

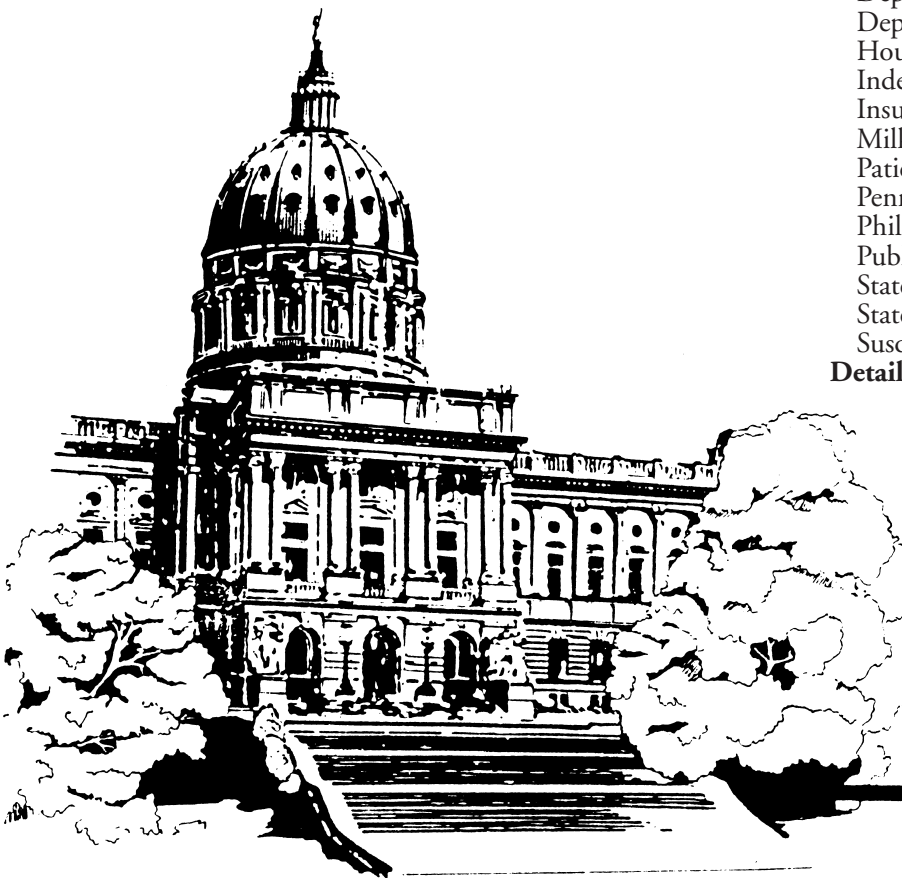
PENNSYLVANIA BULLETIN

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Agencies in this issue

The Courts
Department of Banking and Securities
Department of Conservation and Natural Resources
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Revenue
Department of Transportation
Housing Finance Agency
Independent Regulatory Review Commission
Insurance Department
Milk Marketing Board
Patient Safety Authority
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
Public School Employees' Retirement Board
State Athletic Commission
State Ethics Commission
Susquehanna River Basin Commission

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

No. 517, December 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.

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.

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.

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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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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 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CH. 4]

Proposed Amendment of Pa.R.J.C.P. 409

The Juvenile Court Procedural Rules Committee proposes the amendment of Rule 409 to change the outcome from “termination of jurisdiction” to “dismissal of petition” when the court finds the juvenile is “not in need” for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Daniel A. Durst, Chief Counsel
 Juvenile Court Procedural Rules Committee
 Supreme Court of Pennsylvania
 Pennsylvania Judicial Center
 PO Box 62635
 Harrisburg, PA 17106-2635
 FAX: 717-231-9541
 juvenilerules@pacourts.us

All communications in reference to the proposal should be received by January 8, 2018. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Juvenile Court
 Procedural Rules Committee*

KELLY L. McNANEY, Esq.,
Chair

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 4. ADJUDICATORY HEARING

Rule 409. Adjudication of Delinquency.

A. *Adjudicating the [juvenile delinquent] Juvenile Delinquent.* Once the court has ruled on the offenses as provided in Rule 408, the court shall conduct a hearing to determine if the juvenile is in need of treatment, supervision, or rehabilitation.

1) *Not in [need] Need.* If the court determines that the juvenile is not in need of treatment, supervision, or rehabilitation, the court shall enter an order providing that:

a) [jurisdiction shall be terminated] the petition shall be dismissed and the juvenile shall be released, if detained, unless there are other reasons for the juvenile's detention; and

b) any records, fingerprints, and photographs taken shall be expunged or destroyed.

2) *In [need] Need.*

a) If the court determines that the juvenile is in need of treatment, supervision, or rehabilitation, the court shall enter an order adjudicating the juvenile delinquent and proceed in determining a proper disposition under Rule 512.

b) The court also shall order the law enforcement agency that submitted the written allegation:

i) to take, or cause to be taken, the fingerprints and photographs of the juvenile if not previously taken pursuant to this case, and

ii) to ensure that these records, including the case reference number, are forwarded to the central repository maintained by the Pennsylvania State Police.

B. *Timing.*

1) If the juvenile is in detention, the court shall make its finding within twenty days of the ruling on the offenses pursuant to Rule 408.

2) If the juvenile is not in detention, the court shall make its finding within sixty days of the ruling on the offenses pursuant to Rule 408.

C. *Extending Time by Agreement.* The time restrictions under paragraphs (B)(1) and (B)(2) may be extended if there is an agreement by both parties.

Comment

Under paragraph (A), absent evidence to the contrary, evidence of the commission of acts that constitute a felony is sufficient to sustain a finding that the juvenile is in need of treatment, supervision, or rehabilitation. See 42 Pa.C.S. § 6341(b).

If the court determines that the juvenile is not in need of treatment, supervision, or rehabilitation and the court enters an order [terminating jurisdiction] dismissing the petition, the victim, if not present, shall be notified of the final outcome of the proceeding. See Victim's Bill of Rights, 18 P.S. § 11.201 *et seq.*

This rule addresses adjudicating the juvenile delinquent or [releasing the juvenile from the court's jurisdiction] dismissing the petition. This determination is different from finding the juvenile committed a delinquent act under Rule 408.

Pursuant to 42 Pa.C.S. § 6308(c)(3), all fingerprints and photographic records are to be destroyed upon order of the court if the juvenile is not adjudicated delinquent.

Pursuant to paragraph (A)(1)(b), the court is to specify which items are to be expunged and which items are to be destroyed. See Rule 172(A)(2) and its Comment.

Pursuant to paragraph (A)(2)(b)(ii), a case reference number is to be included to help track this case. See Comment to Rule 170 for further description of a case reference number.

A report on the disposition is to be sent to the Juvenile Court Judges' Commission. *See* 42 Pa.C.S. § 6309(d).

For dispositional hearing procedures, see Chapter Five.

Official Note: Rule 409 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended May 26, 2011, effective July 1, 2011. Amended July 28, 2014, effective September 29, 2014. **Amended** , **2018, effective** , **2018.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 409 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 409 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 409 published with the Court's Order at 41 Pa.B. 3180 (June 25, 2011).

Final Report explaining the amendments to Rule 409 published with Court's Order at 44 Pa.B. 5447 (August 16, 2014).

Final Report explaining the amendments to Rule 409 published with Court's Order at Pa.B. (, 2018).

REPORT

Proposed Amendment of Pa.R.J.C.P. 409

The Juvenile Court Procedural Rules Committee proposes the amendment of Rule 409 to change the outcome from "termination of jurisdiction" to "dismissal of petition" when the court finds the juvenile is "not in need."

In a delinquency proceeding, if a court's ruling on the offenses is that the juvenile did not commit the alleged offenses, the Juvenile Act requires the petition be dismissed. *See* 42 Pa.C.S. § 6341(a). Rule 408 tracks this legislatively mandated outcome. *See* Pa.R.J.C.P. 408(B)(1). If the court rules that the juvenile committed the alleged offenses, but the juvenile is not in need, the Juvenile Act requires the proceeding be dismissed. *See* 42 Pa.C.S. § 6341(b). In contrast, Rule 409 states that court shall enter an order terminating jurisdiction. *See* Pa.R.J.C.P. 409(A)(1)(a).

As mentioned, the Juvenile Act has two outcomes: 1) dismissal of the petition; and 2) dismissal of the proceeding. The Juvenile Act requires the delinquency petition to include both the alleged offenses and a statement that the juvenile is in need. *See* 42 Pa.C.S. § 6334(a)(1). Therefore, a failure to substantiate either requirement would result in dismissal of the petition, which then operates to dismiss the proceeding.

Within the Rules, there are two outcomes: 1) dismissal of the petition; and 2) termination of jurisdiction. Procedurally, there is no difference between a dismissal of a petition pursuant to Rule 408 and termination of jurisdiction pursuant to Rule 409 because the outcomes are the same: there is no adjudication of delinquency after consideration of the merits. *See also In Interest of Morrow*, 583 A.2d 816, 818 (Pa. Super. 1990) (jeopardy attached once testimony commenced at the adjudicatory hearing). Moreover, for purposes of expungement, the termination of jurisdiction is considered the same as a dismissed petition. *See* Pa.R.J.C.P. 170(A)(2) and Comment.

The Committee discussed concerns that "jurisdiction," as used in Rule 409, might be conflated with the use of

that term in other parts of the Rules. *See, e.g.*, Pa.R.J.C.P. 630. Accordingly, to resolve any ambiguity, the Committee proposes to amend Rule 409(A)(1)(a) to state that the petition shall be dismissed when the juvenile is found not to be in need.

The Committee invites all comments, concerns, and suggestions regarding this rulemaking proposal.

[Pa.B. Doc. No. 17-1961. Filed for public inspection December 1, 2017, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 400]

Proposed Amendment of Pa.R.C.P.M.D.J. No. 402

The Minor Court Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P.M.D.J. No. 402, addressing entry of judgment, for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Pamela S. Walker, Counsel
Minor Court Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9526
minorrules@pacourts.us

All communications in reference to the proposal should be received by January 29, 2018. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Minor Court Rules Committee

ANTHONY W. SAVEIKIS,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 400. ENFORCEMENT OF JUDGMENTS RENDERED BY MAGISTERIAL DISTRICT JUDGES FOR THE PAYMENT OF MONEY

Rule 402. Request for Order of Execution. Entry of Judgment in Court of Common Pleas **or Philadelphia Municipal Court.**

A. Execution of a judgment for the payment of money rendered by a magisterial district judge may be ordered by a magisterial district judge in whose office the judgment was rendered or entered, provided the plaintiff files in that office

(1) not before the expiration of 30 days from the date the judgment is entered by the magisterial district judge, and

(2) within five years of that date,
a request for an order of execution.

B. The request form shall be attached to the order, return and other matters required by these rules.

C. The plaintiff may enter the judgment, for the purpose of requesting an order of execution thereon, in an office of a magisterial district judge other than that in which it was rendered only if levy is to be made outside the county in which the judgment was rendered and the office in which the judgment is entered for execution is that of a magisterial district judge whose magisterial district is situated in the county in which levy is to be made.

The plaintiff may enter the judgment in such other office by filing therein a copy of the record of the proceedings containing the judgment, certified to be a true copy by the magisterial district judge in whose existing office the judgment was rendered or by any other official custodian of the record.

D.(1) The plaintiff may enter the judgment in the court of common pleas in any county **or the Philadelphia Municipal Court**. When so entered, the indexing, revival and execution of the judgment shall be in accordance with procedures applicable in the court of common pleas **or the Philadelphia Municipal Court**.

(2) The judgment may be entered in the court of common pleas **or the Philadelphia Municipal Court** by filing with the prothonotary **or Philadelphia Municipal Court Administrator** a copy of the record of the proceedings containing the judgment, certified to be a true copy by the magisterial district judge in whose office the judgment was rendered or by any other official custodian of the record.

(3) The judgment may be entered in the court of common pleas **or the Philadelphia Municipal Court** after 30 days from the date the judgment is entered by the magisterial district judge. The judgment may not be entered in the court of common pleas **or the Philadelphia Municipal Court** after five years from the date the judgment is entered by the magisterial district judge.

(4)(a) Within 14 days of entering the judgment in the court of common pleas **or the Philadelphia Municipal Court**, the plaintiff shall file satisfactory proof of the entry of judgment with the magisterial district court that entered the judgment, and the magisterial district court shall vacate the judgment from its docket.

(b) If after 14 days of entering the judgment in the court of common pleas **or the Philadelphia Municipal Court**, the plaintiff fails to comply with subparagraph 4(a) of this rule, the defendant may file such proof with the magisterial district court that entered the judgment, and the magisterial district court shall vacate the judgment from its docket.

(5) Except as provided in [paragraphs] subparagraphs D(4) and D(6) of this rule, once the judgment is entered in the court of common pleas **or the Philadelphia Municipal Court** all further process must come

from [the court of common pleas] that court and no further process may be issued by the magisterial district judge.

(6) The magisterial district judge shall enter satisfaction on the docket of the magisterial district court proceedings upon the filing by any party in interest of a certified copy of the docket entries of the court of common pleas **or the Philadelphia Municipal Court** showing the judgment and satisfaction have been entered in [the court of common pleas] that court.

E.(1) As used in this rule, a judgment marked "expired" is a judgment that cannot be satisfied, revived, or vacated because the five-year period designated in Rule 402 has elapsed.

(2) If the plaintiff does not request an order of execution in a magisterial district court or enter the judgment in a court of common pleas **or the Philadelphia Municipal Court** within five years of the date the judgment was entered by the magisterial district judge, then the judgment shall be marked expired.

Official Note: The discretionary language used throughout paragraphs A, C and D is intended to reflect the various options available to the plaintiff for executing upon a judgment rendered by a magisterial district judge. In contrast, Rule 403A provides that "[u]pon the filing of the request form, the magisterial district judge. . . shall issue the order of execution thereon."

Under [subdivision] paragraph A of this rule, the execution proceedings are commenced by requesting an "order of execution." The request may not be filed before the expiration of 30 days after the date the judgment is entered by the magisterial district judge. This will give the defendant an opportunity to obtain a supersedeas within the appeal period. The request must be filed within five years of the date the judgment is entered by the magisterial district judge. No provision has been made for revival of a judgment in magisterial district court proceedings.

[Subdivision] Paragraph C provides for entering the judgment, for the purpose of requesting an order of execution, in an office of a magisterial district judge other than that in which the judgment was rendered when levy is to be made outside the county in which the judgment was rendered. *Compare* Pa.R.C.P. No. 3002.

As to [subdivision] paragraph D, *see* Section 1516 of the Judicial Code, 42 Pa.C.S. § 1516. The [30 day] 30-day limitation in the rule appears to be required by this Section. Certification by the magisterial district judge should not be done before the expiration of 30 days after the date of entry of the judgment. The only method available to renew a judgment would be to record the judgment in the [Prothonotary's] prothonotary's **or Municipal Court Administrator's** office prior to the expiration of the five-year period and then follow the applicable Rules of Civil Procedure for the revival of judgments. *See* Pa.R.C.P. No. 3025 *et seq.*; *see also* Phila. M.C.R. Civ.P. No. 126c. Also, [subdivision] paragraph D makes clear that when the judgment is entered in the court of common pleas **or the Philadelphia Municipal Court**, all further process shall come from [the court of common pleas] that court and that no further process shall be issued by the magisterial district judge except that the magisterial district judge shall enter on the magisterial district court docket vacating of

the judgment due to its entry at the court of common pleas **or the Philadelphia Municipal Court**, or proof of satisfaction of a judgment that had been entered in the court of common pleas **or the Philadelphia Municipal Court** and subsequently satisfied in that court. This exception is necessary so that procedures exist for entering satisfaction of all judgments with the magisterial district court, regardless of whether the judgment has been certified to and satisfied in the court of common pleas **or the Philadelphia Municipal Court**. A plaintiff filing a judgment in the court of common pleas **or the Philadelphia Municipal Court** is required to file satisfactory proof of the entry of judgment with the magisterial district court that entered the judgment, and the magisterial district court will then vacate its judgment. This step ensures that only the enforceable common pleas **or Philadelphia Municipal Court** judgment will be reportable as an outstanding liability of the defendant.

[**Subdivision**] Paragraph E provides that a judgment shall be marked expired if the plaintiff does not request an order of execution in a magisterial district court or enter the judgment in a court of common pleas **or the Philadelphia Municipal Court** within five years of the date the judgment was entered by the magisterial district judge. Limiting the time period for entry of the judgment to five years will give a plaintiff sufficient time to act without indefinitely penalizing a defendant.

REPORT

Proposed Amendment of Pa.R.C.P.M.D.J. No. 402

Entry of Judgment

I. Introduction

The Minor Court Rules Committee (“Committee”) is planning to propose to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P.M.D.J. No. 402. This rule addresses entry of judgment in a magisterial district court or a court of common pleas. The Committee is proposing to (A) clarify the procedure for a request for an order of execution that will take place outside the county where the magisterial district court judgment was rendered, and (B) add the Philadelphia Municipal Court as an additional court where a magisterial district court judgment may be entered.

II. Discussion

(A) Request for an Order of Execution

The Committee has received inquiries in recent years regarding a magisterial district judge’s authority to reject a request for an order of execution that will take place outside the county where the judgment was rendered (*i.e.*, out-of-district execution), and, instead, require the plaintiff to go directly to a magisterial district court in the other county to pursue execution.

Pa.R.C.P.M.D.J. No. 402A currently provides:

Execution of judgment for the payment of money rendered by a magisterial district judge may be ordered by a magisterial district judge in whose office the judgment was rendered or entered provided the plaintiff files in that office

(1) not before the expiration of 30 days after the date the judgment is entered by the magisterial district judge, and

(2) within five years of that date,
a request for an order of execution.

In contrast, Pa.R.C.P.M.D.J. No. 402C provides:

A plaintiff may enter the judgment, for the purpose of requesting an order of execution thereon, in an office of a magisterial district judge other than that in which it was rendered only if levy is to be made outside the county in which the judgment was rendered and the office in which the judgment is entered for execution is that of a magisterial district judge whose magisterial district is situated in the county in which levy is to be made.

The Committee was advised that some magisterial district courts have interpreted the discretionary language in Rules 402A and C as permitting a magisterial district court to reject a request for an order of execution that will take place outside the county where the judgment was rendered, and require the plaintiff to file the request in the other county. The Committee disagrees with this interpretation of the rule, and is of the opinion that the discretionary language used in Rules 402A and C is for the sole benefit of the plaintiff to elect where to enter the judgment for execution.

(B) Philadelphia Municipal Court

Currently, Rule 402 provides, among other things, that a plaintiff may enter a judgment rendered by a magisterial district court in the court of common pleas of any county. *See* Rule 402D(1). When entered in the court of common pleas, the judgment is subject to the indexing, revival and execution procedures applicable in the court of common pleas. *Id.* Entering a judgment in the court of common pleas, and submission of proof thereof to the magisterial district court, has the effect of vacating the underlying magisterial district court judgment, so that only one judgment remains in effect for execution purposes. *See* Rule 402D(4).

While reviewing Rule 302 (pertaining to venue) on a separate matter, a Committee member observed that the venue rule specifically permits the transfer of cases to and from the Philadelphia Municipal Court, while the rule on entry of judgments limits transfers to a magisterial district court or a court of common pleas. The Committee agreed that permitting entry of judgments in the Philadelphia Municipal Court would be useful to litigants, and discussed amending Rule 402 to add the Philadelphia Municipal Court as a court where a magisterial district court judgment may be entered.

The Philadelphia Municipal Court Rules of Civil Procedure permit entry of judgments from other courts: “[j]udgments of other Pennsylvania jurisdictions within the jurisdictional amount of this court may be transferred to this court by filing a certified copy of all the docket entries in the action and a certification of the amount of judgment or a certified copy of the transcript of the judgment.” *See* Phila.M.C.R.Civ.P. No. 125a. Judgments entered in Philadelphia Municipal Court are treated in the same manner as judgments entered in the Court of Common Pleas of Philadelphia County.

Judgment recovered in the Philadelphia Municipal Court shall be a lien upon property in the same manner and to the same extent that judgment recovered in the Court of Common Pleas of Philadelphia County is a lien. All such judgments shall be indexed in the judgment index or indices of Philadelphia County in the same manner as judgments of the court of common pleas are indexed.

42 Pa.C.S. § 1124. With regard to judgments of magisterial district courts, 42 Pa.C.S. § 1516, referenced in the Official Note to Rule 402, provides:

[a] judgment of a magisterial district judge shall not operate as a lien on real property until a transcript of the record showing a final judgment of a magisterial district judge has been filed in the manner prescribed by general rules in the office of the clerk of the court of common pleas of the county where the property is situated, or in the office of the clerk of the branch of the court of common pleas embracing such county.

42 Pa.C.S. § 1516.

The Committee did not find that these provisions prohibit entry of magisterial district court judgments in the Philadelphia Municipal Court. The Committee agreed that permitting entry of judgments in the Philadelphia Municipal Court would achieve consistency between the courts, and provide litigants with an additional venue to initiate the judgment enforcement process. Accordingly, the Committee agreed to add references to the Philadelphia Municipal Court in Rule 402, as well as to add references to the Philadelphia Municipal Court and a procedural rule of that court to the Official Note.

III. Proposed Changes

The Committee plans to propose an amendment to the Official Note to Rule 402 to clarify that the discretionary language used in paragraphs A, C and D is intended to reflect the options available to the plaintiff, and contrast those paragraphs with Rule 403A, which provides that “[u]pon the filing of the request form, the magisterial district judge . . . shall issue the order of execution thereon.”

The Committee also plans to propose the amendment of Rule 402 to add references to the Philadelphia Municipal Court throughout paragraphs D and E of the rule. The Committee will also propose amending the Official Note to add references to the Philadelphia Municipal Court, as well as a pertinent reference to Phila.M.C.R.Civ.P. No. 126c.

The Committee will also propose minor stylistic changes throughout Rule 402.

[Pa.B. Doc. No. 17-1962. Filed for public inspection December 1, 2017, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Adoption of Philadelphia Rule of Judicial Administration No. *404—Philadelphia Municipal Court Traffic Division Public Access Policy; Administrative Order No. 01 of 2017

Order

And Now, this 6th day of November, 2017, it is *Ordered* and *Decreed* that:

- (1) Philadelphia Rule of Judicial Administration No. *404. Philadelphia Municipal Court Traffic Division Public Access Policy is adopted effective January 6, 2018; and
- (2) The following Philadelphia Municipal Court Traffic Division Fee Schedule is adopted effective January 6, 2018.

This Administrative Order is issued in accordance with Pa.R.J.A. 103 and shall be filed with the following rule and Fee Schedule 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, rule and Fee Schedule shall be distributed to the Legislative Reference Bureau, together with a copy on a computer diskette, for publication in the *Pennsylvania Bulletin*, and shall become effective as previously noted. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order, rule and Fee Schedule shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://www.courts.phila.gov>, and shall be incorporated in the compiled set of Philadelphia local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order, rule and Fee Schedule shall also be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HONORABLE GARY S. GLAZER,

Administrative Judge,

Philadelphia Municipal Court Traffic Division

PHILADELPHIA RULE OF JUDICIAL ADMINISTRATION

Rule *404. Philadelphia Municipal Court Traffic Division Public Access Policy.

(a) *Case Records.* The policy of the Philadelphia Municipal Court Traffic Division (“Traffic Division”) is to provide unrestricted access to its case records except as provided by law and state and local rules. The “case records” of the Traffic Division consist of citations issued or filed as required by law and rules of court, any notices, orders and warrants issued by the Traffic Division and any other legal papers filed with the Traffic Division. However, the following Traffic Division case records shall not be accessible to the public:

(1) Documents containing defendant’s employment and financial information which is provided as required by rules of court to enable the Traffic Division to enter and enforce installment payment orders, including In Forma Pauperis petitions; and

(2) Documents which contain any of the confidential information listed in subsection (b) below, unless the confidential information is redacted.

(b) *Electronic Case Records and Confidential Information.* It is the policy of the Traffic Division to permit the public to access, inspect and obtain electronic case records of the Traffic Division that exist in its case management system, eTIMS and any supporting electronic program, to the fullest extent legally permitted and feasible, except as provided by law, state and local rules, applicable UJS policies, provided that the Traffic Division’s orderly and efficient case flow is not disrupted by the request for electronic case records. However, the following information is deemed confidential and shall not be accessible to the public:

- (1) social security numbers;
- (2) operator license numbers;
- (3) witness information for Traffic Court cases including name, address and other contact information;

(4) financial institution account numbers, credit card numbers, PINS or passwords used to secure accounts;

(5) notes, drafts, and work products related to court administration or any office that is the primary custodian of an electronic case record;

(6) information sealed or protected pursuant to court order;

(7) information to which access is otherwise restricted by federal law, state law, or state court rule; and

(8) information presenting a risk to personal security, personal privacy, or the fair, impartial and orderly administration of justice, as determined by the Court Administrator with the approval of the Administrative Governing Board of the First Judicial District.

(c) *Request for Bulk Electronic Case Records or Data.* Standard reports will be made available to Requesters upon payment of the requisite fee. Requests for combined electronic case records ("bulk records") shall be reviewed and approved on a case-by-case basis. Any request for bulk records that can be compiled using an existing report format shall be granted. Any request for bulk records or data which cannot be compiled using an existing report format will be granted if the request is not onerous, and the Traffic Division has available personnel and resources needed to compile the information requested without adversely impacting the operations of the First Judicial District or otherwise disrupting its orderly and efficient case flow. Requests for electronic case records will be subject to fees and costs adopted by the Traffic Division from time to time.

(d) *Remote Access to Case Records and Electronic Case Records.* The Traffic Division is not required to provide remote access to case records or electronic case records. From time to time, however, the Traffic Division may provide electronic access to all or some such case records and/or electronic case records, in accordance with this rule and other applicable law, rules or regulations.

(e) *Fees. Forms.* The Traffic Division shall adopt a Public Access Fee Schedule and Request Forms, which may be amended from time to time and which shall be posted on the FJD website, <http://www.courts.phila.gov>.

First Judicial District of Pennsylvania

Philadelphia Rule of Judicial Administration No. *404

Philadelphia Municipal Court Traffic Division Public Access Policy¹

PUBLIC ACCESS FEE SCHEDULE Effective January 6, 2018

1) *Copies of Case Records.* Unless otherwise provided by applicable authority, \$0.25 shall be charged per page for Case Records of the Philadelphia Municipal Court Traffic Division, whether provided in a paper or electronic format, whether duplicated by photocopying or printing from electronic media.

2) *Historical Data File.* The sum of \$3,000 will be charged for a file consisting of agreed upon electronic data-fields spanning a five (5) year period, for each report type requested from the Municipal Court Traffic Division.

3) *Recurring Reports.* Recurring monthly reports are available at the cost of \$300 per month. A list of the

¹ The Case Management System of the Philadelphia Municipal Court Traffic Division is maintained by a third-party provider. The cost for requested data may be higher depending on the amount the third-party provider will charge the Traffic Division for producing the requested report. An estimate will be provided to the Requester for approval and pre-payment before the requested report is produced.

available recurring (standard) reports may be posted on the website of the First Judicial District.

4) *Weekly Reports.* Recurring Reports which are provided on a monthly basis can also be provided on a weekly basis for an additional fee of \$85 per week.

5) *Daily Reports.* Recurring Reports which are provided on a monthly basis can also be provided on a daily basis for an additional fee of \$85 per day.

6) *Ad Hoc, Non-Recurring, Requests.* Will be provided at a cost based on a standard programming fee of @ \$85 per hour, plus \$300 per report.

7) Record requested on media such as CD, DVD or other memory devices are subject to a minimum fee of \$5 or actual cost. Postage will be added, at actual cost, if delivery is requested by U.S. mail or other expedited delivery.

[Pa.B. Doc. No. 17-1963. Filed for public inspection December 1, 2017, 9:00 a.m.]

PHILADELPHIA COUNTY

Rescission of the Public Access Policy of the First Judicial District of Pennsylvania Adopted Octo- ber 15, 2012, and Adoption of Phila.R.J.A. Nos. *401, *402 and *403; No. 02 of 2017

Order

And Now, this 13th day of November, 2017, as required by the Order issued by the Supreme Court of Pennsylvania on January 6, 2017 in connection with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, No. 477 Judicial Administration Docket, it is *Ordered* and *Decreed* as follows:

1) The Public Access Policy of the First Judicial District of Pennsylvania adopted on October 15, 2012 (AGB Order No. 06 of 2012) is rescinded, effective January 6, 2018;

2) Philadelphia Rules of Judicial Administration No. *401, *402 and *403, as follows, are adopted effective January 6, 2018; and

3) The following First Judicial District's Public Access Fee Schedule is adopted effective January 6, 2018.

This Order is issued in accordance with Pa.R.J.A. 103 and shall be filed with the following rules with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for 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 Order and rules shall be distributed to the Legislative Reference Bureau, together with a copy on a computer diskette, for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Order and rules shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://www.courts.phila.gov>, and shall be incorporated in the compiled set of Philadelphia local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Order and rules shall also be published in *The Legal Intelligencer* and will be submitted to American Lawyer

Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HONORABLE SHEILA WOODS-SKIPPER,
Chair,
Administrative Governing Board of
the First Judicial District of Pennsylvania
President Judge,
Court of Common Pleas of
Philadelphia County

**PHILADELPHIA RULE OF JUDICIAL
ADMINISTRATION**

Rule *401. Policy Concerning Access to Case Records of the Court of Common Pleas and Philadelphia Municipal Court Civil and Criminal Divisions, in Conjunction with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts (“UJS Case Records Policy”).

(a) *Confidential Information.* When a document (including exhibits) contains any of the confidential information listed in Section 7.0 of the UJS Case Records Policy, the filer shall file a Redacted Version and an Unredacted Version of the document, as provided below.

(1) *Redacted Version.* The Redacted Version of the document shall not include any of the confidential information listed in Section 7.0(A), and must be redacted in a manner that is visibly evident to the reader. The Redacted Version of the document shall be accessible by the public.

(2) *Unredacted Version.* The Unredacted Version of the document shall contain all information, including the confidential information listed in Section 7.0(A). The Unredacted Version of the document shall not be accessible by the public.

(3) A Redacted Version of a document which contains confidential information does not need to be filed for case types that are sealed or exempt from public access pursuant to applicable authority.

(b) *Confidential Documents.*

The documents listed in Section 8.0(A) of the UJS Case Records Policy shall be filed together with the Confidential Document Form. When a document is filed using the First Judicial District’s Electronic Filing System, the Confidential Document Form will be generated by the Electronic Filing System upon entry of the requisite information by the filer. All confidential documents filed in connection with each filing can be uploaded at the same time. A Confidential Document Form need not be used for case types that are sealed or exempt from public access pursuant to applicable authority. Confidential documents filed together with the Confidential Document Form are not accessible by the public; however, the Confidential Document Form is accessible by the public.

(c) *Access to Case Records at a Court Facility*

The information described in Section 9.0 of the UJS Case Records Policy is not accessible by the public at any First Judicial District court facility.

(d) *Remote Access.*

(1) *By the Parties.* Counsel of record or unrepresented parties shall continue to have remote access to documents and other legal papers filed in their case(s) only.

(2) *By the Public.* Before providing remote access to Case Records or dockets to the public, each Court or

Division of the First Judicial District must insure that the information and documents listed and described in Section 10.0 are not remotely accessible by the public.

(e) *Fee Schedules.* The First Judicial District shall adopt a Fee Schedule, as provided in Section 6.0 of the UJS Case Records Policy, which shall be posted on the court’s website at www.courts.phila.gov and posted in each court facility’s filing office in an area accessible to the public.

Rule *402. Electronic Case Records. Court of Common Pleas and Philadelphia Municipal Court Civil and Criminal Divisions.

(a) Electronic case record information maintained by the First Judicial District is available as provided in this rule to the extent its release is authorized or restricted by law, state and local rules, and applicable policies of the Unified Judicial System.

(b) Requests for electronic case record information shall be made on forms provided by the First Judicial District from time to time.

(c) Standard reports will be made available to Requesters upon payment of the requisite fee. Requests for combined electronic case records (“bulk records”) shall be reviewed and approved on a case-by-case basis. Any request for bulk records that can be compiled using an existing report format shall be granted. Any request for bulk records or data which cannot be compiled using an existing report format will be granted if the request is not onerous, and the First Judicial District has available personnel and resources needed to compile the information requested without adversely impacting the operations of the First Judicial District or otherwise disrupting its orderly and efficient case flow.

(d) Requests for electronic case records will be subject to fees and costs adopted by the First Judicial District from time to time. The First Judicial District must assess, charge and collect the fees and other charges that are required by law and other legal authority. See, e.g. 42 Pa.C.S. § 1725, 42 P.S. § 21015 et seq., and 42 P.S. § 21081.

(1) The First Judicial District shall adopt a Public Access Fee Schedule which shall be posted on the court’s website at www.courts.phila.gov and posted in each court facility’s filing office in an area accessible to the public.

(2) The Public Access Fee Schedule may be amended from time to time by the First Judicial District.

(3) Requesters may be required to pay the estimated cost of any report before release of the approved electronic case information.

Rule *403. Financial Records of the Court of Common Pleas and Philadelphia Municipal Court Civil and Criminal Divisions.

(a) Pennsylvania Rule of Judicial Administration No. 509 implements Section 304 of The Right to Know Law which requires Judicial Agencies to provide financial records. See Act 3 of 2008, 65 P.S. § 67.304. Financial Records maintained by the First Judicial District are presumed to be open to any member of the public for inspection or copying during established business hours as provided in Pennsylvania Rule of Judicial Administration No. 509 and this rule.

(1) Information regarding First Judicial District Contracts and Purchase Orders of \$5,000 or more issued after July 1, 2008 is available through the UJS Web Portal,

<https://ujportal.pacourts.us/DocumentPostings/Search.aspx>, by selecting "Philadelphia" in the "Judicial Office" field.

(2) Financial records may also be requested by completing the First Judicial District Financial Records Request Form, which is available on the First Judicial District's website at www.courts.phila.gov.

(b) The First Judicial District shall designate an Open-Records Officer and Appeals Officer, as required by 65 P.S. § 67.502 and 65 P.S. § 67.503.

(c) The First Judicial District shall adopt a Fee Schedule, which shall be available on the First Judicial District's website at www.courts.phila.gov. The Fee Schedule may be amended from time to time. Pre-payment will be required if expected compliance costs exceed \$100.

First Judicial District of Pennsylvania

Philadelphia Rule of Judicial Administration Nos. *401, *402 and *403 Court of Common Pleas and Municipal Court Civil and Criminal Divisions

PUBLIC ACCESS FEE SCHEDULE Effective January 6, 2018

1) *Copies of Official Case Records and Financial Records.* Unless otherwise provided by applicable authority¹, \$0.25 shall be charged per page for Official Case Records and Financial Records provided in a paper or electronic format, whether duplicated by photocopying or printing from electronic media.

2) *Historical Electronic Case Records Data File.* A file consisting of agreed upon electronic data fields spanning a five (5) year period, as follows:

(a) \$25,000 for electronic data maintained by the below Courts/Divisions:

- (i) Court of Common Pleas, Civil
- (ii) Court of Common Pleas, Orphans'
- (iii) Municipal Court, Civil²

(b) \$10,000 for each Court or Division for electronic data maintained by that Court or Division:

- (i) Court of Common Pleas, Civil
- (ii) Court of Common Pleas, Orphans'
- (iii) Municipal Court, Civil²

(c) \$3,000 for each report type (e.g. "Case Record" or "Judgment File") for each of the following Courts or Divisions:

- (i) Court of Common Pleas, Civil
- (ii) Court of Common Pleas, Orphans'
- (iii) Municipal Court, Civil²

3) *Recurring Reports.* Until otherwise provided, recurring monthly reports are available at the cost of \$300 per month. A list of the available recurring (standard) reports may be posted on the website of the First Judicial District and may be amended from time to time.

4) *Weekly Reports.* Recurring Reports which are provided on a monthly basis will be provided on a weekly basis for the monthly fee, and an additional cost of \$85 per week.

¹ See, e.g. 42 Pa.C.S. § 1721, 42 P.S. § 21015 et seq., and 42 P.S. § 21081.

² The Case Management System for this Division is maintained by a third-party provider. The cost for requested data may be higher depending on the amount the third-party provider will charge the District for producing the requested report. An estimate will be provided to the Requester for approval and pre-payment before the requested report is produced.

5) *Daily Reports.* Recurring Reports which are provided on a monthly basis will be provided on a daily basis for the monthly fee, and an additional cost of \$85 per business day

6) *Ad Hoc, Non-Recurring, Requests.* Will be provided at a cost based on a standard programming fee of @ \$85 per hour, plus \$300 per report.

7) Record requested on media such as CD, DVD or other memory devices are subject to a minimum fee of \$5 or actual cost. Postage will be added, at actual cost, if delivery is requested by U.S. mail or other expedited delivery. Other costs incurred in producing Financial Records will be assessed at actual cost.

[Pa.B. Doc. No. 17-1964. Filed for public inspection December 1, 2017, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LAWRENCE COUNTY

Adoption of Local Rule of Judicial Administration 510; No. 90182 of 2017, A.D.

Administrative Order of Court

And Now, this 6th day of November, 2017, it is *Ordered* that Lawrence County Local Rule of Judicial Administration L510 is adopted, effective January 6, 2018, as follows:

Rule L510. Confidential Information Form.

Pursuant to § 7 of the Public Access Policy of the Uniformed Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, persons who file documents that contain confidential information as defined by the Policy shall use and file a Confidential Information Form (CIF) or a Confidential Document Form (CDF), as applicable, in order to comply with the Policy. Parties are expressly prohibited from filing two versions of any document, i.e., a redacted version and an unredacted version. The forms shall be available in each filing office as well as on the Public Records page of the UJS website at <http://www.pacourts.us/public-record-policies>.

This rule may be cited as L.C.R.J.A. 510.

The Prothonotary shall exit a copy of this Order to all Lawrence County Judges; all Lawrence County Magisterial District Court Judges; Court Administration; and to the Lawrence County Prothonotary and Clerk of Courts.

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

1. File one (1) copy with the Administrative Office of Pennsylvania Courts.

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

3. Publish the Order on the Lawrence County Court website at www.co.lawrence.pa.us, and in the *Lawrence County Law Journal* and the *New Castle News*.

4. File one (1) copy of the local rule with the Lawrence County Law Library and the Office of the County Commissioners for public inspection and copying.

By the Court

DOMINICK MOTTO,
President Judge

[Pa.B. Doc. No. 17-1965. Filed for public inspection December 1, 2017, 9:00 a.m.]

