UNTs to Little Raccoon Run (WWF)
ESG0012517005-1	MarkWest Liberty Midstream and Resources, LLC 4600 J. Barry Court Suite 500 Canonsburg, PA 15317	Washington County	Chartiers Township; Mount Pleasant Township; Smith Township; Robinson Township; Independence Township; Raccoon Township; Potter Township; Findlay Township	Fishpot Run (WWF); UNTs to Raccoon Run (WWF); Raccoon Creek (WWF); Gums Run (WWF); UNTs to Service Creek (WWF); Service Creek (WWF); UNTs to Obney Run (WWF); Obney Run (WWF); Bigger Run (WWF); UNTs to Bigger Run (WWF); Chamberlain Run (WWF); UNTs to Chamberlain Run (WWF); Little Raccoon Run (WWF); UNTs to Little Raccoon Run (WWF); Cherry Run (WWF); UNTs to Cherry Run (WWF); Westland Run (WWF); UNTs to Westland Run (WWF); UNT to Potato Garden Run (WWF) Potato Garden Run (WWF)
ESG0012515007-1	MarkWest Liberty Midstream and Resources, LLC 4600 J. Barry Court Suite 500 Canonsburg, PA 15317	Washington County	Smith Township	UNTs to Little Raccoon Run (WWF)

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012916002	Equitrans, LP 625 Liberty Avenue Suite 1700 Pittsburgh, PA 15222-3114	Westmoreland County	Unity Township; Derry Township	Fourmile Run (TSF); McGee Run (CWF); UNT to McGee Run (CWF); Saxman Run (WWF); UNT to Saxman Run (WWF); Miller Run (HQ-CWF); UNT to Miller Run (HQ-CWF); UNT to Loyalhanna Creek (WWF); Fourmile Run (TSF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.*

**ESCGP-2 # ESG17-019-0009—Baird to Manuel Pipeline Project**

Applicant Stonehenge Appalachia, LLC  
Contact Mr. Patrick Redalen  
Address 11400 Westmoor Circle, Suite 200A  
City Westminster State CO Zip Code 80021  
County Butler Township(s) Concord(s)  
Receiving Stream(s) and Classification(s) UNT to South Branch Slippery Rock Creek (CWF) South Branch Slippery Rock Creek (CWF)

**ESCGP-2 # ESG16-019-0032A—Stein to Kyne Gas Pipeline—Major Modification**

Applicant Mountain Gathering, LLC  
Contact Mr. Dewey Chalos  
Address 810 Houston Street  
City Fort Worth State TX Zip Code 76102  
County Butler Township(s) Franklin and Connuenessing  
Receiving Stream(s) and Classification(s) UNT to Mulligan Run (CWF)/Mulligan Run

**ESCGP-2 # ESX11-019-0091—Williams Unit 2062 ESX**

Applicant R.E. Gas Development, LLC  
Contact Mr. Michael Endler  
Address 600 Cranberry Woods Drive, Suite 250  
City Cranberry Township State PA Zip Code 16066  
County Butler Township(s) Slippery Rock  
Receiving Stream(s) and Classification(s) Wolf Creek and Long Run Creek CWF

## SPECIAL NOTICES

**Final State Water Quality Certification Required by Section 401 of the Clean Water Act for the H-125 Uprate Project**

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

**WQ05-013, Equitrans, LP (Applicant)**, 555 Southpointe Blvd., Suite 200, Canonsburg, PA 15317. H-125 Uprate Project (Project), in Jefferson Hills Borough, **Allegheny County**, and in Somerset, Union, Fallowfield and Nottingham Townships, **Washington County**, U.S. Army Corps of Engineers, Pittsburgh District. The proposed project starts at Applicant's existing Greenlee Station in Somerset Township, Washington County (Hackett, PA

USGS Topographic Quadrangle N: 40°, 8', 39.0336"; W: -80°, 0', 25.2864"), and ends at Applicant's existing Tepe Meter and Regulation (M&R) Station in Jefferson Hills Borough, Allegheny County (Glassport, PA USGS Topographic Quadrangle N: 40°, 16', 52.4244"; W: -79°, 55', 2.3586").

On October 13, 2016, Applicant filed an application with the Federal Energy Regulatory Commission (FERC), under the prior notice provisions set forth in 18 CFR 157.210 and under Applicant's blanket certificate (FERC Docket No. CP96-532-000). The FERC Environmental Assessment for the Project, which was issued on February 17, 2017, may be viewed on FERC's website at [www.ferc.gov](http://www.ferc.gov) (search eLibrary; Docket Search; CP17-1-000).

On September 7, 2016, Applicant requested a State water quality certification from the Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The Applicant operates and maintains approximately 12.1 miles of an existing 20-inch-diameter, natural gas pipeline, referred to as the H-125 Pipeline, from Applicant's existing Greenlee Station in Somerset Township, Washington County (Hackett, PA USGS Topographic Quadrangle N: 40°, 8', 39.0336"; W: -80°, 0', 25.2864"), to Applicant's existing Tepe Meter and Regulation (M&R) Station in Jefferson Hills Borough, Allegheny County (Glassport, PA USGS Topographic Quadrangle N: 40°, 16', 52.4244"; W: -79°, 55', 2.3586"). The Applicant is proposing to hydrostatically test two (2) sections of the existing, H-125 Pipeline, (approximately 2.72 miles in total), for the purpose of increasing the maximum allowable operating pressure of the line to 546 pounds per square inch gauge (psig) from 328 psig, to allow more flexibility for Equitrans' customers, to better serve the Pittsburgh and surrounding markets. The first segment consists of approximately 0.5 mile (MP 3.7 to MP 4.2), and the second segment consists of approximately 2.12 miles (MP 6.3 to MP 8.4). The Project, as proposed, will also include the removal or replacement of twenty-two (22) existing farm taps in Allegheny County and thirteen (13) existing farm taps in Washington County; installation of one aboveground valve set within the existing graveled facil-

ity in Allegheny County; construction of an interconnect to supply gas to Equitrans' existing M-78 pipeline in Washington County; pipe modifications to remove connections between the existing H-125 pipeline and various foreign pipelines in Washington County due to the increase in pipeline pressure; relocation of three existing meters in Washington County; and the venting of gas and siphoning of air at the Greenlee Station (MP 0), Courtney Gates Station (MP 5.7), Meredith Gates Station (MP 8.4), and Tepe Station (MP 12) in Washington County. The Project, as proposed, will require approximately 19 acres of earth disturbance, and impacts to 42 linear feet of Lobbs Run (WWF) and Dry Run (WWF), 0.46 acre of floodway, 0.04 acre of temporary PEM wetland impacts, and 0.03 acre of PSS permanent impacts.

The Department published notice of its proposed State water quality certification in the *Pennsylvania Bulletin* at 47 Pa.B. 2781 (May 13, 2017) and received no comments from the public.

The Department certifies to Applicant that the construction, operation and maintenance of the Project will not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93, provided Applicant complies with the permitting programs, criteria and conditions established pursuant to State law:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and

conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Dana Drake, P.E., Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer at once.



### Request for comments on the Total Maximum Daily Load (TMDL) Developed for Stony Run, Westmoreland County

The Department of Environmental Protection will accept comments as of October 30, 2017, for the proposed TMDL proposed address aquatic life use impairments in Stony Run noted in the 2016 Pennsylvania Integrated Water Quality Monitoring and Assessment Report (Integrated List), initially listed in 2006 (see Table 2). Stony Run is a tributary of the Kiski-Conemaugh River and the larger Allegheny River Basin. The watershed is in Derry Township, Westmoreland County.

The impairments were noted during bioassessments in the watershed (2005). Excessive siltation due to agriculture activities was the source identified as causing impairment to the designated aquatic life use (Cold Water Fishery) in Stony Run. No additional assessments have been conducted in this watershed as of the original impairment assessment (2005) and consecutive listing (2006). Because PA does not currently have water quality criteria for sediment, a TMDL endpoint was identified using a reference watershed approach. Based on a comparison to the similar, unimpaired Champion Run (tributary to Indian Creek and the greater Youghiogheny River basin, Fayette County), the maximum sediment loading (or TMDL) identified in Table 1. will allow water quality objectives to be met in the impaired segments of Stony Run. Allocations from the calculated TMDLs are summarized below:

<i>Table 1. Summary of TMDL for Stony Run in lbs./yr.</i>						
Pollutant	TMDL	WLA	MOS	LA	LNR	ALA
Sediment	1,119,361.2	11,193.6	111,936.1	996,231.5	18,400.0	977,831.5
<i>Summary of TMDL for Stony Run in lbs./day</i>						
Pollutant	TMDL	WLA	MOS	LA	LNR	ALA
Sediment	3,066.7	30.7	306.7	2,729.4	50.4	2,679.0

This proposed TMDL sets allowable loadings within the specifically impaired stream segments of the Stony Run watershed. The loading was allocated among the land uses of cropland, hay/pasture, and associated stream banks present in the watershed. Data used in these TMDLs was generated using a water quality analysis model (MapShed—GWLf) designed by the Penn State University. The following table shows the estimated current loadings for the watershed. Overall load reductions necessary in order to meet the TMDLs are also identified. The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDLs and information on the TMDL program can also be viewed on the Department's website ([www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/)). To submit comments or request a copy of any of the proposed TMDLs, please contact Scott Alexander, Water Program Specialist, Bureau of Clean Water, Central Office, Pennsylvania Department of Environmental Protection, Rachel Carson State Office Building, Harrisburg, PA 17105, Phone: 717-772-5670, e-mail: [salexander@pa.gov](mailto:salexander@pa.gov).

The Department will consider all comments in developing the final TMDLs, which will be submitted to EPA for final approval. Written comments will be accepted at the above address and must be postmarked by 30 days after publication in the *PA Bulletin*.

[Pa.B. Doc. No. 17-1617. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Air Quality Technical Advisory Committee Meeting Cancellation

The October 12, 2017, Air Quality Technical Advisory Committee (Committee) meeting is cancelled. The next Committee meeting is scheduled for Thursday, December 14, 2017, at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning the December 14, 2017, meeting should be directed to Kirit Dalal, Bureau of Air Quality, at (717) 772-3436 or [kdalal@pa.gov](mailto:kdalal@pa.gov). The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Kirit Dalal at (717) 772-3436 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
Secretary

[Pa.B. Doc. No. 17-1618. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Alternative Fuels Incentive Grant Program; FAST Act Alternative Fuel Corridor Infrastructure Opportunity

The Department of Environmental Protection (Department), Office of Pollution Prevention and Energy Assistance announces an opportunity to apply for grants under the new PA's FAST Act Alternative Fuel Corridor Infrastructure Program (Program). This Program is a special solicitation under the Alternative Fuels Incentive Grant Program (AFIG) which will provide up to a 50% reimbursement grant to install public refueling infrastructure along highway corridors in this Commonwealth designated as alternative fuel corridors by the Fixing America's Surface Transportation Act (FAST Act) (Pub.L. No. 114-94) as "signage ready" or "signage pending" by the Federal Highway Administration. These corridors include specific sections of interstates I-76, I-276, I-476, I-70, I-95 and I-80.

Approximately \$1 million in grants will be available to municipal authorities, political subdivisions, nonprofit entities, corporations, and limited liability companies or partnerships incorporated or registered in this Commonwealth to install public-use electric, hydrogen, propane and compressed natural gas refueling infrastructure. The infrastructure must support public vehicles seeking to

undertake alternative fuel refueling, including electric vehicle charging, or hydrogen, propane or compressed natural gas refueling. Individual project awards will be capped at \$500,000.

Eligible project infrastructure must: be publicly accessible 24/7; incorporate roadway signage compliant with the FAST Act; offer an open and common payment platform; feature standardized nozzles and connectors; be co-located with convenient consumer amenities at safe locations; and provide travelers with measures of assurance that the fuel will be available during their planned stop. Project infrastructure must be designed to meet 5-year future projections of anticipated usage for the public at the proposed public stations. To be eligible, projects must be sited within approximately 5 roadway miles of the FAST Act designated corridor segment.

The Program guidelines and application are available on the Department AFIG web site under the FAST Act Alternative Fuel Corridor Infrastructure Program section at <http://www.dep.pa.gov> (select "Citizens," then "Grants, Loans and Rebates," then "Alternative Fuels Incentive Grant").

The application period will open on September 30, 2017. This application will not be available for electronic submission. Only written hard copy applications using the application format will be accepted. An original and three copies of all applications must be postmarked, if mailed, or received, if hand-delivered, by 4 p.m. on November 17, 2017.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-1619. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Draft Technical Guidance—Substantive Revision*

DEP ID: 563-2504-411. *Title:* Processing Completion Reports for Coal Mining Operations. *Description:* This guidance defines procedures for bond release on coal mining permits. The substantive revisions clarify the procedures for the review of completion reports for Closure Bonds and the release of Water Loss Coverage Bonds. The Department also eliminated the Bond Roll-over section because the Department has replaced the bonding mechanism that utilized bond rollovers, making this section obsolete.

*Written Comments:* Interested persons may submit written comments on this draft technical guidance document by October 30, 2017. All comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments should be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, Harrisburg, PA 17101. Comments submitted by facsimile will not be accepted.

*Contact:* Chris Yeakle at (814) 797-1191 or [cyeakle@pa.gov](mailto:cyeakle@pa.gov).

*Effective Date:* Upon publication of notice as final in the *Pennsylvania Bulletin*.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-1620. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Closure Notification for the Acceptance of County Planning Grant Applications under Act 101, Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act

Effective September 29, 2017, the Department of Environmental Protection (Department) will no longer accept applications for grant assistance for municipal solid waste planning and household hazardous waste education under section 901 the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. § 4000.901).

To be considered for an award, all section 901 grant applications must be received by the Department no later than September 29, 2017. All applications received on or before September 29, 2017, will be considered for an award. The Act 101 Recycling Fee, which supports this grant program, is set to terminate on January 1, 2020; thus, the Department can no longer accept grant applications because grant awards are based on collection of the Recycling Fee. If the termination date for the Recycling Fee is extended or eliminated, the Department will resume accepting applications under this grant program.

Inquiries concerning this notice should be directed to Mark Vottero, Bureau of Waste Management at (717) 772-5719 or [mvottero@pa.gov](mailto:mvottero@pa.gov).

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-1621. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Extension of NPDES General Permit for Discharges from Aquatic Animal Production Facilities (PAG-11)

Under the authority of The Clean Streams Law (35 P.S. §§ 691.1—691.1001), 25 Pa. Code §§ 92a.7(b) and (c) and 92a.54(b) (relating to duration of permits and continuation of expiring permits; and general permits), and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) is, by this notice, extending the availability of the current National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Aquatic Animal Production Facilities (PAG-11).

The existing PAG-11 General Permit in effect at this time will expire on October 5, 2017. By this notice, the Department is administratively extending the current PAG-11 General Permit to October 5, 2018, or until the PAG-11 permit update is published as final. The Department is extending the availability of this permit to adequately complete preparation for the reissuance of the PAG-11 General Permit. It is anticipated that the final PAG-11 General Permit update will be published prior to October 5, 2018. A person who is operating under the PAG-11 General Permit may continue to operate until October 5, 2018. If the PAG-11 General Permit is published as final in the *Pennsylvania Bulletin* on or before October 5, 2018, persons who are operating under the PAG-11 General Permit may continue to operate until expiration of the reissued PAG-11 General Permit.

To access the General Permit and related documents, visit the Department's eLibrary web site at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage> (select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "06PAG-11 NPDES General Permit for Discharges from Aquatic Animal Production Facilities").

Questions regarding the PAG-11 General Permit for Stormwater Discharges Associated with Construction Activities should be directed to Sean Furjanic, PE at (717) 787-2137 or [sefurjanic@pa.gov](mailto:sefurjanic@pa.gov).

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-1622. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Federal Consistency under the Coastal Zone Management Act; Deploy Temporary Buoys in the Schuylkill River

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1455(d)(14)), regarding public participation

during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that the City of Philadelphia—Bartram's Garden is proposing to deploy temporary buoys in the Schuylkill River to display local tidal changes for educational purposes.

The proposed project will consist of 7 1/2-inch diameter hard styrofoam fishing industry buoys, strung in lengths of 6 feet on 1/8-inch stainless steel wire rope with stainless steel thimble and ferrule hardware. The buoy strands will be attached to anchor weights placed on the riverbed. The colored buoys will submerge in sequence as the tide flows and re-emerge as the tide ebbs to provide a visualization of the tidal change for observers. A total of 310 buoys will be deployed in 13 locations within the open waters of the Schuylkill River within the City of Philadelphia for a total proposed impact of 1,217 linear feet. The temporary display will be in place for a maximum of 2 years. The applicant is seeking Federal authorization from the United States Army Corps of Engineers to complete the project.

This project is subject to Department review for Federal consistency because it is a Federal license and permit activity and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with National Oceanic and Atmospheric Administration (NOAA) regulations in 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), the City of Philadelphia—Bartram's Garden has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, at (717) 772-2196 or [RA-Fed\\_Consistency@pa.gov](mailto:RA-Fed_Consistency@pa.gov).

