

PENNSYLVANIA BULLETIN

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Agencies in this issue

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Department of Agriculture
Department of Banking and Securities
Department of Conservation and Natural Resources
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Labor and Industry
Department of Transportation
Executive Board
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Game Commission
Health Care Cost Containment Council
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Gaming Control Board
Pennsylvania Public Utility Commission
State Board of Medicine
State Board of Nursing

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

No. 520, March 2018

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

The *Pennsylvania Bulletin* is available at www.pabulletin.com.

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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 2018.

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THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Katrina F. Wright having been suspended from the practice of law in the State of New Jersey by Order dated September 8, 2017; the Supreme Court of Pennsylvania issued an Order dated March 9, 2018 suspending Katrina F. Wright from the practice of law in this Commonwealth for a period of six months, effective April 8, 2018. 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

[Pa.B. Doc. No. 18-437. Filed for public inspection March 23, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 51, 57, 71, 75, 79 AND 93]

General Provisions; Fishing; Boating

The Fish and Boat Commission (Commission) amends Chapters 51, 57, 71, 75, 79 and 93 to read as set forth in Annex A. The Commission is publishing this final-omitted rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code) and other authorities described as follows.

A. *Effective Date*

This final-omitted rulemaking will go into effect immediately upon publication of this order in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on this final-omitted rulemaking, contact Laurie E. Shepler, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-omitted rulemaking is available on the Commission's web site at www.fishandboat.com.

C. *Statutory Authority*

This final-omitted rulemaking is published under the statutory authority of section 506 of The Administrative Code of 1929 (71 P.S. § 186). This final-omitted rulemaking is published in accordance with section 204 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204), known as the Commonwealth Documents Law (CDL), which provides that an agency may omit or modify the procedures specified in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) if, among other things, the administrative regulation or change relates to agency organization, management or personnel, agency procedure or practice, or Commonwealth property or the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefore in the order adopting the administrative regulation or change therein) that the procedures specified in sections 201 and 202 of the CDL are under the circumstances impracticable, unnecessary or contrary to the public interest.

D. *Purpose and Background*

Under § 51.5 (relating to correction of regulations), the Executive Director is authorized to take immediate corrective action on the Commission's behalf if the Executive Director or the Commission's staff discovers an error or omission in the text of a Commission regulation as published in the *Pennsylvania Code* or *Pennsylvania Bulletin*. The purpose of this final-omitted rulemaking is to update the Commission's regulations with current contact information.

E. *Summary of Changes*

The Commission amends §§ 51.2, 51.82, 57.11, 71.2, 71.7, 75.4, 79.3, 79.57—79.8, 79.12 and 93.119 because a recent review of the Commission's regulations by staff revealed that some contact information is no longer

current and is in need of updating. The Commission amends these sections to read as set forth in Annex A.

F. *Paperwork*

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

G. *Fiscal Impact*

This final-omitted rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. This final-omitted rulemaking will not impose new costs on the private sector or the general public.

H. *Public Involvement*

Under section 204 of the CDL, an agency may omit the procedures in sections 201 and 202 of the CDL if the administrative regulation or change relates to agency organization, management or personnel, or agency procedure or practice. The Commission, therefore, did not publish a proposed rulemaking or solicit public comment.

Findings

The Commission finds that:

(1) Inaccurate or outdated contact information was discovered in §§ 51.2, 51.82, 57.11, 71.2, 71.7, 75.4, 79.3, 79.5—79.8, 79.12 and 93.119.

(2) Under § 51.5, the Executive Director is authorized to take immediate corrective action on behalf of the Commission, including, if necessary, the issuance of an order to make the necessary correction, if the Executive Director or the Commission's staff discovers an error in the text of a Commission regulation as published in the *Pennsylvania Code*.

(3) Because the nature of the amendments is minor and designed to correct errors or update contact information, the Commission finds that the procedures of sections 201 and 202 of the CDL are unnecessary.

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapters 51, 57, 71, 75, 79 and 93, are amended by amending §§ 51.2, 51.82, 57.11, 71.2, 71.7, 75.4, 79.3, 79.5—79.8, 79.12 and 93.119 to read as set forth at Annex A, with ellipses referring to the existing text of the regulations.

(b) The Executive Director shall submit this order and Annex A to the Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and Annex A and deposit the same with the Legislative Reference Bureau as required by law.

(d) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-278. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 51. ADMINISTRATIVE PROVISIONS

Subchapter A. PRELIMINARY PROVISIONS

§ 51.2. Commission offices.

(a) The address of the principal office of the Commission is:

Pennsylvania Fish and Boat Commission
Post Office Box 67000
Harrisburg, Pennsylvania 17106-7000

(b) The address of the Centre Region Office of the Commission is as follows:

Pennsylvania Fish and Boat Commission
595 East Rolling Ridge Drive
Bellefonte, Pennsylvania 16823

**Subchapter I. PERMITS TO DRAW OFF
IMPOUNDED WATERS**

§ 51.82. Application for permits.

(a) An application for a permit to draw down impounded waters is available from the Fish and Boat Commission, Division of Environmental Services, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823.

(b) A completed permit application shall be submitted to the address set forth in subsection (a) no later than 30 days prior to proposed commencement of draw down operations.

CHAPTER 57. STATEMENTS OF POLICY

Subchapter A. FISHERIES POLICIES

§ 57.11. Listing of wild trout streams.

(a) *Maintenance of list.* It is the policy of the Commission to accurately identify and classify streams supporting naturally reproducing populations of trout as wild trout streams. The Fisheries Management Division will maintain the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time-to-time publish the list of wild trout streams in the *Pennsylvania Bulletin* and on the World Wide Web. Persons with comments, objections or suggestions about the classification of streams listed may submit them to the Commission for review.

(b) *Criteria for classifying wild trout streams.* The classification of a stream as a wild trout stream means that the trout found there have resulted from natural reproduction and that the habitat supports wild trout. Identification of streams for the presence of wild trout typically involves:

(1) *Location and habitat.* Classifications of wild trout streams will involve examination of one or more sites, which may vary in size, within the stream. The exercise of judgment by the investigator is essential in describing the extent of the stream continuum to which the examination applies. The investigator should find that the habitat is such as would support natural reproduction of trout.

(2) *Exclusion of stocked trout.* In classifying a wild trout stream, the investigator should find trout resulting

from natural reproduction in the stream section or upstream and downstream areas and their tributaries. In making this finding, the investigator will specifically exclude trout stocked as fingerlings or adults and trout that escape from a hatchery. The exercise of judgment is required in examining the trout for physical appearance such as coloration, fin condition and body configuration as indicators of the source of the trout. Direct evidence of natural reproduction of trout is a factor in making this classification, but it is not required if the other elements are present.

(3) *Biological criteria.* In identifying a wild trout stream, the investigator should find one or more of the following:

(i) Young of the year trout less than 150 mm occur at some time in the stream section.

(ii) Two or more ages of wild trout occur at some time within the stream section.

(4) *Tributary linkages.* Tributaries to wild trout streams are classified as wild trout streams for their function as habitat for segments of wild trout populations, including nurseries and refuges, and in sustaining water quality necessary for wild trout.

(c) *Existing list.* The streams identified as wild trout streams on or before January 1, 2002, and listed as such by the Fisheries Management Division will continue to be considered as wild streams by the Commission.