LEHIGH COUNTY

Adoption of Local Rule of Judicial Administration 510—Filing of Legal Papers with Confidential Information; 2017-J-63

Administrative Order

And Now, this 8th day of November 2017, *It Is Ordered That* Lehigh County Local Rule of Judicial Administration 510 is hereby *Adopted*, effective January 6, 2018.

It Is Further Ordered That the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and Lehigh County Rule of Judicial Administration 510 with the Administrative Office of Pennsylvania Courts; and two (2) certified copies with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. This Local Rule shall also be published on the Court's website and incorporated into the complete set of Lehigh County Local Rules.

By the Court

EDWARD D. REIBMAN,
President Judge

Rule 510. Filing of Legal Papers with Confidential Information.

Pursuant to Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trials Courts, persons who file documents that contain confidential information as defined by the Policy shall use and file a Confidential Information Form, along with the redacted document, in order to comply with the Policy. The Confidential Information Form shall be available in each filing office as well as on the court's website at www.lccpa.org.

[Pa.B. Doc. No. 17-1966. Filed for public inspection December 1, 2017, 9:00 a.m.]

MERCER COUNTY

Administrative Order; No. 2017-3297

And Now, this 9th day of November 2017, The Court Hereby *Approves, Adopts and Promulgates* the following Mercer County Administrative Order. This Order will become effective upon publication in the *Pennsylvania Bulletin*.

It is further *Ordered and Directed* that the Court Administrator of Mercer County shall file one (1) certified copy of this Order with the Administrative Office of Pennsylvania Courts and furnish two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

It is further *Ordered and Directed* that this Order shall be kept continuously available for public inspection and

copying in the Office of the Clerk of Courts of Mercer County and the Office of the Prothonotary of Mercer County. This Order shall be published in the *Mercer County Law Journal*.

By the Court

THOMAS R. DOBSON,
President Judge

Public Access Policy; Administrative Order 2017-3297

Administrative Order

And Now, this 2nd day of November, 2017, *It Is Hereby Ordered* that the Court of Common Pleas of Mercer County, Pennsylvania, adopts Option 1 of the Public Access Policy of the Unified Judicial System of Pennsylvania. Confidential information filed in accordance with the Public Access Policy shall be on a standardized Confidential Information Form provided by the Administrative Office of Pennsylvania Courts. The form shall be available in each filing office and on the AOPC web site at: <http://www.pacourts.us/public-records>

By the Court

THOMAS R. DOBSON,
President Judge

[Pa.B. Doc. No. 17-1967. Filed for public inspection December 1, 2017, 9:00 a.m.]

WARREN AND FOREST COUNTIES

Public Access Local Rule of Judicial Administration; No. 51 of 2017 Misc.

Administrative Order

And Now, this 14th day of November, 2017, it is hereby *Ordered and Decreed* that the Warren/Forest County Court of Common Pleas adopts Local Rule of Judicial Administration Rule R.J.A. L510 governing the Public Access Policy effective January 6, 2018.

The Warren/Forest 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 Warren/Forest County Court website at www.warrenforestcourt.org.
4. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

By the Court

MAUREEN A. SKERDA,
President Judge

Rule R.J.A. L510. Public Access Policy.

(A) Pursuant to Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case records of the Appellate and Trial Courts, persons who file documents that contain confidential information as defined by the Public Access Policy shall use and file a Confidential Information Form in order to comply with the Policy. The form shall be available in each

filing office as well as the Court Website, at www.warrenforestcourt.org and are located at the Public Records page of the UJS Website at <http://www.pacourts.us/public-records>.

[Pa.B. Doc. No. 17-1968. Filed for public inspection December 1, 2017, 9:00 a.m.]

WESTMORELAND COUNTY
Preliminary Hearings; No. 3 of 2017

Administrative Order of Court

And Now, this 19th day of October, 2017, *It Is Hereby Ordered* that Westmoreland County Criminal Procedure WC542 is hereby rescinded and new Rule WC542 is adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

RICHARD E. McCORMICK, Jr.,
President Judge

Rule WC542. Preliminary Hearings.

(a) *Audio Recordings of Testimony from Preliminary Hearings*

(1) The magisterial district judge shall record testimony at preliminary hearings when requested by the district attorney or defendant's counsel.

(2) The magisterial district judge shall save the recording locally and back the recording up to the County's server upon completion of the preliminary hearing.

(3) The district attorney or defendant's counsel may obtain a copy of the recording from the court administrator by applying in writing within thirty days of the defendant's formal arraignment.

(4) When a preliminary hearing is held at the Westmoreland County Courthouse, court administration shall ensure that testimony is recorded.

(b) *Scheduling Court Arraignment*

(1) The court administrator shall assign and promulgate arraignment dates, judges and courtrooms. The magisterial district judge shall set as the date for court arraignment the next scheduled court arraignment date which falls no sooner than the eighth Friday following the preliminary hearing or waiver of the same. Arraignment shall be scheduled for 8:30 a.m. If the preliminary hearing or waiver occurs on a Friday, that Friday shall be counted as the first Friday.

(2) The magisterial district judge shall:

A. advise the defendant and counsel of the time, date, and place of arraignment, and that failure to appear at arraignment may result in the defendant's arrest and forfeiture of bond;

B. complete a court arraignment form;

C. require the defendant to sign the court arraignment form indicating that the defendant is aware of the time and place of arraignment and the obligation to appear; and

D. provide the defendant with a copy of the court arraignment form, retain a copy; and forward the original with the official record to the clerk of courts as required by Pa.R.Crim.P. 547.

[Pa.B. Doc. No. 17-1969. Filed for public inspection December 1, 2017, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**

Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated November 14, 2017, Keith Hall Barkley (# 70521) who resides in Gotha, FL, is Suspended from the Bar of this Commonwealth for a period of two years. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary
*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 17-1970. Filed for public inspection December 1, 2017, 9:00 a.m.]

SUPREME COURT

**Designation of Chair and Vice-Chair of Juvenile
Court Procedural Rules Committee; No. 751 Supreme
Court Rules**

Order

Per Curiam

And Now, this 16th day of November, 2017, the Honorable Jennifer R. Sletvold is hereby designated as Chair, and the Honorable R. Stephen Barrett is designated as Vice-Chair, of the Juvenile Court Procedural Rules Committee, commencing February 1, 2018.

[Pa.B. Doc. No. 17-1971. Filed for public inspection December 1, 2017, 9:00 a.m.]

**Reappointment to Juvenile Court Procedural Rules
Committee; No. 750 Supreme Court Rules**

Order

Per Curiam

And Now, this 16th day of November, 2017, the Honorable Thomas P. Rogers, Montgomery County, is hereby reappointed as a member of the Juvenile Court Procedural Rules Committee for a term of three years, commencing February 1, 2018.

[Pa.B. Doc. No. 17-1972. Filed for public inspection December 1, 2017, 9:00 a.m.]

RULES AND REGULATIONS

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CHS. 61 AND 67]

[L-2015-2498111]

Steam Heat Distribution System Safety Regulations

The Pennsylvania Public Utility Commission, on August 3, 2017, adopted a final rulemaking order to amend its existing steam heating service regulations and provide new steam safety requirements.

Executive Summary

Section 1501 of the Public Utility Code requires every public utility in Pennsylvania to “maintain adequate, efficient, safe, and reasonable service and facilities” and to “make all such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public.” 66 Pa.C.S. § 1501. Pursuant to that authority and Section 501 of the Public Utility Code, 66 Pa.C.S. § 501, the Pennsylvania Public Utility Commission (Commission or PUC) has amended and added safety regulations governing steam heat distribution facilities of steam utilities under the Commission’s jurisdiction.

The Commission adopted these regulations to facilitate safety inspections of steam utilities by the PUC’s Pipeline Safety Division. The regulations modernize and update the accident reporting regulations similar to recently revised regulations for electric, gas, and water utilities. The regulations add requirements for notification of major construction, operating and maintenance plans, customer education, recordkeeping, employee training, periodic inspections, steam leaks and emergency reports, welding, and service outage reports. The regulations also emphasize that steam utilities must adhere to Pennsylvania One Call (the Underground Utility Line Protection Act) and comply with standard safety codes.

Public Meeting held
August 3, 2017

Commissioners Present: Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; Robert F. Powelson; David W. Sweet; John F. Coleman, Jr.

Steam Heat Distribution System Safety Regulations, 52 Pa. Code Chapters 61 and 67; L-2015-2498111

Final Rulemaking Order

By the Commission:

By Order entered November 5, 2015, the Pennsylvania Public Utility Commission (Commission) issued a Proposed Rulemaking Order to amend and expand its steam heating service regulations in Chapter 61 of the Pennsylvania Code. See 52 Pa. Code §§ 61.1—61.31. Pursuant to its authority and duty under the Public Utility Code, 66 Pa.C.S. §§ 501, 1501, the Commission proposed revisions and updates to Sections 61.1, 61.11, and 61.12. The Commission proposed adding a new subchapter titled “Safety Requirements,” adding Sections 61.41—61.53. The Commission also proposed minor revisions to Chapter 67

to apply the service outage regulations to jurisdictional steam distribution companies.

Comments to the Proposed Rulemaking Order were filed by NRG Energy Center Harrisburg LLC and NRG Energy Center Pittsburgh LLC (collectively the “NRG Companies”), Veolia Energy Philadelphia, Inc. (“VEPI”) and the Independent Regulatory Review Commission (“IRRC”). The Commission has reviewed those comments and now issues this Final Rulemaking Order.

Background

The Commission first promulgated the current regulations governing steam heating service on March 11, 1946. See 52 Pa. Code §§ 61.1—61.27, 61.31. The Commission promulgated Section 61.28 regarding the filing of annual financial reports on May 7, 1988. See 18 Pa.B. 2106; see 52 Pa. Code § 61.28. Otherwise, Chapter 61 governing steam heating service has not been revised or amended. The Commission maintains jurisdiction over only a few steam heating utilities: the aforementioned NRG Companies and VEPI. Due to the low number of jurisdictional steam utilities and the perception of fewer risks and dangers presented in the regulation of steam than in the regulation of gas, the Commission historically retained very few staff and inspectors to oversee the few steam utilities operating in the Commonwealth.

While steam distribution systems present fewer dangers than natural gas distribution systems, accidents and incidents can still occur. For example, on July 18, 2007, a 20-inch diameter steam pipeline owned and operated by the Consolidated Edison Company of New York, Inc. (Con Ed) ruptured in Midtown Manhattan in New York City, where escaping steam broke through the pavement, creating a large crater at a busy intersection.¹ The rupture also impacted surrounding telecommunications facilities and natural gas and electric transmission and distribution facilities. The New York Public Service Commission (NYPSC), which regulates jurisdictional steam corporations in New York, determined that Con Ed’s procedures did not adequately address the regulatory requirements of 16 NYCRR 420.4(b)(5). See N.Y. PUB. SERV. LAW § 80 (general powers of the NYPSC as to steam heating). Therefore, the NYPSC identified a number of recommendations for improvement by Con Ed to its procedures, inspections, system surveillance, training, facility repairs, and feasibility analyses.²

State representatives of the Pennsylvania General Assembly, understanding that the Commonwealth has similar steam pipelines and facilities, asked the PUC’s Gas Safety Division, now the Pipeline Safety Division, to spearhead inspections of steam heat facilities in Pennsylvania. Three PUC Pipeline Safety inspectors began steam training in 2009, first attending a week-long training with Con Ed in New York City. In 2010, three PUC Pipeline Safety staff began attending IDEA (International District Energy Association) training on a semi-yearly to yearly basis. This international training broadly covers all topics and facets of steam distribution.

The Commission’s Pipeline Safety Division created a steam inspection form, based in significant part on New

¹ Report on Steam Pipeline Rupture 41st Street & Lexington Avenue: Consolidated Edison Company of New York, Inc. July 18, 2007 (CASE 07-S-0984) State of New York Department of Public Service, Safety Section, Office of Electric, Gas & Water (February 2008), available at http://www.dps.ny.gov/07S0984_ConEdisonSteamIncidentReport_02-11-08.pdf.

² See id. at vii—xii.

York's steam distribution system safety regulations. See 16 NYCRR 420.1—420.15. Accordingly, the Commission sought in the Proposed Rulemaking Order to memorialize the requirements provided in the steam inspection form through the promulgation of steam heat safety regulations.

In the spirit of the Regulatory Review Act, 71 P.S. 745.2, and in order to facilitate the regulatory review process, Commission staff informally proposed draft regulations outside the regulatory review process and discussed those draft regulations with company representatives of the NRG Companies and VEPI. Commission staff held numerous collaborations and discussions with NRG and VEPI.

Discussion

As stated in the November 15, 2015 Proposed Rulemaking Order, the Commission embarked on this rulemaking proceeding in order to modernize and update its existing steam heat regulations and to add steam heat safety regulations to empower the PUC's Pipeline Safety Division to conduct inspections of jurisdictional steam distribution facilities for the purpose of ensuring public safety and protecting the public interest. Section 1501 of the Public Utility Code requires every public utility in Pennsylvania to "maintain adequate, efficient, safe, and reasonable service and facilities" and to "make all such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public." 66 Pa.C.S. § 1501. Pursuant to this authority and the Commission's power to promulgate regulations, 66 Pa.C.S. § 501(b), and the Commonwealth Documents Law, 45 P.S. § 1201, the Commission proposed steam heat safety regulations in order to prescribe the minimum safety requirements for the design, fabrication, installation, inspection, testing, operation, and maintenance of steam distribution systems in the Commonwealth of Pennsylvania.

As stated previously, the only active jurisdictional steam public utilities are the NRG Companies and VEPI, as those entities invoke public utility status by "distributing or furnishing . . . steam . . . to or for the public for compensation." See 66 Pa.C.S. § 102. Notably, in the future the Commission and the Pipeline Safety Division may uncover other steam facilities in the Commonwealth that distribute steam to or for the public for compensation and therefore require a certificate of public convenience from the Commission in order to legally operate. See 66 Pa.C.S. §§ 1101—1103.

Accordingly, the Commission regulates the distribution facilities of jurisdictional steam public utilities. 66 Pa.C.S. §§ 102, 501. The Commission does not have safety jurisdiction over steam distribution companies that do not qualify as public utilities under the Public Utility Code. As to the production of steam, the Pennsylvania Department of Labor & Industry retains legal authority and regulatory oversight by conducting the inspections of the boilers³ that produce the steam. 35 P.S. § 1331.1; see 34 Pa. Code §§ 3a.1—3a.171.

In the Proposed Rulemaking Order, the Commission proposed specific revisions and additions to Chapter 61 and Chapter 67 of its regulations.

³ A boiler is a closed vessel where water is heated or where steam is generated or superheated or any combination thereof, under pressure or vacuum for external use through the direct application of heat from the combustion of fuels or from electricity. A boiler includes fired vessels for heating or vaporizing liquids other than water where those vessels remain separate from processing systems. 35 P.S. § 1331.2 (providing further definitions for specific types of boilers, heaters, and associated equipment).

Revisions to Existing Sections 61.1, 61.11, and 61.12.

Section 61.1 Definitions

As stated in the Proposed Rulemaking Order, the proposed amendment to the definition of service line reflects a more specific, modern definition, and explains that the "point of service termination is the customer's property line, unless otherwise provided by contract." See Annex A, Section 61.1. We proposed deleting the distinctions between low pressure and high pressure, as those archaic distinctions are not very helpful in the steam distribution industry as pressures utilized by companies differ and vary on a wider spectrum. Pressures can range from 100 pounds per square inch gauge (psig) to 210 psig, depending on the system and the company. We also proposed amending the definition for service line of the customer to stress and clarify the importance of the specific service line termination point and not just the general service line. See Annex A, Section 61.1.

Comments from VEPI and IRRC and Resolution

VEPI proposed two additional definitions for "steam distribution system" and "steam utility" to distinguish between distribution system safety and general plant or facility safety. IRRC recommended adding a definition for "termination point" to be used in the definitions of "service line" and "service line of the customer." IRRC also recommended that the Commission should clarify the terms "steam public utility," "steam utility," "utility," "steam facility," "facility," "steam distribution system," and "steam distribution utility" as the terms appear to be used interchangeably.

We agree with suggestions of VEPI and IRRC and have made the appropriate changes in new Annex A. Specifically, we use the term "steam utility" throughout the regulations.

Section 61.11 Accidents

On September 23, 2011, the Commission entered a Final Rulemaking Order pertaining to public utilities' service outage response and restoration practices. See Docket L-2009-2104274 (Final Rulemaking Order entered Sep. 23, 2011); see 14 Pa.B. 4511 (effective Jan. 7, 2012). In that Final Rulemaking Order, the Commission modernized and revised the accident regulations for electric, gas, and water utilities. See *id.* at 7-25, Annex A (revising Section 57.11 for electric, Section 59.11 for gas service, and Section 65.2 for water service). However, we did not update the relevant section, 52 Pa. Code § 61.11, for steam utilities. Therefore, through this comprehensive rulemaking to modernize and update our steam heat distribution regulations, we proposed similar changes to Section 61.11, as currently exist in Sections 57.11, 59.11, and 65.2 of our regulations. Since IRRC approved these changes in 2011, the Commission sought in the Proposed Rulemaking Order comments on whether it should apply similar proposed revisions in our steam heat regulations.

We inserted the word "steam" in the existing Section 61.11(a) for clarity purposes. See Annex A, Section 61.11(a). We proposed revising Section 61.11(b)(2) regarding reportable accidents to reflect the existing language in the relevant electric, gas, and water regulations. We proposed revising Section 61.11(b)(3) to reflect the property damage provisions in Sections 57.11 and 59.11 of the electric and gas regulations. See Annex A, Section 61.11(a) (mirroring the \$50,000 market value proper damage requirement). We proposed adding Section 61.11(b)(5) for steam facilities to mirror Section 59.11(b)(4) regarding the emergency shutdown of a liquefied natural gas facility. See Annex A, Section 61.11(b)(5).

In 2011, we modernized our regulations to account for potential physical or cyber-attacks that cause an interruption of service or over \$50,000 in damages, or both. Here, we proposed a similar provision for our steam regulations. See Annex A, Section 61.11(b)(6).

As in our existing electric, gas, and water regulations, we proposed an exception for reporting due to injuries suffered as a result of a motor vehicle accident with utility facilities unless a vehicle involved in the accident is owned by the utility or driven by a utility employee while on duty. See Annex A, Section 61.11(c).

The existing Section 61.11(c) provides for telegraphic reports. The term “telegraph” is antiquated and out of common parlance. In light of this and the fact that proposed Section 61.11(e) provides for written reports, we proposed deleting this section. Instead, we proposed requirements for telephone reports using similar language found in our electric, gas, and water regulations. See Annex A, Section 61.11(d).

As for written reports, we proposed adding similar requirements that are currently found in our existing electric, gas, and water regulations. Written reports will need to be made on the Form UCTA-8 within 30 days of the occurrence of a reportable accident. At a minimum, the accident report form will need to include: (1) the name of the steam utility; (2) the date of the reportable accident; (3) the date of the report; (4) the location of the reportable accident; (5) the name, age, residence, and occupation of injured or deceased persons; (6) a general description of the reportable accident; and (7) the name and telephone number of the reporting officer. See Annex A, Section 61.11(e).

In the same vein as our electric, gas, and water regulations, in this Section we proposed adding Section 61.11(f) providing for the availability of UCTA-8 forms on the Commission’s web site and Section 61.11(g) explaining that reporting requirements may not be limited to the requirements of Section 61.11. See Annex A, Section 61.11(f)-(g); see also 52 Pa. Code §§ 57.11(f)-(g), 59.11(f)-(g), 65.2(f)-(g).

Comments from VEPI and Resolution

VEPI suggests changing the use of “may” in Section 61.11(c) to “shall” so that the steam utility clearly understands what type of injuries do not need to be reported. We agree with VEPI’s suggestion and have made the appropriate changes in new Annex A. We have also changed the word “may” to “shall” in other appropriate sections of the new Annex A.

Section 61.12 Interruptions of service

Here, we proposed inserting the word “steam” in the existing Section 61.12(a) for clarity purposes. See Annex A, Section 61.12(a). Section 61.12 is very similar to the gas regulation in Section 59.12, except that Section 59.12 does not require records of interruptions of service be kept for six years. However, Section 59.45 in our gas regulations requires a natural gas distribution utility to keep records of service interruptions for five years. See 52 Pa. Code § 59.45 (item number 65). Therefore, we requested comments as to the appropriate duration for recordkeeping of a steam utility regarding interruptions of service.

Comments from VEPI and Resolution

VEPI suggests that maintaining records for 3 years is more reasonable than 6 years, and VEPI notes that 3 years is consistent with the record-keeping requirements under Section 61.42 and Section 61.49. We agree in part

with VEPI’s suggestion and have made the appropriate change. Specifically, we have changed the record retention requirement to 5 years.

New Safety Requirements Regulations: Sections 61.41—61.53

The Commission modeled some of these proposed safety regulations on New York’s existing regulations, but made adjustments to reflect the current best practices and modern standards in the existing steam distribution industry in the Commonwealth. See 16 NYCRR 420.1—420.15.

Section 61.41 Purpose and Policy

In Section 61.41(a), the Commission explains the purpose of these steam distribution safety regulations: “to prescribe the minimum safety requirements for the design, fabrication, installation, inspection, testing, operation, and maintenance of steam distribution systems in the Commonwealth of Pennsylvania.” See Annex A, Section 61.41(a); see 61.41(b) (requiring steam public utilities to adhere to the requirements of this section). Section 61.41(c) clearly provides the Commission with the power to inspect the distribution systems of steam utilities. Section 61.41(d) explains that this section does not apply to the generation, production, or piping steam downstream of the customer’s property line.

Comments from IRRC and Resolution

IRRC notes that based on the definitions in Section 61.1, the termination point may be the property line or a point provided by contract. Accordingly, IRRC suggests that the Commission should either add a definition of “termination point” or amend this subsection to include the possibility that the point is described in contract. To address IRRC’s concern, we have added a definition for “Customer’s Piping” in Section 61.1 which both clarifies and eliminates an additional definition or amendment.

Section 61.42 Safety and compliance with standard code

Similar to the Commission’s gas regulations at 52 Pa. Code § 59.33, we proposed Section 61.42(a) explaining that a steam utility “shall at all times use every reasonable effort to properly warn and protect the public from danger, and shall exercise reasonable care to reduce the hazards to which employees, customers, and others may be subjected to by reason of its equipment or facilities.” See Annex A, Section 61.42(a). In order to ensure that steam companies keep up with best practices and the most updated and applicable standards of the American Society of Mechanical Engineers (ASME), we proposed Section 61.42(b) requiring steam utilities to comply with standard code. See Annex A, Section 61.42(b). Here, we also proposed providing the Commission with the discretion to determine whether a particular redesign, repair, modification, or replacement of a facility constitutes a new facility subject to these regulations and thus subject to the latest ASME standards. Annex A, Section 61.42(b). Generally, if a grandfathered facility is substantially redesigned, repaired, or replaced, we required the updated facility to conform to the latest governing code standards. The steam utilities may informally consult with Commission staff as to any questions on what may or may not constitute a redesign, repair, replacement, or modification.

Here, we also required steam utilities to adhere to the Underground Utility Line Protection Act (“PA One Call” or “Act 287”). See 73 P.S. § 176; see Annex A, Section 61.42(c). PA One Call requires underground facility owners, including public utilities, to become members of the

One Call System, a Commonwealth-wide communication system that provides a single nationwide toll-free telephone number or 811 number for excavators, designers, or other persons covered by Act 287 to call facility owners and notify them of their intent to perform excavation, demolition, or similar work. 73 P.S. §§ 176-177.

Similar to our gas regulations, 52 Pa. Code § 59.33(d), we proposed Section 61.42(d), explaining that a steam utility shall be subject to enforcement and inspections of its facilities, books, and records. As in the gas regulations at 52 Pa. Code § 59.33(e), we proposed Section 61.42(e), requiring a steam utility to keep adequate records to assure compliance with this subsection. We proposed this recordkeeping requirement for three years. See Annex A, Section 61.42(e).

Comments from IRRC and Resolution

As to subsection (a), IRRC suggests deleting the word “every.” As to subsection (b), IRRC seeks clarification as to the standards for existing facilities and the possible difficulty for utility compliance. In subsection (c) and (e) respectively, IRRC suggests that the reference to “PA One Call” is premature as the legislation for PUC enforcement is still pending in the state legislature and that the term “adequate records for compliance” is vague.

We agree with IRRC in part. First, we have deleted the word “every” from subsection (a). As to the standards for existing facilities, we will rely upon the applicable standards of the ASME. As to the vagueness of the term “adequate records for compliance,” we are confident that the small number of steam utilities combined with their expressed willingness of cooperation will enable the Commission to obtain the necessary records for determining compliance.

We have also added a subsection (f) to define the applicability of this regulation. As to the reference to “PA One Call,” we note that at this point, there is proposed legislation that may be enacted before the effective date of this regulation. Notwithstanding, we do not believe it is a prerequisite for the Commission to have enforcement responsibility for “PA One Call.” Finally, we point out that we have been working very closely with the NRG Companies and VEPI before and after the drafting of these regulations and it is the firm opinion of the NRG Companies and VEPI that specifying the records for compliance at this point would not be in the Commission’s best interest.

Section 61.43 Notification of major construction

Similar to the Commission’s gas regulations at 52 Pa. Code § 59.38, we proposed requiring the steam utility to notify the Commission and the Commission’s Gas Safety Division of proposed major construction, reconstruction, or maintenance at least 30 days in advance of commencing work. Similar to the gas regulation, we defined major work as a single project involving more than \$300,000 in expenses or more than 10% of the cost of the utility’s plant in service, whichever is less. See Annex A, Section 61.43. We sought comment on whether this is an appropriate definition for major construction. Similar to the gas regulation, we proposed requiring the notification of construction to include (1) description and location of proposed work; (2) type of facility involved; (3) estimated starting date; (4) estimated completion date; (5) design pressure; (6) estimated cost; (7) name and address of reporting steam company; (8) contact information for person in charge of the project; and (9) notification to the Commission of the completion date. Annex A, Section 61.43; see also 52 Pa. Code § 59.38.

Comment from IRRC and Resolution

IRRC suggests that Paragraph 9 “Notification to the Commission of the completion date” should be restated. We agree with IRRC and have eliminated Paragraph 9 and created a subsection (B) which provides the necessary clarification. With consultation and agreement from the NRG Companies and VEPI, we have created a \$250,000 threshold for notification of major construction.

Section 61.44 Operating and maintenance plan

In Section 61.44, we proposed requiring steam utilities to establish and file with the Secretary of the Commission and the Gas Safety Division a detailed, written operating and maintenance plan. See Annex A, Section 61.44(a). We listed the minimal requirements for this plan, including (1) detailed instructions for employees, (2) welding procedures, (3) procedures for reporting and investigating steam leaks, (4) procedures to correct deficiencies, (5) procedures for facility surveillance, (6) a list of qualified utility employees, and (7) steam distribution system turn-on procedures. See Annex A, Section 61.44(b). We required the steam utility to adhere to these operating procedures and maintenance plan filed with the Commission. See Annex A, Section 61.44(c). Revisions to the plan would need to be submitted at least 30 days in advance of the effective date of those revisions. See Annex A, Section 61.44(a).

Comments from VEPI and IRRC and Resolution

VEPI and IRRC both requests that the Commission specify and exact date by which the plan is required to be in place and VEPI and IRRC both request clarification as to whether “the plan” in the last sentence of Subsection (a) refers to the original plan, or if it is referring to subsequently revised plans. We have provided an exact date and the necessary clarification.

Section 61.45 Security planning and emergency contact list

At the outset, we noted that Chapter 101 of our regulations requires a steam utility to develop and maintain four written plans: (1) physical security plan, (2) cyber security plan, (3) emergency response plan, and (4) business continuity plan. 52 Pa. Code §§ 101.2—101.3. Therefore, we noted in this section that steam utilities shall adhere to the requirements of Chapter 101. See Annex A, Section 61.45(a).

Under Chapter 101, an emergency response plan must, at a minimum, include: (1) identification and assessment of the problem, (2) mitigation of the problem in a coordinated, timely, and effective manner, and (3) notification to appropriate emergency services and officials. 52 Pa. Code § 101.3(a)(4)(i)—(iii). Additionally, within its Chapter 101 emergency response plan, we proposed requiring a steam utility to also specifically provide procedures to establish: (1) the availability of necessary personnel, equipment, tools, and materials at the scene of an emergency, (2) an action plan that protects people first and then property, (3) emergency facility shutdown protocols, (4) safety protocols, and (5) safety service main or outage restoration protocols. See Annex A, Section 61.45(b).

We also required a steam utility to file with the Commission and the Gas Safety Division each January a list of the utility’s responsible officials for contact during an emergency. See Annex A, Section 61.45(c). The steam utility would serve this list on affected municipalities and immediately report revisions of this list to those municipalities and to the Commission. See id.

Comments from IRRC and Resolution

IRRC questions the need to require annual reporting of the list of the utility's responsible officials to both the Commission's Secretary and the Gas Safety Division. IRRC also questions the filing of any revisions to the list on just the Gas Safety Division. While we appreciate IRRC's concern, we will respectfully continue our long-standing practice of dual reporting which has been agreed to by both the NRG Companies and VEPI. As to the revisions, we prefer that the revisions be reported solely to the now Pipeline Safety Division, which has an immediate need for updated information.

Section 61.46 Customer education and information program

We proposed requiring a steam utility to maintain customer and education programs through the use of media that sufficiently and comprehensively reaches, to the extent possible, all customers in the particular service territory. See Annex A, Section 61.46(a)-(b). We required a steam utility to file with the Commission and Gas Safety Division each January a current description of its customer education and information program, including the means of implementation and any samples of descriptive literature and other educational aids. See Annex A, Section 61.46(c).

Comment from IRRC and Resolution

IRRC suggests that this requirement is vague and should be replaced with a specific standard. As stated previously, the Commission has worked closely with the NRG Companies and VEPI. Both have indicated agreement with the requirement and all agree that flexibility is crucial. If experience indicates that specific standards in the form of binding regulations are required, we can revisit this issue in the future.

Section 61.47 Employee training

Here, we proposed requiring every employee and supervisor of a steam utility to receive and complete annual training at sufficiently progressive levels to ensure the safe implementation of all the procedures required in this subchapter on Safety Requirements. See Annex A, Sections 61.47(a). Before on-the-job training in field operations, new employees shall receive basic classroom training. See Annex A, Section 61.47(b).

Comments from IRRC and Resolution

IRRC has raised concerns regarding employee training. According to IRRC, Subsection (a) is vague regarding the training progression level. IRRC also is concerned about the subjects in which employees and supervisors must receive annual training. Finally, IRRC questions whether it is reasonable and appropriate for all employees in the operations, maintenance and testing to receive training at all progression levels.

In general, it is Commission's position that each employee is required to be qualified on the specific tasks as defined in the steam utilities comprehensive Operator Qualification Program. The level of training that the employees receive must qualify them to perform cover tasks that they are assigned. However, in response to IRRC's concern, we have clarified the category of new employees that should receive basic classroom training.

Section 61.48 Periodic inspections

In this section, we proposed requiring a steam utility to inspect steam traps and piping assemblies for general condition at least three times each calendar year, as we understand that this would be practicable and in align-

ment with best practices. We sought public comment on whether this requirement is sufficient.

Similar to the New York regulations, we also proposed mandatory checking of blow-off valves for operability immediately prior to closing each associated main valve during a scheduled shutdown of a section of the steam distribution pipeline system. We also proposed inspections of accessible expansion joints at least twice annually. See Annex A, Section 61.48(b)-(c); see 16 NYCRR 420.8(b)-(c).

We also proposed annual inspections of service valves and manholes owned by the steam utility. See Annex A, Section 61.48(d)-(e). Finally, we proposed requiring the inspection and testing of remote system pressure indicating devices every two years. See Annex A, Section 61.48(f).

Comments from NRG Companies and IRRC and Resolution

Both the NRG Companies and IRRC expressed concerns with the requirement of three inspections per year. The NRG Companies and IRRC both suggest one inspection of the steam traps and piping assemblies. We agree with the NRG Companies and IRRC and have changed the inspection requirement to once a year.

Section 61.49 Records

Here, we required a steam utility to maintain records documenting inspections, maintenance, tests, and all other matters required by this chapter for at least three years. Those records would be kept on file and readily available to Commission staff. See Annex A, Section 61.49. This provision is similar to the Commission regulation governing gas safety. See 52 Pa. Code § 59.33(e).

In light of Section 61.12 of our existing regulations (requiring service interruption records for six years) and proposed Section 61.42(e) (requiring records demonstrating compliance with safety codes for three years), we sought comment on whether any of these recordkeeping requirements are duplicative or whether we need to break out and specify different recordkeeping requirements for different subject areas, as in our gas regulations. See 52 Pa. Code § 59.45 (Preservation of records).

Comments from IRRC and Resolution

IRRC has raised two questions: Is the steam utility required to keep an extra copy of its records and is the steam utility required to have offices in Pennsylvania? We agree with IRRC's suggestion and have deleted both the reference to "copies" and "in the Commonwealth of Pennsylvania." In response to IRRC's subsequent comment concerning record retention, we will change the time frame for record retention to 5 years throughout the regulation.

Section 61.50 Welding—qualification and nondestructive testing

In this section, we required the performance of welding in accordance with the latest standards of the American Society of Mechanical Engineers. See Annex A, Section 61.50(a). We required nondestructive testing of inaccessible field welds and new pipeline testing at system pressure. See Annex A, Section 61.50(b). New construction pipelines shall be pressure tested to 1.5 times the maximum allowable operating pressure. See Annex A, Section 61.50(c). Ten percent of all field welds on existing steam pipeline facilities shall be subject to random nondestructive testing. The results of this testing would determine the test rates in future years, decreasing or increasing the test rate based on results of the prior year. See Annex A, Section 61.50(d).

Comments from the NRG Companies, VEPI and IRRC

Noting the comments from the NRG Companies and VEPI, IRRC suggests that the Commission should review those comments and clarify the regulation to clearly state what types of testing are acceptable. IRRC also recommended that the Commission should explain why the testing required by the regulation is the best alternative.

After further consultation with the NRG Companies and VEPI, we have clarified this subsection by deleting the pressure testing requirement for new construction pipelines. We have also clarified the requirement for field welds and we have added a limitation on pressure tests.

Section 61.51 Steam leaks and steam emergency reports

Since emergency leaks “require an immediate response to protect life and property” we proposed requiring that those leaks “shall be worked continuously until repairs are completed or until the condition is no longer hazardous.” See Annex A, Section 61.51(a). We explained that emergency leaks are those that could cause property damage or personal injury or any leak which, in the judgment of the operating personnel at the scene, is regarded as potentially hazardous. See *id.* Notably, emergency leaks could be caused by forces outside of the steam distribution system, such as water main breaks, flooding, earthquakes, or other serious weather events.

In order to discern emergency leaks from nonemergency leaks, we explained that nonemergency leaks are those that are “not immediately hazardous at the time of discovery and can be reasonably expected to remain that way.” See Annex A, Section 61.51(b). Therefore, we proposed that those nonemergency leaks need not be confronted immediately, but must be reexamined within six months from the date of discovery, and repaired within a reasonable time. See Annex A, Section 61.51(b). We understand that many steam leaks are very minor and nonhazardous, similar to a faucet of dripping water. Unlike minor gas leaks, which present imminent danger, minor steam leaks may not necessarily require immediate confrontation and repair. However, we stressed to the steam utilities that these minor leaks shall be recorded, confronted, and repaired within a reasonable time, as even minor leaks, nonhazardous at discovery, could eventually become more hazardous over time. See Annex A, Section 61.51(c). Therefore, we proposed requiring a steam utility to identify all leaks, compile a written report of each emergency and nonemergency steam leak, and keep an event log on record. See Annex A, Section 61.51(c)—(e). The event log shall contain (1) the location of leak or emergency; (2) the time the report is first received; (3) description as to type of leak or emergency; (4) the time personnel are first dispatched to location; (5) the time of arrival of personnel at location; and (6) the times of dispatch and arrival of any additional personnel called to the location. See Annex A, Section 61.51(e).

Finally, we proposed that a steam utility shall have available for inspection by the Commission’s Gas Safety Division, on or before the 16th day of each calendar month, a summary analysis of its performance in responding to reports of steam leaks and emergencies. See Annex A, Section 61.51(f).

Comments from the NRG Companies, VEPI and IRRC

In reviewing Section 61.44(4), which relates to an operating and maintenance plan, and subsection (b), which requires non-emergency leaks to be re-examined within 6 months from the date of discovery and reparable within a reasonable time, IRRC raises a concern as to whether these are two different standards for one type of

leak? IRRC also requests an explanation as to what constitutes a “summary analysis.” The NRG Companies suggests that the date of the 16th of the month for the summary analysis of steam leak reports be changed to the end of the month to better coincide with normal company reporting procedures. VEPI raises a question concerning the extent of vaporization.

In response to IRRC’s concern, we note that Section 61.44 specifically relates to required written operating and maintenance plans. As to the content of the “summary analysis” of the steam utilities performance in responding to reports of steam leaks and emergencies, we are expecting the steam utility to provide basic information that enables the Commission to access their overall performance. Simply stated, we are requesting a summary of the steam utilities’ performance in responding to reports of steam leaks and emergencies. However, for clarification, we have deleted the word “analysis” and in response to a subsequent comment from IRRC concerning the time frame for record retention, we have added a 5-year requirement.

As to the NRG Companies and VEPI concerns, we have changed the date for the summary analysis from the 16th of the month to the end of the month and we have added a subsection that addresses vaporization.

Section 61.52 Facility failure investigation

Similar to New York’s regulation, 16 NYCRR 420.14, we proposed requiring each steam utility to establish procedures to analyze each failure that causes injury or damage in order to determine the cause and minimize the possibility of recurrence. See Annex A, Section 61.52(a). These procedures would need to provide for the selection of samples of the failed facility or equipment for laboratory examination, as necessary. See *id.* The steam utility shall fully cooperate with Commission staff and any necessary independent consultants regarding the testing or surveying of any facilities or equipment deemed potentially attributable to the facility failure or accident. See Annex A, Section 61.52(b). During meetings between PUC staff and steam company representatives, the question of what constitutes a “facility failure” arose. We found consensus in determining that a “facility failure occurs when the facility fails to perform the function it was designed for.” See Annex A, Section 61.52(c).