The Department will consider all comments received no later than October 10, 2017, before issuing a final Federal consistency concurrence or objection. All comments, including comments submitted by e-mail, must include the originator's name and address. Comments submitted by facsimile will not be accepted. Commentators are encouraged to submit comments using the Department's eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments may be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Policy Office, Department of Environmental Protection, 400 Market Street, Harrisburg, PA 17101.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-1623. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Nutrient Credit Trading Program

The Department of Environmental Protection (Department) has approved the following requests for certification of pollutant reduction activities to generate nitrogen (N) and phosphorus (P) credits under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed). Pollutant reduction activities include the following agriculture best management practices: conservation tillage (CT); continuous no-till planting methods (CNT); planting cover crops (CC); off-stream watering with and without fencing (pasture) (OFWFP); precision grazing (PG); and riparian forest buffers (RFB). These certification request approvals authorize the generation of N or P credits, or both, for use by facilities with National Pollutant Discharge Elimination System permits in the compliance year in which the credits are generated. These approvals are valid until September 30, 2019, provided

the pollution reduction activities are implemented, maintained and verified in accordance with the plans contained in the approved certification requests. The approvals are sorted by certification date.

<i>Applicant / Consultant</i>	<i>Generator / Source</i>	<i>Pollutant Reduction Activity</i>	<i>N Credits</i>	<i>P Credits</i>	<i>Public Comment Notice Date</i>	<i>Certification Date</i>
Lycoming Conservation District	Dincher, Bernard	RFB, OFWFP	625	0	7/24/17	9/30/17
Lycoming Conservation District	London, Harold	CT, CNT, CC, RFB, OFWFP, PG	185	0	7/24/17	9/30/17
Lycoming Conservation District	McCoy, Jim	CT, CNT, CC, RFB, OFWFP, PG	646	0	7/24/17	9/30/17
Lycoming Conservation District	Snyder, Jeremie	CT, CNT, CC, RFB	632	0	7/24/17	9/30/17

Persons aggrieved by an action may appeal, 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), 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. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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 of 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 decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake, 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 to the Board at (717) 787-3483 for more information.

For further information about this action or the Nutrient Credit Trading Program, contact the Division of Operations, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-6744, RA-EPPANutrientTrad@pa.gov or visit the Department's web site at [www.dep.pa.gov/nutrient\\_trading](http://www.dep.pa.gov/nutrient_trading).

PATRICK McDONNELL,  
Secretary

[Pa.B. Doc. No. 17-1624. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Nutrient Credit Trading Program

The Department of Environmental Protection (Department) has approved a 1-year administrative extension from October 1, 2017, to September 30, 2018, of the following previously approved certifications of pollutant reduction activities to generate nitrogen (N) and phosphorus (P) credits under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed) that were set to expire on September 30, 2017. The proposed pollutant reduction activity is poultry litter export. These certification administrative extension approvals authorize the generation of N or P credits, or both, for use by facilities with National Pollutant Discharge Elimination System permits in the compliance year in which the credits are generated. This approval is valid until September 30, 2018, provided the pollution reduction activities are implemented, maintained and verified in accordance with the plans contained in the original approved certification requests.

<i>Generator</i>	<i>Site Contact Name</i>	<i>Farm ID</i>	<i>Best Management Practice</i>	<i>N Credits</i>	<i>P Credits</i>	<i>Certification Letter</i>	<i>Certification Expiration</i>
RED BARN	Hughes	535 (Chickies Creek)	Poultry Litter Export	46,260	5,783	10/14/16	9/30/18
RED BARN	Hughes	289 (Lime Valley)	Poultry Litter Export	12,226	1,528	10/14/16	9/30/18
RED BARN	Hughes	221 (Coops Farm, LLC)	Poultry Litter Export	5,208	651	10/14/16	9/30/18

Persons aggrieved by an action may appeal, 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), 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. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. 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 of 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 decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. 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 to the Board at (717) 787-3483 for more information.

For further information about this action or the Nutrient Credit Trading Program, contact the Division of Operations, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-6744, RA-EPPANutrientTrad@pa.gov or visit the Department's web site at [www.dep.pa.gov/nutrient\\_trading](http://www.dep.pa.gov/nutrient_trading).

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-1625. Filed for public inspection September 29, 2017, 9:00 a.m.]

### **Pennsylvania Lake Erie Phosphorus Reduction Domestic Action Plan**

The Department of Environmental Protection (Department) finalized the Pennsylvania Lake Erie Phosphorus Reduction Domestic Action Plan (DAP) to assist in the elimination of nutrient pollution in Lake Erie.

The Commonwealth is one of eight state governments with coastline and contributing tributaries to the Great Lakes, and one of five states that share jurisdictional responsibilities for water quality in the Lake Erie Basin. In 1972, the United States and Canada signed the Great Lakes Water Quality Agreement (GLWQA) to provide a framework for the restoration, protection and management of the Great Lakes water resources shared between the countries. The states in the United States and Canadian provinces fully participate in this process to assure cooperative restoration success.

The GLWQA was amended and reaffirmed in 2012 to include a process to develop new phosphorus reduction targets for Lake Erie, which was adopted formally by the parties in February 2016 to address over-nutrication problems identified within Lake Erie and develop United States and Canadian DAPs for phosphorus reductions in each country. The United States Environmental Protection Agency is developing the United States DAP that will coordinate and integrate each United States state-written DAP. The United States DAP also will include those actions to be completed by each United States Federal agency with programs that affect Lake Erie water quality.

The United States and Canada are bound by the GLWQA to complete these plans by February 2018, and the DAPs will be included as components of the Lake Erie Lakewide Action and Management Plan to be completed by the end of 2018.

The Department announced a 30-day public comment period at 47 Pa.B. 3045 (May 27, 2017) which allowed for submittal of comments on the draft DAP from May 27, 2017, to June 26, 2017, through the Department's eComment system, by e-mail and mail. A public webinar was conducted on June 15, 2017, to review the draft DAP. The Department received one formal comment on the DAP pertaining to Section 5, "Measuring Progress and Achieving Consensus," and Section 5.1 was revised accordingly to address the comment. The formal Comment and Response Document was added as Appendix 1. Additionally, minor revisions were completed to Sections 3.4, 3.4.1, 3.4.2, 3.5, 3.6, 4.2, 4.2.1, 5 and 5.3 to provide updated information and more detailed program descriptions.

The final DAP is available on the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Businesses," then "Water," then "Compacts and Commissions," then "Great Lakes Program"). Questions regarding the final DAP should be directed to Timothy Bruno at (814) 835-1477 or [tibruno@pa.gov](mailto:tibruno@pa.gov).

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-1626. Filed for public inspection September 29, 2017, 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 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Northwood Surgery Center	28 Pa. Code § 551.21(d)(2) (relating to criteria for ambulatory surgery)
Capital Surgery & Laser Center, LLC	28 Pa. Code § 553.31(a) (relating to administrative responsibilities)

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. 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 AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-1627. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Approval of Drugs Which May be Used by Certain Optometrists

Under the Optometric Practice and Licensure Act (act) (63 P.S. §§ 244.1—244.12), as amended by the act of December 16, 2002 (P.L. 1950, No. 225) (Act 225), the Secretary of Health (Secretary) has the authority to approve drugs for use in the “practice of optometry” as defined in Act 225. The State Board of Optometry, through the Secretary of State, sent the Acting Secretary a letter on August 14, 2017, and requested that the Acting Secretary approve the use of the following drug. Act 225 requires the Acting Secretary, within 90 days of the receipt of the list of drugs, approve or disapprove for good cause each drug. The Acting Secretary has found good cause to approve the use of the following drug in the practice of optometry:

Cetirizine ophthalmic solution (Zerviate®)

The approval of the use of this drug is effective upon publication of this notice in the *Pennsylvania Bulletin*.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Susan Coble, Director, Bureau of Community Program Licensure and Certification, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-8665. For speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-1628. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(d), (e), (j) and (k) (relating to prevention, control and surveillance of tuberculosis (TB)):

Windy Hill Village of the Presbyterian Homes  
100 Dogwood Drive  
Philipsburg, PA 16866  
FAC ID # 164302

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(j):

Tel Hai Retirement Community  
1200 Tel Hai Circle

P.O. Box 190  
Honeybrook, PA 19344  
FAC ID # 200102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Homestead Village, Inc.  
1800 Village Circle  
Lancaster, PA 17604  
FAC ID # 085902

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Menno Haven Rehabilitation Center  
2055 Scotland Avenue  
Chambersburg, PA 17201  
FAC ID—New Facility

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j) (relating to electric requirements for existing and new construction):

Menno Haven Rehabilitation Center  
2055 Scotland Avenue  
Chambersburg, PA 17201  
FAC ID—New Facility

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(g) (relating to bathing facilities):

Susque-View Home, Inc.  
22 Cree Drive  
Lock Haven, PA 17745  
FAC ID # 710802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h):

Darway Healthcare and Rehabilitation Center  
5865 Route 154  
Forksville, PA 18616  
FAC ID # 040102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

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 AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-1629. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P.L. 419, No. 140) (35 P.S. § 6204), will hold its quarterly public meeting on Friday, October 20, 2017, from 10 a.m. to 1 p.m. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment. The meeting will be held in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

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 Tara Trego, Director, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-1630. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Special Pharmaceutical Benefits Program Advisory Council Public Meeting

The Statewide Special Pharmaceutical Benefits Program (SPBP) Advisory Council, established by the Department of Health (Department) to aid in the carrying out of its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (42 U.S.C.A. § 300ff-26), will hold a public meeting on Thursday, October 26, 2017, from 10 a.m. to 3 p.m. at the Holiday Inn Express Harrisburg East, 4021 Union Deposit Road, Harrisburg, PA 17109.

The SPBP Advisory Council will provide program guidance and recommendations to the Department's SPBP in regard to the following: drug formulary; covered lab services; drug utilization review; clinical programs; and eligibility and program management.

For additional information, or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact John Haines,

Special Pharmaceutical Benefits Program, Bureau of Communicable Diseases, Department of Health, Room 611, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (800) 922-9384. Speech or hearing impaired persons should contact the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without prior notice.

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-1631. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); 2017-2018 WIC Food List

#### I. 2017-2018 WIC Food List

Under 28 Pa. Code § 1103.5(a) (relating to minimum inventory), the WIC Program publishes notice of the 2017-2018 WIC Food List which contains the required types of foods and, if applicable, names of the allowable brands of foods. Effective October 1, 2017, the 2017-2018 WIC Food List authorizes the following as allowable foods for the purpose of the WIC Program.

#### *Cheese*

Regular, reduced fat, low fat or fat free, low cholesterol, low sodium, lactose free, smoked or calcium fortified. Cheese must be marked with weight, type and cost. Cheese must be in the form of a block, sliced, shredded, stick or string cheese. Package size must be 8 ounces or 16 ounces.

American (Pasteurized Process)	Cheddar
Cheddarella	Cojack
Colby (Longhorn)	Monterey Jack
Mozzarella	Muenster
Provolone	Swiss

Kosher cheese must be specified on the WIC check to be purchased using a WIC check.

*Not Allowed:* Cubed, individually wrapped slices, imported, deli service, cheese foods, imitation cheese, cheese products or spreads, cheese with added ingredients, organic cheese, cheese packed in water.

#### *Cow's Milk*

Fluid milk (pasteurized; 1/2 gallons or gallons), any fat level, allowed as specified on the WIC check. Acidophilus milk allowed. Lactose free milk allowed, if specified on the WIC check. Evaporated milk (12-ounce cans), allowed, if specified on the WIC check. Dry milk allowed, if specified on the WIC check. A quart of milk is allowed, if specified on the WIC check.

*Not Allowed:* Flavored milk, buttermilk, goat's milk, milk with added calcium, protein or plant sterols, vitamin C, omega 3s, organic milk, ultra high temperature processed milk, milk in glass bottles.

*Soy Beverage*

32-ounce or 64-ounce containers: Pacific—Ultra Soy (Original or Vanilla flavored) 8th Continent (Original or Vanilla) refrigerated section Silk Original, refrigerated section

*Not Allowed:* Any other brand or type of soy beverage.

*Yogurt (32-ounce containers only)**Whole Fat Yogurts:*

Dannon All Natural Plain  
ShopRite Plain

*Lowfat Yogurts:*

Best Yet Plain, Vanilla  
Coburn Farms Plain, Vanilla  
Dannon Plain, Vanilla  
Essential Everyday Blended Blueberry, Peach, Plain, Raspberry, Strawberry, Vanilla  
Giant Plain  
Giant Eagle Plain, Vanilla  
Great Value Peach, Strawberry, Strawberry Banana, Vanilla  
Lucerne Strawberry, Vanilla  
Market Pantry Vanilla  
ShopRite Plain, Vanilla  
Shurfine Plain, Vanilla  
Weis Quality Peach, Plain, Strawberry  
Yoplait Harvest Peach, Strawberry, Strawberry Banana, Vanilla

*Nonfat Yogurts:*

Best Yet Plain, Vanilla  
Dannon Plain, Strawberry, Strawberry Banana  
Essential Everyday Plain  
Giant Plain, Vanilla  
Giant Eagle Plain  
Great Value Plain  
Lucerne Plain  
Market Pantry Plain  
ShopRite Plain, Vanilla  
Shurfine Plain, Vanilla  
Weis Quality Plain, Vanilla  
Yoplait Plain

*Not Allowed:* Greek, Organic, Drinkable Yogurts, Yogurts with non-nutritive sweeteners, Yogurts with mix-ingredients such as: Granola, Candy pieces, Honey or Nuts.

*Tofu*

16-ounce containers: House Foods Premium—Medium Firm, Firm, Extra Firm  
Nasoya—Silken  
Azumaya—Silken, Firm, Extra Firm

*Not Allowed:* Any other brand or type of tofu

*Chicken Eggs*

Any Brand Grade A or AA Regular: large, medium or small raw shell brown or white chicken eggs in 1-dozen package.

*Not Allowed:* Specialty eggs such as, vegetarian fed, organic eggs, low cholesterol, fat modified, high in omega 3s and the like.

*Legumes (Beans)*

Black beans, black eye peas, garbanzo beans, great northern beans, kidney beans, lima beans, navy beans, pinto beans, soybeans, butter beans, pink beans, split peas and lentils.

1 pound dry or 15 1/2-ounce to 16-ounce canned any brand (canned kidney beans may contain sugar)

*Not Allowed:* Green beans, green peas, green lima beans, snap beans, yellow beans, wax beans, pork-n-beans, beans with added seasonings, sugars, oils, fats, sauces, meats, organic beans.

*Fruits and Vegetables**Fruits Allowed:*

Fresh, whole or cut without added sugars. Frozen, without added sugars. Canned, jarred or multi pack without added sugars, fats, oils or sodium (salt).

*Vegetables Allowed:*

Fresh, whole or cut without added sugars, fats or oils. Frozen, without added sugars, fats or oils. Canned or jarred, without added sugars, fats or oils. Whole kernel corn and green peas can contain sugar.

Organic fruits and vegetables can be purchased.