(d) *Requests for evaluation or re-evaluation of streams.* The Commission staff will evaluate or re-evaluate the classification of streams as wild trout streams at the request of the Department of Environmental Protection (DEP) in connection with permitting decisions. Requests for evaluation or re-evaluation from persons or parties other than DEP will be considered for review consistent with available staff and resources and prioritized based on the status of DEP permitting decisions related to the sites. Requests that the Commission staff evaluate or re-evaluate stream sections for inclusion on or removal from the list of streams supporting naturally reproducing populations of trout may be addressed to the Bureau of Fisheries, Pennsylvania Fish and Boat Commission, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823. In evaluating requests to remove streams from the list of wild trout streams, the Commission will take into account circumstances where human intervention or manmade changes have diminished the capacity of a stream to meet the criteria set forth in this section. Streams will not be removed from the list of wild trout streams in circumstances where the investigator finds evidence that their characteristics and trout populations have been changed solely or principally as a result human intervention.

(e) *Appeals.* A person aggrieved by the classification of a stream section as a wild trout stream section may appeal the agency action by filing a notice of appeal with the Executive Director, Pennsylvania Fish and Boat Commission, Post Office Box 67000, Harrisburg, Pennsylvania 17106-7000 within 15 days after publication of the notice that the stream section had been so classified in the *Pennsylvania Bulletin*. Nothing in this subsection will be construed to enlarge or diminish the appeal rights of persons or parties in connection with permitting decisions and other actions of DEP.

Subpart B. FISHING
CHAPTER 71. PROPAGATION AND
INTRODUCTION OF FISH INTO
COMMONWEALTH WATERS

§ 71.2. Fish species approved for artificial propaga-
tion and introduction.

The Bureau of Fisheries will maintain a list of species by watershed for which the Department of Agriculture may issue registrations for artificial propagation and registrations for dealers of live aquatic animals. The Director of the Bureau of Fisheries may update or modify the list of authorized species by adding species to, or deleting species from, the list as necessary to provide for the protection and management of fish and fishing in this Commonwealth. The Commission will provide the list to the Department of Agriculture on or before January 31 each year and whenever the Commission updates or modifies the list. Copies of the list of authorized species are available upon request from the Pennsylvania Fish and Boat Commission, Bureau of Fisheries, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823.

§ 71.7. Triploid grass carp.

(a) *Policy.* As a limited exception to the prohibition of grass carp (white amur) in this Commonwealth, it is the policy of the Commission to permit triploid grass carp, certified as such by the United States Fish and Wildlife Service (USFWS) and procured from a producer participating in the USFWS certification program, to be introduced into Commonwealth waters and imported and transported into this Commonwealth in accordance with this section.

(b) *Status.* The triploid grass carp (white amur) (*Ctenophryngodon idella*) is not a game fish.

(c) *Permit required.*

(1) The Commission finds, under section 2904 of the code (relating to permits for protection and management of particular fish), that permits shall be required for possessing triploid grass carp (white amur) or introducing them into Commonwealth waters and for importing or transporting triploid grass carp into this Commonwealth to provide for proper protection and management of these fish and other fish in the waters of this Commonwealth. A pondowner, landowner or other person who wishes to possess triploid grass carp and introduce them into a pond or waters located on property owned, leased or otherwise controlled by the person shall, before placing triploid grass carp in the waters, obtain from the Commission a triploid grass carp possession/introduction permit for a fee of \$75. A person who wishes to import triploid grass carp into this Commonwealth shall, before doing so, obtain from the Commission a triploid grass carp importation/ transportation permit for a fee of \$75. Permits shall be applied for on forms supplied by the Commission. Applications for permits may be obtained from the Triploid Grass Carp Manager, Bureau of Fisheries, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823. Permits will not be issued until after January 1, 1994.

* * * * *

CHAPTER 75. ENDANGERED SPECIES

§ 75.4. Special permits.

The Executive Director, or a designee, may issue special permits under section 2305 of the code (relating to threatened and endangered species) to take, catch, kill or

possess threatened or endangered species upon written application on forms provided by the Commission.

(1) Special permits will be issued only upon a showing of unique or extraordinary circumstances justifying the permit and the applicant shows that the permitted action does one of the following:

(i) Has no demonstrable adverse impacts on the population of the species in this Commonwealth.

(ii) Is in the best interest of the protection, conservation and management of the species.

(iii) Is necessary and appropriate in the interests of public health and safety or promotes essential research or public education and information.

(2) Persons and institutions requesting special permits shall apply before taking, catching, killing, possessing or acquiring the threatened or endangered species. Application forms and information are available from the Natural Diversity Section, Division of Environmental Services, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823.

CHAPTER 79. REPTILES AND AMPHIBIANS.

§ 79.3. Season and daily possession limits.

* * * * *

(f) In prosecutions for violations of the possession limits, when venomous reptiles have been killed in apparent violation of the limits, it shall be a defense that the person who killed the venomous reptiles acted under a reasonable apprehension of immediate death or bodily harm to himself or other persons in his immediate vicinity, if no more venomous reptiles are killed than necessary to protect life and limb and if the person reported the kills in writing to the Natural Diversity Section Chief, Division of Environmental Services, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823, within 5 business days after the kill. It is unlawful for a person to possess a venomous reptile, in whole or in parts, that was killed under this subsection.

* * * * *

§ 79.5. Snapping turtle permits.

(a) The Commission finds, under section 2904 of the code (relating to permits for protection and management of particular fish), that it is necessary for the proper protection and management of the common snapping turtle (*Chelydra serpentina*) that persons who hunt, take, catch or kill this species for the purpose of sale, barter or trade have an annual permit for the activity. Application for a permit must be made on a form prescribed by the Commission and must be accompanied by the appropriate fee. Permits may be obtained by applying to the Natural Diversity Section Chief, Division of Environmental Services, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823. The fee for residents is \$50 per year; the fee for nonresidents is \$100 per year. The denial of a permit under this section is appealable in the manner provided by Chapter 51, Subchapter E (relating to permit procedures).

(b) It is unlawful to hunt, take, catch, kill or possess the common snapping turtle for purposes of sale, barter or trade without first procuring the required permit. The required permit shall be in possession of the permittee at all times while hunting. Permittees shall comply with the terms and conditions of the permit and furnish the reports required thereby. It is unlawful to alter, borrow, lend or transfer a permit under this section.

(c) It is unlawful to sell, barter, trade or offer for sale a common snapping turtle, dead or alive, in whole or in parts, taken from lands or waters of this Commonwealth without first procuring the permit required under this section.

§ 79.6. Venomous snake permits.

(a) *Application.* The Commission finds, under section 2904 of the code (relating to permits for protection and management of particular fish), that it is necessary for the proper protection and management of the timber rattlesnake (*Crotalus horridus*) and copperhead (*Agkistrodon contortrix*) that persons who hunt, take, catch or kill these species have a permit for the activity. Application for a permit must be made on a form prescribed by the Commission and accompanied by the appropriate fee. Permits may be obtained by applying to the Natural Diversity Section Chief, Division of Environmental Services, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823. The fee for residents is \$25 per year; the fee for nonresidents is \$50 per year. The denial of a permit under this section is appealable in the manner provided by Chapter 51, Subchapter E (relating to permit procedures).

(b) *Required permit.* It is unlawful to hunt, take, catch, kill or possess a timber rattlesnake or copperhead, in whole or in parts, without first procuring the required permit from the Commission. The required permit shall be in the possession of the permittee at all times while hunting. Permittees shall comply with the terms and conditions of the permit and furnish the reports required thereby. It is unlawful to alter, borrow, lend or transfer a permit under this section.