Comment from the NRG Companies and Resolution

In response to a concern from the NRG Companies, we have added a subsection which addresses the qualifications of the independent consultant.

Section 61.53 Asbestos control

Many old buildings and facilities in the Commonwealth still contain asbestos. Therefore, we proposed requiring a steam utility to have procedures to safely manage and abate asbestos materials from all accessible manholes, vaults, and other areas that contain steam facilities. See Annex A, Section 61.53(a). We required the steam utility to have emergency procedures to control and eliminate asbestos-contaminated debris resulting from the failure of any steam pipeline or facility. See Annex A, Section 61.53(b).

The public health threat of asbestos is well-known and well-documented. Accordingly, we required a steam utility to have a program that maintains in safe condition all asbestos materials on all exposed piping and fittings in the steam distribution system and the gradual elimination of all asbestos materials to the extent practicable and feasible. See Annex A, Section 61.53(c). We proposed

requiring a steam utility “to eliminate all asbestos materials to the extent practicable and feasible.” See Annex A, Section 61.53(c). We sought further public comment as to whether this proposed language best serves the public interest.

Finally, we emphasized that the procedures regarding asbestos control must comply with all applicable rules and regulations regarding the removal, handling, and disposal of asbestos materials. See Annex A, Section 61.53(d).

Comment from IRRC and Resolution

In response to IRRC’s jurisdictional concern, we have deleted this subsection.

Service Outage Requirements: Chapter 67

Section 67.1 General Provisions

On September 23, 2011, the Commission entered a Final Rulemaking Order pertaining to public utilities’ service outage response and restoration practices. See Docket L-2009-2104274 (Final Rulemaking Order entered Sep. 23, 2011); see 14 Pa.B. 4511 (effective Jan. 7, 2012). Among other things, the Final Rulemaking Order amended the Commission’s service outages regulations in Chapter 67 of the Pennsylvania Code. Chapter 67 expressly applies to electric, gas, water, and telephone utilities, but does not expressly apply to steam utilities. See 52 Pa. Code § 67.1(a). The Commission also sought comment on whether Chapter 67 should apply to the service outage regulations of jurisdictional steam utilities. We have added a sentence which states that steam utilities with fewer than 50 customers shall provide such notice when at least 10% of total customers experience such an interruption. In addition, the Commission adds the word steam in four places in Section 67.1 to make the section’s application to steam heat utilities clear. See Annex A, Section 67.1.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on January 27, 2016, the Commission submitted a copy of the notice of proposed rulemaking, published at 46 Pa.B. 658 (February 6, 2016), to IRRC and the Chairpersons of the House Consumer Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on October 11, 2017, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 12, 2017, and approved the final-form rulemaking.

Conclusion

Accordingly, under 66 Pa.C.S. §§ 501 and 1501; 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 at 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act (71 P.S. § 732-204(b)); section 5 of the Regulatory Review Act (71 P.S. § 745.5); and section 612 of The Administrative

Code of 1929 (71 P.S. § 232) and the regulations promulgated thereunder at 4 Pa. Code §§ 7.231—7.234, we are considering adopting the final regulations set forth in Annex A; *Therefore,*

It Is Ordered That:

1. The regulations of the Commission, 52 Pa. Code Chapters 61 and 67, are amended by adding §§ 61.41—61.52 and amending §§ 61.1, 61.11, 61.12 and 67.1 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(*Editor’s Note:* Proposed § 61.53 included in the proposed rulemaking has been withdrawn by the Commission.)

2. The Law Bureau shall submit this final rulemaking order and Annex A to the Office of Attorney General for review as to form and legality and to the Governor’s Budget Office for review of fiscal impact.

3. The Law Bureau shall submit this final rulemaking order and Annex A for review and comments to the Independent Regulatory Review Commission and the Legislative Standing Committees.

4. The Law Bureau shall deposit this final rulemaking order and Annex A with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

5. The final regulations become effective upon publication in the *Pennsylvania Bulletin*.

6. A copy of this final rulemaking order and Annex A shall be served on the Bureau of Technical Utility Services, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and all affected jurisdictional steam heat public utilities.

7. The contact person for legal matters on this rulemaking is Stanley E. Brown, Assistant Counsel, Law Bureau at (717) 783-3968. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Alyson Zerbe, Regulatory Coordinator, Law Bureau at (717) 772-4597.

ROSEMARY CHIAVETTA,
Secretary

(*Editor’s Note:* See 47 Pa.B. 6790 (October 28, 2017) for IRRC’s approval order.)

Fiscal Note: Fiscal Note 57-311 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 61. STEAM HEATING SERVICE

GENERAL PROVISIONS

§ 61.1. Definitions.

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

Critical valves—Valves that are deemed critical in case of emergencies or shut down.

Customer—A party supplied with steam service by a public utility.

Customer's piping—The pipe of the customer which extends from the service line termination point to the point of utilization.

Degree day—A unit used in estimating quantities of fuel and power consumption based on a daily ratio of consumption the mean temperature below 65°F.

Facilities—Mains and service lines owned or operated by a steam utility for the purpose of transporting steam from where it is produced to the customer's piping.

Failure investigation—The process of collecting and analyzing data to determine the cause of failure.

Hot water—Water heated by an energy source above its initial temperature.

Main—Piping that transports steam from where it is produced and delivers it to the beginning of the service line.

Pounds of steam—The quantity of steam supplied, measured in pounds and equal to the same amount of water, which would result from condensing the steam used by the customer.

Service line—The pipe connecting the utility main to the customer's piping. The point of service termination is the customer's property line unless otherwise provided by contract.

Steam—Water vapor kept under pressure so as to supply energy for heating.

Steam distribution system—A system that takes steam from where it is produced and delivers it to end users.

Steam trap—A device used to discharge condensate and noncondensable gases with a negligible consumption or loss of live steam.

Steam utility—A utility that provides the public services associated with steam distribution.

Water hammer—The phenomenon that occurs when steam charges in the pipeline while condensate is present.

SERVICE AND FACILITIES

§ 61.11. Accidents.

(a) *General.* A steam utility shall submit a report of each reportable accident involving the facilities or operations of the steam utility in this Commonwealth. The reports shall be addressed to the Secretary of the Commission.

(b) *Reportable accidents.* Reportable accidents are those involving utility facilities or operations which result in one or more of the following circumstances:

- (1) The death of a person.
- (2) Injury to a person sufficient that the injured person requires immediate treatment at a hospital emergency room or in-patient admittance to a hospital, or both.
- (3) An event that involves a release of steam from the steam utility, which results in estimated property damage of at least \$50,000.
- (4) An occurrence of an unusual nature, whether or not death or injury of a person results, which apparently will result in a prolonged and serious interruption of normal service.
- (5) An event that results in an emergency shutdown of the steam utility.
- (6) An occurrence of an unusual nature that is a physical or cyber-attack, including an attempt to interfere

with a steam utility's computers, software and communication networks that support, operate or otherwise interact with the steam utility's operation.

(7) An unusual occurrence that is significant in the judgment of the steam utility.

(c) *Exception.* Injuries, as defined in subsection (b)(1) and (2), may not include those suffered as a result of a motor vehicle accident with utility facilities unless a vehicle involved in the accident is owned by the steam utility or driven by a utility employee while on duty.

(d) *Telephone reports.* A report by telephone shall be made immediately to the Commission's Pipeline Safety Division after the steam utility becomes aware of an occurrence of a reportable accident under subsection (b)(1), (3), (4) or (5). A report by telephone shall be made within 24 hours after the steam utility becomes aware of a reportable accident under subsection (b)(2).

(e) *Written reports.* A written report shall be made on Form UCTA-8 within 30 days of the occurrence of a reportable accident. For reportable accidents under subsection (b)(6), a steam utility shall remove from Form UCTA-8 information that would compromise the security of the utility or hinder an active criminal investigation. Accidents reportable on forms required by the Bureau of Workers' Compensation, Department of Labor and Industry, or the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration, shall be reported to the Commission by filing a copy of the forms instead of a report on Form UCTA-8, as long as the alternative forms, at a minimum, provide all of the following information:

- (1) The name of the steam utility.
- (2) The date of the reportable accident.
- (3) The date of the report.
- (4) The location where the reportable accident occurred.
- (5) The name, age, residence and occupation of the injured or deceased parties.
- (6) The general description of the reportable accident.
- (7) The name and telephone number of the reporting officer.

(f) *Form availability.* Blank UCTA-8 forms are available for download on the Commission's web site.

(g) *Reports not exclusive.* The reporting under this chapter is not limited to the requirements in this section and does not limit requests for additional information.

§ 61.12. Interruptions of service.

(a) *Records.* A steam utility shall keep a record which must include data showing the time, duration and cause of an interruption of service affecting its entire system or a major division of its system. The records shall be preserved for a period of 5 years.

(b) *Notification to customers.* A customer who may be affected adversely as a result of a service interruption shall be notified prior to starting work which will result in an interruption of his service, except in cases of emergency.

SAFETY REQUIREMENTS

§ 61.41. Purpose and policy.

(a) The purpose of this section is to prescribe the minimum safety requirements for the design, fabrication,

installation, inspection, testing, operation and maintenance of steam distribution systems in this Commonwealth.

(b) Public utilities engaged in the distribution of steam by means of a pipeline shall comply with this section.

(c) The Commission will have the authority to inspect the distribution systems of steam utilities.

(d) This section does not apply to all of the following:

(1) Piping and facilities used for or in connection with the generation or production of steam.

(2) Piping downstream of the customer's property line.

§ 61.42. Safety and compliance with standard code.

(a) *Responsibility.* A steam utility shall at all times use reasonable effort to properly warn and protect the public from danger, and shall exercise reasonable care to reduce the hazards to which employees, customers and others may be subjected to by reason of its equipment or facilities.

(b) *Standard code.* Steam distribution pipeline facilities installed after December 2, 2017, shall be designed, constructed, tested, operated and maintained in accordance with the most updated and applicable standards of the American Society of Mechanical Engineers, Two Park Avenue, New York, NY 10016-5990, <https://www.asme.org/>. The Commission has the discretion to determine whether a redesign, repair, modification or replacement of a facility constitutes a new facility subject to these regulations.

(c) *Statutory compliance.* A steam utility shall comply with sections 1—11 of the act of December 10, 1974 (73 P.S. §§ 176—186), known as the Underground Utility Line Protection Act, and Pennsylvania One Call.

(d) *Enforcement.* A steam utility will be subject to inspections as necessary to assure compliance with this section. The facilities, books and records of a steam utility shall be accessible to the Commission and its staff for the inspections. A steam utility shall provide the Commission or its staff with the reports, supplemental data and information requested by Commission staff to administer and enforce this section.

(e) *Records.* A steam utility shall keep adequate records as required for compliance with this subsection for 3 years. The records shall be accessible to the Commission and its staff.

(f) *New facility.* A facility that is repaired, modified or constructed on or after January 18, 2018, will be considered a new facility.

§ 61.43. Notification of major construction.

(a) A steam utility shall notify the Commission and the Pipeline Safety Division of proposed major construction, reconstruction or maintenance of its facilities at least 30 days prior to the beginning of work. Major construction, reconstruction or maintenance is defined for this reporting as a single project involving an expenditure in excess of \$250,000. The notification of proposed construction must include all of the following:

(1) Description and location (city, township, county) of proposed work.

(2) Type of facility (for example, distribution mains, service lines, expansion joints, and the like).

(3) Estimated starting date.

(4) Estimated completion date.

(5) Design pressure.

(6) Estimated cost.

(7) Name and address of reporting steam distribution utility.

(8) Name, address and telephone number of person to be contacted regarding the project.

(b) A steam utility shall notify the Commission and the Pipeline Safety Division of the completion date of the major construction when it occurs.

§ 61.44. Operating and maintenance plan.

(a) By January 1, 2018, a steam utility shall establish and file with the Secretary of the Commission and the Pipeline Safety Division a detailed, written operating and maintenance plan for complying with this chapter. Revisions to a plan shall be submitted at least 30 days prior to the effective date of the revision.

(b) The operating and maintenance plan must include, at a minimum, all of the following:

(1) Detailed instructions for employees covering operating and maintenance procedures during normal operations and repairs.

(2) Procedures for welding, brazing and welder qualifications.

(3) Procedures for reporting, investigating, classifying, handling and monitoring steam leaks.

(4) Procedures to correct, within specified time frames, deficiencies found during inspections, evaluations, tests, and the like required under this chapter.

(5) Procedures for continuing surveillance of steam facilities to determine and take appropriate action concerning failures, leakage history, and other unusual operating and maintenance conditions.

(6) An established list of qualified persons who exclusively may approve the turn-on of any section of the steam distribution system.

(7) Procedures to ensure that the turn-on of any section of the steam distribution system is accomplished only by persons specifically trained, qualified and approved for that purpose.

(c) A steam utility shall adhere to its operating and maintenance plan filed with the Commission.

§ 61.45. Security planning and emergency contact list.

(a) A steam utility shall develop and maintain written plans for physical and cyber security, emergency response and business continuity in accordance with § 101.3 (relating to plan requirements).

(b) Within its Chapter 101 emergency response plan, a steam utility shall provide procedures for all of the following:

(1) The availability of personnel, equipment, tools and materials as needed at the scene of an emergency.

(2) Actions directed toward protecting people first, then property.

(3) Emergency shutdown in any section of the pipeline system necessary to minimize hazards to life or property.

(4) Making safe any actual or potential hazard to life or property.

(5) Safely restoring any main or service outage.

(c) During January of each year, a steam utility shall file with the Commission's Secretary and the Pipeline Safety Division a list of the utility's responsible officials who may be contacted in the event of an emergency. The steam utility shall serve this list on all municipalities within which its facilities are located. Revisions to this list within the year shall be immediately reported to the Pipeline Safety Division and affected municipalities.

§ 61.46. Customer education and information program.

(a) A steam utility shall initiate and maintain, on a continuing basis, a satisfactory program for customer education and information designed to assist its customers and appropriate governmental organizations to recognize steam emergency conditions and situations and to notify the steam utility of those emergency situations.

(b) The program and the media used must be as comprehensive as necessary to reach all customers.

(c) During January of each year, a steam utility shall file with the Commission's Secretary and the Pipeline Safety Division a current description of its customer education and information program, including a detailed statement of the means of its implementation and samples of all descriptive literature and other educational aids.

§ 61.47. Employee training.

(a) An employee involved in the operation, maintenance or testing of steam pipelines and related facilities shall satisfactorily complete training at all progression levels to ensure effective and safe implementation of the procedures required under this chapter. Every employee and supervisor shall receive annual training.

(b) A new employee involved in the operation, maintenance or testing of steam pipelines and related facilities shall receive basic classroom training prior to on-the-job training in field operations.

§ 61.48. Periodic inspections.

(a) Steam traps and trap piping assemblies shall be inspected for general condition and proper operation at least once a year.

(b) Blow-off valves shall be checked for operability immediately prior to closing each associated main valve during a scheduled shutdown of a section of the steam distribution pipeline system. Removal of condensate from a shutdown section of pipeline shall be accomplished prior to reopening main valves.

(c) Accessible expansion joints shall be inspected at least twice annually. The inspection shall include checks for leakage, proper alignment and traverse measurement.

(d) Service valves owned by the utility located within the customer's building shall be inspected at least once annually.

(e) Manholes owned by the utility containing steam facilities shall be inspected for general conditions and adequacy of insulation at least once annually.

(f) Remote system pressure indicating devices shall be inspected and tested for accuracy at least once every 2 years. At a minimum, pressure indicating gauges shall be installed at the interface between portions of the system which are designed for different operating pressures.

§ 61.49. Records.

A steam utility shall maintain records documenting inspections, maintenance, tests and all other matters

required under this chapter for at least 5 years. Records shall be kept on file at the steam utility's offices and be readily accessible to Commission staff.

§ 61.50. Welding; qualification and nondestructive testing.

(a) Welding shall be performed by qualified welders employing qualified welding procedures. Welders and welding procedures shall be qualified in accordance with the most updated and applicable standards of the American Society of Mechanical Engineers, Two Park Avenue, New York, NY 10016-5990, <https://www.asme.org/>.

(b) Field welds that are inaccessible or not in a manhole on new steam pipelines shall be nondestructively tested. A new pipeline shall be tested at system pressure.

(c) Field welds made on existing mains and service lines shall be subject to a program of random unannounced nondestructive testing to assess the quality of welding and test the work of each welder. The required minimum testing rate shall be 10% of all welds made during a calendar year. If 10% or more of the welds tested in a calendar year are found to be unacceptable, the test rate shall increase by 5% for the ensuing calendar year. If fewer than 10% of the welds are found to be unacceptable in a year when the required test rate was greater than 10%, the test rate may be decreased by 5% for the ensuing calendar year.

(d) Pressure tests will not be required if 100% of the welds are tested with nondestructive methods.

§ 61.51. Steam leaks and steam emergency reports.

(a) Emergency leaks require an immediate response to protect life and property and shall be worked continuously until repairs are completed or until the condition is no longer hazardous. An emergency leak includes any leak which could cause property damage or personal injury or any leak which, in the judgment of the operating personnel at the scene, is regarded as potentially hazardous.

(b) Nonemergency leaks include any leak which is not immediately hazardous at the time of discovery and can be reasonably expected to remain that way. Nonemergency leaks shall be re-examined within 6 months from the date of discovery, and repaired within a reasonable time.

(c) A steam leak record, identified by number, shall be used to depict the entire history of a leak from the time of discovery through repair. The record must contain information as to the nature of the repair.

(d) A steam utility shall record data and compile a written report of each steam leak and steam emergency leak as defined in subsection (a).

(e) An event log shall be kept and maintained on file recording the receipt and handling of each event and must contain all of the following information:

- (1) The location of leak or emergency.
- (2) The time the report is first received.
- (3) A description as to type of leak or emergency.
- (4) The time personnel are first dispatched to the location.

(5) The time of arrival of personnel at the location.

(6) The times of dispatch and arrival of additional personnel called to the location.

(f) A steam utility shall have available for inspection by the Commission's Pipeline Safety Division, on or before the last day of each calendar month, a written summary of its performance in responding to reports of steam leaks and emergencies. The written summary shall be retained for 5 years.

(g) Vaporization of rain or groundwater from contact with a main or service line will not be considered a leak for the purposes of this section.

§ 61.52. Facility failure investigation.

(a) A steam utility shall establish procedures to analyze each failure that causes injury or damage for the purpose of determining its cause and to minimize the possibility of recurrence. The procedures must include a method to select samples of the failed facility or equipment for laboratory examination when necessary. The steam utility's procedures may include the use of independent consultants.

(b) The procedures must provide for complete cooperation between the steam utility, including its independent consultants, with Commission staff in testing or surveying equipment or systems deemed necessary by staff or the consultants for the investigation and analysis of a failure or accident to determine its cause and to minimize the possibility of recurrence.

(c) A facility failure occurs when the facility fails to perform the function it was designed for.

(d) When a steam utility chooses to employ one or more independent consultants, reasonable minimum requirements relating to knowledge, experience and certification must be included in the steam utility's procedures.

CHAPTER 67. SERVICE OUTAGES

§ 67.1. General provisions.

(a) Electric, gas, water, steam and telephone utilities holding certificates of public convenience under 66 Pa.C.S. §§ 1101 and 1102 (relating to organization of public utilities and beginning of service; and enumeration of acts requiring certificate) shall adopt the following steps to notify the Commission with regard to unscheduled service interruptions.

(b) All electric, gas, water, steam and telephone utilities shall notify the Commission when 2,500 or 5.0%, whichever is less, of their total customers have an unscheduled service interruption in a single event for 6 or more projected consecutive hours. Steam utilities with fewer than 50 customers shall provide notice when 10% of total customers experience an interruption. A service outage report shall be filed with the Commission within 10 working days after the total restoration of service. Where storm conditions cause multiple reportable interruptions as defined by this section, a single composite service outage report shall be filed for the event. Each report must contain the following information:

* * * * *

(e) All electric, gas, water, steam and telephone utilities shall list in the local telephone directories of their service areas, and on their web sites, a telephone number to be used during normal operating hours and an emergency telephone number to be used 24 hours in emergency service situations.

(f) As defined in subsection (b), the service outage report must contain the required information except for the following utilities:

(1) Gas and steam utilities are not required to submit the information under subsection (b)(2), (5), (14), (15) and (16).

* * * * *

[Pa.B. Doc. No. 17-1973. Filed for public inspection December 1, 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 November 21, 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>
11-13-2017	Slovak Savings Bank Pittsburgh Allegheny County Application for approval to reorganize into a two-tier mutual holding company structure.	Approved

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-14-2017	First Northern Bank and Trust Co. Palmerton Carbon County	114 North Harford Street Milford Pike County	Filed
11-14-2017	Republic First Bank Philadelphia Philadelphia County	525 Route 73 North Marlton Burlington County, NJ	Filed
11-14-2017	York Traditions Bank York York County	100-102 North George Street York York County	Filed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-6-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 105 Culvert Street Zelienople Butler County <i>From:</i> 100 North Main Street Zelienople Butler County	Effective
11-20-2017	First Commonwealth Bank Indiana Indiana County	<i>To:</i> West Central Avenue and Buehler Drive Delaware Delaware County, OH <i>From:</i> 800 West Central Avenue Delaware Delaware County, OH	Approved

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 17-1974. Filed for public inspection December 1, 2017, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Land Exchange with the Turnpike Commission; State Park Natural Area Designation Change at Hickory Run State Park

The Department of Conservation and Natural Resources (Department), Bureau of State Parks, has approved a project with the Turnpike Commission (Commission) for the replacement of the Commission's Hawk Falls Bridge located adjacent to Hickory Run State Park and adjacent to the Hickory Run State Park Mud Run Natural Area, Forest and Kidder Townships, Carbon County. This project falls within the Pennsylvania Turnpike's Northeast extension (I-476), which bisects a portion of Hickory Run State Park.

This notice consists of two parts:

Part A: An amendment to the State Parks Natural Areas listing to remove 10 acres of State park land from the designation as it relates to construction for this project.

Part B: A land exchange proposal consisting of the Commission's permanent right-of-way (ROW) of 14.244 acres of State park land in exchange for 46.649 acres of replacement lands.

Part A: Amendment to the State Parks Natural Areas Listing

Summary: The following areas are proposed to be amended as part of the State Parks Natural Areas listing under 17 Pa. Code § 17.5 (relating to Natural Area designation procedure). The Commission has proposed a permanent ROW acquisition of State park land for the purpose of the Hawks Falls Bridge replacement project, Penn Forest and Kidder Townships, Carbon County. The purpose of this amendment is to remove approximately 9.7 acres of land located within the Hickory Run State Park Mud Run Natural Area designation.

State Parks Natural Areas Proposed Amendment

Original proposal and subsequent adoption:

<i>Name</i>	<i>Acreage</i>	<i>Park</i>	<i>Location</i>	<i>Feature</i>
Mud Run	1,335	Hickory Run	Carbon County, Hickory Run Quad, north of Pennsylvania Route 903	Remote mountain stream lined with rhododendron and eastern hemlock, buffered by mature hardwood forest. Stream contains a viable native trout population.

Proposed amendment:

<i>Name</i>	<i>Acreage</i>	<i>Park</i>	<i>Location</i>	<i>Feature</i>
Mud Run	1,325	Hickory Run	Carbon County, Hickory Run Quad, north of Pennsylvania Route 903	Remote mountain stream lined with rhododendron and eastern hemlock, buffered by mature hardwood forest. Stream contains a viable native trout population.

The original advertisement for the addition of the Mud Run Natural Area was published at 26 Pa.B. 2828 (June 15, 1996).

Project documents will be available for review from December 2, 2017, until January 1, 2018, at the Hickory Run State Park Office and on the Commission's web site at www.patpconstruction.com/mpA89/.

Questions or comments on this proposed amendment should be forwarded to John Hallas, Director, Bureau of State Parks, Attn: RMPD—Planning Section, P.O. Box 8551, Harrisburg, PA 17105-8551, RA-Park-Operations@pa.gov. Comments must be received within 30 days following publication of this notice.

Part B: Commission—Land Exchange

Summary: The Commission proposes to replace the Hawk Falls Bridge, located adjacent to Hickory Run State Park and adjacent to the Hickory Run State Park Mud Run Natural Area, Forest and Kidder Townships, Carbon County. This project falls within the Pennsylvania Turnpike's Northeast extension (I-476), which bisects a portion of Hickory Run State Park. The Commission is proposing a permanent ROW acquisition of State park land consist-

ing of 14.244 acres which is needed for the purposes of constructing a new bridge. The lands now comprising Hickory Run State Park were divested from the Federal government as a Recreational Demonstration Area, which affords these lands additional protections to those already prescribed in 17 Pa. Code Chapter 15 (relating to State Parks Natural Areas—statement of policy). In addition, these lands are also encumbered by the National Park Service's Land and Water Conservation Fund (LWCF) program. LWCF funds were used to help develop the facilities within the Hickory Run State Park. Subsequently, due to the aforementioned Federal restrictions, the Commission is required to provide replacement lands that exceed both the acreage and appraised value of the land being taken. To that end, the Commission is working to fulfill the requirements for the land exchange as required by the Department's Bureau of State Parks, the National Park Service's Recreational Demonstration Area administrators and the LWCF administrators. Some of the land exchange requirements include official land surveys, yellow-book appraisals, Environmental Site Assessments, NEPA-level environmental analysis and a Determination of Effects report.

Therefore, the Department's Bureau of State Parks is proposing to grant to the Commission a permanent ROW acquisition of 14.244 acres of State park land. In exchange, the Commission will provide the Department's Bureau of State Park with 46.649 acres of replacement lands as more fully described as follows.

1) 14.244 acres of State park land for use as a permanent ROW with the Commission. These permanent ROW to be conveyed from the Department's Bureau of State Parks to the Commission exist as three separate areas, all adjacent to the bridge replacement project lands. a) Area A—10.689 acres; b) Area B—3.127 acres; and c) Area C—0.428 acre:

a) Area A—10.689 acres—required ROW for limited access

All that certain tract or parcel of land situate in Penn Forest and Kidder Townships, Carbon County, and being bounded and described according to the Commission's Plan No. R/W 8996-C, WBS No. A-088.59S001-3-02, October 11, 2017, mile post A-87.94 to A-89.36, and as follows to wit:

Beginning at a point in the East Legal ROW Line for Limited Access at its intersection of the new Required ROW Line for Limited Access, said point being located 100.00 feet right of and opposite I-476 Survey and ROW Baseline Station 925+50.00;

Thence along the former East Legal ROW Line for Limited Access for the following 11 courses and distances:

1. North 12°32'22" West a distance of 2,993.42 feet to a point being located 14.10 feet right of and opposite I-476 Survey and ROW Baseline Station 955+46.57;

2. North 13°07'36" West a distance of 158.63 feet to a point being located 15.34 feet right of and opposite I-476 Survey and ROW Baseline Station 957+04.83;

3. North 08°27'19" West a distance of 101.87 feet to a point being located 26.49 feet right of and opposite I-476 Survey and ROW Baseline Station 958+05.75;

4. North 17°22'34" West a distance of 405.57 feet to a point being located 23.91 feet right of and opposite I-476 Survey and ROW Baseline Station 962+09.79;

5. North 18°12'50" West a distance of 202.61 feet to a point being located 29.30 feet right of and opposite I-476 Survey and ROW Baseline Station 964+11.49;

6. North 13°52'38" West a distance of 104.85 feet to a point being located 42.51 feet right of and opposite I-476 Survey and ROW Baseline Station 965+14.93;

7. North 09°36'08" East a distance of 40.65 feet to a point being located 63.65 feet right of and opposite I-476 Survey and ROW Baseline Station 965+49.37;

8. North 20°58'50" West a distance of 266.64 feet to a point being located 73.38 feet right of and opposite I-476 Survey and ROW Baseline Station 968+13.01;

9. North 31°07'10" West a distance of 205.21 feet to a point being located 52.11 feet right of and opposite I-476 Survey and ROW Baseline Station 970+15.13;

10. Along a curve to the left having a radius of 7,739.49 feet, an arc length of 1,085.24 feet, and a chord course of North 27°28'51" West a chord distance of 1,084.35 feet to a point being located 99.38 feet right of and opposite I-476 Survey and ROW Baseline Station 980+92.79;

11. North 31°29'52" West for a distance of 827.60 feet to a point at the intersection with the new Required ROW

Line for Limited Access, being located 99.38 feet right of and opposite I-476 Survey and ROW Baseline Station 989+00.00;

Thence along the new Required ROW Line for Limited Access and along the remaining land of the Grantor for the following 22 courses and distances;

1. South 36°35'12" East a distance of 401.58 feet to a point being located 135.00 feet right of and opposite I-476 Survey and ROW Baseline Station 985+00.00;

2. South 31°29'52" East a distance of 200.00 feet to a point being located 135.00 feet right of and opposite I-476 Survey and ROW Baseline Station 983+00.00;

3. South 28°05'40" East a distance of 421.13 feet to a point being located 110.00 feet right of and opposite I-476 Survey and ROW Baseline Station 979+00.00;

4. South 30°44'12" East a distance of 605.40 feet to a point being located 110.00 feet right of and opposite I-476 Survey and ROW Baseline Station 973+00.00;

5. South 35°14'16" East a distance of 570.35 feet to a point being located 200.00 feet right of and opposite I-476 Survey and ROW Baseline Station 967+50.00;

6. South 23°28'02" East a distance of 51.57 feet to a point being located 200.00 feet right of and opposite I-476 Survey and ROW Baseline Station 967+00.00;

7. South 22°20'32" East a distance of 206.27 feet to a point being located 200.00 feet right of and opposite I-476 Survey and ROW Baseline Station 965+00.00;

8. South 01°57'50" East a distance of 269.90 feet to a point being located 115.00 feet right of and opposite I-476 Survey and ROW Baseline Station 962+50.00;

9. South 16°48'47" East a distance of 356.18 feet to a point being located 110.00 feet right of and opposite I-476 Survey and ROW Baseline Station 959+00.00;

10. South 12°50'07" East a distance of 406.48 feet to a point being located 100.00 feet right of and opposite I-476 Survey and ROW Baseline Station 955+00.00;

11. South 12°32'22" East a distance of 325.00 feet to a point being located 100.00 feet right of and opposite I-476 Survey and ROW Baseline Station 951+75.00;

12. South 77°27'38" West a distance of 45.00 feet to a point being located 55.00 feet right of and opposite I-476 Survey and ROW Baseline Station 951+75.00;

13. South 12°32'22" East a distance of 675.00 feet to a point being located 55.00 feet right of and opposite I-476 Survey and ROW Baseline Station 945+00.00;

14. North 77°27'38" East a distance of 45.00 feet to a point being located 100.00 feet right of and opposite I-476 Survey and ROW Baseline Station 945+00.00;

15. South 12°32'22" East a distance of 400.00 feet to a point being located 100.00 feet right of and opposite I-476 Survey and ROW Baseline Station 941+00.00;

16. South 12°27'32" East a distance of 279.21 feet to a point being located 105.00 feet right of and opposite I-476 Survey and ROW Baseline Station 938+25.00;

17. South 08°19'22" East a distance of 431.03 feet to a point being located 105.00 feet right of and opposite I-476 Survey and ROW Baseline Station 934+00.00;

18. South 67°42'09" East a distance of 246.22 feet to a point being located 320.00 feet right of and opposite I-476 Survey and ROW Baseline Station 932+80.00;

19. South 11°16'07" East a distance of 221.96 feet to a point being located 335.00 feet right of and opposite I-476 Survey and ROW Baseline Station 930+50.00;

20. South 47°41'54" West a distance of 155.97 feet to a point being located 205.00 feet right of and opposite I-476 Survey and ROW Baseline Station 929+60.00;

21. South 73°23'38" West a distance of 75.63 feet to a point being located 130.00 feet right of and opposite I-476 Survey and ROW Baseline Station 929+50.00;

22. South 06°40'56" East a distance of 394.41 feet to the place of beginning.

Containing 10.689 acres.

The previously described premises (Area A) includes 0.203 acre of existing Legal ROW for SR 534 and 0.014 acre of existing Legal Drainage Easement for I-476. This premises (Area A) is also subject to a 20-foot wide existing ROW for PPL Electric Utilities Corporation and Verizon.

b) Area B—3.127 acres—required ROW for limited access

All that certain tract or parcel of land situate in Penn Forest and Kidder Townships, Carbon County, and being bounded and described according to the Commission's Plan No. R/W 8996-C, WBS No. A-088.59S001-3-02, October 11, 2017, mile post A-87.94 to A-89.36, and as follows to wit:

Beginning at a point in the West Legal ROW Line for Limited Access at its intersection of the new Required ROW Line for Limited Access, said point being located 186.00 feet left of and opposite I-476 Survey and ROW Baseline Station 953+50.00;

Thence along the new Required ROW Line for Limited Access and along the remaining land of the Grantor for the following six courses and distances:

1. North 50°43'49" West a distance of 95.43 feet to a point being located 245.00 feet left of and opposite I-476 Survey and ROW Baseline Station 954+25.00;

2. North 14°24'35" West a distance of 171.59 feet to a point being located 250.00 feet left of and opposite I-476 Survey and ROW Baseline Station 956+00.00;

3. North 14°11'39" West a distance of 529.10 feet to a point being located 235.00 feet left of and opposite I-476 Survey and ROW Baseline Station 961+50.00;

4. North 34°36'00" West a distance of 248.14 feet to a point being located 300.00 feet left of and opposite I-476 Survey and ROW Baseline Station 964+00.00;

5. North 22°54'17" West a distance of 500.12 feet to a point being located 300.00 feet left of and opposite I-476 Survey and ROW Baseline Station 969+25.00;

6. North 14°46'55" East a distance of 223.05 feet to a point the intersection with the West Legal ROW Line for Limited Access, being located 154.13 feet left of and opposite I-476 Survey and ROW Baseline Station 971+00.00;

Thence along the former West Legal ROW Line for Limited Access of I-476 for the following 11 courses and distances:

1. Along a curve to the right having a radius of 7,529.49 feet, an arc length of 221.13 feet and a chord course of South 23°10'48" East for a chord distance of 221.12 feet to a point being located 164.33 feet left of and opposite I-476 Survey and ROW Baseline Station 968+73.43;

2. South 14°03'44" East a distance of 148.99 feet to a point being located 190.36 feet left of and opposite I-476 Survey and ROW Baseline Station 967+22.53;

3. South 20°39'04" East a distance of 147.45 feet to a point being located 195.79 feet left of and opposite I-476 Survey and ROW Baseline Station 965+70.57;

4. South 22°49'09" East a distance of 39.78 feet to a point being located 195.15 feet left of and opposite I-476 Survey and ROW Baseline Station 965+29.54;

5. South 24°52'30" East a distance of 33.01 feet to a point being located 193.24 feet left of and opposite I-476 Survey and ROW Baseline Station 964+95.55;

6. South 23°44'54" East a distance of 273.23 feet to a point being located 176.03 feet left of and opposite I-476 Survey and ROW Baseline Station 962+14.69;

7. South 16°42'50" East a distance of 197.38 feet to a point being located 180.33 feet left of and opposite I-476 Survey and ROW Baseline Station 960+11.67;

8. South 12°18'42" East a distance of 197.50 feet to a point being located 193.49 feet left of and opposite I-476 Survey and ROW Baseline Station 958+08.65;

9. South 14°05'20" East a distance of 98.56 feet to a point being located 194.65 feet left of and opposite I-476 Survey and ROW Baseline Station 957+06.99;

10. South 16°49'53" East a distance of 154.75 feet to a point being located 185.90 feet left of and opposite I-476 Survey and ROW Baseline Station 955+47.73;

11. South 12°32'22" East a distance of 196.65 feet to the place of beginning.

Containing 3.127 acres.

The previously described premises (Area B) includes 0.083 acre of existing Legal ROW for SR 0534. This premises (Area B) is also subject to a 20-foot wide existing ROW for PPL Electric Utilities Corporation and Verizon.

c) Area C—0.428 acre—required ROW for wetland mitigation

All that certain tract or parcel of land situate in Penn Forest and Kidder Townships, Carbon County, and being bounded and described according to the Commission Plan No. R/W 8996-C, WBS No. A-088.59S001-3-02, October 11, 2017, mile post A-87.94 to A-89.36, and as follows to wit:

Beginning at a point in the new East Required ROW Line for Limited Access (Area A), also in the North Legal ROW of Hickory Run Road (SR 0534), said point being located 199 feet, more or less, left of and opposite I-476 Survey and ROW Baseline Station 965+72±;

Thence along the new East Required ROW Line for Limited Access (Area A) North 22°20'32" West a distance of 131.75 feet to a point being located 200.00 feet right of and opposite I-476 Survey and ROW Baseline Station 967+00.00;

Thence along the remaining land of the Grantor and the Required ROW Line for Wetland Mitigation for the following two courses and distances:

1. North 80°24'32" East a distance of 133.70 feet to a point being located 330.00 feet right of and opposite I-476 Survey and ROW Baseline Station 966+70.00;

2. South 73°54'43" East a distance of 111.57 feet to a point in the North Legal ROW Line of Hickory Run Road (SR 0534), being located 417.00 feet right of and opposite I-476 Survey and ROW Baseline Station 966+04±;

Thence along the North Legal ROW Line of SR 0534 for the following two courses and distances:

1. Along a curve to the right having a radius of 686.78 feet, an arc length of 159.41 feet and a chord course of South 57°13'02" West for a chord distance of 159.05 feet to a point being located 261 feet, more or less, right of and opposite I-476 Survey and ROW Baseline Station 965+76±;

2. South 63°52'00" West a distance of 61.52 feet to the place of beginning.

Containing 0.428 acre.

This premises (Area C) is subject to an existing 20 foot wide ROW for PPL Electric Utilities Corporation and Verizon.