*Not allowed:*

- Party trays, fruit baskets, salad bar items
- Items that contain dips or sauces
- Ingredients other than fruit—sugar, honey, high fructose corn syrup, heavy or light syrup, dextrose, sucrose, maple syrup, artificial sweeteners, fats, oils or sodium (salt)
- Ingredients other than vegetables—sugar, honey, high fructose corn syrup, cheese sauce, noodles, rice, nuts, spices, fats or oils
- Sauerkraut, pickled vegetables, olives
- Jarred salsa, pasta sauce
- Fresh herbs and spices, edible blossoms
- Dried fruit, dried vegetables, trail mix
- Fruit leathers, fruit snacks, fruit roll-ups
- Fruit and nut mixtures
- Fruit cocktails, cranberry sauce, pie filling
- Baked goods containing fruit or vegetables
- Infant or toddler fruits and vegetables
- Maraschino cherries or products containing maraschino cherries
- Squeezable fruit or vegetable pouches

*Juice*

*Single Strength (48-ounce container, 100% pure juice):*

Apple Apple & Eve, Food Club, Giant Eagle, Juicy Juice, Red & White, Seneca, Shurfine



Cranberry	Apple & Eve: Naturally Cranberry Northland: Traditional Cranberry	Grape	Essential Everyday, Giant, Market Pantry, Welch's (all flavors with yellow pull tab top)
100% Grape (purple or white)	Juicy Juice, Red & White, Shurfine	Grape Juice Blends	Welch's (all flavors with yellow pull tab top)
Juice Blends	Apple & Eve: Cranberry Apple and Cranberry Raspberry Juicy Juice: All flavors		
	<i>Single Strength (64-ounce container, 100% pure juice):</i>		<i>Shelf Stable Concentrated (11 1/2-ounce to 12-ounce container, 100% pure juice):</i>
Apple	Apple & Eve, Best Yet, Essential Everyday, Food Club, Giant, Giant Eagle, Great Value, Hytop, IGA, Lucky Leaf, Mott's, Musselman's, Market Pantry, Old Orchard, Parade, Red & White, Seneca, Shop Rite, Shurfine, Signature Kitchens, Tipton Grove, Weis Quality		Welch's any flavors with yellow trim  <i>Not Allowed:</i> Ciders, cocktails, artificial sweeteners, food colorings, added sugar, alcohol, carbonation, fiber, omega 3s, DHA, ARA, beta-carotene, vitamin A, vitamin E, organic juice
Cranberry	Food Club, Giant, Giant Eagle, Market Pantry, Shurfine, Signature Kitchens		<i>Cereal</i>
Grape (purple, red or white)	Best Yet, Essential Everyday, Food Club, Giant, Giant Eagle, Great Value, Hy-top, IGA, Market Pantry, Parade, Red & White, Shop Rite, Shurfine, Signature Kitchens, Tipton Grove, Weis Quality, Welch's		<i>Adult/Child Cereals:</i> Minimum package size 12 ounces
Orange	Any Brand, calcium and vitamin D added allowed	<i>General Mills:</i>	Cheerios (regular, multigrain) Chex (wheat, corn, rice) Dora the Explorer, Kix (regular, honey or berry berry) Total (whole grain) Fiber One Honey Clusters Wheaties (regular flavor only)
Pineapple	Best Yet, Essential Everyday, IGA, Libby's, Shurfine, Signature Kitchens	<i>Kellogg Co.:</i>	All Bran Complete Wheat Flakes Corn Flakes Crispix Frosted Mini Wheats: Original, Little Bite, Touch of Fruit Raspberry Rice Krispies (regular) Special K (regular)
Tomato	(regular or low sodium): Campbell's, Essential Everyday	<i>Malto Meal, bag or box:</i>	Crispy rice, Frosted Mini Spooners (Original and Strawberry)
Vegetable	Campbell's V8 (regular or low sodium), Best Yet, Diane's Garden, Essential Everyday	<i>Maypo:</i>	Instant Maple Oatmeal
Juice Blends	Apple & Eve—all flavors (including Sesame Street) except "Cranberry Juice & More" and "Fruitables" Juicy Juice—all flavors Old Orchard—100% juice flavors, no premium flavors Welch's—Super Berry, Tropical Trio	<i>Nabisco: Cream of Wheat:</i>	Instant original, 1, 2 1/2, 10 minutes, Whole Grain or Healthy Grain
	<i>Frozen Concentrated (11 1/2-ounce to 12-ounce con- tainer, 100% pure juice):</i>	<i>Post:</i>	Alpha-Bits Grape-Nuts & Grape-Nut Flakes Great Grains-Banana Nut Crunch Bran Flakes Honey Bunches of Oats (Honey Roasted, with Almonds, Cinnamon Clusters, Vanilla Clusters)
Apple	Best Yet, Essential Everyday, Food Club, Giant, Hannaford, Hy-top, IGA, Great Value, Market Pantry, My Essentials, Old Orchard, Parade, Seneca, Shop Rite, Shurfine, Signature Kitchens, Tipton Grove, Weis Quality	<i>Quaker Co.:</i>	Original Instant Grits (Original and Butter) Crunchy Corn Bran Life (regular flavor) Oatmeal Squares (cinnamon, brown sugar, Honey Nut, Golden Maple)
Apple Juice Blends	Old Orchard (all flavors with green pull tab top)	<i>Sunbelt Bakery</i>	Simple Granola
Orange	Any brand (including calcium and vitamin D added)	<i>Store Brand Cereal:</i>	Corn Flakes, Corn Squares-Biscuits, Toasted Oats, Tasteeos, Rice Squares-Biscuits: (Essentials Everyday, Food Club, Giant, Giant Eagle, Great Value, IGA, Ralston Foods, Shop Rite, Shurfine, Weis Quality)
			<i>Not Allowed:</i> Individual serving boxes, Organic cereal, any other brand or type of cereal.
			<i>Peanut Butter</i> 16-ounce to 18-ounce container, labeled "Peanut Butter" only

*Not Allowed:* Reduced fat peanut butter, peanut butter spread, peanut butter mixed with jelly, marshmallow, chocolate or honey, organic peanut butter, added omega 3s, DHA, ARA or artificial sweeteners.

#### *Infant Formula*

##### *Contract Brand*

*Milk Based:* Similac Advance  
*Soy Based:* Similac Soy Isomil

Other brands and types of formula must be specified on the WIC check.

#### *Infant Foods*

*Infant Cereal:* Brand specified on the WIC check: rice, oatmeal, barley, whole wheat or multigrain in 8-ounce or 16-ounce container.

*Not Allowed:* Organic varieties, variety pack, cereal with fruit, formula, yogurt, DHA or ARA.

*Infant Fruits and Vegetables:* Brand specified on the WIC check: 4-ounce containers of 100% fruits or vegetables.

*Not Allowed:* Desserts, organic varieties, mixed with salt, sugar, cereal, rice, noodles, meats, yogurt, DHA, ARA, flour, starch, any other ingredients or squeezable pouches.

*Infant Meats:* Brand specified on the WIC check: 2 1/2-ounce containers of single ingredient meats (with or without gravy or broth).

*Not Allowed:* Organic varieties, mixed with salt, sugar, cereal, rice, noodles, vegetables, fruit, DHA, ARA, flour, starch or any other ingredients.

#### *Canned Fish*

Chunk Light Tuna, Pink Salmon or Sardines in 3 3/4-ounce, 5-ounce or 6-ounce cans only

*Not Allowed:* Products packed in oil, albacore tuna, brisling sardines, red salmon, organic fish.

#### *Whole Grains*

##### *16-ounce packages:*

##### *Whole Wheat Bread & Rolls*

Store Brands 100% Whole Wheat Bread:  
Best Yet, Essential Everyday, Giant, Giant Eagle, IGA, Shoprite, Signature Kitchens, Weis Quality

Arnold	100% Stoneground Whole Wheat Bread, 100% Whole Wheat Sandwich Rolls
Bimbo	100% Whole Wheat Bread
Gold Medal	100% Whole Wheat Bread
Harvest Pride	100% Whole Wheat Bread
Merita	100% Whole Wheat Bread
Monks	100% Whole Wheat Bread, Multi-Grain Bread
Nature's Harvest	100% Stone Ground Whole Wheat Bread
Nature's Own	100% Whole Wheat with Honey
Nickles	Country Style 100% Whole Wheat Bread

Pepperidge Farms	Stoneground 100% Whole Wheat Bread, Very Thin Soft 100% Whole Wheat Bread, Light Style 100% Whole Wheat Bread
Roman Meal	SunGrain 100% Whole Wheat Bread
Sara Lee	Classic 100% Whole Wheat Bread
Schwebel's	100% Whole Wheat Bread
Windmill Farms	100% Stoneground Whole Wheat Bread—Hamotzie, 100% Stoneground Whole Wheat Bread—Mezonot, 6 pack Whole Wheat Rolls
Wonder	100% Whole Wheat Bread
<i>Tortillas</i>	
<i>Store Brands:</i>	
Essential Everyday	Soft White Corn Tortilla, Whole Wheat Tortillas
Giant Eagle	Fajita Style White Corn, Soft Taco style whole wheat Tortillas
IGA	Corn Tortillas, Whole Wheat Tortillas
Giant	Yellow, White Corn, Whole Wheat Tortillas
Great Value	Whole Wheat Tortillas
Shurfine	Whole Wheat Fajita Style
Weis	Whole Wheat
Archer Farms	Soft Whole Wheat Tortillas
Celia's	Yellow or White Corn
Chi Chi's	White Corn Tortillas, Whole Wheat Fajita Style
Don Pancho	Yellow or White Corn Tortillas, Whole Wheat Tortillas
La Banderita	Corn, Whole Wheat Soft Taco, Whole Wheat Fajita, Yellow Corn
La Burrita	Yellow Corn Tortillas
MexAmerican	Whole Wheat with Honey
MiCasa	Whole Wheat Tortillas
Mission	Yellow Corn Extra Thin Tortillas, Whole Wheat Tortillas
Ortega	Whole Wheat Tortillas
Siempre Autentico	Whole Wheat Tortillas
<i>Whole Grain Brown Rice:</i>	
Blue Ribbon, Mahatma, Uncle Ben's: Natural Whole Grain Brown Rice Store Brands: Best Yet, Essentials Every Day, IGA, Market Pantry, Shurfine, Signature Kitchens, Weis Quality	
<i>Oats:</i> 16-ounce package: Mom's Best (Natural Quick Oats, Old Fashioned Quick Oats)	
<i>Whole Wheat Pasta 16-ounce</i>	
Essential Everyday:	Whole Wheat Spaghetti, Thin Spaghetti, Macaroni, Penne, Rotini, Vermicelli
Giant Eagle	Whole Wheat Spaghetti, Elbow Macaroni, Penne Rigate, Rotini

Great Value	Whole Wheat Elbows, Linguine, Penne, Rotini, Spaghetti, Thin Spaghetti
Ronzoni	Whole Grain Penne Rigate, Whole Grain Spaghetti, Whole Grain Thin Spaghetti, Whole Grain Rotini, Whole Grain Linguini
ShopRite	Whole Wheat Rotini, Spaghetti Thin Spaghetti, Penne Rigate
Shurfine:	100% Whole Wheat Spaghetti, Penne Rigate
Weis Quality	Whole Wheat Penne Rigate, Spaghetti, Angel Hair, Rotini

24-ounce packages:

Whole Wheat Bread & Rolls

Gold Medal	Natural or Premium 100% Whole Wheat Bread
Nickles	Country Style 100% Whole Wheat Bread
Pepperidge Farms	Farmhouse soft 100% Whole Wheat Bread, Oatmeal Bread, Soft Honey Whole Wheat Bread, Whole Grain 100% Whole Wheat Bread
ShopRite	100% Stone Ground Wheat Bread, Premium 100% Whole Wheat Bread, Natural 100% Whole Wheat Bread,
Signature Kitchens	100% Whole Wheat Bread
Stroehmann	Dutch Country 100% Whole Wheat Bread
Weis Quality	100% Whole Wheat Bread

Oats—Open Nature Oatmeal Cut Quick Cook

Not Allowed: Any other package size, brand or type of whole grain products, organic whole grains, items with added omega-3s, dried fruits, seeds, nuts, extra calcium or vitamin D

II. Contract Brand of Formula

Under 28 Pa. Code § 1103.5(c), the WIC Program publishes notice of the name of the contract brand of infant formula. The WIC Program has entered into a contract with Abbott Laboratories to be the primary provider of infant formula for the WIC Program. The contract brand of infant formula is Similac Advance and Similac Soy Isomil. Other brands and types of formula must be specified on the WIC check to be authorized for purchase with a WIC check. The information contained herein is effective October 1, 2017.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Perce Morgan, Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

RACHEL L. LEVINE, MD,  
Acting Secretary

[Pa.B. Doc. No. 17-1632. Filed for public inspection September 29, 2017, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery methods), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2017, through December 31, 2017, the Maximum Allowable Prices the Department of Health will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

Description	Maximum Allowable Price
Beans, Canned—15.5/16 oz. ....	\$1.25
Beans/Peas—Dry—16 oz. ....	\$2.18
Canned Fish—Pink Salmon ....	\$2.20
Canned Fish—Sardines ....	\$1.50
Canned Fish—Tuna ....	\$1.29
Cereal (per oz.) ....	\$0.33
Cheese, 16 oz. ....	\$7.31
Eggs ....	\$2.35
Infant Cereal—8 oz. ....	\$2.45
Infant Fruits, 100%—4 oz. ....	\$0.97
Infant Vegetables, 100%—4 oz. ....	\$0.97
Infant Meats, 100%—2.5 oz. ....	\$1.06
Juice—11.5/12 oz. ....	\$2.56
Juice—48 oz. ....	\$3.25
Juice—64 oz. ....	\$3.99
Kosher Cheese—16 oz. ....	\$8.40
Kosher Lowfat and 2% Milk—quart ....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon ....	\$3.27
Kosher Whole Milk—quart ....	\$1.80
Kosher Whole Milk—1/2 gallon ....	\$3.37
Milk, Dry—9.6 oz. ....	\$4.27
Milk, Dry—25.6 oz. ....	\$9.55
Milk, Evaporated—12 oz. ....	\$1.53
Milk, Lowfat and 2%—quart ....	\$1.36
Milk, Lowfat and 2%—1/2 gallon ....	\$2.29
Milk, Lowfat and 2% Lactose Free—quart ....	\$2.32
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$3.99
Milk, Whole—quart ....	\$1.45
Milk, Whole—1/2 gallon ....	\$2.29
Milk, Whole Lactose Free—quart ....	\$2.47
Milk, Whole Lactose Free—1/2 gallon ....	\$3.99
Peanut Butter—16—18 oz. ....	\$3.29
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.29
Soy Beverage—8th Continent 64 oz. ....	\$3.59
Tofu—16 oz. ....	\$2.57
Whole Grain—Bread, 16 oz. ....	\$3.49
Whole Grain—Bread, 24 oz. ....	\$3.95
Whole Grain—Brown Rice, 16 oz. ....	\$1.80
Whole Grain—Brown Rice, 24 oz. ....	\$3.32
Whole Grain—Oats, 16 oz. ....	\$2.44
Whole Grain—Oats, 24 oz. ....	\$5.39
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.57
Whole Wheat Pasta ....	\$1.37
Yogurt Nonfat ....	\$3.10
Yogurt Lowfat ....	\$3.10

<i>Description</i>	<i>Maximum Allowable Price</i>
Yogurt Wholefat . . . . .	\$3.10
Boost RTF Formula—8 oz. . . . .	\$1.79
EnfaCare RTF Formula—32 oz. . . . .	\$7.30
EnfaCare w/Iron Powder Formula—12.8 oz. . . . .	\$17.60
Nutramigen Concentrate Formula—13 oz. . . . .	\$7.49
Nutramigen RTF Formula—32 oz. . . . .	\$9.99
Nutramigen w/Enflora Powder Formula—12.6 oz. . . . .	\$25.30
Pediasure RTF Formula—8 oz. . . . .	\$1.93
Pediasure w/Fiber RTF Formula—8 oz. . . . .	\$1.99
Pediasure Sidekicks RTF Formula—8 oz. . . . .	\$1.85
Similac Advance Concentrate Formula—Blue—13 oz. . . . .	\$5.15
Similac Advance RTF Formula—Blue—32 oz. . . . .	\$7.65
Similac Advance Powder Formula—Blue—12.4 oz. . . . .	\$16.06
Similac Expert Care Alimentum RTF Formula—32 oz. . . . .	\$10.29
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz. . . . .	\$28.39
Similac Expert Care for Diarrhea RTF Formula—32 oz. . . . .	\$7.89
Similac Expert Care NeoSure RTF Formula—32 oz. . . . .	\$8.55
Similac Expert Care NeoSure Powder Formula—13.1 oz. . . . .	\$17.89
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs. . . . .	\$22.49
Similac for Spit Up RTF Formula—Green—32 oz. . . . .	\$7.95
Similac for Spit Up Powder Formula—Green—12.0 oz. . . . .	\$16.59
Similac Sensitive RTF Formula—Orange—32 oz. . . . .	\$7.49
Similac Sensitive Powder Formula—Orange—12.0 oz. . . . .	\$16.19
Similac Soy Isomil Concentrate Formula—Pink—13 oz. . . . .	\$5.51
Similac Soy Isomil RTF Formula—Pink—32 oz. . . . .	\$7.69
Similac Soy Isomil Powder Formula—Pink—12.4 oz. . . . .	\$16.59
Similac Total Comfort Powder Formula—Purple—12.0 oz. . . . .	\$16.59

A store must permit purchase by WIC participants using a WIC check of WIC allowable foods with prices that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective, October 1, 2017, through December 31, 2017, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. . . . .	\$1.19
Beans/Peas—Dry—16 oz. . . . .	\$1.98
Canned Fish—Pink Salmon . . . . .	\$2.19
Canned Fish—Sardines . . . . .	\$1.43

<i>Description</i>	<i>Competitive Prices</i>
Canned Fish—Tuna . . . . .	\$1.19
Cereal (per oz.) . . . . .	\$0.31
Cheese, 16 oz. . . . .	\$6.84
Eggs . . . . .	\$2.29
Infant Cereal—8 oz. . . . .	\$2.34
Infant Fruits, 100%—4 oz. . . . .	\$0.84
Infant Vegetables, 100%—4 oz. . . . .	\$0.84
Infant Meats, 100%—2.5 oz. . . . .	\$1.05
Juice—11.5/12 oz. . . . .	\$2.39
Juice—48 oz. . . . .	\$3.10
Juice—64 oz. . . . .	\$3.59
Kosher Cheese—16 oz. . . . .	\$7.79
Kosher Lowfat Milk—1/2 gallon . . . . .	\$3.15
Kosher Whole Milk—1/2 gallon . . . . .	\$3.19
Milk, Lowfat—1/2 gallon . . . . .	\$2.15
Milk, Whole—1/2 gallon . . . . .	\$2.22
Peanut Butter—16—18 oz. . . . .	\$3.20
Whole Grain—Bread, 16 oz. . . . .	\$3.35
Whole Grain—Brown Rice, 16 oz. . . . .	\$1.69
Whole Grain—Oats, 16 oz. . . . .	\$2.39
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. . . . .	\$2.43
Whole Wheat Pasta . . . . .	\$1.35
Similac Advance Concentrate Formula—Blue—13 oz. . . . .	\$5.15
Similac Advance Powder Formula—Blue—12.4 oz. . . . .	\$16.06
Similac Soy Isomil Concentrate Formula—Pink—13 oz. . . . .	\$5.51
Similac Soy Isomil Powder Formula—Pink—12.4 oz. . . . .	\$16.59