(c) *Reporting.* Within 10 business days following the capture or kill, or if no snake is captured or killed, within 10 days of the conclusion of the season, the permittee shall complete a report on the form prescribed by the Commission and shall mail the report to the Commission's Natural Diversity Section, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823.

(d) *Tagging of timber rattlesnakes.*

(1) A person who takes, catches, kills or possesses a timber rattlesnake shall immediately complete the possession tag that is attached to his permit and detach the tag from the permit in the field. The possession tag shall be completed in accordance with the instructions printed on the tag, and the information to be provided includes, but is not limited to, the municipality and county where the snake was captured or killed, the date of capture or kill and a description of the snake, including color phase, sex, number of subcaudal scales and length in inches. The possession tag shall be kept in a safe location so that it can be presented along with the timber rattlesnake to which it pertains upon the request of an officer authorized to enforce the code.

(2) After the possession tag is detached from the permit, it is unlawful to take, catch, kill or possess another timber rattlesnake except as otherwise provided in this chapter.

(3) It is unlawful to alter, borrow, lend or transfer possession tags under this section.

(4) When presenting a timber rattlesnake to a taxidermist for mounting, the tag must remain with the rattlesnake while in the possession of the taxidermist.

(e) *Field dressing of timber rattlesnakes.* A permittee may field dress a timber rattlesnake so long as the head and tail remain intact.

(f) *Measurement of timber rattlesnakes.* Upon the request of an officer authorized to enforce the code, a permittee shall measure a timber rattlesnake to determine its length. If the permittee is unable to measure the timber rattlesnake, the officer may seize the snake so that a measurement may be taken at another location.

§ 79.7. Organized reptile and amphibian hunt permits.

(a) *Application.* The Commission finds, under section 2904 of the code (relating to permits for protection and management of particular fish), that it is necessary for the proper protection and management of reptiles and amphibians in this Commonwealth that organized reptile and amphibian hunts be conducted under permits issued under this section. The sponsor of an organized reptile and amphibian hunt shall apply for a permit by no earlier than January 1 and no later than March 1 of the year for which the hunt is proposed. Application for a permit must be made on a form prescribed by the Commission and must be accompanied by the appropriate fee. Permits may be obtained by applying to the Natural Diversity Section Chief, Division of Environmental Services, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823. The fee for the permit is \$100. The denial of a permit under this section is appealable in a manner provided by Chapter 51, Subchapter E (relating to permit procedures).

* * * * *

§ 79.8. Artificial propagation and dealers of live reptiles and amphibians.

(a) *General.* Except for hobby breeders and pet stores as defined in 3 Pa.C.S. Chapter 42 (relating to Aquaculture Development Law), it is unlawful to artificially propagate or deal in live reptiles and amphibians without being registered with the Department of Agriculture (Department) under 3 Pa.C.S. Chapter 42. It is unlawful for anyone, regardless of whether or not registered, to artificially propagate reptiles and amphibians except those species, subspecies and color morphs that the Commission has approved for artificial propagation in this Commonwealth in accordance with this section.

(b) *Approved lists.* The Bureau of Fisheries will maintain lists of species, subspecies and color morphs for which the Department may issue registrations for artificial propagation and registrations for dealers of live reptiles and amphibians. The Bureau of Fisheries will maintain two separate lists—one that the Commission has approved for artificial propagation in an open system and one that the Commission has approved for artificial propagation in a closed system. The Director of the Bureau of Fisheries may update or modify the lists of approved species, subspecies and color morphs by adding species, subspecies or color morphs to or deleting species, subspecies or color morphs from the lists as necessary for the protection and management of reptiles and amphibians in this Commonwealth. The Commission will provide the lists to the Department on or before January 31 each year and whenever the Commission updates or modifies the lists. Copies of the lists of approved species, subspecies and color morphs are available upon request from the Pennsylvania Fish and Boat Commission, Bureau of Fisheries, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823.

* * * * *

§ 79.12. Color morphs of native species.

(a) For purposes of this chapter, it is presumed that color morphs of certain native species that are held in captivity were not taken from the wild. Therefore, the Commission has determined that color morphs of certain native species are exempt from the requirements of this chapter as provided in this section. The Commission will publish in the *Pennsylvania Bulletin* a list of color morphs of native species to which the following provisions apply:

(1) Color morphs of native species designated by the Commission are not subject to the possession limits of § 79.3 (relating to season and daily possession limits) provided they are not taken from the wild.

(2) Color morphs of native species designated by the Commission may be artificially propagated provided they are not taken from the wild and they are propagated in a closed system meeting the requirements of § 79.8 (relating to artificial propagation and dealers of live reptiles and amphibians).

(3) Color morphs of native species designated by the Commission may be sold by artificial propagators and dealers registered in accordance with 3 Pa.C.S. Chapter 42 (relating to Aquaculture Development Law) provided they are not taken from the wild.

(b) The Commission recognizes that the captive breeding of color morphs approved for propagation by the Commission in this section may result in animals that have a normal color appearance (typical phenotype). The typical phenotype progeny of these color morphs may be sold provided that the following conditions are met:

(1) They are sold by an artificial propagator or dealer registered in accordance with 3 Pa.C.S. Chapter 42.

(2) They were propagated in a closed system meeting the requirements of § 79.8 by a registered propagator.

(3) The artificial propagator or dealer that intends to sell them shall file an initial inventory on the form prescribed by the Commission that contains the numbers in possession as of December 31, 2006, and other information that the Commission requires. The artificial propagator or dealer shall submit the inventory to the Commission's Natural Diversity Section Chief, Division of Environmental Services, 450 Robinson Lane, Bellefonte, Pennsylvania 16823 by no later than January 31, 2007.

(4) The artificial propagator or dealer selling them shall maintain a current inventory on a form prescribed by the Commission, showing their origin, numbers and other information that the Commission requires. Artificial propagators or dealers shall maintain the inventory at their place of business and shall have the inventory in their possession when selling them. The inventory shall be presented upon the request of an officer authorized to enforce the code.

(5) The artificial propagator or dealer selling them shall submit an annual report on the form prescribed by the Commission that includes changes in the numbers possessed (for example, gains and losses to the inventory) and other information that the Commission requires. The artificial propagator or dealer shall submit the report to the Commission's Natural Diversity Section Chief, Division of Environmental Services, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823 by no later than January 31 of the following year.

Subpart C. BOATING

CHAPTER 93. BOAT REGISTRATION AND NUMBERING

Subchapter B. TITLING OF BOATS

§ 93.119. Forms.

(a) The Commission will provide suitable forms of applications, title, notice of security interests, and other notices and forms necessary to carry out this subchapter.

(b) Except as otherwise provided in this subchapter, all forms and notices required in this subchapter shall be forwarded to the Fish and Boat Commission, Division of Licensing and Registration, Post Office Box 68900, Harrisburg, Pennsylvania 17106-8900.

[Pa.B. Doc. No. 18-438. Filed for public inspection March 23, 2018, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) amends Chapter 65 (relating to special fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

A. Effective Date

This final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this final-form rulemaking, contact Laurie E. Shepler, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

The amendment to § 65.14 (relating to catch and release fly-fishing only) is published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. Purpose and Background

This final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of this final-form amendment is described in more detail under the summary of change.

E. Summary of Change

In an ongoing attempt to simplify regulations, the Commission is continually looking at ways to improve upon current regulations. One area that has come into question recently is the 18-foot maximum length of leader material or monofilament line allowed in catch and release fly-fishing only areas.