2) 46.649 acres of replacement land to be conveyed to the Commonwealth, acting by and through the Department's Bureau of State Parks. This replacement land exists as two contiguous parcels. a) Parcel 1—38.014 acres; and b) Parcel 2—8.635 acres:

a) Parcel 1—38.014 acres State Park Replacement Land:

38.014 acres of the 46.649 acres to be encumbered by the National Park Service, Recreational Demonstration Area (RDA), restriction. These lands shall also be encumbered by the LWCF restriction:

All that certain tract or parcel of land situate in Penn Forest Township, Carbon County, and being bounded and described according to the Commission's Plan No. R/W 8996-D-ADV, WBS No. A-088.59S001-4-01, dated October 11, 2017, mile post A-87.94 to A-89.36, and as follows to wit:

Beginning at an iron pin set in the West legal ROW line of Old Stage Road (T-516), also at the Northeast corner of the land of the Grantors herein;

Thence along the West legal ROW line of Old Stage Road (T-516) for the following two courses and distances:

1. South 19°38'02" East a distance of 469.60 feet to a point;

2. South 32°22'52" East a distance of 46.70 feet to an iron pin set at the North corner of Parcel 2;

Thence along the West line of Parcel 2 South 3°42'53" West a distance of 1,125.80 feet to an iron pin set at the Southwest corner of Parcel 2 and also in the North line of land of N/F Dennis W. Moore, Sr. and Patricia L. Moore, husband and wife;

Thence along the North line of land of the same South 70°41'24" West a distance of 785.39 feet to an iron pin found in the East line of N/F this Commonwealth (Hickory Run State Park);

Thence along the East line of land of the same North 18°48'34" West a distance of 1,549.57 feet to a stone monument found at the Southwest corner of land of N/F Stewart R. Possinger and A. Louis Forsha;

Thence along the South line of land of the same North 70°36'35" East a distance of 1,198.97 feet to the place of beginning.

Containing 38.014 acres.

b) Parcel 2—8.635 acres State Park Replacement Land:

8.635 acres of the 46.649 acres. This 8.635 acres shall not be encumbered by the RDA restriction or the LWCF restriction:

All that certain tract or parcel of land situate in Penn Forest Township, Carbon County and being bounded and described according to the Commission's Plan No. R/W 8996-D-ADV, WBS No. A-088.59S001-4-01, dated October 11, 2017, mile post A-87.94 to A-89.36, and as follows to wit:

Beginning at an iron pin set in the West legal ROW line of Old Stage Road (T-516), also at the Southeast corner of the land of the Grantors herein;

Thence along the South line of the land of the Grantors herein, also being the North line of the land of N/F Dennis W. Moore, Sr. and Patricia L. Moore, husband and wife, for the following two courses and distances:

1. South 62°00'10" West a distance of 500.50 feet to an iron pin set;

2. South 70°41'24" West a distance of 240.17 feet to an iron pin set at the Southeast corner of Parcel 1—State Park Replacement Land;

Thence along the East line of Parcel 1—State Park Replacement Land North 3°42'53" East a distance of 1,125.80 feet to an iron pin set in the West legal ROW line of Old Stage Road (T-516);

Thence along the West legal ROW line of Old Stage Road (T-516) for the following five courses and distances:

1. South 32°22'52" East a distance of 117.73 feet to a point;

2. South 36°27'45" East a distance of 302.14 feet to a point;

3. South 40°53'00" East a distance of 141.92 feet to a point;

4. South 40°59'06" East a distance of 271.35 feet to a point;

5. South 28°00'24" East a distance of 175.00 feet to the place of beginning.

Containing 8.635 acres.

Parcel 2 is subject to an existing 100 foot wide PPL Electric Utility Corporation ROW and a 50 foot wide Buckeye Pipeline ROW.

Project documents will be available for review from December 2, 2017, until January 1, 2018, at the Hickory Run State Park Office and on the Commission's web site at www.patpconstruction.com/mpA89/.

Questions or comments on this land exchange should be forwarded to John Hallas, Director, Bureau of State Parks, Attn: RMPD—Planning Section, P.O. Box 8551, Harrisburg, PA 17105-8551, RA-Park-Operations@pa.gov. Comments must be received within 30 days following publication of this notice.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 17-1975. Filed for public inspection December 1, 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.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0244571 (Industrial)	CRC Industries Warminster Facility GWCU 885 Louis Drive Warminster, PA 18974	Bucks County Warminster Township	Storm sewer to Unnamed Tributary to Little Neshaminy Creek (2-F)	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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0055174 (Industrial)	Buckeye Pipe Line Company, L.P.—Macungie Station 5131 Buckeye Road Emmaus, PA 18062	Lehigh County Lower Macungie and Upper Milford Townships	Unnamed Tributary to Swabia Creek (02C)	Yes
PA0063037 (Sewage)	Stoney Creek Hotel WWTP 26 Rau Road Jim Thorpe, PA 18229	Carbon County Penn Forest Township	Stony Creek (02B)	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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0083917—IW	Edge Rubber Recycling, LLC 811 Progress Road Chambersburg, PA 17201	Franklin County/ Chambersburg Borough	UNT Conocheague Creek/13-C	Y
PA0086045—SEW	Castle Hill MHP 20 Erford Road Suite 215 Lemoyne, PA 17043	Adams County/ Straban Township	UNT Rock Creek/13-D	Y
PA0084417—SEW	Village Square Plaza Mall Quad B Enterprises PO Box 487 Shermansdale, PA 17090	Perry County/ Carroll Township	UNT Sherman Creek/7-B	Y
PA0081981—SEW	Smithville MHP 103 Tagart Drive Coatesville, PA 19320	Lancaster County/ Providence Township	UNT Huber Run/7-K	Y
PA0086894—SEW	Country View Manor Park, LLC PO Box 86 East Berlin, PA 17316	York County/ Washington Township	UNT Red Run/7-F	Y
PA0080861—SEW	Walmar MHC LLC 524 Meadow Avenue Loop Banner Elk, NC 28604	York County/ Franklin Township	North Branch Bermudian Creek/7-F	Y

North Central 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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0232319 (Sewage)	Former Tammy Sortman Subdivision 202 Evergreen Drive Boiling Springs, PA 17007-9579	Clinton County Lock Haven City	West Branch Susquehanna River (9-B)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0205656 (Industrial)	WTPS Dravosburg Terminal 702 Washington Avenue Dravosburg, PA 15034-1348	Allegheny County Dravosburg Borough	Monongahela River (19-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0100056 (Sewage)	Rose Point Park Campground 314 Rose Point Road New Castle, PA 16101-9358	Lawrence County Slippery Rock Township	Slippery Rock Creek (20-C)	Yes
PA0239828 (Industrial)	Troyer 1 Mine 13021 Flatts Road Waterford, PA 16441-2809	Erie County Le Boeuf Township	Wheeler Creek (16-A)	Yes

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0033448 (Sewage)	Pennwood Estates MHP 1826 South Main Street Akron, OH 44301	Mercer County Lackawannock Township	West Branch Little Neshannock Creek (20-A)	Yes

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

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

PA0027634, Industrial, SIC Code 4941, **PA American Water Co.**, 800 West Hershey Park Drive, Hershey, PA 17033. Facility Name: Yardley Water Treatment Plant. This existing facility is located in Lower Makefield Township, **Bucks County**.

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

The receiving stream(s), Brock Creek, is located in State Water Plan watershed 2-E 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 and Outfall 002 are based on a design flow of 0.402 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.0
Total Suspended Solids	67	134	XXX	20	40	50
Aluminum, Total	2.4	4.8	XXX	0.7	1.4	1.8
Iron, Total	6.7	13.4	XXX	2.0	4.0	5
Manganese, Total	3.4	6.7	XXX	1.0	2.0	2.5

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

- Chlorine Minimization
- Lab Certification
- Chemical Additives
- Sedimentation Basin Cleaning

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

The EPA Waiver is in effect.

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

PA0261416, Sewage, SIC Code 4952, **Reading Township Municipal Authority**, 843 W. Middle Street, Hanover, PA 17331-5011. Facility Name: Reading Township Lauchmans Bottom STP. This existing facility is located in Reading Township, **Adams County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Weekly Average	Daily Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	8.0	13.0	XXX	25.0	40.0	50

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Biochemical Oxygen Demand (BOD ₅)						
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	10	15	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 intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	13	XXX	XXX	39.0	XXX	75
May 1 - Oct 31	4.0	XXX	XXX	13.0	XXX	26
Total Phosphorus	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.

Effluent Limitations

Parameter	Mass Units (lbs)		Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual	Monthly Average	Maximum	
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
Net Total N	Report	0.0	XXX	XXX	XXX
Net Total P	Report	0.0	XXX	XXX	XXX

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

- Chesapeake Bay nutrients requirements
- Solids management for non-lagoon system
- Batch discharge condition for SBR system
- Hauled in waste restriction

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

The EPA Waiver is in effect.

PA0084603, Sewage, SIC Code 8361, **Fairmount Homes**, 333 Wheat Ridge Drive, Ephrata, PA 17522-8558. Facility Name: Fairmount Homes. 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 0.03 MGD.

Parameters	Average Monthly	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)	
		Weekly	Minimum		Maximum	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60

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

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

The EPA Waiver is in effect.

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

PA0023167, Sewage, SIC Code 4952, **Kane Borough McKean County**, PO Box 79, Kane, PA 16735-0079. Facility Name: Pine Street STP Kane. This existing facility is located in Kane Borough, **McKean 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 West Run, is located in State Water Plan watershed 16-F and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Average Weekly	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 7.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.16	XXX	0.54
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	312	500	XXX	25.0	40.0	50
May 1 - Oct 31	125	187	XXX	10.0	15.0	20
Total Suspended Solids	375	562	XXX	30.0	45.0	60
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Nitrate-Nitrite as N	125	XXX	XXX	10.0	XXX	20
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	56.2	XXX	XXX	4.5	XXX	9
May 1 - 31	43.7	XXX	XXX	3.5	XXX	7
Jun 1 - Oct 31	18.7	XXX	XXX	1.5	XXX	3
Total Copper	0.25	XXX	XXX	0.02	XXX	0.05
Chlorodibromo-methane	Report	XXX	XXX	Report	XXX	XXX
Dichlorobromo-methane	Report	XXX	XXX	Report	XXX	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>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	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 7.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.02	XXX	0.06
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	312	500	XXX	25.0	40.0	50
May 1 - Oct 31	125	187	XXX	10.0	15.0	20
Total Suspended Solids	375	562	XXX	30.0	45.0	60
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	125	XXX	XXX	10.0	XXX	20
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	56.2	XXX	XXX	4.5	XXX	9
May 1 - 31	43.7	XXX	XXX	3.5	XXX	7
Jun 1 - Oct 31	18.7	XXX	XXX	1.5	XXX	3
Total Phosphorus	25.0	XXX	XXX	2.0	XXX	4
Total Copper	0.25	XXX	XXX	0.02	XXX	0.05
Chlorodibromo-methane	0.0075	XXX	XXX	0.0006	XXX	0.0015
Dichlorobromo-methane	0.011	XXX	XXX	0.0009	XXX	0.0022

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

- Maximizing Treatment at the existing POTW
- Sampling when bypassing
- Combined Sewer Overflows
- Solids Management
- Requirements for Total Residual Chlorine (TRC)
- Toxics Reduction Evaluation (TRE)
- Whole Effluent Toxicity (WET)

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.

PA0265292, Sewage, SIC Code 8800, **Dora Sefton**, 211 Rachel Drive, Saxonburg, PA 16056. Facility Name: Dora Sefton SRSTP. This proposed facility is located at 230 Pine Drive, Butler, PA 16002 in Summit Township, **Butler 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, an Unnamed Tributary to Coal Run, is located in State Water Plan watershed 20-C and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

- Requirement to submit an Annual Maintenance Report
- No stormwater admitted to the treatment system
- Treatment 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.

PA0265471, Sewage, SIC Code 4952, 8800, **Jeffrey Barlett**, 3238 Waterson Road, Strattanville, PA 16258. Facility Name: Jeffrey Barlett SRSTP. This proposed facility is located in Clarion Township, **Clarion County**.

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

The receiving stream is an Unnamed Tributary to Little Piney Creek, located in State Water Plan watershed 17-B and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

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

PA0028410, Sewage, SIC Code 4952, **the Municipal Authority of the Borough of Baden**, 149 State Street, Baden, PA 15005-1937. Facility Name: Baden STP. This existing facility is located in Baden Borough, **Beaver County**.

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

The receiving streams, the Ohio River and Tevebaugh Run, are located in State Water Plan watershed 20-G and are 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 1.5 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Monthly Average	Weekly Average	
Total Nitrogen	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	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.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0Max	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 ₅)	313	475	XXX	25.0	38.0	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	375	563	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Nov 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Oct 31	XXX	XXX	XXX	200 Geo Mean	XXX	400
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report Daily Max	XXX

There are no proposed limits for outfall 011 which discharges storm water to Tevebaugh Run.

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

The EPA Waiver is not in effect.

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

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

WQM Permit No. 4616402, Sewage, Amendment, **Towamencin Township Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19446.

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

Description of Action/Activity: Maintenance replacement of 2 interceptor pipe segments.

WQM Permit No. 0915401, Sewage, Amendment, **Toll PA II, LP**, 250 Gibraltar Road, Horsham, PA 19044.

This proposed facility is located in Buckingham Township, **Bucks County**.

Description of Action/Activity: Modifications to add additional spray field are to permit.

WQM Permit No. 0917403, Sewage, **Bedminster Municipal Authority**, 432 Elephant Road, Perkasio, PA 18944.

This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Action/Activity: Decommissioning the Deep Run WWTP diverting flows to Elephant Run WWTP for construction and operation of a sewage pump station and force main.

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

WQM Permit No. WQG02501701, Sewerage, **Borough of Marysville**, 200 Overcrest Rd., Marysville, PA 17053.

This proposed facility is located in Marysville Borough, **Perry County**.

Description of Proposed Action/Activity: New permit.

WQM Permit No. 2217402, Sewerage, **Susquehanna Township Sewer Authority**, 1900 Linglestown Road Harrisburg, PA 17110.

This proposed facility is located in Susquehanna Township, **Dauphin County**.

Description of Proposed Action/Activity: New permit.

WQM Permit No. 2188407 A-1, Sewerage, 7394 Wertzville Rd., Carlisle, PA 17015.

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

Description of Proposed Action/Activity: Amendment.

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

WQM Permit No. 6217415, Sewage, **Anthony Brunecz**, 1675 North Road, Sugar Grove, PA 16350.

This proposed facility is located in Sugar Grove Township, **Warren County**.

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

WQM Permit No. 1017407, Sewage, **William Crispen**, 233 Hall Road, Slippery Rock, PA 16057.

This proposed facility is located in Clay Township, **Butler County**.

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

WQM Permit No. 4389401 A-2, Sewage, **Shenango Township Municipal Authority Mercer County**, 155 Campground Road, West Middlesex, PA 16159-2803.

This existing facility is located in Shenango Township, **Mercer County**.

Description of Proposed Action/Activity: Extension of existing sewage collection and conveyance system and improvement to the existing wastewater treatment plant.

WQM Permit No. WQG02251701, Sewage, **North East Township Water & Sewer Authority**, 31 W Main Street, North East, PA 16428-1135.

This proposed facility is located in North East Borough, **Erie County**.

Description of Proposed Action/Activity: West Law Road sewer extension.

WQM Permit No. 6217416, Sewage, **Mary Peace**, 302 Scranton Hollow Road, Warren, PA 16365.

This proposed facility is located in Farmington Township, **Warren County**.

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

WQM Permit No. 2517415, Sewage, **James Lane**, 3229 Davison Road, Harborcreek, PA 16421.

This proposed facility is located in Harborcreek Township, **Erie County**.

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

WQM Permit No. WQG01251703, Sewage, **Julie & Todd Dell**, 10185 Route 98, Edinboro, PA 16412.

This proposed facility is located in Franklin Township, **Erie County**.

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

IV. NPDES Individual Permit Applications for Stormwater Discharges from MS4s.

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

PAI136140, MS4, **Conemaugh Township Somerset County**, 1120 Tire Hill Road, Johnstown, PA 15905-7707. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Conemaugh Township, **Somerset County**. The receiving streams, Bens Creek, Mill Creek, Unnamed Tributaries to Stonycreek River, and Unnamed Tributary of Ben Creek, is located in State Water Plan watershed 18-E and is classified for Cold Water Fishes and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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 for small MS4s, and is not in effect for large MS4s.

PAI136120, MS4, **Upper Yoder Township Cambria County**, 110 Sunray Drive, Suite 1, Johnstown, PA 15905-3008. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Upper Yoder Township, **Cambria County**. The receiving streams, Unnamed Tributary to Mill Creek, Unnamed Tributary to Stonycreek River, and Stonycreek River, are located in State Water Plan watershed 18-E and are classified for Warm Water Fishes and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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 for small MS4s, and is not in effect for large MS4s.

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG133596	City of York 101 South George Street York, PA 17401	City of York, York County	N	Y

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG133752	West Manheim Township 2412 Baltimore Pike Hanover, PA 17331	West Manheim Township, York County	N	Y
PAG133674	Manchester Township 3200 Farmtrail Road York, PA 17406	Manchester Township, York County	N	Y
PAG133651	Red Lion Borough 11 East Broadway Red Lion, PA 17356	Red Lion Borough, York County	N	Y
PAG133586	Manchester Borough 225 S. Main Street Manchester, PA 17345	Manchester Borough, York County	N	Y
PAG133655	West Manchester Township 380 E. Berlin Road York, PA 17408	West Manchester Township, York County	N	Y
PAG133654	Hallam Borough 150 West Beaver Street Hallam, PA 17406	Hallam Borough, York County	Y	N
PAG133548	Carroll Township 555 Chestnut Grove Road Dillsburg, PA 17019	Carroll Township, York County	N	Y
PAG133647	Jacobus Borough 126 North Cherry Lane Jacobus, PA 17407	Jacobus Borough, York County	Y	N
PAG133583	Dover Borough 46 Butter Road Dover, PA 17315	Dover Borough, York County	Y	N
PAG133624	Lewisberry Borough P.O. Box 186 Lewisberry, PA 17339	Lewisberry Borough York County	Y	N

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

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD090011	Naplin Two Limited Partnership 171 Corporate Drive Montgomeryville, PA 18936	Bucks	Milford Township	Molasses/Unami Creek HQ-TSF-MF
PAD230009	Keystone Property Group 125 East Elm Street Conshohocken, PA 19428	Delaware	Tinicum Township	Long Hook Creek WWF

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

Pike County Conservation District, 556 Route 402, Suite 1, Hawley, PA 18428.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD520006	Finan Family Irrevocable Trust 830 Twin Lakes Road Shohola, PA 18458	Pike	Shohola	Walker Lake Creek, (HQ-CWF, MF), Twin Lakes Creek (HQ-CWF, MF), Delaware River (WWF, MF)

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD060010	Sheetz Inc. 351 Sheetz Way Claysburg, PA 16625	Berks	Cumru Township	Wyomissing 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>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD630020	A & S Landscaping, 2150 Washington Road Canonsburg, PA 15317	Washington County	North Strabane Township	Little Chartiers Creek (HQ-WWF)

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

PAG-12 CAFOs

MS4 PAG-13 Notices of Intent Received

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG130167	Schwenksville Borough 140 Main Street Schwenksville, PA 19426	Schwenksville Borough Montgomery County	N	N
PAG130164	Red Hill Borough 56 West 4th Street Red Hill, PA 18076	Red Hill Borough Montgomery County	N	N
PAG130165	Green Lane Borough 214 Main Street PO Box 514 Green Lane, PA 18054	Green Lane Borough Montgomery County	N	N
PAG130061	West Pottsgrove Township 980 Grosstown Road Stowe, PA 19464	West Pottsgrove Township Montgomery County	N	N
PAG130014	Sharon Hill Borough 250 Sharon Avenue Sharon Hill, PA 19079	Sharon Hill Borough Delaware County	N	Y
PAG130073	Lower Pottsgrove Township 219 Buchert Road Pottstown, PA 19464	Lower Pottsgrove Township Montgomery County	N	N
PAG130023	Royersford Borough 300 Main Street PO Box 188 Royersford, PA 19468	Royersford Borough Montgomery County	N	N
PAG130143	Clifton Heights Borough 30 S. Springfield Road Clifton Heights, PA 19018	Clifton Heights Borough Delaware County	N	Y
PAG130080	Narberth Borough 100 Conway Avenue Narberth, PA 19072	Narberth Borough Montgomery County	Y	Y
PAG130109	Upper Hanover Township 1704 Pillsbury Road East Greenville, PA 18041	Upper Hanover Township Montgomery County	Y	Y
PAG130039	Langhorne Borough 114 E. Maple Avenue Langhorne, PA 19047	Langhorne Borough Bucks County	Y	Y

NOTICES

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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 & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG132249	Bangor Borough 197 Pennsylvania Avenue Bangor, PA 18013-1922	Bangor Borough, Northampton County	N	Y

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133744	Tilden Township 874 Hex Highway Hamburg, PA 19526	Tilden Township Berks County	N	N
PAG133726	Chanceford Township 51 Muddy Forks Creek Road Brogue, PA 17309	Chanceford Township York County	Y	N
PAG133750	Filton Borough 88 Main Street Filton, PA 17322	Filton Borough York County	Y	N
PAG133670	Windsor Township 1480 Windsor Road Red Lion, PA 17356	Windsor Township York County	N	Y
PAG133649	West York Borough 1381 West Poplar Street York, PA 17404	West York Borough York County	N	Y
PAG133672	York Haven Borough 2 N Pennsylvania Ave York Haven, PA 17370	York Haven Borough York County	Y	N
PAG133576	Spring Garden Township 558 S. Ogontz Street York, PA 17403	Spring Garden Township York County	N	Y
PAG133652	Springfield Township 9211 Susquehanna Trail South Seven Valleys, PA 17360	Springfield Township York County	N	Y
PAG133671	Jackson Township 439 Roth's Church Road Thomasville, PA 17362	Jackson Township York County	N	Y
PAG133752	West Manheim Township 2412 Baltimore Pike Hanover, PA 17331	West Manheim Township York County	N	Y
PAG133674	Manchester Township 3200 Farmtrail Road York, PA 17406	Manchester Township York County	N	Y
PAG133651	Red Lion Borough 11 East Broadway Red Lion, PA 17356	Red Lion Borough York County	N	Y
PAG133586	Manchester Borough 225 S. Main Street Manchester, PA 17345	Manchester Borough York County	N	Y
PAG133655	West Manchester Township 380 E. Berlin Road York, PA 17408	West Manchester Township York County	N	Y
PAG133654	Hallam Borough 150 West Beaver Street Hallam, PA 17406	Hallam Borough York County	Y	N
PAG133548	Carroll Township 555 Chestnut Grove Road Dillsburg, PA 17019	Carroll Township York County	N	Y

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133647	Jacobus Borough 126 North Cherry Lane Jacobus, PA 17407	Jacobus Borough York County	Y	N
PAG133583	Dover Borough 46 Butter Road Dover, PA 17315	Dover Borough York County	Y	N
PAG133624	Lewisberry Borough P.O. Box 186 Lewisberry, PA 17339	Lewisberry Borough York County	Y	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.

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>
Laverne Rohrer 118 Bentz Mill Rd East Berlin, PA 17316	York	54.4	443.17	Turkey	NA	Approved

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.

Southeast Region: Safe Drinking Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.

Permit No. 1517523, Public Water Supply.

Applicant **Chester Water Authority**
415 Welsh Street
Chester, PA 19013

Township Kennett

County **Chester**

Responsible Official Brian P. MacEwen
P.O. Box 467
Chester, PA 19016

Type of Facility PWS

Consulting Engineer Tim Daily
Pennoni
1900 Market Street
Philadelphia, PA 19103

Application Received Date October 10, 2017

Description of Action Upgrade of the three booster's pumps at the Norway Booster Station from 400 gpm each to 800 gpm each. And construction of a 1.5 million gallon on grade steel drinking water storage tank at the Norway Tank Site.

Permit No. 0917524, Public Water Supply.

Applicant **Delaware Valley University**
700 E. Butler Avenue
Doylestown, PA 18901

Township Doylestown

County **Bucks**

Responsible Official Joseph Cuckavan
Delaware Valley University
700 E. Butler Avenue
Doylestown, PA 18901

Type of Facility PWS

Consulting Engineer Boucher & James
559 Main Street
Bethlehem, PA 18018

Application Received Date November 3, 2017

Description of Action Installation of sequestering and pH, not plt. adjustment equipment for corrosion control treatment.

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

Application No. 3917512, PWS Major Amendment.

Applicant **Lehigh County Authority**
PO Box 3348
Allentown, PA 18106-3348

Township or Borough Upper Macungie Township
Lehigh County

Responsible Official Liesel M. Gross
Lehigh County Authority
1053 Spruce Street
PO Box 3348
Allentown, PA 18106-3348

Type of Facility Public Water Supply

Consulting Engineer Robert A. Koechert, P.E.
Johnson, Mirmiran and Thompson
1600 Market Street, Suite 520
Philadelphia, PA 19103

Application Received Date November 14, 2017

Description of Action Construction of a new booster pumps station.

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 3617517, Public Water Supply.

Applicant **Quarryville Congregation of Jehovah's Witnesses**

Municipality Colerain Township

County **Lancaster**

Responsible Official Timothy L. Fritz, Coordinator of Body of Elders
8 Cobblestone Drive
Willow Street, PA 17584

Type of Facility Public Water Supply

Consulting Engineer Charles A. Kehew II, P.E.
James R. Holley & Associates, Inc.
18 South George Street
York, PA 17401

Application Received: 11/7/2017

Description of Action Installation of facilities for removal of nitrates.

Permit No. 2817508 MA, Minor Amendment, Public Water Supply.

Applicant **Greencastle Area, Franklin County, Water Authority**

Municipality Greencastle Borough

County **Franklin**

Responsible Official Julian Miraglia, Chairperson
75 Grace Boulevard
Morgantown, PA 19543

Type of Facility Public Water Supply

Consulting Engineer Jamie R. Shambaugh, P.E.
Gannett Fleming, Inc.
PO Box 67100
Harrisburg, PA 17106-7100

Application Received: 11/6/2017

Description of Action Installation of a bulk water loading station.

Permit No. 5017506 MA, Minor Amendment, Public Water Supply.

Applicant **Newport Borough Water Authority**

Municipality Newport Borough

County **Perry**

Responsible Official Dean Miller, Operator
497 North Front Street
Newport, PA 17074-1409

Type of Facility Public Water Supply

Consulting Engineer Kevin L. Little, P.E.
Barton & Loguidice DPC
3901 Hartzdale Drive
Camp Hill, PA 17013

Application Received: 11/14/2017

Description of Action

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

Permit No. 6517531, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Township or Borough] Bell Township

Responsible Official Michael Kukura, Resident
Manager
Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility Water system

Consulting Engineer Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Application Received
Date November 6, 2017

Description of Action Installation of re-circulators in
the Beaver Run Reservoir.

Permit No. 2617520, Public Water Supply.

Applicant **Municipal Authority of the Township of Washington**
1390 Fayette Avenue
Belle Vernon, PA 15012

[Township or Borough] Fayette City Borough

Responsible Official Ken Klanchar, Chairman
Municipal Authority of the
Township of Washington
1390 Fayette Avenue
Belle Vernon, PA 15012

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received
Date November 6, 2017

Description of Action Discontinuation of fluoride
chemicals from the water
system.

Permit No. 2614505-A1, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Township or Borough] Wall Borough

Responsible Official Michael Kukura, Resident
Manager
Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co.,
Inc.
1004 Ligonier Street
PO Box 853
Latrobe, PA 15650

Application Received
Date November 9, 2017

Description of Action Amendment to the construction
permit for the installation of the
Ross Street Pump Station.

Permit No. 0216537-A1, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hersheypark Drive
Hershey, PA 17033

[Township or Borough] North Strabane Township

Responsible Official David Kaufmann
Pennsylvania American Water
Company
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility Water system

Consulting Engineer Pennsylvania American Water
Company
800 West Hersheypark Drive
Hershey, PA 17033

Application Received
Date November 15, 2017

Description of Action Amendment to the construction
permit for the installation of the
Fox Ridge Booster Pump Station.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Application No. 0317508MA, Minor Amendment.

Applicant **Worthington-West Franklin Joint Municipal Authority**
102 West Main Street
Worthington, PA 16262

[Township or Borough] West Franklin Township

Responsible Official Marcia E. Long, Chairperson
Worthington-West Franklin Joint
Municipal Authority
102 West Main Street
Worthington, PA 16262

Type of Facility Water system

Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received Date	November 13, 2017
Description of Action	Installation of approximately 13,000 feet of waterline in the Village of Craigsville.

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

Application No. 4388510-MA4, Minor Amendment.

Applicant	Greenville Municipal Authority
Township or Borough	West Salem Township
Responsible Official	Carol Paul
Type of Facility	Public Water Supply
Consulting Engineer	Nicholas O'Hallaron Entech Engineering 400 Rouser Road Suite 200 Coraopolis, PA 15108
Application Received Date	November 3, 2017
Description of Action	Improvements and modifications to water storage tanks.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.

WA-09-959B Water Allocations. **Warrington Township**, 852 Easton Road, Warrington, PA 18976, Warrington Township, **Bucks County**. To increase the allowable water to be purchased from North Wales Water Authority from 900,000 gallons per day to 2,000,000 gallons per day.

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 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 Notices of Intent to Remediate:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

395 Jacksonville Road, 395 Jacksonville Road, Warminster Township, **Bucks County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Blvd, Suite 110, King of Prussia, PA 19406 on behalf of Gregory Rogerson, JERC Partners XLVI, LLC, 171 Route 173, Suite 201, Asbury, NJ 08802 submitted a Notice of Intent to Remediate. TCE, and vinyl chloride were detected in the groundwater on the subject property. The intended future use of the property is residential. The Notice of Intent to Remediate was published in the *Public Spirit and Willow Grove Guide* on October 17, 2017.

Archdiocese of Philadelphia, 66 Levittown Pkwy, Tullytown Borough, **Bucks County**. Jason Hanna, Langan Engineering and Environmental Services, 2700 Kelly Road, Suite 200, Warrington, PA 18769 on behalf of Robert White, Redevelopment Authority of the County of Bucks, 216 Pond Street, Bristol, PA 19007 submitted a Notice of Intent to Remediate. Based on the results of the historic site characterization data, the site soil, groundwater and soil gas may contain VOCs, SVOCs, metals, and methane. The Redevelopment Authority of the

County of Bucks (RDB), the remediator, and site developer, plan on redeveloping the site into a residential property. The Notice of Intent to Remediate was published in the *Bucks Courier Times* on August 17, 2017.

3001, 3041 & 3051 Philmont Avenue, 3001, 3041, & 3051 Philmont Avenue, City of Philadelphia, **Philadelphia County**. Richard Werner, Environmental Consulting, Inc., 2002 Renaissance Blvd, Suite 110, King of Prussia, PA 19406 on behalf of Peter J. Clelland, BT Philmont LP, 200 Witmer Road, Suite 200, Horsham, PA 19044 submitted a Notice of Intent to Remediate. Soil and groundwater was contaminated with the release of VOCs. The subject property is planned to be redeveloped into a mixed-use residential and commercial property. The Notice of Intent to Remediate was published in *The Global* on September 11, 2017.

1242 Baltimore Pike, 1242 Baltimore Pike, Middletown Township, **Delaware County**. Thomas A. Petrez, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kathryn MacKee Black, The McKee Group, 940 West Sproul Road, Suite 301, Springfield, PA 19064 submitted a Notice of Intent to Remediate. Soil and groundwater were impacted with the release of VOCs. The intended future use of the property is for commercial and retail purposes. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on October 18, 2017.

Logue Residence, 35 Lindbergh, Maple Township, **Delaware County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Mike DiBartolome, ERIE Insurance, 1400 North Providence Road, Media, PA 19063 submitted a Notice of Intent to Remediate. A release of petroleum occurred at the site with impacts to shallow soil. The current use and proposed future use of the property is residential. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on June 28, 2017.

2850-2852 North 22nd Street, 2850-2852 North 22nd Street, City of Philadelphia, **Philadelphia County**. Suzanne Shourds, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Ronald Hinton, Allegheny West Foundation, 2330 West Allegheny Avenue, Philadelphia, PA 19132 submitted a Notice of Intent to Remediate. The NIR states that soil and groundwater was impacted with the release of tetrachloroethylene and naphthalene. Proposed redevelopment plans include the comprehensive renovation of the structure for use as a restaurant. The Notice of Intent to Remediate was published in *The Philadelphia News* on September 29, 2017.

170 Woodhaven Drive, 170 Woodhaven Drive, Bensalem Township, **Bucks County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Anthony D. Cino, MNOP, Inc., 301 Oxford Valley Road, Suite 702, Yardley, PA 19067-7713 submitted a Notice of Intent to Remediate. Petroleum-impacted soil was encountered during the removal of a No. 2 fuel oil UST. The future use of the property will continue to be an industrial warehouse facility. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on September 14, 2017.

2405 Maryland Road, 2405 Maryland Road, Willow Grove Township, **Montgomery County**. Ed Phillips, Potomac-Hudson Environmental, Inc., P.O. Box 7 South Amboy, NJ 08879 on behalf of Tom Gough, 2405 Maryland Road Property Owner LLC, 520 US Highway 22

East, P.O. Box 6872, Bridgewater, NJ 08807 submitted a Notice of Intent to Remediate. The site soil has been found to contain vanadium and cadmium. The proposed future use of the property is residential. The Notice of Intent to Remediate was published in *The Intelligencer* on October 2, 2017.

805-807 West Berks Street, 805-807 West Berks Street, City of Philadelphia, **Philadelphia County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Second Floor, Philadelphia, PA 19142 on behalf of John Gibbons, KSK Architects Planners Historians, Inc., 2133 Arch Street, Suite 303, Philadelphia, PA 19103 submitted a Notice of Intent to Remediate. Subsurface soil investigations identified the presence of benzo(a)pyrene, lead, and vanadium. The site is being redeveloped for residential use. The Notice of Intent to Remediate was published in *The Daily Local News* on October 17, 2017.

Welsh Residence, 123 Residence, Lower Providence Township, **Montgomery County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Jeff Welsh, JMW Real Estate Mgt. LP, 100 West Indian Lane, Norristown, PA 19403 submitted a Notice of Intent to Remediate. A release of no. 2 fuel oil impacted the soil. The impacted properties are residential. The future intended use of the site is residential. The Notice of Intent to Remediate was published in *The Times Herald* on September 5, 2017.

Storage Facility, 510 South Henderson Road, Upper Merion Township, **Montgomery County**. Jeffrey T. Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Jesse H. Lamar, Johnson Development Associates, Inc., 535 Springfield, Avenue, Suite 100, Summit, NJ 07901 submitted a Notice of Intent to Remediate. Soil at the site was impacted with PCB, PAHs, arsenic and lead. The proposed future use of the property will be commercial.

Fancher Residence, 1206 Linden Avenue, Lower, Makefield Township, **Bucks County**. Sean M. Damon, Langan Engineering and Environmental Services, Inc., 2700 Kelly Road, Suite 200, Warrington, PA 18978 on behalf of Louis C. Fancher, 1206 Linden Avenue, Yardley, PA 19067 submitted a Notice of Intent to Remediate. Soil and groundwater have been contaminated with VOCs. The property will continue to be used for residential purposes in the future. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on August 14, 2017.

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

Wallenpaupack Energy and Home Center, 2587 US Route 6, Palmyra Township, **Pike County**. Bluestone Environmental Inc., 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of The Dime Bank, 120 Sunrise Avenue, Honesdale, PA 18431, submitted a Notice of Intent to Remediate. Soil and groundwater contamination were due to a leaking underground heating oil tanks located on the property. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The News Eagle* on November 4, 2017.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Roxanne Todd Property, 78 Fairview Road, New Providence, PA 17560, Providence Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Ms. Roxanne

Todd, 74 Fairview Road, New Providence, PA 17560, submitted a Notice of Intent to Remediate soil contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site will be used for residential purposes. The Notice of Intent to Remediate was published in the *LNP* on November 10, 2017.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

US Gypsum Company, Derry Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of U.S. Gypsum Company, 86 PPL Road, Danville, PA 17821, has submitted a Notice of Intent to Remediate concerning remediation of the site soil contaminated with motor oil. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on October 23, 2017.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability 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/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 Application No. WMGR028SC0071. New Enterprise Stone & Lime Company, Inc. (NESL) has submitted an application for a Determination of Applicability under General Permit No. WMGR028. The application is for NESL's Kutztown Asphalt Plant, 210 Hinterleiter Rd., Kutztown, PA 19530 in Maxatawny Township, **Berks County**. This general permit authorizes 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. The application was determined to be complete on November 15, 2017.

Persons interested in obtaining more information about the general permit application 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. 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 De-

partment, 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.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

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

43-273A: Metal Litho and Laminating, LLC (242 Reynolds Industrial Park Rd, Greenville, PA 16125), application received for the installation of a thermal oxidizer control device at their facility located in Pymatuning Townships, **Mercer County**. The thermal oxidizer will replace an existing control device. This facility will remain a non-Title V facility after the project.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

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

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

46-0297: Prudential Insurance Company of America (2101 Welsh Road, Dresher, PA 19025) a plan approval to operate four (4) existing diesel-fired generator engines to provide standby emergency power in Upper Dublin Township, **Montgomery County**. The primary pollutant of concern is nitrogen oxides (NO_x) from the combustion process. Each engine will be restricted to 100 hours of operation per year and the facility will be classified as a synthetic minor based on its potential emissions. The plan approval will include monitoring, record keeping, and reporting requirements designed to address all applicable air quality regulations.

09-0240: Mazza Iron and Steel (60 Solar Drive, Fairless Hills, PA 19030), Falls Township, **Bucks County**. The Plan Approval application is for the installation and operation of an electric metal shredder and a ferrous and non-ferrous metals processing facility. The pollutant of concern is Particulate Matter (PM) as the process consists of receiving large amounts of ferrous and non-ferrous metal. The metal will be separated out through various techniques by using various process lines each giving off small amounts of PM emissions. Mazza Iron and Steel is a minor facility for PM emissions. Mazza Iron and Steel will help control PM emissions by using a water/foam injection system at the shredder. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

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

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

35-00069C: Lackawanna Energy Center LLC (1 South Wacker Drive, Suite 1900, Chicago, IL 60606)

Notice is hereby given under 25 Pa. Code § 127.44 and 40 CFR 52.21, that the Department of Environmental Protection (Department) intends to issue the proposed Air Quality Plan Approval 35-00069C for the purpose of satisfying the requirements of 25 Pa. Code §§ 127.201—127.217 of plan approval 35-00069B which require the purchase of VOC and NO_x ERCs. There is no change to the process equipment or control devices currently permitted under plan approval 35-00069B at their facility in Jessup Borough, **Lackawanna 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.

36-03209A: Bareville Woodcraft Co. (70 Farmland Road, Leola, PA 17540) for the installation of a 4.97 MMBtu/hr wood fired boiler at the wood working facility located in Upper Leacock Township, **Lancaster County**. The expected facility emissions as a result of the changes proposed are: PM 1.74 tpy, SO_x 0.54 tpy, NO_x 10.67 tpy, CO 6.53 tpy and VOCs 0.37 tpy. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 63 Subpart JJJJJJ—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an Operating Permit pursuant to the provisions of 25 Pa. Chapter 127.