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective October 1, 2017, through December 31, 2017, the Maximum Allowable Prices the Department of Health will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. . . . .	\$1.35
Beans/Peas—Dry—16 oz. . . . .	\$2.26
Canned Fish—Pink Salmon . . . . .	\$2.26
Canned Fish—Sardines . . . . .	\$1.59
Canned Fish—Tuna . . . . .	\$1.35
Cereal (per oz.) . . . . .	\$0.34
Cheese, 16 oz. . . . .	\$7.33
Eggs . . . . .	\$2.45
Infant Cereal—8 oz. . . . .	\$2.55
Infant Fruits, 100%—4 oz. . . . .	\$1.00
Infant Vegetables, 100%—4 oz. . . . .	\$1.00
Infant Meats, 100%—2.5 oz. . . . .	\$1.12
Juice—11.5/12 oz. . . . .	\$2.71
Juice—48 oz. . . . .	\$3.39
Juice—64 oz. . . . .	\$4.28
Kosher Cheese—16 oz. . . . .	\$8.40
Kosher Lowfat and 2% Milk—quart . . . . .	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon . . . . .	\$3.27
Kosher Whole Milk—quart . . . . .	\$1.80

<i>Description</i>	<i>Maximum Allowable Price</i>
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.46
Milk, Dry—25.6 oz.	\$9.65
Milk, Evaporated—12 oz.	\$1.63
Milk, Lowfat and 2%—quart	\$1.42
Milk, Lowfat and 2%—1/2 gallon	\$2.32
Milk, Lowfat and 2% Lactose Free—quart	\$2.42
Milk, Lowfat and 2% Lactose Free—1/2 gallon	\$4.19
Milk, Whole—quart	\$1.50
Milk, Whole—1/2 gallon	\$2.49
Milk, Whole Lactose Free—quart	\$2.56
Milk, Whole Lactose Free—1/2 gallon	\$4.19
Peanut Butter—16—18 oz.	\$3.49
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.35
Soy Beverage—8th Continent 64 oz.	\$3.69
Tofu—16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Bread, 24 oz.	\$4.00
Whole Grain—Brown Rice, 16 oz.	\$1.95
Whole Grain—Brown Rice, 24 oz.	\$3.39
Whole Grain—Oats, 16 oz.	\$2.55
Whole Grain—Oats, 24 oz.	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.59
Whole Wheat Pasta	\$1.64
Yogurt Nonfat	\$3.15
Yogurt Lowfat	\$3.15
Yogurt Wholefat	\$3.15
Boost RTF Formula—8 oz.	\$1.85
EnfaCare RTF Formula—32 oz.	\$7.44
EnfaCare w/Iron Powder Formula—12.8 oz.	\$17.64
Nutramigen Concentrate Formula—13 oz.	\$7.55
Nutramigen RTF Formula—32 oz.	\$10.09
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$25.35
Pediasure RTF Formula—8 oz.	\$1.99
Pediasure w/Fiber RTF Formula—8 oz.	\$2.05
Pediasure Sidekicks RTF Formula—8 oz.	\$1.94
Similac Advance Concentrate—Blue Formula—13 oz.	\$5.20
Similac Advance RTF—Blue Formula—32 oz.	\$7.75
Similac Advance Powder—Blue Formula—12.4 oz.	\$16.18
Similac Expert Care Alimentum RTF Formula—32 oz.	\$10.39
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$28.79
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$7.99
Similac Expert Care NeoSure RTF Formula—32 oz.	\$8.67
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.09
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$22.55
Similac for Spit Up RTF Formula—Green—32 oz.	\$8.05
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$16.89
Similac Sensitive RTF Formula—Orange—32 oz.	\$7.70
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$16.39
Similac Soy Isomil Concentrate—Pink Formula—13 oz.	\$5.69
Similac Soy Isomil RTF—Pink Formula—32 oz.	\$7.89

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Soy Isomil Powder—Pink Formula—12.4 oz.	\$16.89
Similac Total Comfort Powder Formula—Purple—12.0 oz.	\$16.69

A store must permit purchase by WIC participants using a WIC check of WIC allowable foods with prices that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2017, through December 31, 2017, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.20
Beans/Peas—Dry—16 oz.	\$2.10
Canned Fish—Pink Salmon	\$2.25
Canned Fish—Sardines	\$1.49
Canned Fish—Tuna	\$1.27
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$6.86
Eggs	\$2.39
Infant Cereal—8 oz.	\$2.40
Infant Fruits, 100%—4 oz.	\$0.89
Infant Vegetables, 100%—4 oz.	\$0.89
Infant Meats, 100%—2.5 oz.	\$1.10
Juice—11.5/12 oz.	\$2.52
Juice—48 oz.	\$3.17
Juice—64 oz.	\$3.85
Kosher Cheese—16 oz.	\$7.89
Kosher Lowfat Milk—1/2 gallon	\$3.19
Kosher Whole Milk—1/2 gallon	\$3.25
Milk, Lowfat—1/2 gallon	\$2.19
Milk, Whole—1/2 gallon	\$2.25
Peanut Butter—16—18 oz.	\$3.30
Whole Grain—Bread, 16 oz.	\$3.39
Whole Grain—Brown Rice, 16 oz.	\$1.79
Whole Grain—Oats, 16 oz.	\$2.49
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.45
Whole Wheat Pasta	\$1.60
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.20
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.18
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.69
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$16.89

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective October 1, 2017, through December 31, 2017, the Maximum Allowable Prices the Department of Health will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.37
Beans/Peas—Dry—16 oz. ....	\$2.35
Canned Fish—Pink Salmon ....	\$2.30
Canned Fish—Sardines ....	\$1.65
Canned Fish—Tuna ....	\$1.40
Cereal (per oz.) ....	\$0.36
Cheese, 16 oz. ....	\$7.35
Eggs ....	\$3.05
Infant Cereal—8 oz. ....	\$2.60
Infant Fruits, 100%—4 oz. ....	\$1.05
Infant Vegetables, 100%—4 oz. ....	\$1.05
Infant Meats, 100%—2.5 oz. ....	\$1.17
Juice—11.5/12 oz. ....	\$2.76
Juice—48 oz. ....	\$3.50
Juice—64 oz. ....	\$4.37
Kosher Cheese—16 oz. ....	\$8.40
Kosher Lowfat and 2% Milk—quart ....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon ....	\$3.30
Kosher Whole Milk—quart ....	\$1.80
Kosher Whole Milk—1/2 gallon ....	\$3.37
Milk, Dry—9.6 oz. ....	\$4.55
Milk, Dry—25.6 oz. ....	\$9.75
Milk, Evaporated—12 oz. ....	\$1.70
Milk, Lowfat and 2%—quart ....	\$1.47
Milk, Lowfat and 2%—1/2 gallon ....	\$2.62
Milk, Lowfat and 2% Lactose Free—quart ....	\$2.49
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$4.29
Milk, Whole—quart ....	\$1.57
Milk, Whole—1/2 gallon ....	\$2.69
Milk, Whole Lactose Free—quart ....	\$2.66
Milk, Whole Lactose Free—1/2 gallon ....	\$4.29
Peanut Butter—16—18 oz. ....	\$3.59
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.45
Soy Beverage—8th Continent 64 oz. ....	\$3.86
Tofu—16 oz. ....	\$2.72
Whole Grain—Bread, 16 oz. ....	\$3.63
Whole Grain—Bread, 24 oz. ....	\$4.07
Whole Grain—Brown Rice, 16 oz. ....	\$2.09
Whole Grain—Brown Rice, 24 oz. ....	\$3.59
Whole Grain—Oats, 16 oz. ....	\$2.70
Whole Grain—Oats, 24 oz. ....	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.64
Whole Wheat Pasta ....	\$2.17
Yogurt Nonfat ....	\$3.20
Yogurt Lowfat ....	\$3.20
Yogurt Wholefat ....	\$3.20
Boost RTF Formula—8 oz. ....	\$1.89
EnfaCare RTF Formula—32 oz. ....	\$7.74
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$18.41
Nutramigen Concentrate Formula—13 oz. ....	\$7.59
Nutramigen RTF Formula—32 oz. ....	\$10.19
Nutramigen w/Enflora Powder Formula— 12.6 oz. ....	\$25.45
Pediasure RTF Formula—8 oz. ....	\$2.30
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.30
Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.06
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.35
Similac Advance RTF Formula—Blue—32 oz. ...	\$7.85

*Maximum Allowable Price*

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.97
Similac Expert Care Alimentum RTF Formula— 32 oz. ....	\$10.59
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz. ....	\$29.19
Similac Expert Care for Diarrhea RTF Formula— 32 oz. ....	\$8.19
Similac Expert Care NeoSure RTF Formula— 32 oz. ....	\$8.84
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$18.29
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs. ....	\$23.29
Similac for Spit Up RTF Formula—Green— 32 oz. ....	\$8.19
Similac for Spit Up Powder Formula—Green— 12.0 oz. ....	\$17.29
Similac Sensitive RTF Formula—Orange— 32 oz. ....	\$8.19
Similac Sensitive Powder Formula—Orange— 12.0 oz. ....	\$16.59
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.79
Similac Soy Isomil RTF Formula—Pink—32 oz. .	\$8.09
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$17.09
Similac Total Comfort Powder Formula—Purple— 12.0 oz. ....	\$17.19

A store must permit purchase by WIC participants using a WIC check of WIC allowable foods with prices that exceed the maximum allowable price; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2017, through December 31, 2017, the Competitive Prices for WIC authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.29
Beans/Peas—Dry—16 oz. ....	\$2.12
Canned Fish—Pink Salmon ....	\$2.29
Canned Fish—Sardines ....	\$1.54
Canned Fish—Tuna ....	\$1.30
Cereal (per oz.) ....	\$0.34
Cheese, 16 oz. ....	\$6.88
Eggs ....	\$2.99
Infant Cereal—8 oz. ....	\$2.45
Infant Fruits, 100%—4 oz. ....	\$0.92
Infant Vegetables, 100%—4 oz. ....	\$0.92
Infant Meats, 100%—2.5 oz. ....	\$1.15
Juice—11.5/12 oz. ....	\$2.57
Juice—48 oz. ....	\$3.39
Juice—64 oz. ....	\$4.00
Kosher Cheese—16 oz. ....	\$8.30
Kosher Lowfat Milk—1/2 gallon ....	\$3.29
Kosher Whole Milk—1/2 gallon ....	\$3.35
Milk, Lowfat—1/2 gallon ....	\$2.49

Description	Competitive Prices
Milk, Whole—1/2 gallon	\$2.52
Peanut Butter—16—18 oz.	\$3.40
Whole Grain—Bread, 16 oz.	\$3.45
Whole Grain—Brown Rice, 16 oz.	\$2.05
Whole Grain—Oats, 16 oz.	\$2.65
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.58
Whole Wheat Pasta	\$2.10
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.35
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.97
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.79
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$17.09

**Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective October 1, 2017, through December 31, 2017, the Maximum Allowable Prices the Department of Health will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

Description	Maximum Allowable Price
Beans, Canned—15.5/16 oz.	\$1.28
Beans/Peas—Dry—16 oz.	\$2.20
Canned Fish—Pink Salmon	\$2.27
Canned Fish—Sardines	\$1.60
Canned Fish—Tuna	\$1.35
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.45
Eggs	\$2.45
Infant Cereal—8 oz.	\$2.52
Infant Fruits, 100%—4 oz.	\$0.99
Infant Vegetables, 100%—4 oz.	\$0.99
Infant Meats, 100%—2.5 oz.	\$1.10
Juice—11.5/12 oz.	\$2.65
Juice—48 oz.	\$3.34
Juice—64 oz.	\$4.05
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.43
Milk, Dry—25.6 oz.	\$9.65
Milk, Evaporated—12 oz.	\$1.59
Milk, Lowfat and 2%—quart	\$1.40
Milk, Lowfat and 2%—1/2 gallon	\$2.32
Milk, Lowfat and 2% Lactose Free—quart	\$2.42
Milk, Lowfat and 2% Lactose Free—1/2 gallon	\$4.09
Milk, Whole—quart	\$1.52
Milk, Whole—1/2 gallon	\$2.49
Milk, Whole Lactose Free—quart	\$2.55
Milk, Whole Lactose Free—1/2 gallon	\$4.09
Peanut Butter—16—18 oz.	\$3.40

Description	Maximum Allowable Price
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.35
Soy Beverage—8th Continent 64 oz.	\$3.65
Tofu—16 oz.	\$2.61
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Bread, 24 oz.	\$3.99
Whole Grain—Brown Rice, 16 oz.	\$1.95
Whole Grain—Brown Rice, 24 oz.	\$3.39
Whole Grain—Oats, 16 oz.	\$2.52
Whole Grain—Oats, 24 oz.	\$5.49
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.59
Whole Wheat Pasta	\$1.47
Yogurt Nonfat	\$3.15
Yogurt Lowfat	\$3.15
Yogurt Wholefat	\$3.15
Boost RTF Formula—8 oz.	\$1.85
EnfaCare RTF Formula—32 oz.	\$7.40
EnfaCare w/Iron Powder Formula—12.8 oz.	\$17.84
Nutramigen Concentrate Formula—13 oz.	\$7.53
Nutramigen RTF Formula—32 oz.	\$10.05
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$25.60
Pediasure RTF Formula—8 oz.	\$2.04
Pediasure w/Fiber RTF Formula—8 oz.	\$2.05
Pediasure Sidekicks RTF Formula—8 oz.	\$1.89
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.20
Similac Advance RTF Formula—Blue—32 oz.	\$7.69
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.39
Similac Expert Care Alimentum RTF Formula—32 oz.	\$10.39
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$28.79
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$7.99
Similac Expert Care NeoSure RTF Formula—32 oz.	\$8.69
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.19
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$23.17
Similac for Spit Up RTF Formula—Green—32 oz.	\$7.99
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$17.09
Similac Sensitive RTF Formula—Orange—32 oz.	\$7.79
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$16.49
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.61
Similac Soy Isomil RTF Formula—Pink—32 oz.	\$7.89
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$17.05
Similac Total Comfort Powder Formula—Purple—12.0 oz.	\$17.09

A store must permit purchase by WIC participants using a WIC check of WIC allowable foods with prices that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2017, through December 31, 2017, the Competitive Prices for WIC authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.20
Beans/Peas—Dry—16 oz. ....	\$2.10
Canned Fish—Pink Salmon ....	\$2.25
Canned Fish—Sardines ....	\$1.48
Canned Fish—Tuna ....	\$1.30
Cereal (per oz.) ....	\$0.32
Cheese, 16 oz. ....	\$6.91
Eggs ....	\$2.39
Infant Cereal—8 oz. ....	\$2.39
Infant Fruits, 100%—4 oz. ....	\$0.88
Infant Vegetables, 100%—4 oz. ....	\$0.88
Infant Meats, 100%—2.5 oz. ....	\$1.09
Juice—11.5/12 oz. ....	\$2.45
Juice—48 oz. ....	\$3.16
Juice—64 oz. ....	\$3.66
Kosher Cheese—16 oz. ....	\$7.89
Kosher Lowfat Milk—1/2 gallon ....	\$3.19
Kosher Whole Milk—1/2 gallon ....	\$3.25
Milk, Lowfat—1/2 gallon ....	\$2.29
Milk, Whole—1/2 gallon ....	\$2.35
Peanut Butter—16—18 oz. ....	\$3.29
Whole Grain—Bread, 16 oz. ....	\$3.39
Whole Grain—Brown Rice, 16 oz. ....	\$1.79
Whole Grain—Oats, 16 oz. ....	\$2.45
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.50
Whole Wheat Pasta ....	\$1.40
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.20
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.39
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.61
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$17.05

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective October 1, 2017, through December 31, 2017, the Maximum Allowable Prices the Department of Health will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.35
Beans/Peas—Dry—16 oz. ....	\$2.30
Canned Fish—Pink Salmon ....	\$2.30
Canned Fish—Sardines ....	\$1.72
Canned Fish—Tuna ....	\$1.40
Cereal (per oz.) ....	\$0.36
Cheese, 16 oz. ....	\$7.55
Eggs ....	\$2.65