In examining this question, it was brought to the Commission's attention that this limitation also excludes several acceptable fly-fishing practices such as European Nymphing. Law enforcement staff indicate that rarely is the length of leader material measured as it does not create significant problems streamside.

Based on these findings, the Commission amends § 65.14 to read as set forth in the proposed rulemaking published at 47 Pa.B. 5786 (September 16, 2017).

F. Paperwork

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

G. Fiscal Impact

This final-form rulemaking will not have adverse fiscal impacts on the Commonwealth or its political subdivisions. This final-form rulemaking will not impose new costs on the private sector or general public.

H. Public Involvement

Notice of proposed rulemaking was published at 47 Pa.B. 5786. The Commission did not receive any public comments.

Findings

The Commission finds that:

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

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

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.14 to read as set forth at 47 Pa.B. 5786.

(b) The Executive Director will submit this order and 47 Pa.B. 5786 to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 47 Pa.B. 5786 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-277 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 18-439. Filed for public inspection March 23, 2018, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CHS. 135 AND 147]

Hunting and Trapping; Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 30, 2018, meeting amended §§ 135.2 and

135.48—135.55 and added Chapter 147, Subchapter AA (relating to disabled person access permit) to permit the use of wheelchairs anywhere persons may lawfully walk, define “mobility devices,” provide for the use of mobility devices and motor vehicles on suitable designated routes on State game lands and define the parameters of acceptable use of mobility devices on State game lands to avoid or minimize damage to wildlife resources or conflicts with other lawful users of the State game lands system.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 47 Pa.B. 7852 (December 30, 2017).

1. Purpose and Authority

The Commission has concluded an extensive review of public access to State game lands by persons with mobility challenges. This evaluation included various public meetings and requests for public comment. Based upon the results of this evaluation, the Commission sought improvements that would enhance public access to its State game lands by persons with mobility disabilities while simultaneously protecting the wildlife resources and avoidance or minimization of conflicts with other lawful users of the State game lands system. To reach this purpose, the Commission amends §§ 135.2 and 135.48—135.55 and adds Chapter 147, Subchapter AA. Among other things, these amendments will permit the use of wheelchairs anywhere persons may lawfully walk, define “mobility devices,” provide for the use of mobility devices and motor vehicles on suitable designated routes on State game lands and define the parameters of acceptable use of mobility devices on State game lands to avoid or minimize damage to wildlife resources or conflicts with other lawful users of the State game lands system.

Section 721(a) of the code (relating to control of property) provides “[t]he administration of all lands or waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations consistent with the purpose of this title for its use and protection as necessary to properly manage these lands or waters.” Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to §§ 135.2 and 135.48—135.55 and the addition of Chapter 147, Subchapter AA are adopted under these authorities.

2. Regulatory Requirements

This final-form rulemaking amends §§ 135.2 and 135.48—135.55 and adds Chapter 147, Subchapter AA to permit the use of wheelchairs anywhere persons may lawfully walk, define “mobility devices,” provide for the use of mobility devices and motor vehicles on suitable designated routes on State game lands and define the parameters of acceptable use of mobility devices on State game lands to avoid or minimize damage to wildlife resources or conflicts with other lawful users of the State game lands system.

3. *Persons Affected*

Persons with mobility disabilities who wish to access State game lands within this Commonwealth will be affected by this final-form rulemaking.

4. *Comment and Response Summary*

There were two official written comments received regarding this final-form rulemaking—one in support and one in opposition.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in additional costs or paperwork.

6. *Effective Date*

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. *Contact Person*

For further information regarding this final-form rulemaking, contact Randy S. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapters 135 and 147, are amended by adding §§ 147.1021—147.1024 and amending §§ 135.2 and 135.48—135.55 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-423 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 135. LANDS AND BUILDINGS

Subchapter A. GENERAL PROVISIONS

§ 135.2. Unlawful actions.

In addition to the prohibitions in the act on lands, waters or buildings under Commission ownership, lease, agreement, control or jurisdiction, it is unlawful, except with the permission of the person in charge of the lands, or the written permission of the Director to:

(1) Camp or use campsites.

(2) Plant, gather, cut, dig, remove or otherwise injure plants or parts thereof, including trees, shrubs, vines, flowering plants, cultivated crops, mushrooms and fruits of berry-producing plants.

(3) Travel on lands by means of vehicle or conveyance propelled by motorized power. This provision is not intended to restrict travel by certain devices used for persons with mobility disabilities as specifically authorized under Subchapter C (relating to State game lands).

* * * * *

Subchapter C. STATE GAME LANDS

§ 135.48. Purpose and scope.

It is the policy of the Commission to promote public access to State game lands for persons with mobility disabilities in compliance with the United States Department of Justice regulations in 28 CFR Part 35 (relating to nondiscrimination on the basis of disability in state and local government services). Sections 135.49—135.55 set forth how, where and when persons with mobility disabilities may access State game lands with powered wheelchairs, powered mobility devices and motor vehicles.

§ 135.49. Definitions.

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

ATV—All-terrain vehicle—A device meeting the definition in 75 Pa.C.S. § 7702 (relating to definitions).

Designated route—

(i) State game land access or maintenance roads and trails that have been designated by the Director to be open for travel by persons with mobility disabilities using certain powered vehicles and conveyances.

(ii) The term does not include roads that are open to motor vehicle access by the general public.

Disability—A person's physical or mental impairment that substantially limits his mobility.

Disabled person access permit—A permit issued by the Commission under Chapter 147, Subchapter AA (relating to disabled person access permit) to authorize persons with mobility disabilities to utilize mobility devices and motor vehicles to access designated routes on State game lands.

Mobility device—

(i) A power-driven device, other than a wheelchair, that is used by a person with a mobility disability for the purpose of locomotion. The term includes ATVs, golf carts, Segways® and other mobility devices designed to operate in areas without defined pedestrian routes, regardless of whether it is designed primarily for use by persons with mobility disabilities.

(ii) This term does not include motor vehicles.

Transport vehicle placard—A placard provided by the Commission to disabled person access permit holders that must be displayed on the dashboard or in a window of the transport vehicle.

Universal access symbol—A symbol displaying a wheelchair, generally blue and white, that is widely recognized as evidence that the person who is displaying the symbol is disabled.

Wheelchair—

(i) A manually-operated or power-driven device designed primarily for use by individuals with mobility disabilities for the main purpose of indoor or outdoor locomotion, or both.

(ii) The term includes power-driven scooters.

(iii) For the purposes of this subchapter, a wheelchair may not be construed as a mobility device.

§ 135.50. State game lands open to wheelchair access.

(a) Persons with mobility disabilities may use wheelchairs to access any portion of State game lands where pedestrian foot travel is authorized. In the event the Commission restricts pedestrian foot travel in any location through posted signage, wheelchair access will also be restricted.

(b) Access to State game lands under this section does not require a permit issued under section 2923 of the act (relating to disabled person permits) or Chapter 147, Subchapter AA (relating to disabled person access permit).

(c) Persons using motorized wheelchairs are subject to the restrictions of section 2308(a)(7) of the act (relating to unlawful devices and methods) concerning on the use of power-driven vehicles or conveyances to hunt, except as may otherwise be authorized under section 2923 of the act.

(d) Persons using motorized wheelchairs on State game lands are subject to the restrictions on loaded firearms in, on or against a vehicle under section 2503 of the act (relating to loaded firearms in vehicles), except as may otherwise be authorized under section 2923 of the act.