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

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

10-368F: MarkWest Liberty Bluestone, LLC (1515 Arapahoe St., Suite 1600, Denver, CO 80202) for construction of additional sources at their existing natural gas processing plant in Jackson Township, **Butler County**. This is a Title V facility.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue Plan Approval 10-368F to MarkWest Liberty Bluestone, LLC for the construction of additional sources at their existing Bluestone Gas Processing Plant facility located at 440 Hartmann Rd., Jackson Township, Butler County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 10-368F is for the construction of four (4) 1,680 bhp natural gas-fired compressor engines. Additionally, the facility has revised emission estimates associated with rod packing & crankcase blowby emissions, fugitive emissions, engine blowdowns, and emissions from the existing enclosed flare. Also, the facility

has removed four (4) existing emergency generators. Based on the information provided by the applicant and DEP's own analysis, the proposed changes will result in potential emissions increases in the amount(s) of 34.99 tons of carbon monoxide, 16.46 tons of nitrogen oxides, 30.76 tons of volatile organic compounds (VOCs), 3.97 tons of particulate matter, and 3.44 tons of total Hazardous Air Pollutants (HAP) per year.

The facility will be required to conduct stack testing of the proposed compressor engines within 180 days of startup, with retesting via portable analyzer to occur annually thereafter. The Plan Approval will contain additional testing, monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. The subject sources will also be subject to the requirements of New Source Performance Standards, 40 CFR Part 60, Subparts JJJJ, for Stationary Spark-Ignition Internal Combustion Engines, and OOOOa, for Crude Oil and Natural Gas Facilities.

Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 10-368F and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

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 amend operating permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices for the following facility:

OP17-000057: Menasha Packaging, LLC (601 East Erie Avenue, Philadelphia, PA 19134) is proposing to amend the operating permit N14-005 to reclassify two steam boilers as natural-gas fired boilers under 40 CFR 63 Subpart JJJJJ and modify the requirements accordingly. Under these requirements, the boilers are subject to only burn natural gas except during periods of gas curtailment, gas supply interruption, startups, or for

periodic testing, maintenance, or operator training. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of 48 hours during any calendar year. The Natural Minor operating permit, N14-005, was originally issued on March 4, 2015.

OPERATING PERMITS

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

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

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

15-00091: McAvoy Vitrified Brick Company (75 McAvoy Lane, PO Box 428, Phoenixville, PA 19460), located in Schuylkill Township, **Chester County**. This action is a renewal of the Title V Operating Permit; the current permit will expire on December 19, 2017. The facility's major emission points include a Brick Dryer and a Brick Kiln each fired by natural gas. The facility is a major source for the Hazardous Air Pollutant (HAP), Hydrogen Fluoride (HF), and an area source for all other pollutants. There are no new sources at this facility. RACT II requirements do not apply to sources at the facility; the facility is not major for VOC or NO_x. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64 because there are no control devices on sources at this facility. The source is not a major source for Greenhouse Gases (GHG).

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.

22-05005: NRG Energy Center Paxton, LLC (100 N. 10th Street, Harrisburg, PA 17101-2440) for the boilers and engines at the facility located in the City of Harrisburg, **Dauphin County**. The Title V Operating Permit is undergoing a significant modification to related to the approval of a Reasonably Available Control Technology 2 (RACT 2) plan, and revision of the existing RACT 1 plan.

In accordance with 25 Pa. Code §§ 129.91—129.100, the Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan, and to revise an existing RACT 1 plan, to be submitted as part of the State Implementation Plan (SIP) for the NRG Energy Center Paxton that supplies steam for space heating, domestic hot water heating, humidification, and industrial processes in the Harrisburg central business district and Capitol Complex.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT 2 approval, and the revised RACT 1 approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed RACT 2 plan and revised RACT 1 plan, if approved by DEP, will be issued as a significant modification to the facility's Title V operating permit (22-05005). The relevant RACT 1 and 2 requirements will also be submitted to the U.S. Environmental Protection Agency

(EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT 1 and 2 approvals will be excluded from the SIP submittal.

The following is a summary of the proposed RACT 1 and 2 requirements for this facility that will be submitted to the EPA as part of the SIP:

RACT 2 Case-by-Case Requirements (to replace in their entirety the current RACT 1 requirements for the affected sources)

032—Boiler # 13 and 033—Boiler # 14

(1) Each of the above boilers shall not exceed the following short-term limit, except as provided in (3): 0.44 lb. NO_x/MMBtu when combusting No. 6 fuel oil.

(2) Each of the above boilers shall not exceed the following short-term limit, except as provided in (3): 0.23 lb. NO_x/MMBtu when combusting Natural Gas.

(3) Each of the above boilers shall not exceed the following short-term limit: When fuel borne nitrogen (FBN) in # 6 Oil is greater than 0.49 percent, the lb. NO_x/MMBtu limits for Boilers 13 and 14 shall be calculated per the following formula, which is taken from AP-42 Table 1.3-1 Footnote (d): NO_x in lb NO₂/10³ gal. = 20.54 + 104.39(N) Where 'N' is weight percentage of nitrogen in # 6 Oil.

(4) Each of the above boilers shall not exceed the following fuel usage restrictions:

(a) No. 6 fuel oil shall be limited to 1,533,300 gallons per year based on a consecutive 12-month rolling period.

(b) Natural Gas shall be limited to 584,000,000 cubic feet per year based on a consecutive 12-month rolling period.

(5) Each of the boilers shall not exceed a NO_x emission rate of 46.0 tpy based on a consecutive 12-month rolling period.

(6) Each of Boilers # 13 and # 14 shall be tested once every five years for NO_x as NO₂. Testing shall be performed separately with No. 6 Fuel Oil and Natural Gas on each boiler. Testing may be done using either traditional stack test methods, or using a portable analyzer.

(7) The permittee shall monthly monitor and record the nitrogen content of the No. 6 fuel oil, from the fuel supplier's certificate.

(8) The permittee shall retain the all fuel supplier's certificate(s) including nitrogen content of the # 6 Oil for the most recent five-year period, and shall make them available to the Department upon request.

(9) The permittee shall keep records to demonstrate compliance with (1)—(6) above as follows:

(a) The records must include sufficient data and calculations to demonstrate that the requirements of (1)—(6) above are met.

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

(10) The permittee shall maintain and operate each of the Boilers # 13 and # 14 in accordance with the manufacturer's specifications and with good operating practices.

Revised RACT 1 Case-by-Case Requirements (to delete the following provisions from the current RACT 1 requirements for the affected sources)

No. 12 Boiler (Combustion Engineering)—105 MMBtu/hr, # 6 Oil Fired

No. 15 Boiler (Combustion Engineering)—214 MMBtu/hr, # 6 Oil Fired

1. The sources and any associated air cleaning devices are to be:

a. operated in such a manner as not to cause air pollution.

7. NO_x emissions from the Boiler Nos. 12 and 15 shall be calculated as per the AP-42 Emission Factors.

14. An annual report containing the following shall be submitted to the Department's Harrisburg District Supervisor by March 1 of the following year:

a. Monthly and annual natural gas usage for Boiler Nos. 13 and 14

b. Monthly and annual # 6 Oil usage for Boiler Nos. 12 through 15

c. Record of the fuel borne nitrogen (FBN) in # 6 Oil

d. Record of sulfur content in # 6 Oil

e. Annual record of the facility NO_x and VOC emissions

16. Each boiler shall be stack tested when the boiler's total cumulative steam generation achieves 100 percent of the boiler's annual 100 percent load factor steam generation quantity, or every four years, whichever occurs first.

a. For No. 13 Boiler through No. 15 Boiler, the 100 percent load factor steam generation quantity is 1,314,000,000 pounds.

b. For No. 12 Boiler, the 100 percent load factor steam generation quantity is 700,000,000 pounds.

21. Two copies of the stack test results shall be submitted to the Department Air Quality Program Manager for review within 60 days of completion of testing. The emissions shall be reported in the following units:

a. Concentration as Measured—part per million (ppm)

b. Specific Output—lb/10³ gallon oil and lb/mmscf gas as applicable

c. Total Output, Mass Rate—lb/hr

d. Total Output, Heat Rate—lb/MMBtu

Two Dual Fuel Internal Combustion Engines 6,300 kW/8,692 hp Natural Gas # 2 Oil Fired (Cooper) Model LSVB-20

1. The sources and any associated air cleaning devices are to be:

a. operated in such a manner as not to cause air pollution.

7.a. Verification of the NO_x emission standard listed in Condition 4 shall be conducted utilizing methodology outlined in 25 Pa. Code Chapter 139 and the Department's Source Testing Manual or by other means approved by the Department.

b. The stack testing shall be performed at 30,000 megawatt hours of operation on each engine generator, or after two years, whichever occurs first.

c. The first stack test performed after issuance of this operating permit shall be in accordance with 25 Pa. Code Chapter 139 and the Department's Source Testing Manual.

d. Subsequent verification of NO_x emission may be performed using a portable analyzer.

8. Stack test protocol shall be submitted to the Department Air Quality Program Manager 60 days prior to stack test.

9. The company shall notify the Department of the date and time of stack testing 15 days prior to the stack test.

10. Two copies of the emission test results shall be submitted to the Department Air Quality Program Manager for review within 60 days of the stack test. The emissions shall be reported in the following units.

a. Concentrations as Measured—parts per million (ppm)

b. Specific Output—g/hp-hr

c. Total Output, Mass Rate—lb/hr

d. Total Output, Heat Rate—lb/MMBtu

12. Facility shall keep the following records for the source, retain these for two years, and make them available to the Department when requested:

c. Fuel Supplier's Certificate with percent sulfur content of # 2 Oil.

13. The following information and document for each calendar year shall be submitted to the Department's Harrisburg District Supervisor by March 1 of the following year, as per 25 Pa. Code § 135.3(a).

a. Sources and Facility Annual NO_x and VOC Emissions

b. Sources Operating Hours, Natural Gas Usage, and # 2 Oil Usage Computed Monthly and Annually

14. Facility shall report to the Department Air Quality Program Manager any modification to the sources, which is expected to increase NO_x, and VOC emissions from each source.

Public Comment Details:

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 Thomas Hanlon, Environmental Engineering Manager, Air Quality Program, at 909 Elmerton Avenue, Harrisburg, PA 17110. A 30-day comment period from the date of publication of this notice 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 RACT 1 or RACT 2 condition, including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 1 or RACT 2 approvals.

Public hearing. A public hearing will be held on January 4, 2018, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, please contact Thomas Hanlon at 717-705-4862. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be December 28, 2017.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Thomas Hanlon at 909 Elmerton Avenue, Harrisburg, PA 17110.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review may be made by calling Thomas Hanlon at 717-705-4862.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Thomas Hanlon at 717-705-4862 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

06-05002: Lehigh Cement Company, LLC (537 Evansville Road, Fleetwood, PA 19522-8541) for Lehigh's Evansville Cement Plant and Quarry located in Maiden Creek Township, **Berks County**. The Title V Operating Permit is undergoing a significant modification to incorporate 25 Pa. Code §§ 129.96—129.100 (RACT II) requirements and an emissions averaging plan in accordance with 25 Pa. Code § 129.98 for Source IDs 121 & 122 (Kilns 1 & 2).

The Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for Lehigh's Evansville Cement Plant and Quarry located in Maiden Creek Township, Berks County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if approved by DEP, are proposed to be issued as a Title V Operating Permit modification. The relevant RACT II requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval as a revision to Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal.

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 Thomas Hanlon, Environmental Engineering Manager, Air Quality Permitting, at 909 Elmerton Avenue, Harrisburg, PA 17110. A 30-day comment period from the date of publication of this notice 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 RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan.

Public hearing. A public hearing will be held on January 10, 2018, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak

at the hearing, please contact Thomas Hanlon at 717-705-4862. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be January 3, 2018.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Thomas Hanlon at 909 Elmerton Avenue, Harrisburg, PA 17110.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review may be made by calling Thomas Hanlon at 717-705-4862.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Thomas Hanlon at 717-705-4862 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

07-05003: Norfolk Southern Railway Co. (200 N 4th Avenue, Altoona, PA 16601) to issue a Title V Operating Permit for the Juniata Locomotive Shops facility located in Logan Township, **Blair County**. The actual emissions from the facility in 2016 year are estimated at 21.2 tons of VOC; 14.8 tons of NO_x; 9.8 tons of CO; 2.6 tons of HAPs and less than one ton each of PM₁₀, PM_{2.5} and SO_x. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.96–129.100—Additional RACT Requirements for Major Sources of VOC; 25 Pa. Code § 129.52—Surface coating processes; 25 Pa. Code § 129.52d—Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings; 25 Pa. Code § 129.63—Degreasing operations; 25 Pa. Code § 129.61—Small gasoline storage tank control (Stage I control); 25 Pa. Code § 129.62—General standards for bulk gasoline terminals, bulk gasoline plants and small gasoline storage tanks; 40 CFR Part 63, Subpart M—National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products; 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; 40 CFR Part 63, Subpart CCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities; 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines and 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

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

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

42-00004: American Refining Group, Inc. (ARG) (77 North Kendall Avenue, Bradford, PA 16701). The Department intends to issue a renewal of the Title V Permit to operate the refinery located in Bradford City, **McKean**

County. The facility's major emission sources include boilers, process heaters, a reformer, tanks, equipment leaks of VOC, gasoline loading rack, waste water separators, degreasers, emergency fire water pumps, and emergency generators. The controls include the Lo-Cat Absorber unit and Chemical Oxidizer Unit, and two flares. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to its potential to emit sulfur oxides, nitrogen oxides, volatile organic compounds, and hazardous air pollutants. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The actual emissions reported by the facility for 2016 were 59.39 TPY CO, 220.98 TPY NO_x, 5.17 TPY PM₁₀, 0.72 TPY PM_{2.5}, 277.62 TPY SO_x, and 177.24 TPY VOC.

The permit contains the Standards of Performance for New Stationary Sources (NSPS) for National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Refinery Sector Rule. The permit contains the applicable Federal and State requirements to ensure compliance with the Air Pollution Control Act. The permit incorporates the requirements of Plan Approval 42-004J and the RACT 2 presumptive requirements (Sections 129.96, 129.97, and 129.100).

Any person wishing to provide the Department of Environmental Protection with additional information that they believe should be considered prior to the issuance of this permit may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit # TV 42-00004) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Mr. Eric A. Gustafson, Regional Air Quality Program Manager, Department of Environmental Protection, Northwest Region, 230 Chestnut Street, Meadville, PA 16335. For additional information concerning the permit or the issuance procedure, contact Mr. Matthew Williams, Facilities Permitting Chief, Air Quality Program, at the same address or phone at (814) 332-6940.

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

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

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

15-00155: USSC Acquisition Corp. (150 Gordon Dr., Uwchlan Twp., PA 19141) for an initial non-Title V (State-Only) Synthetic Minor operating permit at their facility located in Uwchlan Township, **Chester County**. USSC manufactures seating for first responder transit

vehicles, and extreme duty military vehicles, as well as water mist fire suppression systems for vehicles. USSC uses paints, solvents, and glues in the manufacturing process that contain volatile organic compounds (VOCs) and hazardous air pollutant (HAP) compounds. Based on the usage of glues and paints, the facility has the potential-to-emit (PTE) VOCs and HAPs in quantities greater than the major source thresholds and has taken restrictions to remain below the thresholds.

The Operating Permit will contain monitoring, recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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.

36-03040: Wenger Feeds, LP/Rheems Mill (101 W. Harrisburg Ave., Rheems, PA 17570) for operation of an animal feed mill in Mount Joy Township, **Lancaster County**. The facility potential emissions are 2.26 tons of CO, 2.69 tons of NO_x, 18.0 tons of PM, 0.02 ton of SO_x, 0.15 ton of VOC, and 0.05 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 40 CFR Part 63, Subpart JJJJJJ—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, and 40 CFR Part 63 Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing.

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

Contact: Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6131.

20-00262: Generant Co., Inc. (18254 Technology Drive, Meadville, PA 16335-8380), the Department intends to issue a renewal of a Natural Minor Permit to operate a valve and pipe fittings manufacturing facility in the City of Meadville, **Crawford County**. The facility's emitting sources include a passivation and brass bright dip line, and a degreaser unit. The potential emissions of alkaline and nitric acid fumes are 16.13 tons per year. The emissions are controlled by a packed tower scrubber. The permit contains the requirements of the previous plan approval, emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

25-00964: FMC Technologies Measurement Solutions, Inc. (1602 Wagner Ave, Erie, PA 16510-1444). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the facility located in the City of Erie, **Erie County**. The facility's primary emission sources include: natural gas space heaters (20.6 MMBtu/hr total), two (2) paint booths, parts wash stations, a steam jenny, two (2) natural gas-fueled emergency generators, and a heat treat oven. The potential emissions of the primary pollutants from the facility are as follows: 9.66 TPY NO_x, 7.02 TPY CO, 32.19 TPY VOC, 0.72 TPY PM₁₀ and PM_{2.5}, and 0.05 TPY SO_x; thus, the facility is a natural minor. Emergency

Generator 2 (R&D) is subject to 40 CFR Part 60 Subpart JJJJ, the New Source Performance Standards for Stationary Spark Ignition Internal Combustion Engines. The facility must elect to comply with either 25 Pa. Code § 129.52 or § 129.52d for control of VOC emissions from the paint booths. 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.

43-00290: Sharon Coating, LLC (277 N Sharpsville Ave, Sharon, PA 16146). The Department intends to renew a State Only Synthetic Minor Operating Permit for the steel coil manufacturing facility located in the City of Sharon, **Mercer County**. The facility's primary emission sources include three (3) natural gas-fired annealing furnaces, two (2) emergency diesel generators, miscellaneous natural gas usage, and two (2) parts washers. The potential emissions of the primary pollutants from the facility after permit limitations are as follows: PM₁₀ and PM_{2.5}: 3.83 TPY, NO_x: 95 TPY, SO_x: 0.69 TPY, CO: 45 TPY, and VOC: 4.89 TPY. The facility is a synthetic minor and has taken an emission restriction so as not to exceed 95 tons per year of NO_x emissions and 45 tons per year of CO emissions. The emergency diesel generators are subject to 40 CFR Part 63, Subpart ZZZZ, NESHAP for stationary RICE. 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.

43-00354: Terralinks, Inc. (478 Beaver Road, West Pittsburgh, PA 16160), the Department intends to issue a renewal of the State Only Operating Permit for the sand processing facility in Jackson Township, **Mercer County**. The primary sources at the facility are a fluidized bed dryer and truck traffic and loading and unloading of trucks. Particulate matter emissions from the dryer are controlled by a cyclone and a baghouse. The facility is a Natural Minor. Potential emissions are as follows: TSP 9.6 tpy; PM₁₀ 5.9 tpy; PM_{2.5} 5.1 tpy; NO_x 1 tpy; SO_x less than 1 tpy; CO 1 tpy; VOC less than 1 tpy; and HAPs less than 1 tpy. The permit contains emission restrictions, 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.

S15-010: Jowitt & Rodgers Company (9400 State Road, Philadelphia, PA 19114) for operation of an abrasive grinding wheel manufacturing facility located in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include the solvent cleaning of tools and molds, 10 curing ovens, 16 space heaters, a gas-fired steam cleaner, and wheel and segment blow-off, cutting, and grinding.

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.

OP17000058: Household Metals Inc (645 E Erie Avenue, Philadelphia, PA 19134) for a machine tools and metal forming facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) JBI spray booths rated at 8,000 cfm and 5,000 cfm; four (4) Binks spray booths rated at 8,000 cfm, 7,000 cfm, 6,500 cfm, and 5,000 cfm; one (1) natural gas fired Maxon PL Washer rated at 1,000,000 BTU/hr; one (1) natural gas fired Gehn Rich Batch Oven rated at 500,000 BTU/hr; one (1) natural gas fired ACE Burnoff Oven with afterburner rated at 64 SCF; one (1) natural gas fired Vulcan Catalytic oven rated at 250,000 BTU/hr; and one (1) natural gas fired Chicago Advance Curing oven rated at 500,000 BTU/hr.

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.

56841328 and NPDES No. PA0033677 and GP12-56841328. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Mine 78 in Paint Township, **Somerset County**, Adams Township, **Cambria County** and related NPDES Permit. Includes renewal of air quality GPA/GP12 Authorization. No additional discharges. The application was considered administratively complete on November 9, 2017. Application received June 7, 2017.

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

17110103 and NPDES PA0257605. RES Coal LLC (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Permit renewal for continued operation and restoration of a bituminous surface coal and auger mine located in Girard Township, **Clearfield County** affecting 257.0 acres. Receiving stream(s): UNT to Bald Hill Run and Bald Hill Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: November 6, 2017.

17803045. River Hill Coal Co., Inc. (P.O. Box 141, Kylertown, PA 16847). Permit revision for change in land use from Forestland to Unmanaged Natural Habitat to a bituminous surface mine in Karthaus Township, **Clearfield County**, affecting 150.8 acres. Receiving streams: UNT to Upper Three Runs, Upper Three Runs, UNT to Saltlick Run, and Saltlick Run. There are no potable water supply intakes within 10 miles downstream. Application received: October 31, 2017.

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

30030101 and NPDES Permit No. PA0250376. Patriot Mining Co., Inc. (100 Tygart Drive, Grafton, WV 26354). Renewal application for continued mining to an existing bituminous surface mine, located in Greene Township, **Greene County**, affecting 117.4 acres. Receiving streams: unnamed tributary to Whiteley Creek, classi-

fied for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 6, 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>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.

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

Permit No. 36120301C2 and NPDES No. PA0225266. Allan Myers Materials PA, Inc., (638 Lancaster Avenue, Malvern, PA 19355), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Upper Leacock and Manheim Townships, **Lancaster County** affecting 106.3 acres, receiving stream: Conestoga River, classified for the following uses: warm water fishes and migratory fishes. Application received: October 27, 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

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

NPDES No. PA0202975 (Mining permit no. 30010101), Patriot Mining Company LLC, 100 Tygart Drive, Grafton, WV 26354, renewal NPDES permit for continued water treatment and operation of a passive treatment system at a reclaimed surface mine permit in Perry and Dunkard Townships, **Greene County**, affecting 163 acres. Receiving stream: Dooley Run classified for the following use: WWF. The receiving stream is included in the April 3, 2007 Final Dooley Run Watershed TMDL, Greene County. Application received: May 24, 2016.

The outfalls listed below discharge to Dooley Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
TP110	N	Treatment Facility Outfall

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>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	1.0	2.0	2.5
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	N/A	N/A	N/A
Sulfates (mg/L)		Monitor & Report	
Specific Conductance (umho/cm)		Monitor & Report	
Total Dissolved Solids (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.

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.

E09-1015. Warrington Township, 852 Easton Road, Warrington, PA 18976, Warrington Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 2.5 Miles long of 10 feet wide public walking trail which will connect the existing 202 bypass trail to the existing Bedford Reservoir Park System associated with 7 seven stream crossings at different locations in and along 100-year flood plain of Mill Creek and its Tributaries.

The trail begins at the intersections of Stump Road and Billings Drive and terminate at Street Road and Morning Wall Drive (Doylestown, PA USGS map; Lat. 40.2621; long. -75.179428).

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

E40-802. Butler Township, 415 West Butler Drive, Drums, PA 18222, in Dennison Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a sediment basin in wetlands and on a tributary to Oley Creek (CWF) for the purpose of reducing sediment loading to Oley Creek and Beech Mountain Lake. The project includes the construction of a 70-foot long boulder step-pool channel immediately upstream of the basin and includes the removal of sediment from approximately 170 feet of riprap-lined channel immediately downstream of the basin. The project will permanently impact approximately 0.24 acre of PEM wetlands, temporarily impact approximately 0.12 acre of PEM wetlands. The project is located 0.4 mile east and 0.3 mile north of the intersection of Four Seasons and Shingle Mill Drives (Freeland, PA Quadrangle, Latitude: 41°3'4"; Longitude: -75°54'40"), Dennison Township, Luzerne County, U.S. Army Corps of Engineers, Baltimore District.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E21-457: Mount Zion Associates, LLC, 1877 South Federal Highway, Suite 304, Boca Raton, FL 33431; in Hampden Township, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to: 1) construct and maintain a 98.0 foot long 112" by 75" Corrugated Metal Pipe arch culvert in and along an unnamed tributary to Sears Run (WWF, MF) (40.272311, -76.982461), 2) construct and maintain an 8" drinking water main, an 8" sanitary sewer main, a 4" natural gas main, a 4" electrical conduit, a 2" cable conduit and a 2" telephone conduit, all crossing an unnamed tributary to Sears Run (WWF, MF) and located within the roadway footprint (40.272311, -76.982461), and 3) fill and maintain 0.07 acre of Palustrine Forested (PFO) wetland (40.272423, -76.982119), all for the expansion of Cumberland Technology Park along Technology Parkway Drive in Hampden Township, Cumberland County. The applicant proposes a minimum of 0.14 acre PFO wetlands as compensatory mitigation.

E36-973: Plenary Walsh Keystone Partners, SR 0625 Segment 000 (Reading Road) in Narvon, PA, Brecknock Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to install and maintain a single span, spread box beam bridge that spans 65'-4" and is 32'-0" wide over Rock Run (HQ-TSF, MF). The project is located on SR 0625 (Reading Road) approximately 600 feet North of the intersection of SR 0625 and Pleasant Valley Road in Narvon, PA, Brecknock Township, Lancaster County (Latitude 40.189561°, Longitude -76.016517°). The project will permanently impact 0.007 acre of PEM Wetland, 0.036 acre of stream, and 0.089 acre of floodway to Rock Run and UNTs to Rock Run. The purpose of the project is to improve the roadway to current safety standards. The project will have a detour implemented to maintain traffic control. No wetland replacement is required.

E06-719 Texas Eastern Transmission, LP, 890 Winter Street, Suite 300, Waltham, MA 02451 in Washington Township, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

The applicant proposes to conduct 12 anomaly repairs on two separate adjacent natural gas pipelines, impacting 0.18 acre of Palustrine Emergent (PEM) wetland in the watershed of West Branch Perkiomen Creek (EV) in Washington Township, Berks County (between 40.422208, -75.612677 and 40.423340, -75.607480). All impacts are to be restored to preconstruction condition and no compensatory wetland mitigation is required.

E06-720: Vesper at Berks, LP, 1100 Brynawn Road, Villanova, PA 19085-2102 in Bethel Township, **Berks County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to:

1) construct and maintain an 87.0-foot long dual 35.0-inch by 24.0-inch CMP arch culvert roadway crossing of a UNT to Little Swatara Creek (CWF, MF) permanently impacting 0.02 acre of Palustrine Forested (PFO) wetland, a 10.0-inch DIP water line crossing, and a 2.0-inch HDPE sewer force main crossing within the roadway (40.467868, -76.327192);

2) place fill for a roadway crossing, a 30.0-inch HDPE outfall with associated riprap apron, and a 10.0-inch DIP waterline crossing, all permanently impacting of 0.05 acre of Palustrine Emergent (PEM) wetland (40.466326, -76.323718);

3) construct and maintain a 93.0-foot long 64.0-inch by 43.0-inch CMP arch culvert crossing of a UNT to Little Swatara Creek (CWF, MF) permanently impacting 0.06 acre of PEM wetland, a 10.0-inch DIP water line crossing, and a 2.0-inch HDPE sewer force main crossing within the roadway (40.463551, -76.330831);

4) construct and maintain a 73.0-foot long 42.0-inch by 29.0-inch CMP arch culvert crossing of a UNT to Little Swatara Creek (CWF, MF) permanently impacting 0.09 acre of PEM wetland, a 10.0-inch DIP water line crossing, and a 2.0-inch HDPE sewer force main crossing within the roadway (40.464826, -76.331237);

5) construct and maintain a 48.0-foot long 49.0-inch by 33.0-inch CMP arch culvert crossing of a UNT to Little Swatara Creek (CWF, MF) temporarily impacting 0.01 acre of PEM wetland and permanently impacting 0.01 acre of PEM wetland, a 10.0-inch DIP water line crossing, and a 2.0-inch HDPE sewer force main crossing within the roadway (40.467167, -76.331968);

6) place fill for a warehouse, impacting 0.42 acre of PEM wetland (40.462498, -76.323862);

7) remove an existing 31.0-foot long 18.0-inch CMP culvert, with associated bank grading, in a UNT to Little Swatara Creek (CWF, MF) (40.4642002, -76.326983);

8) remove an existing 21.0-foot long 24.0-inch CMP culvert and a 21.0-foot long 30.0-inch RCP culvert, with associated bank grading, in a UNT to Little Swatara Creek (CWF, MF) (40.464623, -76.321016);

9) remove an existing 20.0-foot long concrete slab agricultural crossing, with associated bank grading, in a UNT to Little Swatara Creek (CWF, MF), temporarily impacting 0.01 acre of PEM wetland (40.464435, -76.331249);

The purpose of the project is to construct a multi-building warehouse/Distribution facility in Bethel Township, Berks County. The applicant proposes to impact a total of 0.65 acre of PFO/PEM wetlands and is proposing 0.88 acre of wetland mitigation, partially by restoring a 0.42 acre farm pond to emergent wetland. The applicant proposes to permanently impact 444 linear feet of stream channel, including 301 linear feet of stream enclosure, and is proposing the removal of 72 linear feet of existing culvert and the enhancement of 1,400 linear feet of stream channel.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1307-A1, County of Allegheny Department of Public Works, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219, Pitcairn Borough, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to:

Amend Permit No. E02-1307 (which authorized the County of Allegheny Department of Public Works to operate and perform maintenance dredging to an existing 580 feet long by 110 to 160 feet wide in stream sediment

basin located within Turtle Creek (WWF). This permit also authorized a one time dredging of an additional 420 feet upstream and 380 feet downstream of the in-stream sediment basin), to perform maintenance dredging to remove sediment from the Dirty Camp Sediment Basin, the mouth of Dirty Camp Run, and the approximately 500-foot reaches of the Turtle Creek Channel immediately upstream and downstream of the in-stream sediment basin, for the purpose of reestablishing a portion of the COE prescribed Turtle Creek flood control project. The project will impact approximately 1,000 linear feet of stream channel. The project is located on the south side of Broadway Boulevard, approximately 500 feet southeast from the intersection of Broadway Boulevard and Wall Avenue (Braddock, PA Quadrangle N: 4.5 inches; W: 3.8 inches) in the Borough of Pitcairn and the Municipality of Monroeville, Allegheny County.

E63-708, PA Department of Transportation Engineering District 12-0, 825 North Gallatin Avenue Extension, Uniontown, PA 15401, Mount Pleasant Township, Smith Township, and Robinson Township, **Washington County**, Pittsburgh ACOE.

The applicant proposes to:

Remove the existing 28.5' wide single span bridge having an average underclearance of 3.1' carrying SR 4012 over Robinson Run (WWF) with a drainage area of 2.79 square miles, and construct and maintain a replacement 17' wide by 51' long box culvert having a minimum underclearance of 5.5' on an adjacent alignment. In addition, place and maintain fill in 43' of Robinson Run, construct and maintain a relocated 43' long replacement channel, and construct and maintain associated stormwater facilities. 195' of Robinson Run will be temporarily impacted for the purpose of constructing these encroachments. The bridge is located approximately 300' southeast of the intersection of SR 4012 (Noblestown Road) and Taylor Road in Mount Pleasant Township, Washington County.

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

E20-604, Lord Corporation, 2455 Robinson Rd, Erie, PA 16509. Lord Saegertown Chemical Manufacturing Facility Expansion, in Saegertown Boro, **Crawford County**, ACOE Pittsburgh District (Meadville, PA Quadrangle N: 41', 42', 42"; W: -80', 8', 35").

The applicant proposes to expand its chemical manufacturing operations in Saegertown, PA. The applicant will permanently impact 0.21 acre of palustrine emergent wetland. The applicant proposes to mitigate for the permanent impact by contributing 2,500.00 to the National Fish and Wildlife Foundation in lieu fee fund.

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701.

E5829-124: Lenox Township, Williams Field Services Company, LLC, Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Lenox Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 20-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,029 square feet (0.16 acre) of a palustrine emergent wetlands

(PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 43' 36", Longitude: -75° 43' 13"),

2) a 20-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 9,013 square feet (0.21 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 43' 39", Longitude: -75° 43' 22"),

3) a 20-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 797 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 43' 33", Longitude: -75° 43' 43"),

4) a 20-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,033 square feet (0.07 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 43' 33", Longitude: -75° 43' 45").

The project consists of constructing approximately 4,322 lineal feet of 20" steel natural gas gathering pipeline located in Lenox Township, Susquehanna County. The project will result in 19,872 square feet (0.46 acre) of temporary emergent wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0011631 (Storm Water)	Cromby Generating Station 300 Exelon Way Kennett Square, PA 19348-2473	Chester County East Pikeland Township	Schuylkill River 3-D	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0056247 (Industrial)	Pottstown Borough Authority 100 East High Street Pottstown, PA 19464	Montgomery County Pottstown Borough	Unnamed Tributary to Schuylkill River 3-D	Y
PA0054704 (Sewage)	Qtown Properties, LLC 1620 Wrightstown Road Newtown, PA 18940-2814	Bucks County East Rockhill Township	Unnamed Tributary to Tohicken Creek 2-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0030457 (Sewage)	Thorn Run Rd STP 100 Forbes Trail Drive Export, PA 15632-2000	Westmoreland County Salem Township	Unnamed Tributary to Thorn Run (18-B)	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
PA0217786 (Sewage)	New Eagle Borough STP 157 Main Street New Eagle, PA 15067-1145	Washington County New Eagle Borough	Monongahela River (19-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0103926 (Industrial)	Component Intertech 2426 Perry Highway Hadley, PA 16130-2924	Mercer County Perry Township	Unnamed Tributary to Little Shenango River (20-A)	Yes
PA0239054 (Sewage)	Robert F Deinert SFTF 604 Elmwood Avenue Grove City, PA 16127-1414	Crawford County Wayne Township	Lake Creek (16-D)	Yes

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

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

NPDES Permit No. PA0037966 A-1, Sewage, SIC Code 4952, **Moshannon Valley Joint Sewer Authority Centre County**, 829 N 9th Street, Philipsburg, PA 16866-2327.

This existing facility is located in Rush Township, **Centre County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated Sewage.

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

NPDES Permit No. PA0026018, Sewage, **Borough of West Chester**, Goose Creek Wastewater Treatment Plant, 351 Snyder Avenue, West Chester, PA 19380.

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

Description of Action/Activity: Approval for request of renewal of NPDES Permit for an existing discharge of treated Sewage.

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

NPDES Permit No. PA0260053, Sewage, **Jason Zimmerman**, 260 Golden Rule Dr., New Enterprise, PA 16664-8701.

This proposed facility is in South Woodbury Township, **Bedford County**.

Description of Proposed Action/Activity: Permittee is authorized to operate a CAFO in South Woodbury Township, Bedford County in Watershed 11-D.

NPDES Permit No. PA0085979, Sewage, **Guest Farm Village Sewer Authority**, 11364 Fort Loudon Road, Mercersburg, PA 17236-8503.

This proposed facility is in Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity:

Permittee is authorized to discharge from a facility known as Guest Farm Village STP, located in Montgomery Township, Franklin County, to Unnamed Tributary to Licking Creek in Watershed(s) 13-C.

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

NPDES Permit No. PA0021148, Sewage, SIC Code 4952, **Mount Pleasant Borough Westmoreland County**, Etze Avenue, Mount Pleasant, PA 15666.

This existing facility is located in Mount Pleasant Borough, **Westmoreland County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

NPDES Permit No. PA0110469, Sewage, SIC Code 4952, **Patton Borough Cambria County**, 800 4th Avenue, Patton, PA 16668-1211.

This existing facility is located in Elder Township, **Cambria County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

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

NPDES Permit No. PA0104469, Sewage, SIC Code 3743, 3999, **Kasgro Rail Corp**, 121 Rundle Road, New Castle, PA 16102-1913.

This existing facility is located in Taylor Township, **Lawrence County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated Sewage.

NPDES Permit No. PA0265403, Sewage, SIC Code 8800, **John & Rose Briggs**, 24291 State Highway 89 and 77, Spartansburg, PA 16434-3443.

This proposed facility is located in Sparta Township, **Crawford County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0265322, Storm Water, SIC Code 3273, 4491, 5032, **Erie Sand & Gravel Co.**, PO Box 179, Erie, PA 16512-0179.

This proposed facility is located in Erie City, **Erie County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

NPDES Permit No. PA0002143, Industrial, SIC Code 2611, 2621, **Domtar Paper Co. LLC**, 100 W Center Street, Johnsonburg, PA 15845-1444.

This existing facility is located in Johnsonburg Borough, **Elk County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Industrial.

NPDES Permit No. PA0020141, Sewage, SIC Code 4941, 4952, **Brookville Municipal Authority**, 720 Water Plant Road, Brookville, PA 15825.

This existing facility is located in Brookville Borough, **Jefferson County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

NPDES Permit No. PA0221902, Industrial, SIC Code 0831, 2499, **Matson Lumber Co.**, 132 Main Street, Brookville, PA 15825-1213.

This existing facility is located in Union Township, **Jefferson County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Industrial.

III. QM Industrial Waste and Sewerage Actions under The Clean Streams Law

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

WQM Permit No 0917402, Sewage, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940.

This proposed facility is located in Upper Makefield Township, **Bucks County**.

Description of Action/Activity: Installation of an ultraviolet disinfection system.

WQM Permit No. 4617407, Sewage, **Bucks County Water and 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.

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

WQM Permit No. WQG02671702, Sewerage, **Goodman Logistics Center**, 400 Cly Road, York Haven, PA 17370.

This proposed facility is located in Newberry Township, **York County**.

Description of Proposed Action/Activity: This General Permit approves the construction and operation of: 1 Sewer Extension and 1 Pump Station.

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

WQM Permit No. 01601701, Sewage, SIC Code 4952, **Elizabeth & Gabriel Morley**, 1500 Shirk Road, Millmont, PA 17845-8913.

This proposed facility is located in Hartley Township, **Union County**.

Description of Proposed Action/Activity: Construction of a new SRSTP consisting of a 1,000-gallon septic tank with effluent filter, dosing tank, 600-square foot subsurface sand filter, tablet chlorinator with contact tank and effluent pumping tank.

WQM Permit No. 4110403 A-1, Sewage, SIC Code 4952, **Williamsport Sanitary Authority**, 253 W 4th Street, Williamsport, PA 17701-6113.

This existing facility is located in Williamsport City, **Lycoming County**.