*Maximum Allowable Price*

<i>Description</i>	<i>Maximum Allowable Price</i>
Infant Cereal—8 oz. ....	\$2.66
Infant Fruits, 100%—4 oz. ....	\$1.01
Infant Vegetables, 100%—4 oz. ....	\$1.01
Infant Meats, 100%—2.5 oz. ....	\$1.17
Juice—11.5/12 oz. ....	\$2.76
Juice—48 oz. ....	\$3.53
Juice—64 oz. ....	\$4.34
Kosher Cheese—16 oz. ....	\$8.40
Kosher Lowfat and 2% Milk—quart ....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon ....	\$3.27
Kosher Whole Milk—quart ....	\$1.80
Kosher Whole Milk—1/2 gallon ....	\$3.37
Milk, Dry—9.6 oz. ....	\$4.50
Milk, Dry—25.6 oz. ....	\$9.75
Milk, Evaporated—12 oz. ....	\$1.65
Milk, Lowfat and 2%—quart ....	\$1.44
Milk, Lowfat and 2%—1/2 gallon ....	\$2.42
Milk, Lowfat and 2% Lactose Free—quart ....	\$2.50
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$4.25
Milk, Whole—quart ....	\$1.57
Milk, Whole—1/2 gallon ....	\$2.59
Milk, Whole Lactose Free—quart ....	\$2.60
Milk, Whole Lactose Free—1/2 gallon ....	\$4.25
Peanut Butter—16—18 oz. ....	\$3.56
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.40
Soy Beverage—8th Continent 64 oz. ....	\$3.85
Tofu—16 oz. ....	\$2.68
Whole Grain—Bread, 16 oz. ....	\$3.59
Whole Grain—Bread, 24 oz. ....	\$4.05
Whole Grain—Brown Rice, 16 oz. ....	\$1.99
Whole Grain—Brown Rice, 24 oz. ....	\$3.69
Whole Grain—Oats, 16 oz. ....	\$2.88
Whole Grain—Oats, 24 oz. ....	\$5.99
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.64
Whole Wheat Pasta ....	\$1.74
Yogurt Nonfat ....	\$3.20
Yogurt Lowfat ....	\$3.20
Yogurt Wholefat ....	\$3.20
Boost RTF Formula—8 oz. ....	\$1.91
EnfaCare RTF Formula—32 oz. ....	\$7.74
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$17.98
Nutramigen Concentrate Formula—13 oz. ....	\$7.59
Nutramigen RTF Formula—32 oz. ....	\$10.15
Nutramigen w/Enflora Powder Formula— 12.6 oz. ....	\$26.00
Pediasure RTF Formula—8 oz. ....	\$2.06
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.09
Pediasure Sidekicks RTF Formula—8 oz. ....	\$1.97
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.45
Similac Advance RTF Formula—Blue—32 oz. ...	\$7.79
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.49
Similac Expert Care Alimentum RTF Formula— 32 oz. ....	\$10.49
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz. ....	\$29.29
Similac Expert Care for Diarrhea RTF Formula— 32 oz. ....	\$8.39
Similac Expert Care NeoSure RTF Formula— 32 oz. ....	\$8.74
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$18.29
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs. ....	\$23.40



<i>Description</i>	<i>Maximum Allowable Price</i>
Similac for Spit Up RTF Formula—Green— 32 oz. ....	\$8.09
Similac for Spit Up Powder Formula—Green— 12.0 oz. ....	\$17.29
Similac Sensitive RTF Formula—Orange— 32 oz. ....	\$7.89
Similac Sensitive Powder Formula—Orange— 12.0 oz. ....	\$16.59
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.79
Similac Soy Isomil RTF Formula—Pink—32 oz. .	\$7.99
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$17.20
Similac Total Comfort Powder Formula—Purple— 12.0 oz. ....	\$17.29

A store must permit purchase by WIC participants using a WIC check of WIC allowable foods with prices that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2017, through December 31, 2017, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.23
Beans/Peas—Dry—16 oz. ....	\$2.13
Canned Fish—Pink Salmon ....	\$2.29
Canned Fish—Sardines ....	\$1.62
Canned Fish—Tuna ....	\$1.32
Cereal (per oz.) ....	\$0.34
Cheese, 16 oz. ....	\$7.00
Eggs ....	\$2.49
Infant Cereal—8 oz. ....	\$2.52
Infant Fruits, 100%—4 oz. ....	\$0.90
Infant Vegetables, 100%—4 oz. ....	\$0.90
Infant Meats, 100%—2.5 oz. ....	\$1.15
Juice—11.5/12 oz. ....	\$2.60
Juice—48 oz. ....	\$3.26
Juice—64 oz. ....	\$3.90
Kosher Cheese—16 oz. ....	\$8.00
Kosher Lowfat Milk—1/2 gallon ....	\$3.25
Kosher Whole Milk—1/2 gallon ....	\$3.35
Milk, Lowfat—1/2 gallon ....	\$2.35
Milk, Whole—1/2 gallon ....	\$2.39
Peanut Butter—16—18 oz. ....	\$3.39
Whole Grain—Bread, 16 oz. ....	\$3.49
Whole Grain—Brown Rice, 16 oz. ....	\$1.90
Whole Grain—Oats, 16 oz. ....	\$2.65
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.55
Whole Wheat Pasta ....	\$1.70
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.45
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.49

<i>Description</i>	<i>Competitive Prices</i>
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.79
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$17.20

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective October 1, 2017, through December 31, 2017, the Maximum Allowable Prices the Department of Health will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.44
Beans/Peas—Dry—16 oz. ....	\$2.40
Canned Fish—Pink Salmon ....	\$2.49
Canned Fish—Sardines ....	\$1.75
Canned Fish—Tuna ....	\$1.50
Cereal (per oz.) ....	\$0.37
Cheese, 16 oz. ....	\$7.70
Eggs ....	\$3.15
Infant Cereal—8 oz. ....	\$3.00
Infant Fruits, 100%—4 oz. ....	\$1.18
Infant Vegetables, 100%—4 oz. ....	\$1.18
Infant Meats, 100%—2.5 oz. ....	\$1.27
Juice—11.5/12 oz. ....	\$2.83
Juice—48 oz. ....	\$3.66
Juice—64 oz. ....	\$4.43
Kosher Cheese—16 oz. ....	\$8.40
Kosher Lowfat and 2% Milk—quart ....	\$1.87
Kosher Lowfat and 2% Milk—1/2 gallon ....	\$3.37
Kosher Whole Milk—quart ....	\$1.80
Kosher Whole Milk—1/2 gallon ....	\$3.40
Milk, Dry—9.6 oz. ....	\$4.60
Milk, Dry—25.6 oz. ....	\$9.85
Milk, Evaporated—12 oz. ....	\$1.72
Milk, Lowfat and 2%—quart ....	\$1.59
Milk, Lowfat and 2%—1/2 gallon ....	\$2.72
Milk, Lowfat and 2% Lactose Free—quart ....	\$2.53
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$4.35
Milk, Whole—quart ....	\$1.74
Milk, Whole—1/2 gallon ....	\$2.79
Milk, Whole Lactose Free—quart ....	\$2.69
Milk, Whole Lactose Free—1/2 gallon ....	\$4.35
Peanut Butter—16—18 oz. ....	\$3.68
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.50
Soy Beverage—8th Continent 64 oz. ....	\$4.00
Tofu—16 oz. ....	\$2.75
Whole Grain—Bread, 16 oz. ....	\$3.65
Whole Grain—Bread, 24 oz. ....	\$4.10
Whole Grain—Brown Rice, 16 oz. ....	\$2.45
Whole Grain—Brown Rice, 24 oz. ....	\$3.79
Whole Grain—Oats, 16 oz. ....	\$3.00
Whole Grain—Oats, 24 oz. ....	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.70
Whole Wheat Pasta ....	\$2.77
Yogurt Nonfat ....	\$3.25
Yogurt Lowfat ....	\$3.25

<i>Description</i>	<i>Maximum Allowable Price</i>
Yogurt Wholefat . . . . .	\$3.25
Boost RTF Formula—8 oz. . . . .	\$2.04
EnfaCare RTF Formula—32 oz. . . . .	\$8.04
EnfaCare w/Iron Powder Formula—12.8 oz. . . . .	\$18.41
Nutramigen Concentrate Formula—13 oz. . . . .	\$8.09
Nutramigen RTF Formula—32 oz. . . . .	\$10.25
Nutramigen w/Enflora Powder Formula—12.6 oz. . . . .	\$26.30
Pediasure RTF Formula—8 oz. . . . .	\$2.35
Pediasure w/Fiber RTF Formula—8 oz. . . . .	\$2.35
Pediasure Sidekicks RTF Formula—8 oz. . . . .	\$2.35
Similac Advance Concentrate Formula—Blue—13 oz. . . . .	\$5.78
Similac Advance RTF Formula—Blue—32 oz. . . . .	\$7.99
Similac Advance Powder Formula—Blue—12.4 oz. . . . .	\$17.99
Similac Expert Care Alimentum RTF Formula—32 oz. . . . .	\$10.69
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz. . . . .	\$30.19
Similac Expert Care for Diarrhea RTF Formula—32 oz. . . . .	\$8.69
Similac Expert Care NeoSure RTF Formula—32 oz. . . . .	\$8.94
Similac Expert Care NeoSure Powder Formula—13.1 oz. . . . .	\$18.39
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs. . . . .	\$23.45
Similac for Spit Up RTF Formula—Green—32 oz. . . . .	\$8.49
Similac for Spit Up Powder Formula—Green—12.0 oz. . . . .	\$18.29
Similac Sensitive RTF Formula—Orange—32 oz. . . . .	\$8.29
Similac Sensitive Powder Formula—Orange—12.0 oz. . . . .	\$17.59
Similac Soy Isomil Concentrate Formula—Pink—13 oz. . . . .	\$6.25
Similac Soy Isomil RTF Formula—Pink—32 oz. . . . .	\$8.14
Similac Soy Isomil Powder Formula—Pink—12.4 oz. . . . .	\$18.19
Similac Total Comfort Powder Formula—Purple—12.0 oz. . . . .	\$17.99

A store must permit purchase by WIC participants using a WIC check of WIC allowable foods with prices that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2017, through December 31, 2017, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. . . . .	\$1.40
Beans/Peas—Dry—16 oz. . . . .	\$2.15
Canned Fish—Pink Salmon . . . . .	\$2.48
Canned Fish—Sardines . . . . .	\$1.68

<i>Description</i>	<i>Competitive Prices</i>
Canned Fish—Tuna . . . . .	\$1.48
Cereal (per oz.) . . . . .	\$0.35
Cheese, 16 oz. . . . .	\$7.20
Eggs . . . . .	\$3.09
Infant Cereal—8 oz. . . . .	\$2.86
Infant Fruits, 100%—4 oz. . . . .	\$1.05
Infant Vegetables, 100%—4 oz. . . . .	\$1.05
Infant Meats, 100%—2.5 oz. . . . .	\$1.25
Juice—11.5/12 oz. . . . .	\$2.70
Juice—48 oz. . . . .	\$3.47
Juice—64 oz. . . . .	\$4.20
Kosher Cheese—16 oz. . . . .	\$8.40
Kosher Lowfat Milk—1/2 gallon . . . . .	\$3.35
Kosher Whole Milk—1/2 gallon . . . . .	\$3.39
Milk, Lowfat—1/2 gallon . . . . .	\$2.58
Milk, Whole—1/2 gallon . . . . .	\$2.70
Peanut Butter—16—18 oz. . . . .	\$3.59
Whole Grain—Bread, 16 oz. . . . .	\$3.55
Whole Grain—Brown Rice, 16 oz. . . . .	\$2.40
Whole Grain—Oats, 16 oz. . . . .	\$2.99
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. . . . .	\$2.60
Whole Wheat Pasta . . . . .	\$2.70
Similac Advance Concentrate Formula—Blue—13 oz. . . . .	\$5.78
Similac Advance Powder Formula—Blue—12.4 oz. . . . .	\$17.99
Similac Soy Isomil Concentrate Formula—Pink—13 oz. . . . .	\$6.25
Similac Soy Isomil Powder Formula—Pink—12.4 oz. . . . .	\$18.19

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

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-1633. Filed for public inspection September 29, 2017, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Payment for Nursing Facility Services Provided by Nonpublic and County Nursing Facilities; Notice of Change for Supplemental Payments

This announcement is to provide notice that the Department of Human Services (Department) is proposing to adopt regulations and amend the Commonwealth's Title XIX State Plan to change its methods and standards for payment of Medical Assistance (MA) nursing facility services provided by nonpublic and county nursing facilities beginning January 1, 2018.

*Background*

On February 27, 2015, Governor Tom Wolf unveiled a package of legislative and budgetary actions which re-

sulted in the Department working in partnership with the Department of Aging to pursue the implementation of the Commonwealth's new managed care program Community HealthChoices (CHC). CHC will begin in the Southwest zone on January 1, 2018, the Southeast zone on July 1, 2018, and the Lehigh Capital, Northwest and Northeast zones on January 1, 2019. A list of the counties in each zone is available at [http://www.healthchoices.pa.gov/cs/groups/webcontent/documents/document/c\\_227013.pdf](http://www.healthchoices.pa.gov/cs/groups/webcontent/documents/document/c_227013.pdf).

To prepare for the implementation of CHC, the Department is proposing to amend 55 Pa. Code §§ 1187.111(a), 1187.117(b) and 1189.105(a) and (c)(2) (relating to disproportionate share incentive payments; supplemental ventilator care and tracheostomy care payments; and incentive payments) to limit disproportionate share incentive payments and supplemental ventilator care and tracheostomy care payments to nursing facilities that are not located in a geographic zone where CHC operates. These supplemental payments will be phased out of the Fee-for-Service (FFS) delivery system in conjunction with the phase in of CHC, with payments continuing to be a part of FFS in non-CHC zones.

As CHC is implemented, nursing facility services provided under the FFS delivery system will be minimal. Therefore, payment history related to these payments was used in the development of CHC capitated rates. The capitated rates are certified as actuarially sound by an actuary and submitted to the Centers for Medicare & Medicaid Services for review and approval. CHC managed care organizations will then use the revenue they receive from the Department to pay their network providers, including nursing facilities, for the services they provide.

#### *Fiscal Impact*

No fiscal impact is anticipated as a result of these changes.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

TERESA D. MILLER,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-1184. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-1634. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Social Security Number Exemption

The Department of Human Services (Department) is announcing that it has been granted an extension of the exemption from the Title IV-D Child Support Enforcement law requiring the collection of Social Security numbers (SSN) for the Commonwealth's recreational license applications.

Under the Social Security Number Privacy Act (act) (71 P.S. §§ 2601—2608), the Department is required to apply

to the United States Department of Health and Human Services (DHHS) for an exemption from the Federal law that requires an individual applying for or renewing a recreational license for hunting and fishing to include the individual's SSN on the application. See section 466(a)(13)(A) of the Social Security Act (42 U.S.C.A. § 666(a)(13)(A)). The act further provides that if the exemption is granted, an applicant shall be permitted to provide a driver's license number or a Department of Transportation (DOT)-issued nondriver identification card number as an alternative to disclosing the applicant's SSN. The Department's previous exemption requests were granted by DHHS. See 39 Pa.B. 2058 (April 18, 2009), 41 Pa.B. 4917 (September 10, 2011) and 44 Pa.B. 3823 (June 21, 2014).

DHHS granted the Department's request to extend the exemption and continue the collection of a driver's license number or a DOT-issued nondriver identification card number instead of an SSN for any applicant applying for a recreational license. The Department's request was granted because of privacy concerns with the current collection process of SSNs on recreational license applications and because compliance with section 466(a)(13)(A) of the Social Security Act would not increase the efficiency and effectiveness of the Commonwealth's Title IV-D Child Support Enforcement Program. However, any recreational license applicant who does not possess a DOT-issued driver's license number or nondriver identification card number is required to supply a SSN on the recreational license application.

#### *Fiscal Impact*

There is no fiscal impact.

#### *Public Comment*

Interested persons are invited to submit written comments regarding the SSN exemption to the Department of Human Services, Bureau of Child Support Enforcement, ATTN: Kathleen Schintz, P.O. Box 8018, Harrisburg, PA 17105-8018.

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

TERESA D. MILLER,  
*Acting Secretary*

[Pa.B. Doc. No. 17-1635. Filed for public inspection September 29, 2017, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Comic Cash Fast Play Game 5015

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

1. *Name:* The name of the lottery game is Pennsylvania Comic Cash (hereinafter "Comic Cash"). The game number is PA-5015.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

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

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

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

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

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

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

(i) *PRIZE:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

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

(k) *WINNING SYMBOLS:* The symbols found in the "WINNING SYMBOLS" area and generated via quick pick that, when matched against the symbols found in the "YOUR COMIC STRIP" area, determine whether a player wins a prize.

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

(m) *YOUR COMIC STRIP:* The symbols found in the "YOUR COMIC STRIP" area and generated via quick pick that, when matched against the "WINNING SYMBOLS" area, determine whether a player wins a prize.

3. *Price:* The price of a Comic Cash ticket is \$1.