§ 135.51. Designated routes open to mobility devices and motor vehicles.

(a) Persons in possession of a valid disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit) may use mobility devices and motor vehicles to access designated routes on State game lands that have been approved by the Director. Designated routes will be classified to authorize mobility device and motor vehicle combined access or mobility device only access, as determined by route selection assessment criteria approved by the Director.

(b) Designated routes will be open for use by persons with disabled person access permits from 14 days prior to the opening day of the archery season to the closing day of the late muzzleloader/archery season and during the spring turkey season. Travel authorized by this section is subject to further limitation based upon existing weather or road conditions or the need for emergency or administrative closure, as indicated by conspicuous signage or postings.

§ 135.52. Towing vehicle placard for persons using mobility devices.

A vehicle used to transport a mobility device for use on designated routes must be marked with a transport vehicle placard issued by the Commission if the transport vehicle is parked on State game lands. The transport vehicle placard must be conspicuously displayed on the dashboard or in a window of the transport vehicle. A transport vehicle placard will be issued by the Commission upon issuance of a disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit).

§ 135.53. Operation of mobility devices and motor vehicles on designated routes.

Persons with a valid disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit) may operate mobility devices and motor vehicles on designated routes subject to all of the following conditions:

(1) *Safe operation.* Mobility devices and motor vehicles may not be operated on a designated route:

(i) In negligent disregard for the safety of persons or property.

(ii) In excess of 25 miles per hour on any designated route classified for mobility device and motor vehicle combined access.

(iii) In excess of 5 miles per hour on any designated route classified for mobility device only access.

(2) *Marking required.* Mobility devices operated on designated routes must be marked with a universal access symbol placard or sticker that is at least 3 inches by 3 inches in size and displayed in a conspicuous manner.

(3) *ATVs and snowmobiles as mobility devices.* An ATV or snowmobile used as a mobility device on a designated route must be registered with the Department of Conservation and Natural Resources and display the valid registration plate or registration decal as required under 75 Pa.C.S. §§ 7711.1 and 7711.2 (relating to registration of snowmobile or ATV; and limited registration of snowmobile or ATV).

(4) *Spark arrestors required.* Mobility devices powered by an internal combustion engine must be equipped with a fully functional spark arrestor while operating on a designated route.

(5) *Classification of designated route.* Mobility devices meeting the requirements of this subchapter may access designated routes classified for mobility device and motor vehicle combined access and mobility device only access. Motor vehicles meeting the requirements of this subchapter may access only designated routes classified for motor vehicle access.

(6) *Limited deviation from designated route authorized.* Persons with a valid disabled person access permit issued under Chapter 147, Subchapter AA may traverse a maximum of 100 yards perpendicular to the nearest designated route road or trail edge to establish a hunting or trapping location, and may not traverse streams, springs, wet areas, food plots or other areas posted against travel.

(7) *Size, weight and noise limited.* Mobility devices may not exceed 65 inches in width and 1,800 pounds in weight. The noise level may not exceed 99 decibels when measured at 20 inches.

(8) *Use of vehicle to hunt restricted.* Persons using mobility devices and motor vehicles on designated routes are subject to the restrictions of section 2308(a)(7) of the act (relating to unlawful devices and methods) concerning the use of power-driven vehicles or conveyances to hunt.

(9) *Loaded firearms.* Persons using mobility devices and motor vehicles on designated routes are subject to the restrictions on loaded firearms in, on or against a vehicle under section 2503 of the act (relating to loaded firearms in vehicles), except as may otherwise be authorized under section 2923 of the act (relating to disabled person permits).

§ 135.54. Transport of passengers restricted.

A person with a valid disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit) who is incapable of operating the mobility device or motor vehicle, whichever is applicable, may be accompanied by up to one other person who will serve as the operator, provided the mobility device or motor vehicle is designed and manufactured to carry a passenger. Additional passengers are not authorized.

§ 135.55. Unlawful acts; penalties.

It is unlawful to operate a mobility device, motor vehicle or other conveyance on State game lands outside of the authorizations in this subchapter. A person who violates a provision of this subchapter shall be subject to the penalties provided in the act.

CHAPTER 147. SPECIAL PERMITS**Subchapter AA. DISABLED PERSON ACCESS PERMIT**

Sec.

147.1021. Purpose and scope.

147.1022. Eligibility and application.

147.1023. Disabled person access permits.

147.1024. Violations.

§ 147.1021. Purpose and scope.

This subchapter provides for disabled person access permits to be issued to eligible persons to authorize their holders to utilize mobility devices and motor vehicles to access designated routes on State game lands.

§ 147.1022. Eligibility and application.

(a) A disabled person access permit will only be issued to a person who provides satisfactory evidence of a mobility disability, which includes any of the following:

(1) A disability parking placard issued by the Department of Transportation (Department). This proof can be either the placard or an identification card issued by the Department documenting the issuance of a disability parking placard.

(2) A disability vehicle registration plate issued by the Department. This proof will be the vehicle registration card bearing a registration number beginning in "PD."

(3) A formal document issued by a state other than the Commonwealth, the District of Columbia, Puerto Rico, Guam, American Samoa, Virgin Islands, Trust Territory of the Pacific Islands and Northern Mariana Islands officially recognizing the existence of a mobility disability.

(4) A disabled person permit issued by the Commission under section 2923 of the act (relating to disabled person permits).

(5) A formal document issued by a medical doctor certifying that the applicant has a mobility disability.

(6) Other satisfactory evidence indicating that the applicant has a mobility disability.

(b) A state-issued proof of a mobility disability must be in the applicant's name and unexpired. If the state-issued proof of a mobility disability evidences an expiration date or the mobility disability is temporary in nature, the Commission will apply a corresponding expiration date to a permit issued under this subchapter.

(c) An application for a disabled person access permit issued under this subchapter shall be made on a form provided by the Commission.

(d) An application must include the name, customer identification number and contact information of the permit applicant.

(e) There is not a fee for a disabled person access permit.

§ 147.1023. Disabled person access permits.

A disabled person access permit issued under this subchapter authorizes the permittee to use mobility devices and motor vehicles to access designated routes on State game lands as is more specifically set forth in Chapter 135, Subchapter C (relating to State game lands).

§ 147.1024. Violations.

The Director may deny, revoke or suspend a permit for a violation of this subchapter upon written notice to the permittee.

[Pa.B. Doc. No. 18-440. Filed for public inspection March 23, 2018, 9:00 a.m.]

Title 58—RECREATION**GAME COMMISSION****[58 PA. CODE CH. 147]****Special Permits; Falconry**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 30, 2018, meeting amended § 147.102 (relating to application, examination and fees) to expand the examination period to year-round testing and to require advance scheduling of examinations.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 47 Pa.B. 7052 (November 18, 2017).

1. Purpose and Authority

Each year the Commission facilitates the examination of persons seeking a falconry permit. Historically, this testing process has only been available from January 1 through June 30 each year. In an effort to provide greater opportunity for falconry applicants, the Commission amends § 147.102 to expand the examination period to year-round testing and to require advance scheduling of examinations.

Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." The amendments to § 147.102 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends § 147.102 to expand the examination period to year-round testing and to require advance scheduling of examinations.

3. *Persons Affected*

Persons wishing to apply for a falconry permit in this Commonwealth may be affected by this final-form rule-making.

4. *Comment and Response Summary*

There were no official comments received regarding this final-form rulemaking.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in additional cost or paperwork.