Description of Proposed Action/Activity: Reconfiguration of the non-potable water system to include an electromagnetic meter and 200-micron strainer and installation of two dry-pit submersible low flow pumps in the existing Headworks Building Pump Room.

WQM Permit No. 1417402, Sewage, SIC Code 4952, **The Pennsylvania State University**, 139J Physical Plant Building, University Park, PA 16802.

This proposed facility is located in State College Borough, **Centre County**.

Description of Proposed Action/Activity: Removal of the existing belt filter press dewatering system and installation of a new rotary press dewatering system.

WQM Permit No. 01141702, Sewage, SIC Code 4952, **Ella J & Wendell L Williams**, 217 Echo Hollow Lane, Port Matilda, PA 16870.

This proposed facility is located in Huston Township, **Centre County**.

Description of Proposed Action/Activity: SFTF.

WQM Permit No. 01141703, Sewage, SIC Code 4952, **Ella J & Wendell L Williams**, 217 Echo Hollow Lane, Port Matilda, PA 16870-7020.

This proposed facility is located in Worth Township, **Centre County**.

Description of Proposed Action/Activity: SFTF.

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

WQM Permit No. 2017402, Sewage, SIC Code 8800, **John & Rose Briggs**, 24291 State Highway 89 and 77, Spartansburg, PA 16434-3443.

This proposed facility is located in Sparta Township, **Crawford County**.

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

WQM Permit No. 1600407 A-2, Sewage, **Aqua Pennsylvania Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402.

This existing facility is located in Salem Township, **Clarion County**.

Description of Proposed Action/Activity: Installation of a shallow dosing trench lined with HDPE infiltration panels to increase flux into sand beds.

V. NPDES Waiver Stormwater Discharges from MS4 Actions

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the MS4s listed below in lieu of NPDES permit coverage.

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

NPDES

<i>Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG132315	Salem Township 38 Bomboy Lane Berwick, PA 18603	Salem Township Luzerne	Walker Run, Unnamed Tributary of Susquehanna River, and Susquehanna River/WWF, CWF, and MF

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the MS4s listed below in lieu of NPDES permit coverage.

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

NPDES

<i>Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136296	Township of White 2511 13th Avenue Beaver Falls, PA 15010-2457	White Township Beaver	Beaver River, UNT to Walnut Bottom Run & Walnut Bottom Run/WWF

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s) / Use(s)</i>
PAG136327	West Newton Borough Westmoreland County 112 South Water Street West Newton, PA 15089-1364	West Newton Borough Westmoreland	Youghiogheny River and Unnamed Tributary to Youghiogheny River/WWF
PAG136397	Midway Borough Washington County 304 Noblestown Road McDonald, PA 15060	Midway Borough Washington	Robinson Run/WWF

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAD150034	Lester M. Stoltzfus 1784 West Walnut Road Honey Brook, PA 19344	Chester	Honey Brook Township	Unnamed Tributary to West Branch Brandywine Creek HQ-TSF
PAD460001	Stoneridge Acquisitions, L.P. 404 Sumneytown Pike North Wales, PA 19454	Montgomery	Lower Providence Township	Unnamed Tributary of Perkiomen Creek TSF-MF
PAD150053	Herzog 1057 St. Matthews Road Chester Springs, PA 19425	Chester	West Vincent Township	Pickering Creek HQ
PAD460010	Johnson Development Associates, Inc. 535 Springfield Avenue Summit, NJ 07901	Montgomery	Upper Merion Township	Unnamed Tributary to the Schuylkill River MF-WWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAD540001	Pusti Margiya Vaishna Samaja (a.k.a. VRAJ) VRAJ Temple 15 Manor Road Schuylkill Haven, PA 17972	Schuylkill	Wayne Township	UNT to Lower Little Swatara Creek (CWF, MF), EV Wetlands
PAD450039	DE&S Properties t/a Classic Quality Properties 2621 Route 940 Pocono Summit, PA 18346	Monroe	Price Township	UNT to Brodhead Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI032108006R Issued	Parkview at Boiling Springs, LP 2020 Good Hope Road Enola, PA 17025	Cumberland	South Middleton Township	Yellow Breeches (HQ/CWF, MF)
PAD280002 Renewal Issued	Frank R. Flohr 1350 Lincoln Way East Chambersburg, PA 17202-3083	Franklin	Guilford Township	Falling Spring Branch (HQ-CWF, MF)
PAD210013 Issued	Bradford Wenger 511 East Louther Street Carlisle, PA 17013	Cumberland	South Middleton Township	UNT Letort Spring Run (EF, MF)
PAD360014 Issued	Hiep Phan, MD and Thy Hoang, MD 2119 Marietta Avenue Lancaster, PA 17603	Lancaster	Drumore Township	Fishing Creek (EV, MF) EV Wetlands

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030614002 Issued	Oak Grove Partners, LLC 3335 Morantown Road PO Box 7 Mohnton, PA 19540	Berks	Robeson Township	Hay Creek (EV, MF) UNT Hay Creek (EV, MF) UNT Hay Creek (CWF, MF) Wetlands EV Wetlands
<i>Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.</i>				
<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD260002	Deer Lake Improvement Association P.O. Box 112 Chalkhill, PA 15421	Fayette County	Wharton Township	Meadow Run (HQ-CWF)
PAD630010	Plenary Walsh Keystone Partners Park West Two Third Floor 2000 Cliff Mine Road Pittsburgh, PA 15275	Washington County	Blane Township Independence Township	Brush Run (HQ-WWF)
PAD650003	James R. Thomas P.O. Box 968 Pleasant Unity, PA 15676	Westmoreland County	Derry Township	UNT to Saxman Run (WWF); UNT to Millers Run (HQ-CWF)

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 & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Makefield Township Bucks County	PAC090109	Delaware River Joint Toll Bridge Commission 110 Wood and Grove Streets Morrisville, PA 19067	Delaware Canal WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Marple Township Delaware County	PAC230033	Marple Associates, L.P. 1604 Walnut Street 5th Floor Philadelphia, PA 19103	Darby Creek CWF-MF Langford Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAC230037	1050 Baltimore Pike, L.P. 1050 Baltimore Pike Glen Mills, PA 19342	Webb Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haverford Township Delaware County	PAC230045	Merion Golf Club 450 Ardmore Avenue Ardmore, PA 19003	Unnamed Tributary to Cobbs-Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Edgmont Township Delaware County	PAC230039	Runnymede Farms Trotter's Court, LLC 10 Campus Boulevard Newtown Square, PA 19073	Crum Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Chichester Township Delaware County	PAC230041	Kish Associates, L.P. 1390 Birmingham Road West Chester, PA 19382	East Branch of Naamans Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Souderton Borough Montgomery County	PAC460128	School Lane Development, LLC 2312 North Broad Street Colmar, PA 18915	Skipack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAC460047	Holman PA Real Estate, LLC 244 East Kings Highway Maple Shade, NJ 08052	Sandy Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAC460052	The Hill at Whitemarsh 4000 Fox Hound Drive Lafayette Hill, PA 19444	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pennsburg Borough Montgomery County	PAC460009	Sands Brothers Partnership, LP 501 North West End Boulevard Quakertown, PA 18951	Unnamed Tributary to Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAC460042	Nick & Les, Inc. 3801 Germantown Pike Collegeville, PA 19426	Minister Creek Tributary TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Providence Township Montgomery County	PAC460111	Ralph Gambone 2711 Woodland Avenue Eagleview, PA 19403	Unnamed Tributary to Mine Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bridgeport Borough Montgomery County	PAC460112	Bridgeport Properties Coates Street, LLC 416 Depot Street Bridgeport, PA 19405	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511609	Phileo Island, LLC 600 East Jefferson Street Suite 402 Rockville, MD 20852	Lower Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510010	Provco Good MCB Byberry, L.P. 795 East Lancaster Avenue Building No. 2 Suite 200 Villanova, PA 19085	Walton Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511209	Stadium Holiday Inn 900 Packer Avenue Philadelphia, PA 19148	Delaware Direct—Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510034	Simpson House, Inc. 2101 Belmont Avenue Philadelphia, PA 19131	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510051	Philadelphia Housing Authority 3100 Penrose Ferry Road Philadelphia, PA 19145	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510032	School District of Philadelphia 440 North Broad Street Philadelphia, PA 19130-4015	Tookany/ Tacony-Frankford Creek WWF	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.

*Facility Location:
Municipality & County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Olyphant Borough Lackawanna County	PAC350024 Michael Serniak 334 Main St (Business Rt 6) Childs, PA 18407-2941	Eddy Creek (WWF-MF)	Lackawanna County Conservation District 570-382-3086

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

*Facility Location:
Municipality & County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bonneauville Borough Adams County Issued	PAC010043 Miller Holdings Group, LP 950 East Main Street Suite 107 PO Box 472 Schuylkill Haven, PA 17972	UNT Chicken Run (WWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
Muhlenberg Township Berks County Issued	PAC060093 Exide Technologies 3000 Montrose Avenue Reading, PA 19605-2751	Bernhart Creek (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Heidelberg Township Berks County Issued	PAC060063	Gery Real Estate Company 900 Ashwood Parkway Suite 600 Atlanta, GA 30338	UNT Cacoosing Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Muhlenberg Township Berks County Issued	PAC060095	McDonalds USA, LLC 6903 Rockledge Drive Suite 1100 Bethesda, MD 20817	Laurel Run (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Richmond Township Berks County Issued	PAC060083	L.B. Fencing, LLC 305 Good Road East Earl, PA 17519	UNT Willow Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Wyomissing Borough Berks County Issued	PAC060079	Reading Redevelopment Straw Party, LLC 3200 Centre Square West 1500 Market Street Philadelphia, PA 19102	Wyomissing Creek (CWF, MF) Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Upper Allen Township Cumberland County Issued	PAC210042	Rider Musser Development, LLC 4 Kacey Ct Ste 203 Mechanicsburg, PA 17055	UNT Yellow Breeches (CWF/MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Greenwood Township Perry County Issued	PAC500009	Donald L. Fisher 304 Mountain Road Millerstown, PA 17062	Wildcat Run (CWF)	Perry County Conservation District 31 West Main Street PO Box 36 New Bloomfield, PA 17068 717.582.8988

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Old Lycoming Twp Lycoming Cnty	PAC410014	Edward C. Dunlap P.E. UGI Penn Natural Gas 1UGI Center Wilkes-Barre, PA 18711	Daugherty Run—WWF Bottle Run—WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Coal Twp Northumberland Cnty	PAC490017	HUD, Inc. Commercial Development 31 North Market Street Nanticoke, PA 18634	Shamokin Creek WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 Ext. 4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Delaware Twp Northumberland Cnty	PAC490018	Foresman Poultry Barns Toma & Callen Foresman 1820 River Road Watsontown, PA 17777	UNT West Branch Susquehanna River WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 Ext. 4
Upper Augusta Twp Northumberland Cnty	PAC490019	Mount Pleasant WWTP Upper Augusta Twp Attn: Edward Markowski 2087 Snydertown Sunbury, PA 17801	UNT Susquehanna River CWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 Ext. 4
Washington Twp Snyder Cnty	PAC550009	Delbert Hoover 1652 Martin Brothers Rd Mt. Pleasant Mills, PA	UNT of North Branch Mahangtango—CWF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 Ext 110

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Jackson Township Mercer County	PAC430016	JMJACD Associates LTD 190 Kelly Road Quakertown, PA 18951	Unnamed tributary to Yellow Creek TSF	Mercer County Conservation District 747 Greenville Road Mercer, PA 16137 724-662-2242
Jackson Township Butler County	PAC100057	JTC 1422, LLC Donald B Rodgers 215 Executive Drive Suite 300 Cranberry Township, PA 16066	Scholars Run WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Springfield Township Erie County	PAC250015	West Springfield DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	UNT Turkey Creek CWF; MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Harborcreek Township Erie County	PAC250033	Erie Brewing Company 6008 Knowledge Parkway Erie, PA 16519	Four Mile Creek WWF-MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Banks Township Carbon County	PAC700002	Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790	The project discharges to non-surface waters	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790 (570) 826-2371

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General Permit Type—PAG-03

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Neville Township Allegheny County	PAG036170	Kosmos Cement Co. 200B Neville Road Neville Island, PA 15225-1620	Ohio River—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-04

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hartley Township Union County	PAG045295	Elizabeth & Gabriel Morley 1500 Shirk Road Millmont, PA 17845-8913	Unnamed Tributary to Penns Creek—6-A	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Worth Township Centre County	PAG045297	Ella J & Wendell L Williams 217 Echo Hollow Lane Port Matilda, PA 16870-7020	Bald Eagle Creek—9-C	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Huston Township Centre County	PAG045296	Ella J & Wendell L Williams 217 Echo Hollow Lane Port Matilda, PA 16870	Bald Eagle Creek—9-C	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Cass Township Huntingdon County	PAG123857	Cornelius, John 18121 Hares Valley Road Mapleton Depot, PA 17052	Watershed 12-C	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
South Annville Township Lebanon County	PAG123702	Brook-Corner LLC 400 Mount Wilson Road Lebanon, PA 17042-4752	Watershed 7-D	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
West Burlington Township Bradford County	PAG124863	JOM Hogs, LLC 1417 Peters Road Troy, PA 16947-8664	Unnamed Tributary to Sugar Creek—4-C	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

*General Permit Type—PAG-13**Facility Location
Municipality &
County**Permit No.**Applicant Name & Address**Receiving
Water/Use**Contact Office &
Phone No.*Lehighton Borough
Carbon County

PAG132291

Lehighton Borough
One Constitution Avenue
P.O. Box 29
Lehighton, PA 18235-0029Mahoning Creek
UNT 1 to Mahoning
Creek, UNT 2 to
Mahoning Creek
and Lehigh River/
TSF, CWFDEP North East
Regional Office
Clean Water Program
2 Public Square
Wilkes-Barre, PA
18701-1915
570.826.2511**MS4 PAG-13 Notices of Intent Received***Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136302	Adamsburg Borough PO Box 16 Adamsburg, PA 15611-0016	Adamsburg Borough Westmoreland County	Y	N
PAG136318	Penn Borough PO Box 352 Penn, PA 15675-0352	Penn Borough Westmoreland County	Y	N
PAG136381	German Township Fayette County 2 Long Street McClellandtown, PA 15458	German Township Fayette County	Yes	No
PAG136114	Jackson Township 513 Pike Road Johnstown, PA 15909-4209	Jackson Township Cambria County	Y	N
PAG136300	Connellsville Township Fayette County 166 Mccoy Hollow Road Connellsville, PA 15425-6400	Connellsville Township Fayette County	Y	N
PAG136285	Jefferson Hills Borough Allegheny County 925 Old Clairton Road Jefferson Hills, PA 15025-3133	Jefferson Hills Borough Allegheny County	N	Y
PAG136248	Tarentum Borough 304 Lock Street Tarentum, PA 15084	Tarentum Borough Allegheny County	N	N
PAG136304	Baden Borough 149 State Street Baden, PA 15005-1937	Baden Borough Beaver County	Y	N
PAG136126	Vanderbilt Borough PO Box 486 Vanderbilt, PA 15486-0486	Vanderbilt Borough Fayette County	Y	N
PAG136308	North Sewickley Township 893 Mercer Road Beaver Falls, PA 15010-6815	North Sewickley Township Beaver County	Y	N
PAG136295	Koppel Borough PO Box 1 Koppel, PA 16136-0001	Koppel Borough Beaver County	Y	N
PAG136359	Fayette City Borough 2nd & Cook Street Fayette City, PA 15438	Fayette City Borough Fayette County	Y	N

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<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136113	Pennsbury Village Borough 1043 Pennsbury Boulevard Pittsburgh, PA 15205-1643	Pennsbury Village Borough Allegheny County	Y	N
PAG136169	Fallston Borough 158 Beaver Street New Brighton, PA 15066-2926	Fallston Borough Beaver County	Y	N
PAG136392	Franklin Township 353 Town Country Road Vanderbilt, PA 15486	Franklin Township Fayette County	Y	N
PAG136189	South Huntingdon Township 75 Supervisor Drive West Newton, PA 15089-1848	South Huntingdon Township Westmoreland County	Y	N
PAG136322	Cheswick Borough Allegheny County 220 South Atlantic Avenue Cheswick, PA 15024-0235	Cheswick Borough Allegheny County	N	N
PAG136277	Allegheny Township Westmoreland County 136 Community Bldg Road Leechburg, PA 15656-8208	Allegheny Township Westmoreland County	N	Y
PAG136181	Washington Township Westmoreland County 285 Pine Run Church Road Apollo, PA 15613-8809	Washington Township Westmoreland County	N	Y
PAG136388	Leechburg Borough Armstrong County 260 Market Street Leechburg, PA 15656	Leechburg Borough Armstrong County	N	Y
PAG136323	Verona Borough Allegheny County 736 E Railroad Avenue Verona, PA 15147-1165	Verona Borough Allegheny County	N	N
PAG136149	Reserve Township Allegheny County 33 Lonsdale Street Pittsburgh, PA 15212-1360	Reserve Township Allegheny County	N	Y
PAG136180	Lower Burrell City Westmoreland County 2800 Bethel Street New Kensington, PA 15068-3227	Lower Burrell City Westmoreland County	N	Y
PAG136175	Franklin Park Borough Allegheny County 2344 W Ingomar Road Pittsburgh, PA 15237	Franklin Park Borough Allegheny County	N	Y
PAG136389	North Apollo Borough Armstrong County 1421 Leonard Avenue North Apollo, PA 15673	North Apollo Borough Armstrong County	N	Y

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.

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>
Garret & Darren Moyer Swine & Dairy 1200 Red Bank Road Middleburg, PA 17842	Snyder	107.9 for Manure Application	780.8	Swine & Dairy	NA	Approved
Irwin Martin 231 Brosius Hill Road Mt. Pleasant Mills, PA 17853	Snyder	113.5 Total 50.9 Manure Application	545.61	Turkeys Beef Goats	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. 5117502, Public Water Supply.	
Applicant	Philadelphia Water Department 1101 Market Street Aramark Tower, 2nd Floor Philadelphia, PA 19107-2994
City	Philadelphia
County	Philadelphia
Type of Facility	PWS

Consulting Engineer BCM Engineers
920 Germantown Avenue
Suite-200
Plymouth Meeting, PA 19462

Permit to Construct November 16, 2017
Issued

Permit No. 0917520, Public Water Supply.

Applicant **Forest Park Water**
144 Park Avenue
P.O. Box 317
Chalfont, PA 18914-0317

Borough Chalfont

County **Bucks**

Type of Facility PWS

Consulting Engineer Gannett Fleming, Inc.
650 Park Avenue
King of Prussia, PA 19406

Permit to Construct November 16, 2017
Issued

Operations Permit # 4616520 issued to: **Schwenksville Borough Authority**, 298 Main Street, P.O. Box 458, Schwenksville, PA 19473-0458, **PWS ID # 1460042**, Borough of Schwenksville, **Montgomery County** on, November 8, 2017 for the operation Arsenic Treatment Well Nos. 4 and 5 of facilities approved under construction permit # 4616520.

Operations Permit # 0917525 issued to: **Quaker View MHP, LLC**, 2936 Funks Road, P.O. Box 146, Hatfield, PA 19440, Milford Township, **Bucks County** 19440, **PWS ID # 1090050**, Milford Township, Bucks County, on November 15, 2017, for the operation Quaker View Mobile Home Park of facilities approved under construction permit # 0917525.

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

Permit No. 4817502, Public Water Supply.

Applicant **Whispering Hollow South MHP SPG Inc.**
139 Country Club Rd.
Northampton, PA 18067

[Borough or Township] Allen Twp.

County **Northampton**

Type of Facility PWS

Consulting Engineer Angelika B. Forndran, PE
Cowen Associates, Inc.
120 Penn-Am Dr.
P.O. Box 949
Quakertown, PA 18951

Permit to Construct 11/07/2017
Issued

Permit No. 3480055, Operations Permit, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hershey Park Dr.
Hershey, PA 17033

[Borough or Township] Upper Nazareth Township

County **Northampton**

Type of Facility PWS

Consulting Engineer Mr Steven E Riley PE
Entech Engineering
201 Penn St
PO Box 32
Reading, PA 19603

Permit to Operate 10/25/2017
Issued

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Operation Permit No. 5017503 MA issued to: **Duncannon Borough (PWS ID No. 7500019)**, Duncannon Borough, **Perry County** on 11/16/2017 for facilities approved under Construction Permit No. 5017503 MA.

Operation Permit No. 3817506 MA issued to: **DelaChes Fishing Association, Inc. (PWS ID No. 7380419)**, South Londonderry Township, **Lebanon County** on 11/17/2017 for facilities submitted under Application No. 3817506 MA.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Middlebury MHC (Public Water Supply), Tioga County: On November 9, 2017, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan Middlebury MHC. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection

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

Permit No. 6517521, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Township or Borough] Wall Borough

County **Allegheny**

Responsible Official Michael Kukura, Resident
Manager
Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co.,
Inc.
1004 Ligonier Street
PO Box 853
Latrobe, PA 15650

Permit to Construct November 14, 2017
Issued

Operations Permit issued to: **Creswell Heights Joint Water Authority**, 3961 Jordan Street, South Heights, PA 15081, (**PWSID # 5040063**) South Heights Borough, **Beaver County** on November 14, 2017 for the operation of facilities approved under Construction Permit # 0417501-E.

Operations Permit issued to: **Highridge Water Authority**, 17 Maple Avenue, Blairsville, PA 15717, (**PWSID # 5650069**) Burrell, Buffington, West Wheatfield

Townships, **Indiana County**; and Derry and St. Clair Townships and Derry Borough, **Westmoreland County** on November 16, 2017 for the operation of facilities approved under Construction Permit # 6516504WMP-1.

Operations Permit issued to: **Patton Borough**, 800 Fourth Avenue, PO Box 175, Patton, PA 16668, (PWSID # 4110024) Patton Borough, **Cambria County** on November 16, 2017 for the operation of facilities approved under Construction Permit # 1116501GWR-A1.

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

Operation Permit issued to **Highland Township Municipal Authority**, PWSID No. 6240006, Highland Township, **Elk County**. Permit Number 2415501-C issued November 17, 2017 for the operation of the new Corrosion Control chemical injection equipment and the modified Sodium Hypochlorite facilities. This permit is issued in response to an operation inspection conducted by Department of Environmental Protection personnel on November 2, 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.

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

WA-90C, Water Allocations. **Municipal Authority of the City of New Kensington**, PO Box 577, 920 Barnes Street, New Kensington, PA 15068, **Westmoreland County**. The right to withdraw up to 6,000,000 gallons of water per day from the Allegheny River.

WA65-1006, Water Allocations. **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, **Westmoreland County**. The right to purchase up to 750,000 gallons of water per day from the Greater Johnstown Water Authority.

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

WA 25-22B, Water Allocations. **Union City Borough Municipal Authority**, Union Township, **Erie County**. Withdrawal of 700,000 gallons per day as a 30-day average flow rate from Bently Run.

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:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hamilton Township	272 Mummert's Church Road Abbottstown, PA 17301	Adams

Plan Description: Approval is granted for a Special Study to the Official Plan of Hamilton Township in Adams County. The project is known as the Act 537 Special Study—Change in Treatment Facility (DEP Code No. C1-01917-ACT). The plan provides for the transfer of the Hamilton Township sanitary sewer system to the New

Oxford Municipal Authority (NOMA). All sewage flow from Hamilton Township will be directed to the NOMA Wastewater Treatment Facility. The present connection with Berwick Township will be eliminated, and an interconnection with NOMA will be constructed. All intermunicipal agreements are in place, and there is sufficient capacity within the existing pump station and sewage treatment facility. No projected overloads are anticipated. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Washington Township	120 Barto Rd. Barto, PA 19504	Berks

Plan Description: The sewage planning exemption request submitted for the Rosalie Fronheiser Subdivision, DEP Code No. A3-06971-140-3E, APS Id 954333, is disapproved. The purpose of this plan is to create one new single family residential building lot to use Washington Township's sewers and wastewater treatment plant. The proposed residual tract has an existing dwelling served by the public sewerage system. The project is located along Route 100 at the junction with Passmore Road. The project does not qualify for the use of a planning exemption because sewage flows from the proposed residence would be tributary to the Weinstein Road pumping station, a facility that is under a corrective action plan for hydraulic overload. Reference Chapter 71 § 71.51(b)(2)(ii). Therefore, the proposal must be submitted using the Component 3 sewage planning module forms.

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: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

McGavin E WYO 6H, 1246 Briar Crest Road, **Wyoming County**. Leidos Inc., 6310 Allentown Boulevard, Suite 10, Harrisburg, PA 17112, on behalf of Chesapeake Appalachia, LLC, 300 North 2nd Street, Harrisburg, PA 17101, has submitted a Final Report concerning remediation of site soils contaminated with brine. The report is intended to document remediation of the site to meet a combination of Statewide Health and Background Standards.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

1300 Marshall Avenue, 1300 Marshall Avenue, Lancaster, PA 17601, Lancaster City, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Caretti Masonry, Inc., 24590 Industrial Park Road, P.O. Box 331, Camp Hill, PA 17001-0331, and Brook Farms Development III, LLC, 259 Brook Farms Road, Lancaster, PA 17601, submitted a Final Report concerning remediation of site soil contaminated with hydraulic fluid. The report is intended to document remediation of the site to meet the Residential Statewide Standard.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Ogontz Fishing Club Unit 29H—Cummings Township, **Lycoming County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Range Resources Appalachia, LLC, 80 Health Drive, Lock Haven, PA 17745, has submitted a Final report concerning remediation of the site soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Background and Statewide Health Standards.

U.S. Gypsum Company, Derry Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of U.S. Gypsum Company, 86 PPL Road, Danville, PA 17821, has submitted Final

Report concerning remediation of the site soil contaminated with motor oil. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard.

National Fuel Gas Midstream Clemont Wharton Compressor Station, Wharton Township, **Potter County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of National Fuel Gas Supply Corporation, P.O. Box 2081, 1100 State Street, Erie, PA 16512, has submitted a Remedial Investigation report and Risk Assessment Report concerning remediation of site soil and groundwater contaminated with organics. The reports are intended to document remediation of the site to meet the Site-Specific Standard.

Kennedy 137 Natural Gas Well Pad—Delmar Township, **Tioga County**. SWEPI, LP, 12880 Route 6, Wellsboro, PA 16901, has submitted a Final Report concerning remediation of the site soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide Health 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.

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards 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.

Lehigh Valley Hospital, 1200 South Cedar Crest Boulevard, Salisbury Township, **Lehigh County**. JMT Environmental, 3353-C Gun Club Road, Nazareth, PA 18064, on behalf of Lehigh Valley Health Network, PO Box 689, Allentown, PA 18105-1556, submitted a Final Report concerning the remediation of site soil contaminated with aviation gas. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on November 13, 2017.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

WellSpan Ephrata Community Hospital, 166 Martin Avenue, PA 17522, Ephrata Borough, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Ephrata Medical Service Group, Inc., 169 Martin Avenue, Ephrata, PA 17522, submitted a Final Report concerning site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on November 14, 2017.

Former Emtrol Inc./York Technical Institute, 3050 Hempfield Road, Lancaster, PA 17601, East Hempfield Township, **Lancaster County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of York Tech Associates, LP, 120 North Pointe Boulevard, Suite 301, Lancaster, PA 17601 submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on November 14, 2017.

Karl Knarr Estate, 2472 Wilson Street, Reading, PA 19605, Bern Township, **Berks County**. ECC Horizon, 520 Fellowship Road, Suite E-506, Mount Laurel, NJ, 08054, on behalf of Coventry Environmental, Inc., 141 South Main Street, Spring City, PA 19475, and June Lerch, the Estate of Karl Knarr, 940 Franklin Street, Wyomissing, PA 19610, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on November 17, 2017.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Former Centre Chemical Facility, Bellefonte Borough, **Centre County**. McKee Environmental, Inc., 218 Washington Avenue, Bellefonte, PA 16823, on behalf of Catherman's Service Garage, 1803 Buffalo Run Road, Bellefonte, PA 16823, has submitted a Final Report concerning remediation of site soil contaminated with

inorganics. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 13, 2017.

Zimmer Development Company/CVS Pharmacy Site, City of Sunbury, **Northumberland County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Zimmer Development Company, 111 Princess Street, Wilmington, NC 28401, has submitted a Combined Remedial Investigation/Risk Assessment/Final Report concerning remediation of site groundwater contaminated with fuel oil and gasoline. The Combined Remedial Investigation/Risk Assessment/Final Report was approved on November 9, 2017.

Hemlock Hunting Club B Well Pad, Elkland Township, **Sullivan County**. Woodard & Curran, 300 Penn Center Blvd., Suite 800, Pittsburgh, PA 15235, on behalf of Chief Oil & Gas, LLC, 1720 Sycamore Road, Montoursville, PA 17754, has submitted a Final Report concerning remediation of site soils contaminated with both organic and inorganic compounds. The Final Report demonstrated attainment of the Background and Statewide Health Standards and was approved by the Department on November 13, 2017.

Miller Center for Recreation and Wellness Property, East Buffalo Township, **Union County**. LaBella Associates, P.C., on behalf of Miller Center for Recreation and Wellness, 120 Hardwood Drive, Lewisburg, PA 17837, has submitted a Final Report concerning remediation of site soil contaminated with Arsenic. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on October 23, 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 Issued

Action Manufacturing Company, 190 Rittenhouse Circle, Bristol, PA 19007. License No. PA-AH 0865. Effective Nov 14, 2017.

Renewal Applications Received

Transport Sylvester & Forget Inc., 320 Route 201, Saint-Stanislas De Kostka, QC J0S 1W0. License No. PA-AH 0791. Effective Nov 14, 2017.

Hazardous Waste Transporter License Reissued

Transport Sylvester & Forget Inc., 320 Route 201, Saint-Stanislas De Kostka, QC J0S 1W0. License No. PA-AH 0791. Effective Nov 15, 2017.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and the act of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.

New Applications Received

Graf Brothers Leasing, Inc., 166 Lafayette Rd., Salisbury, MA 01952. License No. PA-HC 0273. Effective Nov 14, 2017.

RESIDUAL WASTE GENERAL PERMITS

Permit(s) Renewed 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 the Beneficial Use of Residual Waste other than Coal Ash.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Application No. WMGR047 Base. This permit authorizes the beneficial use of residual aggregate generated from extraction of metal from metal alloy slag. Beneficial uses include the following: an agricultural liming agent, an ingredient in agricultural and specialty fertilizers, an ingredient in mine grouting material, sludge stabilization, as a construction material, as a raw material for concrete production, for underground storage tank and pipe backfill, as a mine buffering agent, as acid mine drainage (AMD) treatment plant feed stock, as briquettes to reclaim AMD-affected streams, for grout production for flowable backfill, for road base reclamation and soil stabilization, and as a raw material for asphalt production. The permit was renewed by Central Office on November 1, 2017.

Persons or municipalities that propose to beneficially use metal alloy slag by operating under the terms and conditions of this general permit after the date of permit renewal must obtain a "Determination of Applicability" ("DOA") from the appropriate Department Regional Office prior to commencing authorized activities under this general permit. A completed application on forms provided by the Department along with an application fee for a DOA must be submitted to the appropriate Department Regional Office (see the final page of the general permit for a list of regional offices).

Persons interested in obtaining a copy of the renewed general permit can download a copy at <http://www.dep.pa.gov/Business/Land/Waste/SolidWaste/Residual/Permitting/Pages/BeneficialUsePermits.aspx> or may contact Chris Solloway, Environmental Group Manager, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. 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.

GP14-15-0100: D'Anjolell Memorial Homes (392 Lancaster Avenue, Frazer, PA 19355) On November 16, 2017 for a 150 Lbs/Hr Cremation Unit and afterburner in East Whiteland Township, **Chester County**.

GP11-09-0062: Hanson Aggregates BMC Inc. (7660 Imperial Way, Allentown, PA 18195) On November 16, 2017 for two nonroad internal combustion Engines with SCR and CO Catalyst in Wrightstown Township, **Bucks County**.

GP3-09-0150: Hanson Aggregates BMC Inc. (7660 Imperial Way, Allentown, PA 18195) On November 16, 2017 for nonmetallic mineral processing plant Wrightstown 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.

GP3-06-03110E: The H&K Group, Inc. (PO Box 196, 2052 Lucon Road, Skippack, PA 19474) on November 14, 2017, for portable nonmetallic mineral processing equipment, under GP3, at the Pottstown Trap Rock Quarry, in Douglass Township, **Berks County**.

GP9-06-03110E: The H&K Group, Inc. (PO Box 196, 2052 Lucon Road, Skippack, PA 19474) on November 14, 2017, for three non-road engines, under GP9, to power portable nonmetallic mineral processing equipment, at the Pottstown Trap Rock Quarry, in Douglass Township, **Berks County**.

GP3-06-03175A: TMT Gravel & Contracting, Inc. (8792 Route 549, Millerton, PA 16936) on November 13, 2017, for portable nonmetallic mineral processing equipment, under GP3, at the Lehigh Cement Company facility, in Maiden creek Township, **Berks County**.

GP11-06-03175A: TMT Gravel & Contracting, Inc. (8792 Route 549, Millerton, PA 16936) November 13, 2017, for two non-road engines, under GP11, to power portable nonmetallic mineral processing equipment, at the Lehigh Cement Company facility, in Maiden creek Township, **Berks County**.

GP4-67-03119: Sipe's Electric Motor Repairs, Inc. (4848 Walter's Hatchery Road, Spring Grove, PA 17362) on November 15, 2017, for the existing burnoff oven, under GP4, at the facility located in North Cordorus Township, **York County**. The general permit authorization was renewed.

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.

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

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

46-0296: Woot Services Inc. (325 9th Ave. N., Seattle, WA 98109) On November 15, 2017 for the installation of forty-eight (48) new digital printers, sixteen (16) new

dryers and regenerative thermal oxidizer (RTO), for at their facility in West Norriton Township, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

36-05001N: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) on November 13, 2017, for the replacement/installation of various control devices and equipment on the boardmill's operations (Source ID 104) to improve plant hygiene at their ceiling tile plant in East Donegal Township, **Lancaster County**. Specifically, the project is for the replacement of the two (2) 40,844 cfm baghouses (Control IDs C104C & 104D) controlling the boardmill's (Source ID 104) sizing (e.g., dry saw) and material handling (e.g., board and scrap conveying) operations to improve plant hygiene. The baghouses will be replaced with two (2) 80,000 acfm baghouses. Additional hoods/pickups will also be installed to improve particulate matter capture inside the plant; however, no other physical changes will occur to the boardmill's operations. Additionally, a new 1,5000 acfm receiver baghouse will be installed to handle the dust collected by the new 80,000 acfm baghouses.

06-05112D: WBLF Acquisition Co., LLC—Western Berks Landfill (455 Poplar Neck Road, Birdsboro, PA 19508) on November 8, 2017, for the installation of an on-site landfill gas (LFG) to energy plant at their municipal waste landfill in Cumru Township, **Berks County**. The energy plant will consist of a gas treatment system, three (3) 1,148 bHP (856 kW) Caterpillar C3516 LE engines and one (1) 500 scfm candlestick flare.

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

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

16-148C: RV Burns Crematory Inc. (638 Wood St., Clarion, PA 16214), on November 16, 2017 issued a Plan Approval for the addition of a human crematory and the continued operation of an existing human crematory in Clarion Township, **Clarion County**.

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.

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

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

46-0020K: Superior Tube Company, Inc. (3900 Germantown Pike, Collegeville, PA 19426-3112) On November 15, 2017 to install a new lubrication station (Source ID No. 170) in Lower Providence Township, **Montgomery County**.

46-0026H: Global Packaging Inc. (209 Brower Ave, Oaks, PA 19456) On November 15, 2017 for a thermal oxidizer in Upper Providence Township, **Montgomery County**.

46-0007: Holy Redeemer Hospital & Medical Center (1648 Huntingdon Pike, Meadowbrook, PA 19046) On November 17, 2017 for a modification to their plan

approval to allow for emission increases in carbon monoxide, volatile organic compounds and formaldehyde for a cogeneration engine located at their facility in Abington Township, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

06-05069V: East Penn Manufacturing Co., Inc. (PO Box 147, Lyon Station, PA 19536) on November 9, 2017, for modifying the Industrial Facility production lines at the lead-acid battery assembly plant located in Richmond Township, **Berks County**. Plan Approval 06-05069V is for installation and startup of pieces of equipment controlled by fabric filters and mist eliminators. The plan approval was extended.

67-05004S: P.H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on November 15, 2017, for the construction of two (2) Babcock & Wilcox (B&W), (372.6 and 358.3 MMBtu per hour each), natural gas fired boilers and the installation of a hydrated lime injection system to reduce HCl emissions from Power Boiler No. 5, with associated equipment including, but not limited to, a storage silo and pneumatic conveying system at the P.H. Glatfelter Co.'s Spring Grove facility located in Spring Grove Borough, **York 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.

08-00045A: Panda Liberty, LLC (151 Liberty Lane, Towanda, PA 18848) on November 14, 2017, to extend the authorization for the construction of the natural gas-fired power plant at their Panda Liberty Power Project facility located in Asylum Township, **Bradford County** to May 13, 2018. The plan approval has been extended.

08-00045B: Panda Liberty, LLC (151 Liberty Lane, Towanda, PA 18848) on November 14, 2017, to extend the authorization for the construction of the natural gas-fired power plant at their Panda Liberty Power Project facility located in Asylum Township, **Bradford County** to May 13, 2018. The plan approval has been extended.

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

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

11-00524C: JWF Industries (163 Cramer Pike, Johnstown, PA 15906) Extension effective September 28, 2017, to extend the period of temporary operation for a Surface Coating and Abrasive Blasting Operation at the company's facility located in West Taylor Township, **Cambria County**.

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

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

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

42-00158: Georgia Pacific Panel Products LLC (149 Temple Drive, Kane, PA 16735-5343) on November 16, 2017, the Department issued a renewal of the Title V Operating Permit for the Medium Density Fiberboard facility in Sergeant Township, **McKean County**.

Georgia Pacific's facility is primarily used to produce reconstituted wood products. The facility's air emission sources include natural gas fuel combustion devices, wood chip/fiber drying devices, forming and pressing equipment, raw material storage, sawing and sanding equipment, and various other support equipment. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of NO_x, particulate matter, VOC, and HAP emissions. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

The actual emissions reported by the facility for 2016 were 77.2 TPY CO, 48.1 TPY NO_x, 17.9 TPY PM₁₀, 15.3 TPY PM_{2.5}, 0.23 TPY SO_x, and 13.2 TPY VOC.