4. *Description of the Comic Cash lottery game:*

(a) The Comic Cash lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Comic Cash tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Comic Cash is played by matching the play symbols in the "YOUR COMIC STRIP" area to the play symbols located in the "WINNING SYMBOLS" area. A player

matching a play symbol in the "WINNING SYMBOLS" area with the same play symbol in the "YOUR COMIC STRIP" area will win the prize shown under the matching "YOUR COMIC STRIP" play symbol. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Comic Cash game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Comic Cash game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Comic Cash game ticket and select the Comic Cash option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania Comic Cash ticket characteristics:*

(a) A Comic Cash ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols:* Each Comic Cash ticket play area will contain a "WINNING SYMBOLS" area and a "YOUR COMIC STRIP" area. The play symbols located in the "WINNING SYMBOLS" area and the "YOUR COMIC STRIP" area are: WHAP! (WHAP) symbol, CRASH!! (CRASH) symbol, BANG! BANG! BANG! (BANG) symbol, Stars (STARS) symbol, ARGH! (ARGH) symbol, WHOOOSH (WHOOOSH) symbol, SPLAT! (SPLAT) symbol, WOW (WOW) symbol, ZAP!! (ZAP) symbol, POW! (POW) symbol, BAM (BAM) symbol, ??? (WHAT) symbol, KABOOM! (KABOOM) symbol, KRUNCH! (KRUNCH) symbol, and a POOF (POOF) symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the "YOUR COMIC STRIP" area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game are: Free Ticket, \$1, \$2, \$5, \$6, \$10, \$15, \$20, \$25, \$40, \$100 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$1,000 and increases by 8¢ every time a Comic Cash ticket is purchased. When Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$1,000.

(e) A player can win up to 6 times on a ticket.

(f) *Approximate Number of Tickets Available for the Game:* Approximately 4,800,000 tickets will be available for sale for the Comic Cash lottery game.

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

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

(b) A winning Comic Cash ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which any of the "YOUR COMIC STRIP" play symbols match any of the "WINNING SYMBOLS" play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of a "Progressive Top Prize." The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$40.00 (FORTY) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$25.00 (TWO FIV) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(g) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$20.00 (TWENTY) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$15.00 (FIFTN) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(i) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$6.00 (SIX DOL) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(k) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$2.00 (TWO DOL) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(m) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$1.00 (ONE DOL) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(n) Holders of tickets upon which any one of the "YOUR COMIC STRIP" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of FREE (TICKET) appears in the "PRIZE" area under the matching "YOUR COMIC STRIP" play symbol, on a single ticket, shall be entitled to a prize of one Comic Cash game ticket.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

When Any Of YOUR COMIC  
STIP Symbols Match Any  
WINNING SYMBOL, Win  
Prize Shown Under The  
Matching Symbol. Win With:

FREE  
\$1  
\$1 x 2  
\$2  
(\$1 x 3) + \$2  
(\$2 x 2) + \$1  
\$5  
\$5 x 2  
(\$2 x 2) + \$6  
\$10  
\$5 x 3  
(\$5 x 2) + (\$2 x 2) + \$1  
\$15  
\$10 x 2  
(\$5 x 3) + (\$2 x 2) + \$1  
(\$5 x 2) + \$10  
\$20  
(\$5 x 3) + \$10  
(\$6 x 3) + \$5 + \$2

Win:  
FREE \$1 TICKET  
\$1  
\$2  
\$2  
\$5  
\$5  
\$5  
\$10  
\$10  
\$10  
\$15  
\$15  
\$15  
\$20  
\$20  
\$20  
\$20  
\$25  
\$25

Approximate  
Chances of  
Winning Are 1 In:  
10  
83.33  
17.86  
28.57  
111.11  
111.11  
125  
500  
500  
1,000  
1,000  
2,000  
2,000  
2,500  
3,333  
2,500  
2,500  
5,000  
10,000

Approximate No. Of  
Winners Per  
4,800,000 Tickets  
480,000  
57,600  
268,800  
168,000  
43,200  
43,200  
38,400  
9,600  
9,600  
4,800  
4,800  
2,400  
2,400  
1,920  
1,440  
1,920  
1,920  
960  
480

When Any Of YOUR COMIC  
STIP Symbols Match Any  
WINNING SYMBOL, Win  
Prize Shown Under The  
Matching Symbol. Win With:

	Win:	Approximate Chances of Winning Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
(\$10 × 2) + \$5	\$25	10,000	480
\$25	\$25	5,000	960
\$20 × 2	\$40	12,000	400
(\$10 × 3) + (\$5 × 2)	\$40	24,000	200
\$25 + \$10 + \$5	\$40	24,000	200
\$40	\$40	24,000	200
(\$25 × 3) + \$20 + \$5	\$100	240,000	20
(\$40 × 2) + (\$10 × 2)	\$100	240,000	20
\$100	\$100	240,000	20
PROGRESSIVE TOP PRIZE	\$1,000*	96,000	50

\*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$1,000. The PROGRESSIVE TOP PRIZE increases by 8¢ every time a ticket is purchased, and resets to \$1,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

#### 8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

#### 9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

#### 10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the

sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of 8¢ from the sale of each Comic Cash ticket will be accumulated in the Progressive Top Prize pool.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Comic Cash game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The Progressive Top Prize and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a Progressive Top Prize being reset without the actual sale of a Progressive Top Prize winning ticket, all prize money that had accumulated into the Progressive Top Prize pool (i.e. 8¢ from the sale of each ticket) shall be awarded as part of the next Progressive Top Prize won.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Comic Cash lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Comic Cash lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in

a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Comic Cash or through normal communications methods.

20. *Applicability:* This notice applies only to the Comic Cash lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 17-1636. Filed for public inspection September 29, 2017, 9:00 a.m.]

## Pennsylvania Lucky You Fast Play Game 5014

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

1. *Name:* The name of the lottery game is Pennsylvania Lucky You (hereinafter "Lucky You"). The game number is PA-5014.

2. *Definitions:*

(a) *Authorized Retailer* or *Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

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

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

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

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

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

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

(i) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *PRIZE LEGEND*: The area on the ticket that shows a player the corresponding prize that can be won by matching different winning combinations.

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

(l) *WINNING NUMBERS*: The numbers found in the "WINNING NUMBERS" area and generated via quick pick that, when matched against the numbers found in the "YOUR NUMBERS" area, determine whether a player wins a prize.

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

(n) *YOUR NUMBERS*: The numbers found in the "YOUR NUMBERS" area and generated via quick pick that, when matched against the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Lucky You ticket is \$5.

4. *Description of the Lucky You lottery game*:

(a) The Lucky You lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Lucky You tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Lucky You is played by matching six or more of "YOUR NUMBERS" with any "WINNING NUMBER". Players matching six or more "YOUR NUMBERS" in this manner will win the prize shown in the PRIZE LEGEND. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Lucky You game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Lucky You game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Lucky You game ticket and select the Lucky You option on the Lottery self-service terminal. The

ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania Lucky You ticket characteristics*:

(a) A Lucky You ticket shall contain a play area, a "PRIZE LEGEND," the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each Lucky You ticket play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORTY). The play symbols located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORTY).

(c) *Prizes*: The prizes, located in the "PRIZE LEGEND," that can be won in this game are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$500, \$1,000 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$47,000 and increases by 18¢ every time a Lucky You ticket is purchased. When Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$47,000.

(d) A player can win up to one time on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 7,200,000 tickets will be available for sale for the Lucky You lottery game.

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

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

(b) A winning Lucky You ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which fifteen of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of a "Progressive Top Prize." The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$47,000.

(d) Holders of tickets upon which fourteen of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which thirteen of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of \$500.



(f) Holders of tickets upon which twelve of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which eleven of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which ten of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which nine of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which eight of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets upon which seven of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which six of "YOUR NUMBERS" match any "WINNING NUMBER" on a single ticket, shall be entitled to a prize of \$5.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

When Six Or More Of YOUR NUMBERS Match Any WINNING NUMBER, Win Corresponding Prize Shown In The PRIZE LEGEND.

Win With:	Win:	Approximate Chances of Winning Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets
MATCH 6 NUMBERS	\$5	10	720,000
MATCH 7 NUMBERS	\$10	13.33	540,000
MATCH 8 NUMBERS	\$15	20	360,000
MATCH 9 NUMBERS	\$20	68.97	104,400
MATCH 10 NUMBERS	\$30	90.91	79,200
MATCH 11 NUMBERS	\$50	250	28,800
MATCH 12 NUMBERS	\$100	960	7,500
MATCH 13 NUMBERS	\$500	4,800	1,500
MATCH 14 NUMBERS	\$1,000	48,000	150
MATCH 15 NUMBERS	\$47,000*	144,000	50

\*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$47,000. The PROGRESSIVE TOP PRIZE increases by 18¢ every time a ticket is purchased, and resets to \$47,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

9. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

- (1) The game ticket's bar code shall be present in its entirety.
- (2) The game ticket must be intact.
- (3) The game ticket may not be mutilated, altered, reconstituted or tampered with.
- (4) The game ticket may not be counterfeit or a duplicate of a winning ticket.
- (5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of 18¢ from the sale of each Lucky You ticket will be accumulated in the Progressive Top Prize pool.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Lucky You game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The Progressive Top Prize and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a Progressive Top Prize being reset without the actual sale of a Progressive Top Prize winning ticket, all prize money that had accumulated into the Progressive Top Prize pool (i.e. 18¢

from the sale of each ticket) shall be awarded as part of the next Progressive Top Prize won.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Lucky You lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Lucky You lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Lucky You or through normal communications methods.

20. *Applicability:* This notice applies only to the Lucky You lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 17-1637. Filed for public inspection September 29, 2017, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on September 14, 2017, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length—each).
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
T-480 (Schoeneck Road)	From SR 100 to SR 3002	Lehigh	0.20

The County of Lehigh approved the access route within its respective jurisdiction.

Questions should be directed to George Harpster at (717) 783-6473.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 17-1638. Filed for public inspection September 29, 2017, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### **William Chrisman, Jr. v. Montgomery County Conservation District and Upper Perkiomen School District, Permittee; EHB Doc. No. 2017-082-M**

William Chrisman, Jr. has appealed the issuance by the Montgomery County Conservation District of NPDES General Permit No. PAC460071 to Upper Perkiomen School District for its stormwater discharges associated with construction activities located in Upper Hanover Township, Montgomery County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties pursuant to 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 17-1639. Filed for public inspection September 29, 2017, 9:00 a.m.]

### **Sierra Club v. Department of Environmental Protection and FirstEnergy Generation, LLC; EHB Doc. No. 2015-093-R**

Under 25 Pa. Code § 1021.141(b)(3) (relating to termination of proceedings) the Sierra Club, the Department of Environmental Protection (Department) and FirstEnergy Generation, LLC (FirstEnergy) have agreed to a settlement of Doc. No. 2015-093-R.

FirstEnergy owns and operates the Hatfield's Ferry Landfill (Landfill), which is a captive residual waste disposal facility located in Monongahela Township, Greene County. The Landfill is located on property across and south of the Hatfield's Ferry Power Station, which is a deactivated coal-fired electric generating station owned by Allegheny Energy Supply Company, LLC. The Landfill is regulated under 25 Pa. Code Chapter 287 (relating to residual waste management—general provisions) and is permitted under Solid Waste Permit No. 300370 (Permit) issued by the Department.

On May 22, 2015, the Department renewed and reissued the Permit in FirstEnergy's name. Sierra Club filed a Notice of Appeal on July 6, 2015, challenging the Department's renewal and reissuance of the Permit to FirstEnergy, which was docketed at EHB Doc. No. 2015-093-R.

On September 21, 2015, the Department issued a minor modification of the Permit to FirstEnergy, which allowed FirstEnergy to barge dewatered flue gas desulfurization materials from its Bruce Mansfield Power Station for disposal at the Landfill. Sierra Club filed a Notice of Appeal on October 22, 2015, challenging the Department's issuance of the minor modification of the Permit, which was docketed at EHB Doc. No. 2015-159-R. The Board subsequently consolidated the two appeals at EHB Doc. No. 2015-093-R.

The parties have agreed to a settlement, the major provisions of which provide for FirstEnergy's continued implementation and long-term maintenance of a remedy for the leachate detection zone of the Landfill, FirstEnergy's submission to the Department of a Part II

Water Quality Management Permit application for its leachate storage impoundment caustic drip system, FirstEnergy's implementation of a written plan for improvements to the existing Landfill surface, FirstEnergy's final closure of Phase 3 of the Landfill on a rolling basis and a deferral in shipments of coal combustion byproducts from the Bruce Mansfield Power Station to the Landfill until December 1, 2017.

Copies of the full agreement are in the hands of the following individuals:

*For the Appellant, Sierra Club:* Charles McPhedran, Esq., Earthjustice, 1617 JFK Boulevard, Suite 1130, Philadelphia, PA 19103, (215) 717-4521; Lisa K. Perfetto, Esq., Earthjustice, 48 Wall Street, 19th Floor, New York, NY 10005, (212) 845-7388

*For the Commonwealth, Department of Environmental Protection:* John Herman, Esq., Marianne Mulroy, Esq., Forrest Smith, Esq., Office of Chief Counsel, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4262

*For the Permittee, FirstEnergy Generation, LLC:* Donald C. Bluedorn, II, Esq., Mark D. Shepard, Esq., Alana E. Fortna, Esq., Babst, Calland, Clements and Zomnir, PC, Two Gateway Center, 6th Floor, 603 Stanwix Street, Pittsburgh, PA 15222, (412) 394-5400

A copy may also be viewed on the electronic docket of the Environmental Hearing Board (Board) at <http://ehb.courtapps.com/efile/documentViewer.php?documentID=39073>.

Individuals interested in providing comments to the Board on the proposed Consent Adjudication must do so within 30 days of the date this notice is published in the *Pennsylvania Bulletin*. The Board's address is Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457. Copies of all comments shall also be submitted to the attorney for each party previously listed.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 783-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Board is empowered to approve this Consent Adjudication at the end of the 30-day comment period if no comments or objections are timely filed with the Board or if comments or objections are filed and addressed to the Board's satisfaction. If the Board enters an Order approving the Consent Adjudication at the end of the 30-day comment period, individuals who believe they are aggrieved by entry of the Consent Adjudication have a right to appeal to the Commonwealth Court of Pennsylvania, 601 Commonwealth Avenue, Suite 2100, P.O. Box 69185, Harrisburg, PA 17106. Appeals must be filed within 30 days of the date the Consent Adjudication is entered by the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 17-1640. Filed for public inspection September 29, 2017, 9:00 a.m.]

# HEALTH CARE COST CONTAINMENT COUNCIL

## Data Submission and Collection

Under section 6(a)(2) of the Health Care Cost Containment Act (act) (35 P.S. § 449.6(a)(2)), the Health Care Cost Containment Council is required to publish a list of diseases, procedures and medical conditions, not to exceed 35, for which data under section 6(c)(21) and (d) of the act shall be required.

The list of 35 diseases, procedures and medical conditions follows:

1. Heart Attack
2. Heart Failure
3. Chest Pain
4. Abnormal Heartbeat
5. Coronary Bypass
6. Heart Valve Replacement
7. Percutaneous Transluminal Coronary Angioplasty
8. Pneumonia
9. Asthma
10. Respiratory Failure
11. Blood Clot in Lung
12. Lung Repair
13. Hypotension
14. Blood Clot in Extremities
15. Vascular Repair
16. Stroke
17. Removal of Blockage in Head and Neck Vessel
18. Craniotomy
19. Diabetes
20. Digestive Disease
21. Liver Disease
22. Colorectal Repair
23. Gallbladder Removal
24. Stomach and Small Intestine Repair
25. Kidney Failure
26. Kidney and Urinary Tract Infection
27. Prostatectomy
28. Medical Back
29. Major Joint Repair
30. Neck/Back Repair
31. Breast Cancer
32. Hysterectomy
33. Infectious Disease
34. Ventilation for Respiratory Disease
35. Tracheostomy

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 17-1641. Filed for public inspection September 29, 2017, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-492	Environmental Quality Board Control of VOC Emissions from Industrial Cleaning Solvents; General Provisions; Aerospace Manufacturing and Rework; Additional RACT Requirements for Major Sources of NO <sub>x</sub> and VOCs 47 Pa.B. 3356 (June 17, 2017)	8/21/17	9/20/17

### **Environmental Quality Board Regulation # 7-492 (IRRC # 3173)**

#### **Control of VOC Emissions from Industrial Cleaning Solvents; General Provisions; Aerospace Manufacturing and Rework; Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOCs September 20, 2017**

We submit for your consideration the following comments on the proposed rulemaking published in the June 17, 2017 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

#### **1. Determining whether the regulation is in the public interest; Clarity and lack of ambiguity; Reasonableness of requirements, implementation procedures and timetables for compliance.**

The U.S. Environmental Protection Agency, Region III (EPA) cites several concerns in its comments related to the new rule in Section 129.63a and proposed amendments to the RACT II rule in Section 129.96. Because EPA's comments relate to our criteria regarding implementation, ambiguity, reasonableness and clarity, we share EPA's concerns and incorporate them into the Commission's comments on this proposed regulation. EQB should carefully review EPA's comments and work closely with it to make the necessary amendments to bring this regulation into compliance with federal requirements. We will consider EQB's response to EPA in making a final determination as to whether the regulation is in the public interest.