6. *Effective Date*

This final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. *Contact Person*

For further information regarding this final-form rule-making, contact Randy S. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.102 to read as set forth at 47 Pa.B. 7052.

(b) The Executive Director of the Commission shall certify this order and 47 Pa.B. 7052 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-422 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 18-441. Filed for public inspection March 23, 2018, 9:00 a.m.]

Title 58—RECREATION

**PENNSYLVANIA GAMING CONTROL BOARD
[58 PA. CODE CHS. 1101—1120]**

Video Gaming; Temporary Regulations; Correction

An error occurred in the temporary rulemaking published at 48 Pa.B. 1524, 1551 (March 17, 2018). The cross-reference in § 1113.5(b) (relating to video gaming terminal master lists) was incorrect. The cross-reference is corrected to § 1113.3 (relating to video gaming terminals location in video gaming area) in Annex A, with ellipses referring to the existing text of the regulations.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart N. VIDEO GAMING

**CHAPTER 1113. POSSESSION OF VIDEO GAMING
TERMINALS—TEMPORARY REGULATIONS**

§ 1113.5. Video gaming terminal master lists.

* * * * *

(b) A Video Gaming Area Video Gaming Terminal Master List must list all video gaming terminals located in the video gaming area in consecutive order by the device location number under § 1113.3 (relating to video gaming terminals location in video gaming area) and contain all of the following:

* * * * *

[Pa.B. Doc. No. 18-442. Filed for public inspection March 23, 2018, 9:00 a.m.]

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Big Game

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 30, 2018, meeting to amend §§ 141.43, 141.44 and 141.47 (relating to deer; bear; and elk) to authorize the Statewide use of semiautomatic, centerfire shotguns to hunt for deer, bear and elk.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 30, 2018, meeting of the Commission. Comments can be sent until April 20, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

In an effort to expand hunting opportunities in this Commonwealth, the Commission is proposing to amend §§ 141.43, 141.44, and 141.47 to authorize the use of semiautomatic, centerfire shotguns to hunt for deer, bear and elk. The Commission has historically permitted the use of semiautomatic shotguns for deer and bear seasons within most areas defined as special regulations areas. The Commission is proposing to extend this authorization to the remainder of this Commonwealth.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to §§ 141.43, 141.44 and 141.47 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend §§ 141.43, 141.44 and 141.47 to authorize the Statewide use of semiautomatic, centerfire shotguns to hunt deer, bear and elk.

3. Persons Affected

Persons wishing to use semi-automatic shotguns to hunt or take deer, bear and elk in this Commonwealth may be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Randy S. Shoup, Director, Bureau of

Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-427. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.43. Deer.

* * * * *

(d) *Regular and special firearms deer seasons.*

(1) *Permitted devices.* It is lawful to hunt deer during the regular and special firearms deer seasons with any of the following devices:

(i) A manually operated, centerfire rifle or handgun that propels single-projectile ammunition.

(ii) A manually operated **or semiautomatic**, centerfire shotgun that propels single-projectile ammunition.

* * * * *

§ 141.44. Bear.

* * * * *

(c) *Regular and extended firearms bear seasons.*

(1) *Permitted devices.* It is lawful to hunt bear during the regular and extended firearms bear seasons with any of the following devices:

(i) A manually operated, centerfire rifle or handgun that propels single-projectile ammunition.

(ii) A manually operated **or semiautomatic**, centerfire shotgun that propels single-projectile ammunition.

* * * * *

§ 141.47. Elk.

(a) *Permitted devices.* It is lawful to hunt elk during the elk season with any of the following devices:

(1) A manually operated, centerfire rifle or handgun. The firearm must be a .27 caliber or larger firearm that propels single-projectile ammunition 130 grains or larger.

(2) A manually operated **or semiautomatic**, centerfire shotgun. The firearm must be a 12 gauge or larger firearm that propels single-projectile ammunition.

* * * * *

[Pa.B. Doc. No. 18-443. Filed for public inspection March 23, 2018, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Hunting Hours

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 30, 2018, meeting to amend Chapter 141, Appendix G (relating to hunting hours) to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2018-2019 hunting/trapping license year. The Commission is also proposing to amend § 141.4 (relating to hunting hours) by deleting the hunting hours closure of mourning dove season prior to noon during the first mourning dove season.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 30, 2018, meeting of the Commission. Comments can be sent until April 20, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Commission is proposing to amend Appendix G to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2018-2019 hunting license year. The Commission is also proposing to amend § 141.4 by deleting the hunting hours closure of mourning dove season prior to noon during the first mourning dove season. The Commission has progressively expanded the length of the first mourning dove season over the past few years and has determined that a simplified hunting hours standard is preferred over a split hunting hours period during the now longer first mourning dove season. The proposed deletion will cause hunting hours for mourning dove hunting to default to the hunting hours standard for migratory birds—1/2 hour before sunrise until sunset.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.4 and Appendix G are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend Appendix G by replacing the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2018-2019 hunting/trapping license year. This proposed rulemaking will also amend § 141.4 by eliminating the hunting hours closure of mourning dove season prior to noon during the first mourning dove season.

3. Persons Affected

Persons wishing to hunt or trap game or wildlife, including mourning dove, within this Commonwealth during the 2018-2019 hunting/trapping license year will be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

The effective dates of this proposed rulemaking will be July 1, 2018, to June 30, 2019.

6. Contact Person

For further information regarding this proposed rulemaking, contact Randy S. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-426. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.4. Hunting hours.

Except as otherwise provided, wild birds and mammals may be hunted 1/2 hour before sunrise to 1/2 hour after sunset.

(1) During the regular antlered and antlerless deer seasons, it is unlawful to take or attempt to take other wild birds or mammals except game birds on regulated hunting grounds, migratory waterfowl, coyotes, feral swine, wild boar and bear. Coyotes may be hunted from the first day to the last day inclusive of any big game season only by persons who possess a valid furtaker's license, or by persons lawfully engaged in hunting big game who have a valid tag. Feral swine and wild boar may be taken from the first day to the last day inclusive of any big game season only by persons lawfully engaged in hunting big game who have a valid tag.

(2) Raccoon, fox, skunk, opossum, coyote, bobcat and weasel may be hunted any hour, day or night, except during restricted periods in paragraph (1).

(3) Turkey may be hunted 1/2 hour before sunrise to 12 noon from the opening day of the spring gobbler season through the third Saturday and for the remainder of the season from 1/2 hour before sunrise to 1/2 hour after sunset.

[(4) Mourning doves may be hunted from 12 noon to sunset from the first season opening date through the first season closing date.

(5)] (4) Migratory birds may only be hunted 1/2 hour before sunrise until sunset, except during the snow goose conservation season and the September resident goose season, when geese may be hunted 1/2 hour before sunrise until 1/2 hour after sunset.

Appendix G. HUNTING HOURS

(Editor's Note: As part of this proposed rulemaking, the Commission is proposing to replace the tables which appear in Appendix G, 58 Pa. Code pages 141-37—141-39, serial pages (387147)—(387149), with the following tables.)