The permit contains the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (40 CFR 63, Subpart ZZZZ) and the Plywood and Composite Wood Products (40 CFR 63, Subpart DDDD). The permit contains the applicable Federal and State requirements to ensure compliance with the Air Pollution Control Act.

The permit incorporates the requirements of Plan Approval 42-00158 and the RACT 2 requirements (Sections 129.96, 129.97 and 129.100). The permit contains a compliance schedule for submittal of a plan approval to modify the PM and PM₁₀ emission limits for Source 125M (Stack SM07); modify the VOC emission limits for the Refiner Startup Cyclone exhaust (SM02), the Primary Sander exhaust (SM10) and the Secondary Sander exhaust (SM11); incorporate combustion byproduct (CO, NO_x, and SO₂) emission limits for the MDF Dryer Abort Stack for the WESP exhaust (SM17); incorporate MDI emission limits for the RTO Stack; and, de-rate the Westec Coen Burner to 43 MMBtu/hr.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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.

35-00003: General Dynamics/Scranton Army Ammunition Plant (156 Cedar Avenue, Scranton, PA 18505-1138). On November 14, 2017, the Department issued a renewal State-Only Synthetic Minor Permit for this manufacturing of ammunition (except for small arms) facility located in Scranton, **Lackawanna County**. The main sources at this facility consists of boilers, forged furnaces, and paint booths. The control devices consist of filters. The sources are considered a minor emission source of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

28-03027: APX Industrial Coatings, Inc. (9473 Lincoln Way West, Saint Thomas, PA 17252-9710) on November 8, 2017, for the surface coating facility located in Saint Thomas Township, **Franklin County**. The State-only permit was renewed.

21-03004: ADM Milling Co. (PO Box 3100, Camp Hill, PA 17011-3100) on November 8, 2017, for the grain processing facility located in Camp Hill Borough, **Cumberland County**. The State-only permit was renewed.

67-05120: Magnesita Refractories Co. (425 S. Salem Church Rd., York, PA 17408-5955) on November 9, 2017, for the limestone crushing facility located in West Manchester Township, **York County**. The State-only permit was renewed.

36-05008: Tyson Poultry, Inc. (403 S. Custer Avenue, PO Box 1156, New Holland, PA 17557-9221) on November 13, 2017, for the poultry processing facility located in Earl Township, **Lancaster County**. The State-only permit was renewed.

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

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

41-00051: Wirerope Works, Inc. (100 Maynard Street, Williamsport, PA 17701) on November 15, 2017, for operation of its Williamsport facility located in the City of Williamsport, **Lycoming County**. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable State air quality regulations.

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.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

38-05019: Helix Ironwood LLC (305 Prescott Road, Lebanon, PA 17042-9178) on November 8, 2017, for Ironwood electrical generating facility located in South Lebanon Township, **Lebanon County**. The Title V permit was administratively amended in order to reflect a change of name.

36-03002: High Concrete Group, LLC (125 Denver Road, Denver, PA 17517-9314) on November 6, 2017, for the architectural and structural precast concrete facility located in East Cocalico Township, **Lancaster County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 36-03002A.

28-03008: Edge Rubber Recycling LLC (811 Progress Road, Chambersburg, PA 17201-3257) on November 15, 2017, for the shredded tire processing facility located in Chambersburg Borough, **Franklin County**. The State-only permit was administratively amended in order to reflect a change of ownership.

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

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

24-00152: Diversified Oil & Gas Boone Mountain Compressor Station (101 McQuiston Drive, Jackson Center, PA 16133). On November 9, 2017, the Department issued an administrative amendment to the State Operating Permit to incorporate the change in ownership. The facility is located in Horton Township, **Elk County**.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

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

09-00021: MRI Flexible Packaging Company (122 Penns Trail, Newtown, PA 18940) On November 16, 2017, located in Newtown Township, **Bucks County**, for revocation of State Only (Synthetic Minor) Operating Permit No. 09-00021. The three printing presses and associated regenerative thermal oxidizer (RTO) at the facility have been shut down and removed, and the facility has been vacated.

Since the facility has been shut down for less than 1 year, DEP has maintained the facility's air contaminants in the Commonwealth's air contaminant emission inventory (AIMS), pending a potential request for Emission Reduction Credits (ERCs), pursuant to 25 Pa. Code §§ 127.206—127.208.

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

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

30130701 and NPDES No. PA0236268. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To operate the Bailey Coal Refuse Disposal Areas No. 7 and No. 8 in Morris Township, **Greene County** and related NPDES Permit to construct a coal refuse disposal facility. Coal Refuse Disposal Support Acres Proposed 277.0, Coal Refuse Disposal Acres Proposed 272.0. No additional discharges. The application was considered administratively complete on September 1, 2015. Application received July 10, 2015. Permit issued November 1, 2017.

30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Bailey Mine & Prep Plant in Richhill and Aleppo Townships, **Greene County** and related NPDES to revise 2,142.0 previously permitted underground and subsidence control acres from development to longwall mining and conduct stream restoration. No additional discharges. The application was considered administratively complete on May 11, 2017. Application received August 10, 2016. Permit issued November 3, 2017.

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

Permit No. 54861601R6. Schuylkill Coal Processing, Inc., (P.O. Box 134, Ashland, PA 17921), renewal of an existing anthracite coal preparation plant operation in Butler Township, **Schuylkill County** affecting 18.6 acres, receiving stream: Mahanoy Creek. Application received: May 18, 2017. Renewal issued: November 16, 2017.

Permit No. PAM112038R. Schuylkill Coal Processing, Inc., (P.O. Box 134, Ashland, PA 17921), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54861601 in Butler Township, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: May 18, 2017. Renewal issued: November 16, 2017.

Noncoal Permits Issued

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

42090805. Lois Baker (1812 Champlin Hill Road, P.O. Box 149, Turtlepoint, PA 16750). Final bond release for a small industrial minerals surface mine in Annin Township, **McKean County**. Restoration of 2.0 acres completed. Receiving streams: Unnamed tributary to Annin Creek. Application Received: September 18, 2017. Final bond release approved: November 9, 2017.

PAM613005. IA Construction Corporation (P.O. Box 568, Franklin, PA 16323) Renewal of a General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 10980302 in Cherry & Slippery Rock Townships, **Butler County**. Receiving Streams: Unnamed tributary to McMurray Run. Application received: October 11, 2017. Permit Issued: November 14, 2017.

PAM617034. KEFO Corporation (P.O. Box 418, Meadville, PA 16335) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 20820307 in Summit Township, **Crawford County**. Receiving streams: Unnamed tributary to Conneaut Creek. Application received: October 16, 2017. Permit Issued: November 14, 2017.

PAM617035. Dean Glover Trucking (13925 French Creek Road, Waterford, PA 16441) General NPDES Per-

mit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 4878SM1 in LeBoeuf Township, **Erie County**. Receiving streams: French Creek. Application received: October 16, 2017. Permit Issued: November 14, 2017.

16170801. P. Tinker's Contracting, Inc. (954 Reed Road, Clarion, PA 16214) Commencement, operation and restoration of a small industrial minerals mine in Highland Township, **Clarion County**, affecting 5.0 acres. Receiving streams: Unnamed tributary to the Clarion River. Application received: January 26, 2017. Permit Issued: November 14, 2017.

37160303 and NPDES Permit No. PA0259713. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a large industrial minerals mine and associated NPDES permit in Wayne Township, **Lawrence County**, affecting 204.0 acres. Receiving streams: Unnamed tributaries to Connoquenessing Creek and Connoquenessing Creek, and unnamed tributary to the Beaver River. Application received: March 28, 2017. Permit Issued: November 14, 2017.

22807-37160303-E-1. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Application for a stream encroachment to conduct mining activities within 100 feet but no closer than 25 feet of unnamed tributary No. 1 to Beaver River in Wayne Township, **Lawrence County**. Receiving streams: Unnamed tributaries to Connoquenessing Creek and Connoquenessing Creek, and unnamed tributary to the Beaver River. Application received: March 28, 2017. Permit Issued: November 14, 2017.

37160303 and NPDES Permit No. PA0259713. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Application for a wetlands encroachment to impact 1.35 acre of wetlands. As a replacement for the wetland impacts, 1.4 acre of Palustrine Emergent wetlands will be developed according to the Module 14.4 mitigation plan in Wayne Township, **Lawrence County**. Receiving streams: Unnamed tributaries to Connoquenessing Creek and Connoquenessing Creek, and unnamed tributary to the Beaver River. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of section 301—303, 306 and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards. Application received: March 28, 2017. Permit Issued: November 14, 2017.

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

08100306 and NPDES PA0257451. Marcus Cole DBA Cole's Construction (P.O. Box 158, Nichols, NY 13812). Renewal for an existing NPDES on a large noncoal surface mine site located in Windham Township, **Bradford County** affecting 20.0 acres. Receiving stream(s): Unnamed Tributary to Wysox Creek and Unnamed Tributary to Trout Brook classified for the following use(s): CWF, MF. Application received: July 7, 2017. Permit issued: November 8, 2017.

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

Permit No. 67000301C5 and NPDES Permit No. PA0224065. Pennsy Supply, Inc. d/b/a Oldcastle Industrial Minerals, (550 South Biesecker Road, Thomasville, PA 17364), renewal of NPDES permit for discharge of treated mine drainage in Jackson Township,

York County, receiving stream: Little Conewago Creek. Application received: August 18, 2016. Renewal issued: November 13, 2017.

Permit No. 4874SM2C3 and NPDES Permit No. PA0123544. Pennsy Supply, Inc. d/b/a Oldcastle Industrial Minerals, (550 South Biesecker Road, Thomasville, PA 17364), renewal of NPDES permit for discharge of treated mine drainage in Jackson Township, **York County**, receiving stream: Little Conewago Creek. Application received: July 22, 2016. Renewal issued: November 13, 2017.

Permit No. 8074SM1C5 and NPDES Permit No. PA0013722. Glasgow, Inc., (P.O. Box 1089, Glenside, PA 19038), renewal of NPDES permit for discharge of treated mine drainage in Montgomery Township, **Montgomery County**, receiving stream: Park Creek. Application received: January 8, 2015. Renewal issued: November 16, 2017.

Permit No. 7473SM2A1C23 and NPDES Permit No. PA0118460. Hercules Cement Co., LP d/b/a Buzzi Unicem USA, (P.O. Box 69, Stockertown, PA 18083), renewal of NPDES permit for discharge of treated mine drainage in Upper Nazareth & Palmer Townships and Stockertown Borough, **Northampton County**, receiving stream: Bushkill Creek and Schoeneck Creek. Application received: December 22, 2014. Renewal issued: November 16, 2017.

Permit No. 7776SM1A3C9 and NPDES Permit No. PA0611883. Martin Stone Quarries, Inc., (1355 North Reading Avenue, Bechtelsville, PA 19505), renewal of NPDES permit for discharge of treated mine drainage in Colebrookdale Township and Bechtelsville Borough, **Berks County**, receiving stream: unnamed tributary to Swamp Creek. Application received: June 19, 2017. Renewal issued: November 16, 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

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

53174001. Precision Geophysical, Inc. (2695 SR 83 South, Millersburg, OH 44654). Blasting for seismic exploration in Pike, Ulysses, Sweden, Allegany, Summit and Eulalia Townships, **Potter County** with an expiration date of November 5, 2018. Permit issued: November 15, 2017.

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

Permit No. 22174105. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Creekvale Development in East Hanover Township, **Dauphin County** with an expiration date of October 30, 2018. Permit issued: November 3, 2017.

Permit No. 36174146. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Grace Press Warehouse in Earl Township, **Lancaster County** with an expiration date of December 30, 2017. Permit issued: November 3, 2017.

Permit No. 3514109. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for the Keystone Sanitary Landfill in Throop and Dunmore Boroughs, **Lackawanna County** with an expiration date of December 31, 2022. Permit issued: November 14, 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.

EA15-019. Chester County Conservation District, 688 Unionville Road, Suite 200, Kennett Square, PA 19348, Lower Oxford Township, **Chester County**, ACOE Baltimore District.

To perform the following water obstruction and encroachment activities along approximately 1,215 linear feet of one (1) unnamed tributary to Leech Run (Perennial, TSF, MF):

1. Installation of in-stream stabilization structures including rock cross vanes, toe willow fascines and root wads.
2. Streambank grading for the establishment of floodplain connectivity.
3. Installation of native riparian plantings for stabilization and enhancement efforts outside of the channel.
4. Reinforcement of existing livestock crossing.
5. Installation of temporary stream crossings.

The proposed project is located at 389 Street Road, Oxford, PA 19363 (Oxford, PA USGS Quadrangle, Latitude 39.813089 N"; Longitude -75.995232 W").

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)).

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

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 (Braddock, PA Quadrangle, Latitude: 40° 29' 20.7"; Longitude: -79° 51' 31.7") in Blawnox Borough, Allegheny County.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E01-319: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275 in Huntington and Tyrone Townships, **Adams County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to install and maintain a single-span bridge with a span of 91.0 feet, an out-to-out width varying from 34.96 feet to 37.38 feet, and an underclearance of 4.77 feet, all over Bermudian Creek (WWF, MF, Wild Trout), temporarily impacting 0.072 acre of Exceptional Value (EV) Palustrine Emergent (PEM) wetland and 0.25 acre of floodway and permanently impacting 0.02 acre of EV PEM wetland, and 0.05 acre of floodway. All impacts are associated with the SR 1016 bridge replacement over Bermudian Creek (Latitude 40°00'13.0"; Longitude -77°11'32.2") for the purpose of improving safety standards.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E03-471, Plenary Walsh Keystone Partners, 160 Technology Drive, Suite 102, Canonsburg, PA 15317, Burrell Township, **Armstrong County**, Pittsburgh ACOE District.

Has been given consent to:

1. Remove a structurally deficient 44-foot, single span, steel, I-beam bridge and replace it with a 59-foot, single span, spread box beam bridge over North Branch Cherry Run (CWF) and 107 linear feet of scour protection along North Branch Cherry Run;
2. Place and maintain fill within 0.01 acre of PEM wetland (aka Wetland W1);
3. Realign 50 linear feet of an Unnamed Tributary (UNT) to North Branch Cherry Run (aka Stream 2);
4. Construct temporary construction access within 0.04 acre of PEM wetland;
5. Construct temporary construction access across 542 linear feet of four (4) watercourses (North Branch Cherry Run (aka Stream 1)) and three UNTs to North Branch Cherry Run (aka Stream(s) 3, 4 and 5);

For the purpose of replacing a structurally deficient bridge over North Branch Cherry Run the project will cumulatively result in 157 linear feet of permanent stream impact, 0.01 acre of permanent wetland impact, 0.04 acre of temporary wetland impact and 542 linear feet of temporary stream impact. As mitigation for the stream impacts 50 LF of stream will be relocated and temporary impacts will be restored. The project is near the intersection of SR 2005 (aka Cherry Run Road) and Cherry Run Hill Road (Quadrangle: Whitesburg, Latitude: 40° 41' 19.1"; Longitude: -79° 25' 40") located near Burrell Township, Armstrong County.

E26-379, Plenary Walsh Keystone Partners, 160 Technology Drive, Suite 102, Canonsburg, PA 15317, Saltlick Township, **Fayette County**, Pittsburgh ACOE District.

Has been given consent to:

1. Remove an existing 22' long by 27' wide, single span, steel beam bridge over Champion Creek (CWF), with an underclearance of 5'3";
2. Construct and maintain a 22' long by 40.3' wide, single span, box culvert in Champion Creek (CWF), with a minimum underclearance of 5'0";
3. Construct and maintain R-6 riprap scour protection, choked with native streambed material on the upstream and downstream side of the aforementioned structure;
4. Place and maintain fill in 38 linear feet of an existing unnamed tributary to Champion Creek (aka UNT-2) (CWF), and to construct and maintain 34 linear feet of new, relocated channel;
5. Place and maintain fill in 63 linear feet of an existing unnamed tributary to Champion Creek (aka UNT-4) (CWF), and to construct and maintain 88 linear feet of new, relocated channel;
6. Place and maintain fill in 0.001 acre PSS wetland (W1) in the Champion Creek watershed (CWF);
7. Construct and maintain temporary construction access in UNT-1, UNT-2, UNT-3, and UNT-4 to Champion Creek (CWF);

For the purpose of replacing the existing structurally deficient structure over Champion Creek. This project will permanently impact approximately 68 linear feet of Champion Creek, 105 linear feet of UNT's to Champion Creek, and 0.001 acre (deminimus) of wetland in the Champion Creek watershed, and will temporarily impact 55 linear feet of Champion Creek, 116 linear feet of UNT's to Champion Creek, and 0.017 acre of wetland in

the Champion Creek watershed. As mitigation for the stream impacts 150 LF of stream will be relocated and temporary impacts will be restored. The project is located at State Route 1050, approximately 0.2 mile from the intersection between State Route 1050 and State Route 2029, (Donegal USGS Topographic Quadrangle, Latitude: 40° 5' 13", Longitude: -79° 23' 35"; Sub-basin: 19E; Pittsburgh Corps District), in Saltlick Township, Fayette County.

District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA.

E4129-108: Anadarko E&P Onshore LLC, 33 West Third Street, Suite 200, Williamsport, PA 17701, Cascade Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

- 1) Two 16-foot long, 12-inch diameter culverts with associated fill impacting 198 square feet of palustrine emergent (PEM) wetlands (Bodines, PA Quadrangle 41°27'33"N 76°54'55"W);
- 2) A 32-foot long, 73-inch by 55-inch arch culvert with associated fill impacting 137 linear feet of Slacks Run (HQ-CWF) (Bodines, PA Quadrangle 41°27'34"N 76°54'55"W);
- 3) Fill over an existing culvert impacting 12 linear feet of an unnamed tributary to Slacks Run (HQ-CWF) (Bodines, PA Quadrangle 41°28'04"N 76°54'26"W);
- 4) A 30-foot long, 36-inch diameter culvert with associated fill impacting 145 linear feet of Slacks Run (HQ-CWF) (Bodines, PA Quadrangle 41°28'03"N 76°54'23"W);
- 5) Fill for a permanent access road impacting 2,959 square feet of flood way of an unnamed tributary to Slacks Run (HQ-CWF) (Bodines, PA Quadrangle 41°28'01"N 76°54'23"W).

The project will result in a total of 294 linear feet of stream impacts, 0.01 acre of wetland impacts, and 0.07 acre of additional floodway impacts for the purpose of installing a permanent access roadway to a natural gas well site for Marcellus well development.

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

E10-513FP: Center Township, 150 Henricks Road, Butler, PA 16001, NFIP Buyout—707 Oneida Valley Road, in Center Township, **Butler County**, ACOE Pittsburgh District (Mount Chestnut, PA Quadrangle N: 40.920042°; W: -79.879299°).

To remove existing structures on property within the 100-year flood plain of Connoquenessing Creek at 707 Oneida Valley Road, Butler, PA. Subject property is a FEMA NFIP buyout.

WATER QUALITY CERTIFICATIONS

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

WQ06-001, National Fuel Gas Supply Corporation (Applicant), 1100 State St., Erie, PA. YM28 and FM120 Modernization Project (Project), in Wetmore, Hamlin and Sergeant Townships, **McKean County**, Jones Township, **Elk County**, and Shippen Township, **Cameron County**, ACOE Pittsburgh District. The proposed project starts at 41.686186, -78.752681 Kane, PA Quadrangle N: 41°, 41', 10.271"; W: -78°, 45', 9.65" and ends at Wellendorf Storage Line (D6) Wildwood Fire Tower, PA Quadrangle N: 41°, 37', 14.25"; W: -78°, 28', 54.55"

On February 10, 2017, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP17-74-000). The FERC Environmental Assessment for the Project, has not been issued as of the publication date, when available it may be viewed on FERC's website at www.ferc.gov (search eLibrary; Docket Search; CP17-74-000).

On June 19, 2017, Applicant requested a State water quality certification from the Pennsylvania Department of Environmental Protection (PADEP), 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 McKean County portion of the project, as proposed, includes approximately 14.4 miles long, 12-inch pipeline (Line KL) for the purpose of transporting natural gas from Line K in Wetmore Township to an interconnect at Line FM120. The Project, as proposed, will require approximately 224 acres of earth disturbance, and impacts to of 2,542 linear feet of impacts to County Line Run and UNTs (HQ-WT), Doe Run and UNTs (HQ-WT), East Branch Clarion River (HQ-WT), Glad Run and UNTs (HQ-WT), Gum Boot Run (HQ-WT), Lanigan Brook and UNTs (EV-WT), Sevenmile Run and UNTs (HQ-WT), Sicily Run (CWF-WT), UNT to Buck Run (HQ-WT), UNT to Martin Run (HQ-WT), UNT to Windfall Run (CWF-WT), Warner Brook (HQ-WT), Wellendorf Branch (EV-WT), and West Branch Clarion River and UNTs, 5.45 acres of floodway, 4.38 acres of temporary impacts to Palustrine Emergent (PEM), Palustrine Forested (PFO) and Palustrine Unconsolidated Bottom (PUB) wetland(s) and 0.19 acre of permanent impacts to Palustrine Forested wetland(s).

The Elk County portion of the project, as proposed includes approximately 0.30 mile of six-inch diameter 1,500 FlexSteel pipe into an existing 12-inch pipeline. It also includes a producer station abandonment. The project as proposed will require a total of approximately 224 acres of earth disturbance, no impacts to streams are proposed as part of the project, approximately 0.512 acre of Palustrine Emergent Wetland (PEM) will be temporarily impacted, no permanent impacts are proposed.

The Cameron County portion of the project, as proposed includes a producer station abandonment, drip removal and a cut and cap location on an existing pipeline. As proposed there are no aquatic impacts associated with this portion of the project.

PADEP published notice of its proposed State water quality certification in the *Pennsylvania Bulletin* on September 16, 2017 (*Pennsylvania Bulletin*, Vol. 47, No. 31, Page 5-6).

PADEP 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 PADEP 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 PADEP'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 PADEP 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*—PADEP 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 PADEP 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 PADEP 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 PADEP Regional Office of such intent. Notice to PADEP 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 PADEP concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Northwest Regional Office, Lori Boughton, 230 Chestnut Street, Meadville, PA 16335.

9. *Reservation of Rights*—PADEP 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. PADEP 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.

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 individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-2 # ESG17-125-0026
Applicant Name MarkWest Liberty Midstream & Resources, LLC
Contact Person Rick Lowry
Address 4600 J. Barry Court, Suite 500
City, State, Zip Canonsburg, PA 15317
County Washington County
Township(s) Blaine Township
Receiving Stream(s) and Classification(s) UNTs to Buffalo Creek (HQ-WWF) & Brush Run (HQ-WWF)

ESCGP-2 # ESX17-129-0014
Applicant Name XPR Resources, LLC
Contact Person Rick Lowry
Address 6000 Town Center Boulevard, Suite 210
City, State, Zip Canonsburg, PA 15317
County Westmoreland County
Township(s) Derry Township
Receiving Stream(s) and Classification(s) UNTs to Buffalo Creek (HQ-WWF) & Brush Run (HQ-WWF)

ESCGP-2 # ESX13-005-0025 Modification
Applicant Name Pine Run Midstream, LLC
Contact Person Scott Sweder
Address Park Place One, Suite 400, Commerce Drive
City, State, Zip Pittsburgh, PA 15275
County Armstrong County
Township(s) West Franklin Township
Receiving Stream(s) and Classification(s) UNT to Buffalo Creek (HQ-TSF)

ESCGP-2 # ESX12-059-0030 Renewal
Applicant Name EQT Production Company
Contact Person Todd Klaner
Address 2400 Ansys Drive, Suite 200
City, State, Zip Canonsburg, PA 15317
County Greene County
Township(s) Washington Township
Receiving Stream(s) and Classification(s) UNTs to Ruff Creek (WWF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX29-115-17-0035
Applicant Name Cabot Oil & Gas Corp
Contact Person Kenneth Marcum
Address 2000 Park Lane, Suite 300
City, State, Zip Pittsburgh, PA 15275
County Susquehanna
Township(s) Springville
Receiving Stream(s) and Classification(s) Thomas Ck (CWF-MF) and UNTs thereto

ESCGP-2 # ESG29-113-17-0005
Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 1720 Sycamore Rd
City, State, Zip Montoursville, PA 17754
County Sullivan
Township(s) Cherry
Receiving Stream(s) and Classification(s) Birch Ck (EV)

ESCGP-2 # ESX13-113-0004(01)
Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 1720 Sycamore Rd
City, State, Zip Montoursville, PA 17754
County Sullivan
Township(s) Elkland
Receiving Stream(s) and Classification(s) Mill Ck (EV); Blackwater Run (HQ-CWF)

ESCGP-2 # ESX29-015-17-0033
Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 1720 Sycamore Rd
City, State, Zip Montoursville, PA 17754
County Bradford
Township(s) W Burlington
Receiving Stream(s) and Classification(s) UNT to Sugar Ck (TSF, MF)
Secondary—Sugar Ck

ESCGP-2 # ESX29-115-17-0031
 Applicant Name SWN Production Co LLC
 Contact Person Nicki Atkinson
 Address 917 State Rte 92 N
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna
 Township(s) Silver Lake
 Receiving Stream(s) and Classification(s) UNT to Snake
 Ck (CWF-MF)

ESCGP-2 # ESX29-115-17-0032
 Applicant Name Williams Field Services Co LLC
 Contact Person Kristy Grigas
 Address Park Place Corporate Ctr, 2000 Commerce Drive
 City, State, Zip Pittsburgh, PA 15275
 County Susquehanna
 Township(s) Brooklyn
 Receiving Stream(s) and Classification(s) Dry Ck (CWF-
 MF)

STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
17-41-008	HRI, Inc. 1750 West College Avenue State College, PA 16801-2719 Attn: Mary Jo Miller	Lycoming	Muncy Township	2 ASTs storing diesel fuel	24,000 gallons total

SPECIAL NOTICES

Water Quality Certification

2017 Expansion Project; Eastern Shore Natural Gas Company; FERC Doc. No. CP17-28-000; DEP EA 15-017

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

EA15-017—On December 30, 2016, **Eastern Shore Natural Gas Company** (ESNG) filed an application with the Federal Energy Regulatory Commission (FERC) in Docket No. CP17-28-000 under Section 7(c) of the Natural Gas Act (NGA) seeking a Certificate of Public Convenience and Necessity (Certificate) to authorizing ESNG to own, construct, operate, and maintain the 2017 Expansion Project located in Pennsylvania and other states. The proposed facilities would consist of seven segments of buried natural gas pipeline totaling approximately 39.6 miles with miscellaneous appurtenances. The portion of the project within Pennsylvania includes construction in West Sadsbury, Highland, Londonderry, Penn, New London and Franklin Townships, **Chester County**.

The proposed project consists of three sections referred to as the Parkesburg Loop, the Jennersville Loop and the Fair Hill Loop.

The Parkesburg Loop starts at Parkesburg, PA, Quadrangle N: 39°57'46.23", W: 75°56'25.77" and ends at Parkesburg, PA, Quadrangle N: 39°54'9.81", W: 75°54'41.49". The Parkesburg Loop includes approximately 4.5 miles of 16" pipeline from an existing metering and regulator station along Cemetery Road southeast to tie-in to an existing pipeline east of Limestone Road (PA-10). The proposed Parkesburg Loop includes approximately 74.67 acres of earth disturbance; and impacts to 278 linear feet of Valley Creek and its unnamed tributaries, listed as Cold Water Fishery (CWF), 507 linear feet of Knight Run and its unnamed tributaries, listed as Trout Stocking Fishery (TSF), 2.07 acres of floodway, 0.09 acre

of temporary Palustrine Emergent (PEM) wetland impacts, and 0.02 acre of permanent PEM wetland impacts.

The Jennersville Loop starts at Oxford, PA, Quadrangle N: 39°51'34.60", W: 75°53'24.37" and ends at West Grove, PA, Quadrangle N: 39°46'15.09", W: 75°50'46.74". The Jennersville Loop includes approximately 7.3 miles of 24" pipeline from the existing Daleville Compressor Station southeast to tie-in to existing pipeline near the intersection of Hess Mill Road and Windgate Road. Work also includes upgrades to the existing Daleville Compressor Station. The proposed Jennersville Loop and upgrades to the existing Daleville Compressor Station includes approximately 93.44 acres of earth disturbance; and impacts to 989 linear feet of unnamed tributaries of East Branch Big Elk Creek, listed as TSF, 634 linear feet of West Branch White Clay Creek and its unnamed tributaries, listed as TSF, 4.58 acres of floodway, 1.30 acre of temporary PEM wetland impacts, 0.02 acre of temporary Palustrine Forested (PFO) wetland impacts, 0.02 acre of temporary Palustrine Scrub-Shrub (PSS) wetland impacts, 0.11 acre of permanent PEM wetland impacts, and 0.0001 acre of permanent PFO wetland impacts.

The Fair Hill Loop starts at Newark West, DE-MD-PA, Quadrangle N: 39°44'32.78", W: 75°49'51.66" and ends at Newark West, DE-MD-PA, Quadrangle N: 39°43'19.78", W: 75°49'1.61". The Fair Hill Loop includes approximately 1.7 mile of 24" pipeline from an existing valve cluster near Walker Road and continues south to the Maryland State Border. The proposed Fair Hill Loop includes approximately 21.93 acres of earth disturbance; and impacts to 114 linear feet of unnamed tributaries of Big Elk Creek, listed High Quality Trout Stocking Fishery (HQ-TSF), 0.39 acre of floodway, 0.17 acre of temporary PEM wetland impacts, and 0.01 acre of permanent PEM wetland impacts.

The proposed project will result in temporary impacts to 2,804 linear feet of streams, permanent impacts to 228 linear feet of streams, temporary impacts to 1.60 acre of nontidal wetlands, and permanent impacts to 0.14 acre of nontidal wetlands.

On August 1, 2016, FERC filed a Notice of Intent to prepare an Environmental Assessment. The Environmental Assessment prepared by FERC may be viewed on FERC's website at www.ferc.gov under the Docket No. CP17-28-000.

The Department of Environmental Protection (Department) certifies that the construction, operation, and maintenance of the Project complies with the applicable provisions of Sections 301—303, 306, and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317).

The Department further certifies that the construction, operation, and maintenance of the projects complies with Commonwealth water quality standards and that the construction, operation, and maintenance of the projects does not violate applicable Commonwealth water quality standards provided that the construction, operation, and maintenance of the projects complies with the conditions for this certification, including the criteria and conditions of the following:

1. *Discharge Permit*—ESNG 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 (including 25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—ESNG shall comply with its Chapter 102 ESCGP-2 Permits, Nos.: ESG00029170001 (Fair Hill Loop); ESG00029170002 (Parkesburg Loop); ESG00029170003 (Jennersville Loop); and ESG00029170004 (Daleville Compressor Station), 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 (including 25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permit*—ESNG shall comply with its Chapter 105 Water Obstruction and Encroachment Permits, Nos. E15-883 and E15-891, 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. §§ 693.1—693.27), Flood Plain Management Act (32 P.S. §§ 679.101—679.601), and all applicable implementing regulations (including 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 or construction process that may be employed by ESNG.

5. *Operation*—For each Project under this Certification, ESNG 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 Certification and all required permits 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 ESNG.

6. *Inspection*—The Project, including all relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this Certification,

including all required permits and approvals, Pennsylvania's Water Quality Standards, and the conditions of this Certification. A copy of this Certification shall be available for inspection by the Department during such inspections of the Project.

7. *Transfer of Project*—If ESNG intends to transfer any legal or equitable interest in the Project which is subject to this Certification, ESNG shall serve a copy of this Certification upon the prospective transferee of the legal and equitable interest at least 30 days prior to the contemplated transfer and shall simultaneously inform the Department Southeast 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 Certification shall be addressed to the Department of Environmental Protection, Southeast Regional Office, Domenic Rocco, P.E., Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401.

7. *Reservation of Rights*—The Department may suspend or revoke this Certification if it determines that ESNG has not complied with the terms or conditions of this Certification. The Department may require additional measures to achieve compliance with applicable law, subject to ESNG's applicable procedural and substantive rights.

8. *Other Laws*—Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve ESNG from any responsibilities, liabilities or penalties established pursuant to any applicable Federal or State law or regulation.

9. *Severability*—The provisions of this 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.

[Pa.B. Doc. No. 17-1976. Filed for public inspection December 1, 2017, 9:00 a.m.]

Laboratory Accreditation Advisory Committee Meeting Cancellation

The December 5, 2017, meeting of the Laboratory Accreditation Advisory Committee is cancelled. The next meeting is scheduled for Thursday, April 12, 2018, at 9 a.m. in Room 206, Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA 17110.

Questions concerning the April meeting should be directed to Aaren Alger at (717) 346-8212 or aaalger@pa.gov. The agenda and meeting materials for the next meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Aaren Alger at (717) 346-8212 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 17-1977. Filed for public inspection December 1, 2017, 9:00 a.m.]

Pennsylvania's Exceptional Event Analysis for the May 2016 Fort McMurray Fires

The Department of Environmental Protection (Department) is seeking public comment on Pennsylvania's Exceptional Event (EE) analysis for the May 2016 Fort McMurray fires in Fort McMurray, Alberta, Canada. The EE analysis was prepared to outline the impacts that the byproducts (nitrogen oxides and volatile organic compounds) of the Fort McMurray fires had on ozone formation across this Commonwealth from May 24—26, 2016.

On May 21, 2007, the United States Environmental Protection Agency (EPA) promulgated a rule to oversee the review and handling of air quality monitoring data influenced by EEs (EE Rule). See 72 FR 13560 (March 22, 2007). The intent of the EE Rule was to modify the handling of air monitoring data due to EEs for which the Clean Air Act's (42 U.S.C.A. §§ 7401—7671q) normal planning and regulatory process was not appropriate. Subsequently, on October 3, 2016, the EPA promulgated final amendments to its original EE Rule. See 81 FR 68216 (October 3, 2016). One of the major revisions to the original EE Rule was the handling of ambient ozone concentration data as it relates to EEs, specifically wild-fire events. In addition, under 40 CFR 50.14 (relating to treatment of air quality monitoring data influenced by exceptional events), air quality state agencies must follow the public comment process and document that the comment period was open for a minimum of 30 days prior to final submission of the EE analysis to the EPA Regional Administrator.

The Commonwealth's EE analysis is available for public comment on the Department's web site at <http://www.ahs.dep.pa.gov/eComment> or by contacting Sean Nolan at (717) 772-3377 or senolan@pa.gov.

The Department must receive comments no later than January 2, 2018. Commentators are encouraged to submit comments using the Department's eComment system at <http://www.ahs.dep.pa.gov/eComment> or by e-mail to ecomment@pa.gov. Written comments may be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "EE Analysis on Fort McMurray Fires" as the subject line in written communication.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 17-1978. Filed for public inspection December 1, 2017, 9:00 a.m.]

Rescission of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.elibrary.dep.state.pa.us. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the

Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Rescission of Technical Guidance

DEP ID: 563-2112-611. *Title:* Permitting Pre-existing Pollutational Discharges under Subchapter F of 25 Pa. Code Chapter 87, Subchapter G of 25 Pa. Code Chapter 88, and Subchapter F of 25 Pa. Code Chapter 90. *Description:* In 2016, 25 Pa. Code Chapter 87, Subchapter F, Chapter 88, Subchapter G and Chapter 90, Subchapter F (relating to surface coal mines: minimum requirements for remining areas with pollutational discharges; anthracite surface mining activities and anthracite bank removal and reclamation activities: minimum requirements for remining areas with pollutational discharges; and coal refuse disposal activities on areas with pre-existing pollutational discharges) were revised regarding the "remining" options for surface coal mining permits. This TGD contains information that is now covered under the existing regulations or that requires updating to reflect the new regulations. To avoid confusion to existing operators, the Department will remove this document and advises operators to consult their District Mining Offices directly for technical guidance until a new TGD for remining permit authorizations is issued.

Contact: Gregory Greenfield at (717) 787-3174 or grgreenfie@pa.gov.

Effective Date: December 15, 2017

Rescission of Technical Guidance

DEP ID: 563-2504-612. *Title:* Monitoring, Compliance & Bond Release for Subchapter F or G Permits. *Description:* In 2016, 25 Pa. Code Chapter 87, Subchapter F, Chapter 88, Subchapter G and Chapter 90, Subchapter F were revised regarding the "remining" options for surface coal mining permits. This TGD contains information that is now covered under the existing regulations or that requires updating to reflect the new regulations. To avoid confusion to existing operators, the Department will remove this document and advises operators to consult their District Mining Offices directly for technical guidance until a new TGD for remining permit authorizations is issued.

Contact: Gregory Greenfield at (717) 787-3174 or grgreenfie@pa.gov.

Effective Date: December 15, 2017

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 17-1979. Filed for public inspection December 1, 2017, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exception 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), with the exception of 28 Pa. Code § 571.1 (relating to minimum standards). The following requests for exception relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities). Exception requests related to 28 Pa. Code § 571.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Endoscopy Center of Central Pennsylvania, LLC	28 Pa. Code § 553.31 (relating to administrative responsibilities)
Orthopaedic Surgery Center at Bryn Mawr Hospital	28 Pa. Code § 555.21 (relating to surgical procedures)
Philadelphia Surgi Center, PC	28 Pa. Code § 107.2 (relating to medical staff membership)

The following ASF is requesting an exception under 28 Pa. Code § 571.1. Requests for exceptions under this section relate to minimum standards that ASFs must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* to which the ASF is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Premier Surgery Center of Pittsburg, LLC	3.9-5.1.1.3	General (instrument processing rooms)	2014

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. 17-1980. Filed for public inspection December 1, 2017, 9:00 a.m.]

Amendments to Charges for Medical Records

In the notice published at 46 Pa.B. 7598 (December 3, 2016), the Department of Health (Department) published the guidelines and fees that a health care provider or facility may charge in response to a request for production of medical charts or records. This notice updates the notice published at 46 Pa.B. 7598.

Under 42 Pa.C.S. §§ 6152, 6152.1 and 6155 (relating to subpoena of records; limit on charges; and rights of patients), a health care provider or facility is allowed to charge a fee in response to a request for medical charts or records. The Secretary of Health (Secretary), under 42 Pa.C.S. §§ 6152 and 6152.1, is directed to adjust annually the amounts which may be charged by the health care provider or facility.

The Secretary is directed to base these adjustments on the most recent changes in the Consumer Price Index reported annually by the Bureau of Labor Statistics of the United States Department of Labor. For the annual period of October 31, 2016, through October 31, 2017, the Consumer Price Index was 2.0%.