#### **2. Section 129.63a. Control of VOC emissions from industrial cleaning solvents.—Reasonableness of requirements.**

Members of the regulated community request revisions to and clarification of the exemptions under Subsection (c) (relating to exceptions and exemptions) and Subsection (e) (relating to emissions limitations). Comments include the following:

- Lockheed Martin asks EQB to modify the regulation to include an exemption for other non-coating application/

activities that are critical to aerospace manufacturing and rework facilities. Likewise, Boeing Company states that the term "aerospace coatings" could be interpreted to limit the exemption to aerospace solvent cleaning activities associated with "coatings" only.

- East Penn Manufacturing states that it is "technically infeasible to use an alternate solvent wiping solution for battery cleaning operations" and that the use of an emissions capture system and add-on air pollution control device to abate volatile organic compound emissions from a battery cleaning operation is not cost-effective.

We ask EQB to clarify and explain the reasonableness of exemptions and compliance options in the final-form regulation.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 17-1642. Filed for public inspection September 29, 2017, 9:00 a.m.]

## INSURANCE DEPARTMENT

### **Appeal of Accendo Insurance Company; Pennsylvania Life and Health Insurance Guaranty Association; Doc. No. FC17-09-014**

Under 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), a prehearing telephone conference shall be held on November 1, 2017, at 9:30 a.m. On or before October 30, 2017, each party shall designate the persons participating in the telephone conference and a telephone number to be used for each individual. Response to the appeal shall be filed with the Administrative Hearings Office on or before October 17, 2017. Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed with the Administrative Hearings Office on or before October 17, 2017. Any party, or person or entity petitioning to intervene, shall show cause by filing objections in writing on or before October 17, 2017, why this matter should not be consolidated with the similar appeals at Doc. No. FC17-09-012 (PA Life Insurance Com-

pany) or Doc. No. FC17-09-013 (SilverScript Insurance Company), or both. Future prehearing scheduling and possibly a date for a hearing shall be determined, if necessary, at the November 1, 2017, prehearing telephone conference.

This is an appeal by a member of the Pennsylvania Life and Health Insurance Guaranty Association (PLHIGA) from a determination by the Board of Directors (Board) of PLHIGA dated June 22, 2017, in which the Board denied or declined to act upon the member's appeal from PLHIGA's assessment in connection with the liquidation of Penn Treaty Network America Insurance Company and/or Penn Treaty Network America Insurance Company. The appeal seeks a determination that certain premiums associated with Medicare Parts C and D products are not subject to assessment.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-1643. Filed for public inspection September 29, 2017, 9:00 a.m.]

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**Appeal of Aetna; Pennsylvania Life and Health Insurance Guaranty Association; Doc. No. FC17-09-011**

Under 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), a prehearing telephone conference shall be held on November 1, 2017, at 10:30 a.m. On or before October 30, 2017, each party shall designate the persons participating in the telephone conference and a telephone number to be used for each individual. Response to the appeal shall be filed with the Administrative Hearings Office on or before October 17, 2017. Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed with the Administrative Hearings Office on or before October 17, 2017. Future prehearing scheduling and possibly a date for a hearing shall be determined, if necessary, at the November 1, 2017, prehearing telephone conference.

This is an appeal by a member of the Pennsylvania Life and Health Insurance Guaranty Association (PLHIGA) from a determination by the Board of Directors (Board) of PLHIGA on an undetermined date, in which the Board denied or declined to act upon the member's appeal from PLHIGA's assessment in connection with the liquidation of Penn Treaty Network America Insurance Company and/or Penn Treaty Network America Insurance Company. The appeal seeks a determination that certain premiums associated with Medicare Parts C and D products are not subject to assessment.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-1644. Filed for public inspection September 29, 2017, 9:00 a.m.]

**Appeal of PA Life Insurance Company; Pennsylvania Life and Health Insurance Guaranty Association; Doc. No. FC17-09-012**

Under 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), a prehearing telephone conference shall be held on November 1, 2017, at 9:30 a.m. On or before October 30, 2017, each party shall designate the persons participating in the telephone conference and a telephone number to be used for each individual. Response to the appeal shall be filed with the Administrative Hearings Office on or before October 17, 2017. Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed with the Administrative Hearings Office on or before October 17, 2017. Any party, or person or entity petitioning to intervene, shall show cause by filing objections in writing on or before October 17, 2017, why this matter should not be consolidated with the similar appeals at Doc. No. FC17-09-013 (SilverScript Insurance Company) or Doc. No. FC17-09-014 (Accendo Insurance Company), or both. Future prehearing scheduling and possibly a date for a hearing shall be determined, if necessary, at the November 1, 2017, prehearing telephone conference.

This is an appeal by a member of the Pennsylvania Life and Health Insurance Guaranty Association (PLHIGA) from a determination by the Board of Directors (Board) of PLHIGA dated June 22, 2017, in which the Board denied or declined to act upon the member's appeal from PLHIGA's assessment in connection with the liquidation of Penn Treaty Network America Insurance Company and/or Penn Treaty Network America Insurance Company. The appeal seeks a determination that certain premiums associated with Medicare Parts C and D products are not subject to assessment.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-1645. Filed for public inspection September 29, 2017, 9:00 a.m.]

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**Appeal of SilverScript Insurance Company; Pennsylvania Life and Health Insurance Guaranty Association; Doc. No. FC17-09-013**

Under 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), a prehearing telephone conference shall be held on November 1, 2017, at 9:30 a.m. On or before October 30, 2017, each party shall designate the persons participating in the telephone conference and a telephone number to be used for each individual. Response to the appeal shall be filed with the Administrative Hearings Office on or before October 17, 2017. Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed with the Administrative Hearings Office on or before October 17, 2017. Any party, or person or entity petitioning to intervene, shall show cause by filing objections in writing on or before October 17, 2017, why this matter should not be consolidated with the similar appeals at Doc. No. FC17-09-012 (PA Life Insurance Com-

pany) or Doc. No. FC17-09-014 (Accendo Insurance Company), or both. Future prehearing scheduling and possibly a date for a hearing shall be determined, if necessary, at the November 1, 2017, prehearing telephone conference.

This is an appeal by a member of the Pennsylvania Life and Health Insurance Guaranty Association (PLHIGA) from a determination by the Board of Directors (Board) of PLHIGA dated June 22, 2017, in which the Board denied or declined to act upon the member's appeal from PLHIGA's assessment in connection with the liquidation of Penn Treaty Network America Insurance Company and/or Penn Treaty Network America Insurance Company. The appeal seeks a determination that certain premiums associated with Medicare Parts C and D products are not subject to assessment.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-1646. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Application for Renewal of Designation as a Certified Reinsurer

Swiss Reinsurance Company, Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on September 13, 2017, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-1647. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Application for Renewal of Designation as a Certified Reinsurer

Lloyd's, London has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on September 18, 2017, and was made under section 319.1(a) of The Insurance Company

Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-1648. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Tam Ma; File No. 17-198-213645; Nationwide Property & Casualty Insurance Company; Doc. No. P17-09-017; October 26, 2017, 9:30 a.m.

Following the hearing and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Acting Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Acting Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-1649. Filed for public inspection September 29, 2017, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Review of Vegetation Management Practices

Public Meeting held  
August 31, 2017

*Commissioners Present:* Gladys M. Brown, Chairperson;  
Andrew G. Place, Vice Chairperson; David W. Sweet;  
John F. Coleman, Jr., dissenting

*Review of Vegetation Management Practices;*  
*M-2017-2622073*

### Opinion and Order

*By the Commission:*

By this Opinion and Order, we are initiating a review of the vegetation management practices of Electric Distribution Companies (EDCs) in Pennsylvania. We are of the opinion that proper vegetation management within transmission line rights-of-way is critical to ensuring that our electric grid operates in a safe and reliable manner.

The issue of vegetation management came to the forefront following a widespread power outage in the Northeastern United States in 2003, after which the attention of the Federal government focused sharply on the behavior of the operators of transmission lines. Congress passed the Energy Policy Act of 2005, Energy Policy Act of 2005, Pub.L. No. 109-58, 119 Stat. 594 (2005), with the authorization for a new electric reliability organization responsible for creating and enforcing mandatory reliability standards.<sup>1</sup> The North American Electric Reliability Corporation (NERC) assumed watchdog responsibility under the Federal Energy Regulatory Commission (FERC) for federal enforcement of reliability standards, which include mandatory vegetation clearance standards. The clearance standards, known collectively as FAC-003-14, apply to owners of transmission lines rated at 200 kilovolts (kV) and higher, as well as any lower-voltage lines designated as critical to reliability by regional reliability organizations that report to NERC. The standards also set direct applicable line owners to “manage vegetation to prevent encroachments into the Minimum Vegetation Clearance Distance (MVCD).” The calculated MVCDs are outlined in FAC-003-Table 2.

To comply with the NERC standards, the EDCs implemented plans for their high voltage transmission rights-of-way (ROW) called the “wire zone/border zone” approach to eliminating all vegetation directly under the transmission lines and clearing the areas between the wires and the edges of the rights-of-way. This approach has been quite successful as evidenced by the quarterly NERC vegetation-related transmission outage reports. Reported Category 1 outages (those caused by grow-ins of vegetation from inside or outside of the ROW), have gone from 16 in 2007 to 0 in 2016.<sup>2</sup>

With this Opinion and Order, we restate and reinforce our unwavering belief that reliable electric service is essential to the health, safety, and welfare of the citizens of this Commonwealth. To this end, we have promulgated regulations which require the EDCs to establish plans for the periodic inspection, maintenance, and replacement of

their facilities and to file those plans with the Commission every two years.<sup>3</sup> At the state level, our Regulations require each EDC to memorialize in writing and to submit to the Commission its plans for the routine and emergency inspection and maintenance of all facilities used to deliver electricity to customers (I&M Plans). This includes a condition-based plan involved in the clearance of vegetation surrounding its distribution system facilities. 52 Pa. Code § 57.198(n). The I&M Plans must also include a program for the maintenance of clearances of vegetation from the EDC’s overhead system facilities. 52 Pa. Code § 57.198(f). The I&M Plans must be designed to reduce the risk of outages, and must be consistent with the National Electrical Safety Code and Practices of the Institute of Electrical and Electronic Engineers (IEEE), FERC regulations, and the provisions of the American National Standards Institute, Inc. (ANSI). 52 Pa. Code § 57.198(b).

Our review of the I&M Plans filed by the EDCs reveals that each of them is reasonable and consistent with the requirements. However, the I&M Plans are very general in nature and do not include a detailed account of the vegetation management specifications and operational procedures. As shown below, it has become obvious that our Regulations themselves may need to be amended to include a level of detail that would facilitate proper oversight of the plans. This lack of specificity in our current Regulations also makes it difficult to identify potential vegetation management best practices for the EDCs.

Through cases brought by property owners, it has come to our attention that EDCs have begun to apply the “wire zone/border zone” standard to lower level transmission lines, many of which are located much closer to residences. See *Yanling Chen and Jianming Hu v. Metropolitan Edison Company*, Docket No. C-2013-2397061 (Order entered November 5, 2015); *Marlene Broman v. West Penn Power Company*, Docket No. C-2013-2356237 (Order entered April 23, 2014); *Marlene Broman v. West Penn Power Company*, Docket No. C-2015-2485454 (Initial Decision issued November 4, 2016); *Richard and Sandy Lehet v. PPL Electric Utilities Corporation*, Docket No. C-2014-2449983 (Order entered October 28, 2015); *Sarah Bernardi v. West Penn Power Company*, Docket No. C-2014-2453852 (Order entered May 5, 2016); *Jan and Joyce Spirat v. Metropolitan Edison Company*, Docket No. C-2013-2367044 (Opinion and Order entered Sept. 11, 2014); *Robert Mattu v. West Penn Power Company*, Docket No. C-2016-2547322 (Tentative Opinion and Order entered July 14, 2017). While we are encouraged by the EDCs’ zeal for improving reliability and recognize that proper vegetation management within transmission line rights-of-way is critical to ensuring that our electric grid operates in a safe and reliable manner, we also recognize the concerns of those landowners alarmed by the EDCs’ methods of clearing rights-of-way adjacent to their homes and businesses. In our view, this change has been implemented without meaningful discussion between the industry and this Commission. Also, because the I&M Plans do not include detailed information on the specific vegetation management procedures, we find that there presently is no meaningful mechanism to evaluate the EDCs’ actions as it relates to individual landowners. A landowner with concerns regarding an EDC’s vegetation management practice near his or her land does not have a clear avenue through which to dispute the practice or request the use of a different management technique (e.g., the use of slash and burn clearance instead of the application of an

<sup>1</sup> The regional reliability organization for PJM is ReliabilityFirst (RF). RF is directly tasked with developing, monitoring, and enforcing compliance with FERC approved reliability standards.

<sup>2</sup> See NERC Vegetation Management Reports, available at [www.nerc.com/pa/comp/CE/Pages/vegetation-management-reports.aspx](http://www.nerc.com/pa/comp/CE/Pages/vegetation-management-reports.aspx).

<sup>3</sup> See 52 Pa. Code § 57.198.



herbicide). A landowner also does not have easy access to the vegetation management specifications and procedures applicable to his or her property.

We note that the action we take today will not change or amend the federal requirements imposed on high voltage lines subject to NERC standards. NERC itself understands the distinction between high voltage, system-critical lines and others in discussing the stricter standards of vegetation management:

This standard focuses on transmission lines to prevent those vegetation related outages that could lead to Cascading. It is not intended to prevent customer outages due to tree contact with lower voltage distribution system lines. For example, localized customer service might be disrupted if vegetation were to make contact with a 69kV transmission line supplying power to a 12kV distribution station. However, this standard is not written to address such isolated situations which have little impact on the overall electric transmission system.

NERC FAC-003-4 at page 4.

This Opinion and Order directs Commission Staff to form a collaborative that includes staff from the Commission's Bureau of Technical Utility Services, EDCs, public advocates, and interested stakeholders in order to explore vegetation management best practices. The goal of this endeavor will be to explore avenues to create EDC vegetation management plans that will: (1) include more detail; (2) explain the EDCs' approaches under stated circumstances; and (3) provide for additional customer education and accurate written materials. Additionally, our procedural Regulations may need to be amended in order to provide a mechanism for a customer to challenge an EDC's methodology for vegetation management and provide an appeal opportunity, such as a petition for relief, before this Commission. Based on this collaborative, we further direct Commission Staff to formulate a recommendation for the next step in the process of updating Commission oversight of vegetation management for consideration at a regularly scheduled Public Meeting in January 2018.

In our view, another procedure is necessary to afford due process to the affected property owners. Our current method provides for a dissatisfied customer to file a formal complaint with the Commission. 52 Pa. Code §§ 5.21—5.31. We then evaluate the formal complaint based on our standard review of determining whether the utility has violated a regulation, statute or Order of the Commission. As it is possible to find that a utility has acted consistently with a duly approved and wholly reasonable albeit vague vegetation management plan while producing an unacceptable outcome, we are not convinced that the complaint process is the optimal course to take in deciding these types of concerns.

We emphasize that this initiative is not intended to prevent an EDC from clearing and maintaining clearance on a right-of-way but to work towards establishing standards by which each EDC will act, and to provide a process for landowners who wish to question the EDC's decision regarding that methodology under appropriate circumstances; *Therefore,*

*It Is Ordered That:*

1. The Commission's Bureau of Technical Utility Services, in conjunction with the Commission's Law Bureau, convene a collaborative within thirty (30) days of the date

of entry of this Opinion and Order to discuss best industry practices and to find common ground in matters of vegetation management.

2. The Commission's Bureau of Technical Utility Services, in conjunction with the Commission's Law Bureau, prepare a recommendation for this Commission's consideration at a regularly scheduled Public Meeting in January 2018, outlining the next steps in the process of updating Commission oversight of vegetation management.

3. This Opinion and Order be published in the *Pennsylvania Bulletin*.

4. A copy of this Opinion and Order be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, and all jurisdictional Electric Distribution Companies.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-1650. Filed for public inspection September 29, 2017, 9:00 a.m.]

### 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. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 16, 2017. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2017-2621976. Eagle Ride Tax Cab Limited Liability Company** (1260 Union Street, Lancaster, Lancaster County, PA 17603) for the right to begin to transport, as a common carrier, by motor vehicle, persons in call or demand service, in the City of Lancaster, and within an airline distance of 15 statute miles of the limits of said city.

**A-2017-2624410. STAT Medical Transport, Inc.** (701 Cooper Road, Suite 9, Voorhees, Camden County, NJ 08043) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2017-2625001. Pinnacle Transportation Services, LLC** (156 Bentley Lane, Lancaster, Lancaster County, PA 17603) persons in limousine service, from points in Lancaster County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2017-2625111. Brelyn Transportation, LLC** (255 Cooper Avenue, Building 20, Apartment 501, Johnstown,

Cambria County, PA 15906) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Cambria and Philadelphia, to points in Pennsylvania, and return.

**Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.**

**A-2017-2621661 (Amended). RM Home Services, t/a Community Home Services** (672 Main Street, Harleysville, Montgomery County, PA 19438) for the amended right to begin to transport as a contract carrier, by motor vehicle, persons in residential retirement communities owned by nonprofit entities affiliated with Grace Inspired Ministries and the Mennonite and other Anabaptist faiths, which include The Community at Rockhill and The Lutheran Community at Telford, to points in Pennsylvania, and return. *Attorney:* Heather C. Winett, Esquire, 1515 Market Street, Suite 1200, Philadelphia, PA 19102-1932.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-1651. Filed for public inspection September 29, 2017, 9:00 a.m.]

**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 October 16, 2017, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Champions Recovery & Investigations, LLC;  
Docket No. C-2017-2618514**

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 all authority issued to Champions Recovery & Investigations, LLC, (respondent) is under suspension effective July 31, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at PO Box 975, Knox, PA 16232-0975.
3. That respondent was issued a Certificate of Public Convenience by this Commission on July 13, 2016, at A-8910740.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this

Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8910740 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, 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: 8/23/2017

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 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 Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
 Services  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. 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 penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau  
 of Investigation and Enforcement v. First  
 Americans Shipping and Trucking, Inc.;**  
**Docket No. C-2017-2620404**

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 all authority issued to First Americans Shipping and Trucking, Inc., (respondent) is under suspension effective July 14, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 447 Frogtown Road, Hogansburg, NY 13655.

3. That respondent was issued a Certificate of Public Convenience by this Commission on March 30, 2010, at A-8911919.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8911919 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
 David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, 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: 8/29/2017

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 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 Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
 Services  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. 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 penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of  
 Investigation and Enforcement v. Scranton  
 Transportation, LLC, t/a Yellow Cab of Lackawanna;  
 Docket Nos. C-2017-2594511, C-2017-2594512**

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 Prosecutory Staff hereby represents as follows:

1. That Scranton Transportation, LLC, t/a Yellow Cab of Lackawanna, Respondent, maintains its principal place of business at 1552 Dickson Avenue, Scranton, Pennsylvania, 18509.

2. That Respondent was issued a certificate of public convenience by this Commission on Aug 19, 2014 authorizing transportation of passengers in taxi authority at application number A-2012-2303837, between points Lackawanna County.

3. That on March 19, 2017, this Commission received two informal complaints alleging Respondent was operating outside the areas described in the order granting authority by this Commission and had charged a credit card fee which was not included on the tariff filed with the Commission.

4. That on March 30, 2017, PUC Motor Carrier Enforcement Officer Thomas Kepping met with owner, Mercedes Ames regarding the violations alleged in the informal complaints. The following violations were found:

a. Respondent charged a credit card fee which is not described in the tariff on file with this Commission.

b. Respondent was found to be operating outside the areas described in the order granting authority by this Commission.

5. That Respondent, by charging fees other than the amount specified in the tariff on file with this Commission, is in violation of 52 Pa. Code § 29.316. The penalty for this violation is \$500.

6. That Respondent, by rendering service in an area within the Commonwealth of Pennsylvania other than that authorized by its certificate of public convenience, violated the Public Utility Code 66 Pa.C.S. § 1102. The penalty for this violation is \$1,000.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Scranton Transportation, LLC, t/a Yellow Cab of

Lackawanna, the sum of one thousand five hundred dollars (\$1,500) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, 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: 8/9/2017

David W. Loucks, 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  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Deputy Chief Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, e-mail to Mr. Swindler at: 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  
P.O. Box 3265  
Harrisburg, PA 17105-3265

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 proceeding shall be closed.

D. 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.

E. 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.

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. 17-1652. Filed for public inspection September 29, 2017, 9:00 a.m.]

### **Transfer of Membership Interest**

**A-2017-2624578. Peoples Gas Company, LLC.** Application of Peoples Gas Company, LLC for approval to transfer all of the membership interests in Peoples Gas Company, LLC from LDC Holdings II, LLC to PNG Companies, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 16, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, 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 Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Peoples Gas Company, LLC

*Through and By Counsel:* Michael W. Gang, Esquire,  
Michael W. Hassell, Esquire, Post & Schell, PC, 17 North  
Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-1653. Filed for public inspection September 29, 2017, 9:00 a.m.]

## **PHILADELPHIA PARKING AUTHORITY**

### **Service of Notice of Motor Carrier Applications in the City of Philadelphia**

The following permanent authority applications to render service as common carriers in the City of Philadelphia

have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than October 16, 2017. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business address of the respective applicant.

**Doc. No. A-17-09-01. Reon, Inc.** (1316 Wells Street, Philadelphia, PA 19111): An application for a medallion taxicab certificate of public convenience (CPC) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Doc. No. A-17-09-02. Rehman Corp.** (37 Marlborough Road, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Doc. No. A-17-09-04. Cool Cab, LLC** (2301 Church Street, Philadelphia, PA 19124): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

CLARENA TOLSON,  
*Executive Director*

[Pa.B. Doc. No. 17-1654. Filed for public inspection September 29, 2017, 9:00 a.m.]

## STATE BOARD OF EDUCATION

### Application to Establish a Community College in Erie County; Public Hearing

The Special Committee of the State Board of Education (Board) established to facilitate the Board's consideration of the plan submitted by Erie County seeking to establish the Erie County Community College will conduct a public hearing on October 10, 2017, at 6 p.m. The hearing will be held in the Auditorium of the Raymond M. Blasco Memorial Library, 160 East Front Street, Erie, PA 16507.

Under section 1902-A(a)(2) of the Public School Code (24 P.S. § 19-1902-A(a)(2)), the Board is responsible for approving or disapproving plans for the establishment or operation of a community college. The purpose of the hearing is to receive public comment on the application to establish a new community college for the Board's consideration in making a determination on the plan.

Public comment is limited to no more than 5 minutes per person. Individuals must register in advance to provide public comment at the hearing no later than October 5, 2017, at 4 p.m. by contacting the Board at (717) 787-3787 or ra-stateboardofed@pa.gov, Monday through Friday (excluding holidays), between 8:30 a.m. and 4 p.m.

Individuals with disabilities who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate should contact Ann Szwajkowski, ADA Coordinator, by October 5, 2017, at 4 p.m. at (717) 705-5646 to discuss how the Board may best accommodate their needs. Persons with disabilities are invited to submit public comments in alternative formats such as Braille or taped testimony and by means of telephone. Written and alternative formats of public comment will be afforded the same thoughtful consideration by the Board as oral remarks.

Registrants scheduled to provide public comment who need to cancel their participation, are requested to immediately notify the Board at (717) 787-3787 or ra-stateboardofed@pa.gov.

KAREN MOLCHANOW,  
*Executive Director*

[Pa.B. Doc. No. 17-1655. Filed for public inspection September 29, 2017, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. David Mark Lapp, RN; File No. 14-51-02479; Doc. No. 1198-51-14

On April 28, 2017, David Mark Lapp, RN, license No. RN546331, last known of New Orleans, LA, had his registered nursing license indefinitely suspended based on receiving disciplinary action by the proper licensing authority of Delaware.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-1656. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Jacqueline S. Roberts, LPN, RN; File No. 17-51- 00966; Doc. No. 0403-51-2017

On July 13, 2017, Jacqueline S. Roberts, LPN, RN, license Nos. PN253366L and RN527062L, last known of Julian, Centre County, had her registered nursing license indefinitely suspended for no less than 3 years, retroactive to March 9, 2017, based on violating the terms of a Consent Agreement entered into with the Commonwealth.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-1657. Filed for public inspection September 29, 2017, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Actions Taken at September Meeting

As part of its regular business meeting held on September 7, 2017, in Elmira, NY, the Susquehanna River Basin Commission (Commission) took the following actions: 1) approved or tabled the applications of certain water resources projects; and 2) took additional actions, as set forth in the following Supplementary Information.

The business meeting was held on September 7, 2017.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788. Also see the Commission's web site at [www.srbc.net](http://www.srbc.net).

#### *Supplementary Information*

In addition to the actions taken on projects identified in the previous summary and the listings as follows, the following items were also presented or acted upon at the business meeting: 1) approval of a grant and a grant amendment; 2) tabled action to amend Commission By-laws; 3) adoption of guidelines for preparing an alternatives analysis to provide clarity to project sponsors regarding a formal evaluation of alternate options for a proposed water source, use or diversion; 4) release of proposed rulemaking to amend the Commission's regulations to codify and strengthen its Access to Records Policy; 5) approval of waiver requests of Carrolltown Borough Municipal Authority and the Village of Hamilton to extend the expiration dates of their groundwater withdrawal approvals; 6) approval of Middletown Borough's request for waiver, modifying the requirements of the regulation appropriate to Middletown's request and directed staff to apply this modification to similar situations while a corresponding rulemaking is developed; 7) denied a request for waiver from Peak Resorts, Inc./Greek Peak Mountain Resort; 8) approval to extend the terms of emergency certificates for Sunset Golf Course, Sunoco Pipeline, LP and Furman Foods, Inc.; and 9) a report on delegated settlements with the following project sponsors, under SRBC Resolution 2014-15: Labrador Mountain, in the amount of \$2,000; Standing Stone Golf Club, Inc., in

the amount of \$2,000; and Suez Water Owego-Nichols, Inc., in the amount of \$7,500.

#### *Project Applications Approved*

The Commission approved the following project applications:

1. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Meshoppen Creek), Springville Township, Susquehanna County, PA. Renewal with modification of surface water withdrawal of up to 0.750 mgd (peak day) (Docket No. 20130904).

2. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Chemung River), Athens Township, Bradford County, PA. Renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20130905).

3. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Sugar Creek), Burlington Township, Bradford County, PA. Renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20130906).

4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Terry Township, Bradford County, PA. Renewal of surface water withdrawal of up to 1.440 mgd (peak day) (Docket No. 20130907).

5. Project Sponsor and Facility: Chief Oil & Gas, LLC (Towanda Creek), Leroy Township, Bradford County, PA. Surface water withdrawal of up to 1.500 mgd (peak day).

6. Project Sponsor and Facility: Downs Racing, LP, d/b/a Mohegan Sun Pocono, Plains Township, Luzerne County, PA. Consumptive use of up to 0.350 mgd (peak day).

7. Project Sponsor and Facility: Elizabethtown Area Water Authority, Mount Joy Township, Lancaster County, PA. Renewal of groundwater withdrawal of up to 0.432 mgd (30-day average) from Well 6 (Docket No. 19861103).

8. Project Sponsor and Facility: Elizabethtown Area Water Authority, Mount Joy Township, Lancaster County, PA. Groundwater withdrawal of up to 0.432 mgd (30-day average) from Well 7.

9. Project Sponsor and Facility: Elizabethtown Area Water Authority, Elizabethtown Borough and Mount Joy Township, Lancaster County, PA. Modification to correct total system limit to remove inclusion of water discharged to the Conewago watershed to offset passby and transfer of water from Conewago Creek to Back Run (Docket No. 20160903).

10. Project Sponsor and Facility: Moxie Freedom, LLC, Salem Township, Luzerne County, PA. Modification to increase consumptive use by an additional 0.408 mgd (peak day), for a total consumptive use of up to 0.500 mgd (peak day) (Docket No. 20150907).

11. Project Sponsor and Facility: Susquehanna Gas Field Services, LLC (Meshoppen Creek), Meshoppen Borough, Wyoming County, PA. Renewal of surface water withdrawal of up to 0.145 mgd (peak day) (Docket No. 20130913).

12. Project Sponsor and Facility: Susquehanna Nuclear, LLC, Salem Township, Luzerne County, PA. Modification to increase consumptive use by an additional 5.000 mgd (peak day), for a total consumptive use of up to 53.000 mgd (peak day) (Docket No. 19950301).

13. Project Sponsor and Facility: Susquehanna Nuclear, LLC (Susquehanna River), Salem Township, Luzerne County, PA. Modification to increase surface water withdrawal by an additional 10.000 mgd (peak day), for a

total surface water withdrawal increase of up to 76.000 mgd (peak day) (Docket No. 19950301).

14. Project Sponsor and Facility: SWEPI, LP (Elk Run), Sullivan Township, Tioga County, PA. Surface water withdrawal of up to 0.646 mgd (peak day).

15. Project Sponsor and Facility: SWN Production Company, LLC (Wyalusing Creek), Wyalusing Township, Bradford County, PA. Renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20130911).

16. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Fishing Creek), Sugarloaf Township, Columbia County, PA. Modification to add consumptive use of up to 0.200 mgd (peak day) to existing docket approval (Docket No. 20160913).

17. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Fishing Creek), Sugarloaf Township, Columbia County, PA. Modification to change authorized use of source to existing docket approval (Docket No. 20160913).

#### *Project Applications Tabled*

The Commission tabled action on the following project applications:

1. Project Sponsor and Facility: Houtzdale Municipal Authority, Gulich Township, Clearfield County, PA. Application for groundwater withdrawal of up to 1.008 mgd (30-day average) from Well 14R.

2. Project Sponsor and Facility: Village of Waverly, Tioga County, NY. Application for groundwater withdrawal of up to 0.320 mgd (30-day average) from Well 1.

3. Project Sponsor and Facility: Village of Waverly, Tioga County, NY. Application for groundwater withdrawal of up to 0.480 mgd (30-day average) from Well 2.

4. Project Sponsor and Facility: Village of Waverly, Tioga County, NY. Application for groundwater withdrawal of up to 0.470 mgd (30-day average) from Well 3.

*Authority:* Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* September 19, 2017

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 17-1658. Filed for public inspection September 29, 2017, 9:00 a.m.]

### **Projects Approved for Consumptive Uses of Water**

The Susquehanna River Basin Commission (Commission) approved by rule the following lists of projects from July 1, 2017, through July 31, 2017.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

#### *Supplementary Information*

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18

CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

#### *Approvals by Rule Issued Under 18 CFR 806.22(e)*

1. DelGrosso Foods, Inc., ABR-201707002, Antis Township, Blair County, PA; Consumptive Use of Up to 0.2500 mgd; Approval Date: July 25, 2017.

#### *Approvals by Rule Issued Under 18 CFR 806.22(f)*

1. SWN Production Company, LLC, Pad ID: ENDLESS MOUNTAIN RECREATION, ABR-201209001.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 14, 2017.

2. SWN Production Company, LLC, Pad ID: WOOSMAN PAD, ABR-201209006.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 14, 2017.

3. Cabot Oil & Gas Corporation, Pad ID: Rag Apple, LLC P1, ABR-201207015.R1, Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 18, 2017.

4. Cabot Oil & Gas Corporation, Pad ID: FlowerT P1, ABR-201207016.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 18, 2017.

5. Cabot Oil & Gas Corporation, Pad ID: ReillyJ P1, ABR-201207017.R1, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 18, 2017.

6. Range Resources—Appalachia, LLC, Pad ID: State Game Lands 075A—West Pad, ABR-201207002.R1, Pine Township, Lycoming County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: July 18, 2017.

7. Inflection Energy (PA), LLC, Pad ID: Converse Well Site, ABR-201707001, Mill Creek and Wolf Townships, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 20, 2017.

8. Repsol Oil & Gas USA, LLC, Pad ID: KUHLMAN (05 258) M, ABR-201208023.R1, Windham Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 20, 2017.

9. SWN Production Company, LLC, Pad ID: SWOPE PAD, ABR-201209007.R1, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 24, 2017.

10. SWN Production Company, LLC, Pad ID: MULLOY PAD, ABR-201209008.R1, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 24, 2017.

11. SWN Production Company, LLC, Pad ID: MARVIN PAD, ABR-201209009.R1, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 24, 2017.

12. SWN Production Company, LLC, Pad ID: FREITAG PAD, ABR-201209010.R1, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 24, 2017.

13. Carrizo (Marcellus), LLC, Pad ID: Ricci Well Pad, ABR-201208019.R1, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 2.1000 mgd; Approval Date: July 26, 2017.

14. Chief Oil & Gas, LLC, Pad ID: Bishop Drilling Pad, ABR-201212014.R1, Auburn Township, Susquehanna



County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 31, 2017.

*Authority:* Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* September 20, 2017

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 17-1659. Filed for public inspection September 29, 2017, 9:00 a.m.]

### Projects Approved for Minor Modifications

The Susquehanna River Basin Commission (Commission) lists the minor modifications approved for a previously approved project from July 1, 2017, to July 31, 2017.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436,

joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

### *Supplementary Information*

This notice lists a previously approved project, receiving approval of minor modifications, described as follows, under 18 CFR 806.18 (relating to approval modifications) for the time period previously specified:

#### *Minor Modifications Issued Under 18 CFR 806.18*

1. SWEPI, LP, Docket No. 20161218-1, Deerfield Township, Tioga County, PA; approval to change the design of the surface water intake with respect to intake location; Approval Date: July 14, 2017.

*Authority:* Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* September 20, 2017

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 17-1660. Filed for public inspection September 29, 2017, 9:00 a.m.]

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17. Publication of Statement of Ownership: If the publication is a general publication, publication of this statement is required. Will be printed in the September 30, 2017 issue of this publication.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner: Laura Campbell, Publisher, Date: 9.30.17

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).