**HUNTING HOURS TABLE
FOR JULY 1, 2018 THROUGH JUNE 30, 2019**

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
July 1—7	5:09	9:02
July 8—14	5:14	8:59
July 15—21	5:19	8:54
July 22—28	5:25	8:48
July 29—Aug. 4	5:32	8:41
Aug. 5—11	5:39	8:32
Aug. 12—18	5:45	8:23
Aug. 19—25	5:52	8:13
Aug. 26—Sept. 1	5:58	8:02
Sept. 2—8	6:05	7:51
Sept. 9—15	6:12	7:39
Sept. 16—22	6:18	7:28
Sept. 23—29	6:25	7:16
Sept. 30—Oct. 6	6:32	7:05
Oct. 7—13	6:39	6:54
Oct. 14—20	6:46	6:44
Oct. 21—27	6:54	6:34
Oct. 28—Nov. 3	7:02	6:26
Nov. 4—10 **Ends	6:10	5:25
Nov. 11—17	6:18	5:13
Nov. 18—24	6:26	5:09
Nov. 25—Dec. 1	6:33	5:06
Dec. 2—8	6:40	5:06
Dec. 9—15	6:45	5:05
Dec. 16—22	6:49	5:07
Dec. 23—29	6:52	5:10
Dec. 30—Jan. 5	6:53	5:15
Jan. 6—12	6:52	5:21
Jan. 13—19	6:51	5:24
Jan. 20—26	6:48	5:35
Jan. 27—Feb. 2	6:43	5:44
Feb. 3—9	6:37	5:52
Feb. 10—16	6:30	6:00
Feb. 17—23	6:21	6:09
Feb. 24—Mar. 2	6:12	6:17
Mar. 3—9	6:01	6:24
Mar. 10—16 *Begins	6:50	7:32
Mar. 17—23	6:39	7:39
Mar. 24—30	6:28	7:46
Mar. 31—Apr. 6	6:17	7:54
Apr. 7—13	6:05	8:01

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Apr. 14—20	5:55	8:08
Apr. 21—27	5:44	8:15
Apr. 28—May 4	5:35	8:22
May 5—11	5:26	8:29
May 12—18	5:19	8:36
May 19—25	5:12	8:42
May 26—June 1	5:07	8:49
June 2—8	5:04	8:54
June 9—15	5:02	8:58
June 16—22	5:02	9:01
June 23—30	5:05	9:03

*Daylight Saving Time Begins

**Ends

**MIGRATORY GAME BIRD HUNTING
HOURS TABLE
2018-2019**

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Aug. 26—Sept. 1	5:58	7:32
Sept. 2—8	6:05	7:21
Sept. 9—15	6:12	7:09
Sept. 16—22	6:18	6:58
Sept. 23—29	6:25	6:46
Sept. 30—Oct. 6	6:32	6:35
Oct. 7—13	6:39	6:24
Oct. 14—20	6:46	6:14
Oct. 21—27	6:54	6:04
Oct. 28—Nov. 3	7:02	5:56
Nov. 4—10 **Ends	6:10	4:55
Nov. 11—17	6:18	4:43
Nov. 18—24	6:26	4:39
Nov. 25—Dec. 1	6:33	4:36
Dec. 2—8	6:40	4:36
Dec. 9—15	6:45	4:35
Dec. 16—22	6:49	4:37
Dec. 23—29	6:52	4:40
Dec. 30—Jan. 5	6:53	4:45
Jan. 6—12	6:52	4:51
Jan. 13—19	6:51	4:54
Jan. 20—26	6:48	5:05
Jan. 27—Feb. 2	6:43	5:14
Feb. 3—9	6:37	5:22
Feb. 10—16	6:30	5:30
Feb. 17—23	6:21	5:39
Feb. 24—Mar. 2	6:12	5:47
Mar. 3—9	6:01	5:54
Mar. 10—16 *Begins	6:50	7:02
Mar. 17—23	6:39	7:09

Dates	Begin A.M.	End P.M.
Mar. 24—30	6:28	7:16
Mar. 31—Apr. 6	6:17	7:24
Apr. 7—13	6:05	7:31

*Daylight Saving Time Begins
 **Ends

[Pa.B. Doc. No. 18-444. Filed for public inspection March 23, 2018, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CHS. 141 AND 147]

Hunting and Trapping; Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 30, 2018, meeting to amend § 141.1 (relating to special regulations areas) and rescind §§ 147.681—147.686 to eliminate the baiting permit and reporting requirements.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 30, 2018, meeting of the Commission. Comments can be sent until April 20, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Commission is proposing to amend § 141.1 and rescind §§ 147.681—147.686 to eliminate the baiting permit and reporting requirements. All other standards and requirements will remain the same.

Section 2308(a)(8) of the code (relating to unlawful devices and methods) generally prohibits a person hunting game or wildlife through the use of or by taking advantage of any artificial or natural bait. Section 2308(b)(2)(iii) of the code provides an exception to this prohibition for licensed hunters hunting deer in special regulations areas, other than counties of the second class. Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.1 and the rescission of §§ 147.681—147.686 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 141.1 and rescind §§ 147.681—147.686 to eliminate the baiting permit and reporting requirements.

3. Persons Affected

Persons wishing to hunt white-tailed deer in the Southeast special regulations area may be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Randy S. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-429. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.1. Special regulations areas.

* * * * *

(d) *Permitted acts.* It is lawful to:

* * * * *

(7) Hunt or take deer in the southeast special regulations area during regular open hunting seasons for white-tailed deer through the use of or by taking advantage of bait on private, township or municipal property only [**under a deer attractant permit issued under Chapter 147, Subchapter R (relating to deer control) as set forth in this paragraph.**

(i) Purpose. The purpose of this paragraph is to authorize eligible persons to hunt through the use of or otherwise take advantage of approved bait to enhance the harvest rate of white-tailed deer on private, township or municipal property within the southeast special regulations area where landowners have suffered material damage to their real property and traditional hunting and deer control methods have proven ineffective in controlling local deer populations.

(ii) Operation. Landowners and persons they permit to hunt on their property may hunt through the use of or otherwise take advantage of approved bait for the purpose of enhancing the harvest rate of white-tailed deer. This authorization is subject to the following conditions:

(A) This authorization only applies during regular open hunting seasons for white-tailed deer in the affected portion of each wildlife management unit located on private, township or municipal property within the southeast special regulations area.

(B) A bait site may not be located less than 250 yards from any previously established bait site authorized under this paragraph.

(C) Approved bait may be distributed at each bait site by approved feeders from 2 weeks prior to the opening of the first white-tailed deer season through the close of the last white-tailed deer season within the applicable wildlife management unit.

(D) Approved feeders are limited to sealed, waterproof, automatic, mechanical feeders that are set to distribute bait up to a maximum of three times per day during legal hunting hours only. The feeder must be visibly tagged or labeled with the full name and address of the landowner or an individual authorized by the landowner to use or place the approved feeder.

(E) Bait accumulation at any one bait site may not exceed 5 gallons total volume at any given time.

(F) Approved bait is limited to shelled corn and protein pellet supplements.

(G) It is the sole responsibility of landowners and persons they permit to hunt on their property to ensure that the area bait site is in compliance with this paragraph prior to hunting in that area.

(H) The landowner and persons they permit to hunt on their property may not, under any circumstances, hunt, take, kill or harvest any game or wildlife other than white-tailed deer at the bait site or coming to and from the bait site.

(iii) Suspension. The Commission may suspend the operation of any bait site if one or more of the following conditions is determined to exist:

(A) The baiting activity is causing conflict with other lawful hunting.

(B) The baiting activity is causing public safety hazards.

(C) The operation of the baiting site is not in compliance with the requirements of this paragraph.

(D) The operation if the baiting site is detrimental to the health and welfare of any wildlife, including white-tailed deer.