Accordingly, effective January 1, 2018, the following fees may be charged by a health care facility or health

care provider in response to a request for production of medical charts or records:

	<i>Not to Exceed</i>
Amount charged per page for pages 1—20	\$1.51
Amount charged per page for pages 21—60	\$1.12
Amount charged per page for pages 61—end	\$0.38
Amount charged per page for microfilm copies	\$2.23
Flat fee for production of records to support any claim under Social Security or any Federal or State financial needs based program	\$28.48
Flat fee for supplying records requested by a district attorney	\$22.48
* Search and retrieval of records	\$22.48

The previously listed fees shall apply for paper copies or reproductions on electronic media whether the records are stored on paper or in electronic format.

In addition to the previously listed amounts, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.

The Department is not authorized to enforce these charges.

The previously listed charges, however, are subject to the following exceptions:

(1) An insurer shall not be required to pay for copies of medical records required to validate medical services for which reimbursement is sought under an insurance contract, except as provided in:

a. the Workers' Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2506) and the regulations promulgated thereunder.

b. 75 Pa.C.S. Chapter 17 (relating to Motor Vehicle Financial Responsibility Law) and the regulations promulgated thereunder.

c. A contract between an insurer and any other party.

(2) The charges listed in this notice do not apply to an X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction.

(3) The charges for the production of medical records by a health care provider in response to a request made by either an individual who is the subject of the health information or the individual's personal representative is governed by the Health Insurance Portability and Accountability Act of 1996 (Pub.L. No. 104-191) (HIPAA) and Federal regulations enacted under HIPAA, including 42 U.S.C.A. § 17935(e) and 45 CFR 164.524 (relating to access of individuals to protected health information), as follows:

a. *Electronic health record.* Under 42 U.S.C.A. § 17935(e), if a health care provider uses or maintains health records in an electronic format with respect to protected health information of an individual, the individual shall have a right to obtain from the health care provider a copy of the information in an electronic format. The individual also has a choice to direct the health care provider to transmit electronically a copy of the health record directly to an entity or person designated by the individual, provided that any choice is clear, conspicuous and specific. Any fee that the health care provider may impose for providing the information (or a summary or explanation of the information) in an electronic format shall not be greater than the labor costs in responding to the request. The United States Department of Health and Human Services has stated that the labor costs may not include costs associated with searching for and retrieving the requested information.

b. *Health record used or maintained in other types of format (for example, paper).* Under 45 CFR 164.524(c)(4), if the individual requests a copy of the protected health information or agrees to a summary or explanation of the information, the covered entity may impose a reasonable, cost-based fee, provided that the fee includes only the cost of:

(i) Labor for copying the protected health information requested by the individual, whether in paper or electronic form.

(ii) Supplies for creating the paper copy or electronic media if the individual requests that the electronic copy be provided on portable media.

(iii) Postage, when the individual has requested the copy, or the summary or explanation, be mailed.

(iv) Preparing an explanation or summary of the protected health information, if the individual agrees in advance to a summary or explanation and the fees to be imposed, in accordance with 45 CFR 164.524(c)(2)(iii). Similarly, the labor costs under 45 CFR 164.524(c)(4) shall not include the cost attributable to search and retrieval of the records.

Inquiries for further clarification on this exception should be directed to the Office of Civil Rights, United States Department of Health and Human Services, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, DC 20201, (866) 627-7748, <http://www.hhs.gov/ocr/office/about/contactus/index.html>.

Questions or inquiries concerning this notice should be sent to the Department of Health, Office of Legal Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Department of Health, Office of Legal Counsel, 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. 17-1981. Filed for public inspection December 1, 2017, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospitals 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 hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Milton S. Hershey Medical Center	28 Pa. Code § 101.172 (relating to patient limits)
Penn Highlands DuBois	28 Pa. Code § 103.31 (relating to the chief executive officer)
Lock Haven Hospital	28 Pa. Code § 107.26(b)(2) (relating to additional committees) 28 Pa. Code § 107.61 (relating to written orders)
Easton Hospital	28 Pa. Code § 107.61
Sunbury Community Hospital	28 Pa. Code § 107.61
Sharon Regional Health System	28 Pa. Code § 137.21(b)(9) (relating to policies and procedures) 28 Pa. Code § 137.33(d) (relating to obstetrical-gynecological nursing service)

<i>Facility Name</i>	<i>Regulation</i>
Conemaugh Nason Medical Center	28 Pa. Code § 138.14(c) (relating to programs and services)

The following hospitals are requesting exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Forbes Hospital	2.2-3.6.4.3	Control rooms	2014
Lankenau Medical Center	2.2-2.11.1.1	Location (LDR rooms)	2014
	2.2-2.11.6.10	Soiled workroom or soiled holding rooms	2014
	2.2-2.11.6.12	Environmental services rooms	2014
	2.2-2.11.6.13	Examination/treatment room and/or multipurpose diagnostic testing rooms	2014
Riddle Memorial Hospital	2.2-3.4.2.1(1)(b)	CT scanner rooms (size)	2014
Saint Luke's Hospital of Bethlehem, Pennsylvania	2.1-2.2.6.2	Patient toilet rooms (nursing units)	2014
	2.1-7.2.2.1	Corridor widths	2014
Saint Vincent Hospital	2.1-8.5.3.2	Size (TDRs—5th floor)	2014
	2.2-2.10.8.2	Patient/infant room(s)	2014
	2.2-2.11.6.13(3)	Examination/treatment room and/or multipurpose diagnostic testing rooms	2014
Heritage Valley Sewickley	2.2-3.5.2.1(1)	Space requirements (size)	2014

All 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, for speech and/or hearing impaired persons V/TT (717) 783-6154, 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. 17-1982. Filed for public inspection December 1, 2017, 9:00 a.m.]

Infant Hearing Screening Advisory Committee Meeting

The Infant Hearing Screening Advisory Committee, established under the Infant Hearing Education, Assessment, Reporting and Referral (IHEARR) Act (11 P.S. §§ 876-1—876-9), will hold a public meeting on Wednesday, December 13, 2017, from 1 p.m. until 3 p.m. The meeting will be held at the Department of Transportation, Materials and Testing Laboratory, DGS Annex Complex, 81 Lab Lane, Harrisburg, PA 17110-2543. Agenda items will include updates about program operations, the newborn screening data system, reports by the cytomegalovirus and Early Hearing Detection and Intervention—Pediatric Audiology Links to Service subcommittees, and a grantee update.

For additional information or for persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so, contact Joseph Wagner, Program Manager, Division of Newborn

Screening and Genetics, (717) 783-8143 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. 17-1983. Filed for public inspection December 1, 2017, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term nursing care facilities are seeking exceptions to 28 Pa. Code § 201.22(j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Presbyterian Homes of the Presbytery of Huntingdon
220 Newry Street
Hollidaysburg, PA 16648
FAC ID # 162302

Westminster Woods at Huntingdon
360 Westminster Drive
Huntingdon, PA 16652
FAC ID # 077502

The following long-term nursing care facility is seeking an exception to 28 Pa. Code § 205.20(a) (relating to resident bedrooms):

Forestview
2301 Edinboro Road
Erie, PA 16509
FAC ID # 054102

The following long-term nursing care facility is seeking an exception to 28 Pa. Code § 205.36(a) (relating to bathing facilities):

United Zion Retirement Community
722 Furnace Hills Pike
Lititz, PA 17543
FAC ID # 470402

The follow long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Sacred Heart Free Home
1315 West Hunting Park Avenue
Philadelphia, PA 19140
FAC ID # 197802

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. 17-1984. Filed for public inspection December 1, 2017, 9:00 a.m.]

Newborn Screening and Follow-Up Technical Advisory Board Meeting

The Newborn Screening and Follow-Up Technical Advisory Board, established under the Newborn Child Testing Act (35 P.S. §§ 621—625), will hold a public meeting on

Tuesday, December 12, 2017, from 10 a.m. until 3 p.m. The meeting will be held at the Department of Transportation, Materials and Testing Laboratory, DGS Annex Complex, 81 Lab Lane, Harrisburg, PA 17110-2543. The agenda will include an update from the Bureau of Family Health on: data collected in connection with screening for lysosomal storage disorders, severe combined immunodeficiency and cystic fibrosis; NewSTEPS 360, the grant received to improve the timeliness of newborn screen; an update on the implementation and current status of the Natus Case Management System; and recent cytomegalovirus subcommittee activities. The agenda also will include a discussion on pseudodeficiency genes language and proposed legislation (HB 1081) that would affect newborn screening. The subcommittees will also provide updates.

For additional information or for persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so, contact Stacey Gustin, Public Health Program Manager, Division of Newborn Screening and Genetics, (717) 783-8143 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. 17-1985. Filed for public inspection December 1, 2017, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Pharmacy Prior Authorization

The Department of Human Services (Department) announces it will add Austedo (deutetrabenazine), Brineura (cerliponase alfa), Ingrezza (valbenazine) and Xermelo (telotristat ethyl) to the Medical Assistance (MA) Program's list of services and items requiring prior authorization.

Section 443.6(b)(7) of the Human Services Code (62 P.S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The MA Program will require prior authorization of all prescriptions for Austedo (deutetrabenazine), Brineura (cerliponase alfa), Ingrezza (valbenazine) and Xermelo (telotristat ethyl). These prior authorization requirements apply to prescriptions dispensed on or after January 8, 2018.

The Department will issue MA Bulletins to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for each of the medications previously listed.

Fiscal Impact

These changes are estimated to result in minimal savings in the MA Fee-for-Service Program.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human

Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

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-1189. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-1986. Filed for public inspection December 1, 2017, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Bullseye Fast Play Game 5019

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 Bullseye (hereinafter “Bullseye”). The game number is PA-5019.

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:* A specific, pre-defined area of a game ticket located in the play area that contains play symbols and prize symbols that, when played according to the instructions, determine whether a player wins a prize. Each GAME is played separately.

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

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

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

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

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

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

(j) *PRIZE:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *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, letters, symbols or other characters found in the play area that, when matched against the “GAME” areas, determine whether a player wins a prize.

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

3. *Price:* The price of a Bullseye ticket is \$2.

4. *Description of the Bullseye lottery game:*

(a) The Bullseye 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. Bullseye 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) Bullseye is played by completely matching all of the play symbols located in any of the “GAME” areas to any of the play symbols in the “WINNING NUMBERS” area. Players that correctly match all the play symbols for any “GAME” shall win the PRIZE shown to the right of that “GAME.” 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 Bullseye 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 Bullseye 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 Bullseye game ticket and selecting the Bullseye 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 Bullseye ticket characteristics:*

(a) A Bullseye ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of seven “GAME” areas and each “GAME” is played separately.

(b) *Play Symbols:* Each Bullseye ticket play area will contain a “WINNING NUMBERS” area and seven “GAME” areas. The play symbols located in the “WINNING NUMBERS” area and the seven “GAME” areas 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) *Prize Symbols:* The prize symbols and their captions located in the "GAME" areas are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$20.⁰⁰ (TWENTY), \$25.⁰⁰ (TWY FIV), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$200, \$500 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$5,000 and increases by 12¢ every time a Bullseye ticket is purchased. When Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$5,000.

(e) A player can win up to 7 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 Bullseye lottery game.

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

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

(b) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "PRIZE" area to the right of that "GAME," 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 \$5,000.

(c) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING

NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in any "GAME," and a prize symbol of \$40.⁰⁰ (FORTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$25.

(i) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets upon which all of the play symbols in any "GAME" match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$2.

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 You Completely Match All The Numbers In Any GAME To Any Of The WINNING NUMBERS, Win Prize Shown To The Right Of That GAME.

Win With:	Win:	Approximate Chances of Winning Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
\$2	\$2	8.55	561,600
\$2 × 2	\$4	27.4	175,200
\$4	\$4	27.4	175,200

When You Completely Match All The Numbers In Any GAME To Any Of The WINNING NUMBERS, Win Prize Shown To The Right Of That GAME. Win With:

Win:	Approximate Chances of Winning Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets	
\$5	\$5	35.71	134,400
(\$2 × 3) + \$4	\$10	200	24,000
(\$4 × 2) + \$2	\$10	500	9,600
\$5 × 2	\$10	142.86	33,600
\$10	\$10	500	9,600
(\$5 × 2) + (\$4 × 2) + \$2	\$20	1,000	4,800
(\$5 × 2) + \$10	\$20	2,000	2,400
\$5 × 4	\$20	2,000	2,400
\$10 × 2	\$20	500	9,600
\$20	\$20	2,000	2,400
(\$5 × 3) + \$10	\$25	1,250	3,840
(\$5 × 3) + (\$4 × 2) + \$2	\$25	1,429	3,360
(\$10 × 2) + \$5	\$25	1,429	3,360
\$20 + \$5	\$25	1,429	3,360
\$25	\$25	1,429	3,360
(\$5 × 2) + \$20 + \$10	\$40	5,000	960
(\$5 × 3) + \$25	\$40	5,000	960
(\$10 × 2) + \$20	\$40	5,000	960
\$20 × 2	\$40	2,500	1,920
\$25 + \$10 + \$5	\$40	2,500	1,920
\$40	\$40	5,000	960
(\$10 × 2) + (\$4 × 2) + \$20 + \$2	\$50	3,429	1,400
(\$20 × 2) + \$10	\$50	3,429	1,400
\$25 × 2	\$50	4,000	1,200
\$40 + \$10	\$50	4,000	1,200
\$50	\$50	4,000	1,200
(\$25 × 2) + (\$10 × 3) + \$20	\$100	12,000	400
(\$25 × 2) + (\$20 × 2) + (\$4 × 2) + \$2	\$100	16,000	300
(\$40 × 2) + (\$10 × 2)	\$100	16,000	300
\$50 × 2	\$100	16,000	300
\$100	\$100	16,000	300
(\$40 × 3) + (\$25 × 3) + \$5	\$200	120,000	40
(\$50 × 2) + (\$25 × 2) + (\$20 × 2) + \$10	\$200	120,000	40
\$100 × 2	\$200	120,000	40
\$200	\$200	120,000	40
(\$100 × 2) + (\$50 × 2) + \$200	\$500	480,000	10
(\$200 × 2) + \$100	\$500	480,000	10
\$500	\$500	480,000	10
PROGRESSIVE TOP PRIZE	\$5,000*	240,000	20

Each "GAME" is played separately.

* PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$5,000. The PROGRESSIVE TOP PRIZE increases by 12¢ every time a ticket is purchased, and resets to \$5,000 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 12¢ from the sale of each Bullseye 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 Bullseye 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. 12¢ 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 Bullseye 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 Bullseye 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 Bullseye or through normal communications methods.

20. *Applicability:* This notice applies only to the Bullseye lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1987. Filed for public inspection December 1, 2017, 9:00 a.m.]

Pennsylvania Ca\$h In Fast Play Game 5018

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 Ca\$h In (hereinafter “Ca\$h In”). The game number is PA-5018.

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:* A specific, pre-defined area of a game ticket located in the play area that contains play symbols and prize symbols that, when played according to the instructions, determine whether a player wins a prize. Each GAME is played separately.

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

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

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

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

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

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

(j) *PRIZE:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *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, letters, symbols or other characters found in the play area that, when matched against the “GAME” areas, determine whether a player wins a prize.

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

3. *Price:* The price of a Ca\$h In ticket is \$5.

4. *Description of the Ca\$h In lottery game:*

(a) The Ca\$h In 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. Ca\$h In 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) Ca\$h In is played by completely matching any of the play symbols in the “WINNING NUMBERS” area to all of the play symbols located in any of the “GAME” areas. A player matching any of the play symbols in the “WINNING NUMBERS” area to all of the numbers in “GAME” 1, 3, 5, 7 or 9 will win the prize shown under that “GAME”. A player matching any of the play symbols in the “WINNING NUMBERS” area to all of the numbers in “GAME” 2, 4, 6, 8 or 10 will win triple the prize shown under that “GAME”. The Progressive Top Prize cannot be tripled. 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 Ca\$h In 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 Ca\$h In 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 Ca\$h In game ticket and selecting the Ca\$h In 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 Ca\$h In ticket characteristics:*

(a) A Ca\$h In ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of ten "GAME" areas and each "GAME" is played separately.

(b) *Play Symbols:* Each Ca\$h In ticket play area will contain a "WINNING NUMBERS" area and ten "GAME" areas. The play symbols located in the "WINNING NUMBERS" area and the ten "GAME" areas 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 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORTY).

(c) *Prize Symbols:* The prize symbols and their captions located in the "GAME" areas are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$300, \$1,000, \$3,000, and the Progressive Top Prize. The Progressive Top Prize amount starts at \$45,000 and increases by 25¢ every time a Ca\$h In ticket is purchased. When Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$45,000.

(e) A player can win up to 8 times on a ticket.

(f) *Approximate Number of Tickets Available for the Game:* Approximately 7,200,000 tickets will be available for sale for the Ca\$h In lottery game.

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

(a) All Ca\$h In prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 1, 3, 5, 7 or 9, and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "PRIZE" area under that "GAME," 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 \$45,000.

(c) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 1, 3, 5, 7 or 9, and a prize symbol of \$3,000 (THR THO) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$3,000.

(d) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 1, 3, 5, 7 or 9, and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 2, 4, 6, 8 or 10, and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$900.

(f) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 1, 3, 5, 7 or 9, and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$300.

(g) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 2, 4, 6, 8 or 10, and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 2, 4, 6, 8 or 10, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$150.

(i) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 1, 3, 5, 7 or 9, and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 2, 4, 6, 8 or 10, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$60.

(k) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 1, 3, 5, 7 or 9, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 2, 4, 6, 8 or 10, and a prize symbol of \$15⁰⁰ (FIFTN) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$45.

(m) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 1, 3, 5, 7 or 9, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(n) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 2, 4, 6, 8 or 10, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(o) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols completely match all of the play symbols in "GAME" 1, 3, 5, 7 or 9, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols completely match all of the play symbols in “GAME” 1, 3, 5, 7 or 9, and a prize symbol of \$15.00 (FIFTN) appears in the “PRIZE” area under that “GAME,” on a single ticket, shall be entitled to a prize of \$15.

(q) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols completely match all of the play symbols in “GAME” 2, 4, 6, 8 or 10, and a prize symbol of \$5.00 (FIV DOL) appears in the “PRIZE” area under that “GAME,” on a single ticket, shall be entitled to a prize of \$15.

(r) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols completely match all of

the play symbols in “GAME” 1, 3, 5, 7 or 9, and a prize symbol of \$10.00 (TEN DOL) appears in the “PRIZE” area under that “GAME,” on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols completely match all of the play symbols in “GAME” 1, 3, 5, 7 or 9, and a prize symbol of \$5.00 (FIV DOL) appears in the “PRIZE” area under that “GAME,” 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 You Completely Match Any Of The WINNING NUMBERS To All The Numbers In Any GAME, Win PRIZE Shown Under That GAME.

<i>Win With:</i>	<i>GAMES</i>	<i>GAMES</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets</i>
	<i>1, 3, 5, 7, 9</i>	<i>2, 4, 6, 8, 10</i>			
\$5			\$5	10	720,000
\$5 × 2			\$10	25	288,000
\$10			\$10	25	288,000
\$5 × 3			\$15	100	72,000
		\$5	\$15	50	144,000
\$15			\$15	100	72,000
\$5		\$5	\$20	166.67	43,200
\$5 × 4			\$20	500	14,400
\$10 × 2			\$20	500	14,400
\$20			\$20	200	36,000
\$5 × 3		\$5	\$30	500	14,400
\$10 + \$5		\$5	\$30	333.33	21,600
		\$10	\$30	500	14,400
\$15 × 2			\$30	500	14,400
\$30			\$30	500	14,400
\$5 × 4		\$10	\$50	1,000	7,200
\$5		\$10 + \$5	\$50	1,000	7,200
\$5		\$15	\$50	500	14,400
(\$20 × 2) + \$10			\$50	1,000	7,200
\$50			\$50	1,000	7,200
(\$20 × 3) + \$10		\$10	\$100	3,429	2,100
\$5 × 2		\$20 + \$10	\$100	3,429	2,100
\$10		\$30	\$100	4,800	1,500
\$50 × 2			\$100	8,000	900
\$100			\$100	8,000	900
\$50 × 3		\$50	\$300	24,000	300
		\$100	\$300	24,000	300
(\$100 × 2) + (\$50 × 2)			\$300	48,000	150
\$300			\$300	48,000	150
\$300 + \$10		(\$100 × 2) + \$30	\$1,000	240,000	30
\$100		\$300	\$1,000	240,000	30
\$1,000			\$1,000	240,000	30
(\$300 × 2) + (\$100 × 3)		(\$300 × 2) + \$100	\$3,000	720,000	10
\$3,000			\$3,000	720,000	10
PROGRESSIVE TOP PRIZE			\$45,000*	144,000	50

When you completely match all of the numbers in GAMES 2, 4, 6, 8 or 10, triple the prize shown under that GAME.

Each GAME is played separately.

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$45,000. The PROGRESSIVE TOP PRIZE increases by 25¢ every time a ticket is purchased, and resets to \$45,000 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 25¢ from the sale of each Ca\$h In 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 Ca\$h In 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. 25¢ 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 Ca\$h In 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 Ca\$h In 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 Ca\$h In or through normal communications methods.

20. *Applicability:* This notice applies only to the Ca\$h In lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1988. Filed for public inspection December 1, 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 November 16, 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' feet maximum length—each).
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 4024	From SR 2044 Northumberland County line to PA 901	Schuylkill	4.0
SR 2044	From 3922 Upper Road to Schuylkill County line	Northumberland	5.9

Schuylkill County and Northumberland County approved the access route within their respective jurisdictions.

Questions should be directed to George Harpster at (717) 783-6473.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 17-1989. Filed for public inspection December 1, 2017, 9:00 a.m.]

Multimodal Deputate; BicyclePA Route J Relocation

Under 75 Pa.C.S. § 3511(b)(2) (relating to pedalcycles prohibited on freeways), the Department of Transportation rescinds approval, effective Saturday, December 2, 2017, of the following route for use by pedalcycles as indicated:

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
US 22/322 (EB and WB)	From Peters Mountain Road (SR 225) interchange in Dauphin Borough to the Fishing Creek Valley Road (SR 443) interchange	Dauphin	2.50

This action supports the relocation of a portion of BicyclePa Route J from US 22/322 to US 15.

Questions should be directed to Roy Gothie, Statewide Bicycle and Pedestrian Coordinator, (717) 783-3991, rgothie@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 17-1990. Filed for public inspection December 1, 2017, 9:00 a.m.]

Transportation Advisory Committee Meeting

The Transportation Advisory Committee will hold a meeting on Thursday, December 7, 2017, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information contact Ellen E. Sweeney, (717) 787-2913, ellsweeney@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 17-1991. Filed for public inspection December 1, 2017, 9:00 a.m.]

Finance Agency, 211 North Front Street, Harrisburg, PA 17101, bmaretzki@phfa.org. Comments are due no later than February 15, 2018. The Agency shall make all comments available for public inspection.

BRIAN A. HUDSON, Sr.,
Executive Director

[Pa.B. Doc. No. 17-1992. Filed for public inspection December 1, 2017, 9:00 a.m.]

HOUSING FINANCE AGENCY

Proposed PHARE (Act 105 of 2010) (State Housing Trust Fund) Plan Including Funds Available through Marcellus Shale Impact Fee (Act 13 of 2012), Realty Transfer Tax (Act 58 of 2015) and the National Housing Trust Fund (Housing and Economic Recovery Act of 2008); Public Comment

The Housing Affordability and Rehabilitation Enhancement Fund (PHARE Fund) was established by the act of November 23, 2010 (P.L. 1035, No. 105) (Act 105) to provide a structure by which certain State and Federal funds may be used to support housing throughout this Commonwealth. The Housing Finance Agency (Agency) administers the PHARE Fund. Under the PHARE program, various funding sources are available to fund the PHARE program in 2018. Accordingly, the Agency has prepared a proposed PHARE Plan outlining the distribution strategies, the priorities and the timelines for accepting applications and funding programs and projects in 2018. Act 105 establishes a public comment period and to administer the PHARE Fund with the added moneys, the Agency is inviting public comment about the PHARE Plan. The proposed PHARE Plan is available at www.phfa.org.

Written comments are being accepted on the proposed PHARE Plan addressed to Bryce Maretzki, Housing

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, November 16, 2017, and announced the following:

Action Taken—Regulations Approved:

Board of Coal Mine Safety # 7-527: Sensitive Ground Fault (adds § 208.600 to 25 Pa. Code Chapter 208)

Environmental Quality Board # 7-535: Stream Redesignations (Sobers Run, et al.) (amends 25 Pa. Code)

Approval Order

Public Meeting Held
November 16, 2017

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Board of Coal Mine Safety
Sensitive Ground Fault
Regulation No. 7-527 (# 3165)*

On March 3, 2017, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Board of Coal Mine Safety (Board). This rulemaking adds § 208.600 to 25 Pa. Code Chapter 208. The proposed regulation was published in the March 18, 2017 *Pennsylvania Bulletin* with a public comment period

that closed on April 17, 2017. The final-form regulation was submitted to the Commission on October 11, 2017.

This final-form rulemaking will require operators of underground bituminous coal mines to utilize sensitive ground fault protection devices on certain power centers.

We have determined this regulation is consistent with the statutory authority of the Board (52 P.S. §§ 690-106.1 and 690-334(c)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 16, 2017

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board
Stream Redesignations (Sobers Run, et al.)
Regulation No. 7-535 (# 3150)*

On May 26, 2016, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code. The proposed regulation was published in the June 11, 2016 *Pennsylvania Bulletin* with a public comment period ending on July 25, 2016. The final-form regulation was submitted to the Commission on October 12, 2017.

This final-form regulation upgrades the water quality designations of four stream segments and their tributaries in response to petitions filed with the Department of Environmental Protection.

We have determined this regulation is consistent with the statutory authority EQB (35 P.S. §§ 691.1(b)(1) and 691.402, 71 P.S. § 510-20 and 33 U.S.C.A § 1313(c)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 17-1993. Filed for public inspection December 1, 2017, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Grandview Operations, LLC

Grandview Operations, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Grandview Nursing and Rehabilitation in Danville, PA. The initial filing was received on

November 15, 2017, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority 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 details to inform the Department of the exact basis of the statement. Written statements should be directed to Karen M. Feather, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, kfeather@pa.gov.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 17-1994. Filed for public inspection December 1, 2017, 9:00 a.m.]

Lincoln Benefit Life Company (SERFF # LFCR-131261953); Rate Increase Filing for Several Individual LTC Forms

Lincoln Benefit Life Company is requesting approval to increase the premium 15% on 85 policyholders with the following individual LTC policy form numbers: LB-7000-P-PA(Q), LB-7000-P-PA(NQ), LB-7001-P-PA(Q), LB-7001-P-PA(NQ), LB-7002-P-PA(Q), LB-7002-P-PA(NQ), LB-7003-P-PA(Q) and LB-7003-P-PA(NQ).

Unless formal administrative action is taken prior to February 15, 2018, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 17-1995. Filed for public inspection December 1, 2017, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule; Milk Marketing Area No. 2

Under the provisions of the Milk Marketing Law (31 P.S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing

Area No. 2 on February 6, 2018, at 10:30 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 2. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2016 and 2017; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. Evidence and testimony will be considered regarding the heating fuel adjuster in Milk Marketing Area 2. Evidence and testimony will be considered regarding the diesel fuel cost adjuster in Milk Marketing Area 2.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on January 5, 2018, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on January 5, 2018, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on January 10, 2018, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one copy of:

- a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

- b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on January 24, 2018, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on January 31, 2018, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Regardless whether these rules require produc-

tion of a document as an exhibit, copies shall be provided to each Board member and to all other parties.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on January 26, 2018.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 17-1996. Filed for public inspection December 1, 2017, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 3

Under the provisions of the Milk Marketing Law (31 P.S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 3 on February 6, 2018, at 10 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 3. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2016 and 2017; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. Evidence and testimony will be considered regarding the heating fuel adjuster in Milk Marketing Area 3. Evidence and testimony will be considered regarding the diesel fuel cost adjuster in Milk Marketing Area 3.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on January 5, 2018, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on January 5, 2018, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on January 10, 2018, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one copy of:

- a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as

an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on January 24, 2018, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on January 31, 2018, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Regardless whether these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on January 26, 2018.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 17-1997. Filed for public inspection December 1, 2017, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 4

Under the provisions of the Milk Marketing Law (31 P.S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 4 on February 6, 2018, at 10:45 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 4. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2016 and 2017; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. Evidence and testimony will be considered regarding the heating fuel adjuster in Milk Marketing Area 4. Evidence and testimony will be considered regarding the diesel fuel cost adjuster in Milk Marketing Area 4.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to

have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on January 5, 2018, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on January 5, 2018, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on January 10, 2018, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one (1) copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 12 p.m. on January 24, 2018, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on January 31, 2018, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least twenty copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 12 p.m. on January 26, 2018.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 17-1998. Filed for public inspection December 1, 2017, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, December 12, 2017.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,
Executive Director

[Pa.B. Doc. No. 17-1999. Filed for public inspection December 1, 2017, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

General Rule Transaction

A-2017-2634166 and A-2017-2634167. BCHI Holdings, LLC, Birch Communications, Inc., Fusion Telecommunications International, Inc. and Network Billing Systems, LLC. Joint application of BCHI Holdings, LLC, Birch Communications, Inc., Fusion Telecommunications International, Inc. and Network Billing Systems, LLC for a general rule transaction that will result in a material change to the ownership and control of Network Billing Services, LLC and for a related intra-corporate reorganization of the Birch companies.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 18, 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 and at the applicant's business address.

Applicants: BCHI Holdings, LLC; Birch Communications, Inc.; Fusion Telecommunications International, Inc.; Network Billing Systems, LLC

Through and By Counsel: Michael A. Gruin, Esquire, Stevens & Lee, 17 North 2nd Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-2000. Filed for public inspection December 1, 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 December 18, 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-2017-2609418. EMS Southwest, Inc. (4158 Old William Penn Highway, Murraysville, Westmoreland County, PA 15668) for the amended right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Allegheny, Armstrong, Bedford, Butler, Cambria, Fayette, Indiana, Somerset, Washington and Westmoreland, to points in Pennsylvania, and return.

A-2017-2632664. Alleghenies Unlimited Care Providers, Inc. (119 Jari Drive, Johnstown, Cambria County, PA 15904) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Allegheny, Bedford, Blair, Cambria, Indiana, Somerset and Westmoreland, to points in Pennsylvania, and return. *Attorney:* Law Offices of Templeton Smith, 615 Washington Road, Suite 304, Pittsburgh, PA 15228.

A-2017-2633773. Imsaal Limo Services, LLC (535 Elm Avenue, Upper Darby, Delaware County, PA 19082) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in Delaware County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2017-2634170. CNA Transportation Company (3288 Babcock Boulevard, Pittsburgh, Allegheny County, PA 15237) persons in group and party service, in vehicles seating between 11 and 15 passengers, including the driver, between points in the Counties of Allegheny, Beaver and Washington.

A-2017-2634173. CNA Transportation Company (3288 Babcock Boulevard, Pittsburgh, Allegheny County, PA 15237) persons in airport transfer service, between points in the Counties of Allegheny, Beaver and Washington.

A-2017-2634174. CNA Transportation Company (3288 Babcock Boulevard, Pittsburgh, Allegheny County, PA 15237) persons in limousine service, between points in the Counties of Allegheny, Beaver and Washington.

Application of the following for the approval of the *transfer of stock as described under the application.*

A-2017-2632852. Bux-Mont Transportation, Inc., t/a Willow Grove Yellow Cab Co., Inc. (726 Fitzwatertown Road, Willow Grove, PA 19090), a corporation of the Commonwealth of Pennsylvania—stock transfer—for the approval of the transfer of 500 voting shares of common stock owned by the late Anthony Valenza, Sr. to be distributed as follows: R. Samuel Valenza, Sr. (165 shares); Anthony Valenza, Jr. (165 shares); Michael Valenza (165 shares); and Dorothy McGuckin (5 shares).

Attorney: Barnett Satinsky, 2000 Market Street, 20th Floor, Philadelphia, PA 19103-3222.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-2001. Filed for public inspection December 1, 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, December 18, 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. Henley Trucking, LLC; Docket No. C-2017-2628372

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 Henley Trucking, LLC, (respondent) is under suspension effective September 28, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 273 Waddell Avenue, Clairton, PA 15025.
3. That respondent was issued a Certificate of Public Convenience by this Commission on May 02, 2017, at A-8919308.
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-8919308 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: 10/11/2017

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. 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. Michael K. Lilley, t/a Michael K. Lilley Trucking;
 Docket No. C-2017-2631063**

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 Michael K. Lilley, t/a Michael K. Lilley Trucking, (respondent) is under suspension effective October 17, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P.O. Box 109, Ridgway, PA 15853.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 20, 2012, at A-8914557.

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-8914557 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: 10/31/2017

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. 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.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-2002. Filed for public inspection December 1, 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 a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than December 18, 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 addresses of the respective applicants.

Doc. No. A-17-11-02. Please Car, Inc. (3930 Stratford Road, Drexel Hill, PA 19026): An application for a medalion 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-17-11-03. BLC Limo Service, LLC (2746 Belmont Avenue, Suite 527, Philadelphia, PA 19131): An application for a limousine CPC to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

CLARENA TOLSON,
Executive Director

[Pa.B. Doc. No. 17-2003. Filed for public inspection December 1, 2017, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearings will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

February 15, 2018	Gail J. Edwards (Retirement-Covered Compensation)	10 a.m.
June 6, 2018	Joan W. Chalker (Pension Forfeiture)	1 p.m.

Persons with a disability who wish to attend a previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lori Koch, Assistant to the Executive Director, at (717) 720-4606 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

GLEN R. GRELL,
Executive Director

[Pa.B. Doc. No. 17-2004. Filed for public inspection December 1, 2017, 9:00 a.m.]

STATE ATHLETIC COMMISSION

Public Meetings for 2018

The State Athletic Commission (Commission) of the Department of State announces its schedule for regular meetings to be held at least once every 2 months in 2018 under 5 Pa.C.S. § 103 (relating to duties of commission). All meetings will be held at 11 a.m. in Room 303, North Office Building, Harrisburg, PA 17120. These meetings are open to the public and are scheduled as follows:

February 21, 2018
April 25, 2018
June 27, 2018
August 22, 2018
October 31, 2018
December 19, 2018

Individuals with questions regarding these meetings should contact the Commission at (717) 787-5720.

GREGORY P. SIRB,
Executive Director

[Pa.B. Doc. No. 17-2005. Filed for public inspection December 1, 2017, 9:00 a.m.]

STATE ETHICS COMMISSION

Mailing Address Change

Effective December 1, 2017, the State Ethics Commission's new mailing address will be State Ethics Commission, Finance Building, 613 North Street, Room 309, Harrisburg, PA 17120-0400.

ROBERT P. CARUSO,
Executive Director

[Pa.B. Doc. No. 17-2006. Filed for public inspection December 1, 2017, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following lists of projects from October 1, 2017, through October 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. Panda Patriot, LLC, ABR-201301006.1, Clinton Township, Lycoming County, PA; Modification of Consumptive Use of Up to 0.2000 mgd; Approval Date: October 5, 2017.

2. Panda Liberty, LLC, ABR-201301007.1, Asylum Township, Bradford County, PA; Modification of Consumptive Use of Up to 0.2000 mgd; Approval Date: October 5, 2017.

Approvals by Rule Issued Under 18 CFR 806.22(f)

1. Chesapeake Appalachia, LLC, Pad ID: Jes, ABR-201303008.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 2, 2017.

2. SWN Production Company, LLC, Pad ID: Bolles South Well Pad, ABR-201210017.R1, Franklin Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 4, 2017.

3. SWN Production Company, LLC, Pad ID: SHELDON EAST PAD, ABR-201211013.R1, Thompson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 4, 2017.

4. SWN Production Company, LLC, Pad ID: LOKE PAD, ABR-201211014.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 4, 2017.

5. SWN Production Company, LLC, Pad ID: Mordovancey Well Pad, ABR-201209023.R1, Choconut Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 16, 2017.

6. Chesapeake Appalachia, LLC, Pad ID: Lasher, ABR-201303010.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 16, 2017.

7. SWN Production Company, LLC, Pad ID: Wootton East Well Pad, ABR-201209020.R1, Liberty Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 16, 2017.

8. SWN Production Company, LLC, Pad ID: Reber-Dozier Well Pad, ABR-201210005.R1, Liberty Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 16, 2017.

9. Seneca Resources Corporation, Pad ID: DCNR 100 Pad T, ABR-201301013.R1, Lewis Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 17, 2017.

10. Chief Oil & Gas, LLC, Pad ID: Lightcap, ABR-201303009.R1, Overton Township, Bradford County and Elkland Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 19, 2017.

11. Cabot Oil & Gas Corporation, Pad ID: AldrichL P1, ABR-201210002.R1, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 23, 2017.

12. Cabot Oil & Gas Corporation, Pad ID: RutkowskiB P1, ABR-201210003.R1, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 23, 2017.

13. Cabot Oil & Gas Corporation, Pad ID: BrayB P1, ABR-201210004.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 23, 2017.

14. SWEPI, LP, Pad ID: Delaney 651, ABR-201209013.R1, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 23, 2017.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: November 14, 2017

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 17-2007. Filed for public inspection December 1, 2017, 9:00 a.m.]

Projects Approved for Minor Modifications

The Susquehanna River Basin Commission lists the minor modification approved for a previously approved project from October 1, 2017, through October 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. Panda Hummel Station, LLC, Docket No. 20081222-3, Shamokin Dam Borough and Monroe Township, Snyder County, PA; approval to add stormwater as an additional source of water for consumptive use, and changes in the design of the intake structure; Approval Date: October 31, 2017.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: November 14, 2017

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 17-2008. Filed for public inspection December 1, 2017, 9:00 a.m.]

Projects Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has rescinded the following projects from October 1, 2017, through October 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 the projects, described as follows, being rescinded 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:

Rescinded ABR Issued

1. Chief Oil & Gas, LLC, Pad ID: Marcy Drilling Pad, ABR-201404005, Lenox Township, Susquehanna County, PA; Rescind Date: October 30, 2017.

2. Chief Oil & Gas, LLC, Pad ID: Ransom Drilling Pad # 1, ABR-20100338.R1, Lenox Township, Susquehanna County, PA; Rescind Date: October 30, 2017.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: November 14, 2017

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 17-2009. Filed for public inspection December 1, 2017, 9:00 a.m.]