(E) Chronic Wasting Disease has been detected within 10 air miles of the southeast special regulations area. This suspension may remain indefinitely until the Commission determines that resumption of baiting activities will not create an unreasonable future risk of spreading of the disease on the landscape.

(iv) Violations. Violations of this paragraph will be prosecuted under section 2308 of the act (relating to unlawful devices and methods).

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

[DEER ATTRACTANT PERMIT]

(Editor's Note: As part of this proposed rulemaking, the Commission is proposing to rescind the following sections

of Chapter 147 which appear in 58 Pa. Code pages 147-70—147-72.1, serial pages (388094)—(388097).)

§§ 147.681—147.686. (Reserved).

[Pa.B. Doc. No. 18-445. Filed for public inspection March 23, 2018, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Wild Pheasant Recovery Areas

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 30, 2018, meeting to amend § 141.28 (relating to wild pheasant recovery areas) to delete the Somerset Wild Pheasant Recovery Area (WRPA).

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 30, 2018, meeting of the Commission. Comments can be sent until April 20, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Somerset WRPA was established by the Commission in 2009. From 2009—2011, 964 wild pheasants were trapped and transferred to the WRPA and annual population and habitat monitoring have continued through 2017. Population surveys show that current wild pheasant numbers in this WRPA are very low, and much lower than the initial population at the conclusion of releases. Commission staff have concluded that due to habitat conditions, weather severity or a combination of these factors, a huntable wild pheasant population is not achievable or sustainable on this WRPA and that in keeping with guidelines established in the Pennsylvania Ring-necked Pheasant Management Plan for unsuccessful WRPAs, the Somerset WRPA should be dissolved and the area should be reopened to either-sex pheasant hunting and to the stocking of game farm pheasants. The Commission is proposing to amend § 141.28 by deleting the Somerset WRPA.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.28 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 141.28 by eliminating the Somerset WRPA.

3. *Persons Affected*

Persons wishing to hunt or take pheasants or train dogs on small game within Somerset WPRA may be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Randy S. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-425. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.28. Wild pheasant recovery areas.

(a) *Definition.* For the purpose of this section, the phrase "wild pheasant recovery area" (WPRA) includes and is limited to the following geographic locations.

[(1) *Somerset WPRA.* That portion of Somerset County, WMU 2C, bounded on the western side starting at the intersection of Coleman Station Rd. and Stutzmantown Rd. proceeding south on Coleman Station Rd., crossing SR 31, to Brotherton Rd., continuing south to Round Hill Rd., then east onto Wills Church Rd., then to Archery Rd. The boundary then follows Berlin Plank Rd. (US Rt. 219) south into the town of Berlin where it joins the Mason Dixon Hwy. (US Rt. 219) proceeding south to Pine Hill Rd. to Walker School Rd. then east on Maple Valley Rd., to Sawmill Rd. to the Cumberland Hwy. (SR 160). The boundary then follows the Cumberland Hwy. (SR 160) south to Salco Rd. and then proceeds north on Salco Rd. to Huckleberry Hwy. (SR 160) in the town of Berlin. The boundary follows Huckleberry Hwy. (SR 160) north, crossing SR 31, to the intersection of Roxbury Rd., then north to Shanksville Rd. The boundary then proceeds north to Stutzmantown Rd., then west to the beginning at the intersection of Coleman Station Rd.

(2) [(1) *Central Susquehanna WPRA.* Portions of WMU 4E in Northumberland, Montour and Columbia Counties, bounded and described as follows. Beginning in the southwestern extent of the WPRA at the intersection of Interstate 80 and Interstate 180, proceed north on Interstate 180 for approximately 7.2 miles to the intersection of Hughes Road. The boundary follows Hughes Road east for 0.2 mile to Susquehanna Trail. Follow Susquehanna Trail south for 0.2 mile to Schmidt Road. Follow Schmidt Road for 1.6 miles to Miller Road. Follow Miller Road east for 1.1 miles to intersection of Hockey Hill

Road. Go right on Hockey Hill Road then left onto Pugmore Lane. Follow Pugmore Lane for 0.7 mile to Harrison Road. The boundary follows Harrison Road south for 0.7 mile to Showers Road. Follow Showers Road for 1.2 miles east to intersection of Gearhart Road. Turn right on Gearhart Road and go south for 0.6 mile to the intersection of Hickory Road. The boundary follows Hickory Road east for 0.6 mile then left onto Mingle Road for 0.9 mile until rejoining Hickory Road for another 0.8 mile to the intersection of Muncy Exchange Road. The boundary follows Muncy Exchange Road south for 1.4 miles to bridge over the West Branch of Chillisquaque Creek near the intersection of State Highway 44. The boundary follows the West Branch of Chillisquaque Creek south for approximately 2.1 miles to the bridge on Arrowhead Road. The boundary follows Arrowhead Road west for 0.8 mile to the intersection of State Highway 54. Follow State Highway 54 south for 2.6 miles to the intersection of State Highway 254. Follow State Highway 254 east for 5.9 miles to the intersection of State Highway 44. Follow State Highway 44 south for 1.1 miles to the intersection of State Highway 642. Follow State Highway 642 southwest for 2.3 miles to the intersection of Billhime Road. Turn right onto Billhime Road and go 1.1 miles to the intersection of East Diehl Road. Turn left on East Diehl Road then right onto Cameltown Hill Road. Follow Cameltown Hill Road for 1 mile to the intersection of Blee Hill Road. The boundary follows Blee Hill Road northwestward for 0.6 mile to the intersection of Hillside Drive. Turn left onto Hillside Drive and follow west for 3.2 miles until State Highway 54. Cross State Highway 54 onto Steckermill Road and go 0.4 mile to the intersection of Keefer Mill Road. Turn right onto Keefer Mill Road and follow north for 0.8 mile to the intersection of Mexico Road. Turn right on Mexico Road for 0.1 mile and then turn left onto Keefer Mill Road for 0.6 mile to the intersection of State Highway 254. The boundary follows State Highway 254 west for 5.5 miles to the intersection of Interstate 80. Follow Interstate 80 west for 3.4 miles to the intersection Interstate 180 and the point of origin.

[(3)] (2) *Hegins-Gratz Valley WPRA.* That portion of WMU 4E in Schuylkill and Dauphin Counties from Matterstown Road (Rt. 1007) to PA Rt. 901 at Taylorsville. The WPRA is bounded on the north by the Mahantango Creek. Beginning at the town of Pillow in Dauphin County, proceeding east on Market Street (Rt. 1026) to the Mahantango Creek, which is the Northumberland and Dauphin County border until entering Schuylkill County at Klingerstown. Continuing northeast along the Mahantango Creek in Schuylkill County to Taylorsville Road (Rt. 4039) at Haas, to Taylorsville and then proceeding south on PA Rt. 901. Proceeding south and southeast on PA Rt. 901 to I-81. Proceeding southwest on I-81 and then west on PA Rt. 25, then from PA Rt. 25, proceeding south and west on Dell Road and then northwest and west on Pine Drive (State Hwy. 4009), continuing west on Pine Drive, T593 and north on T592 to Pine Creek. The southern boundary then follows Pine Creek west along the northern side of Broad Mountain to Spring Glen. From Spring Glen, continuing west on PA Rt. 25, crossing into Dauphin County to Gratz, then proceeding southwest from Gratz on Specktown Road (State Hwy. 1014) to South Crossroads Road (PA Rt. 1009). Proceeding south on South Crossroads Road (PA Rt. 1009) to PA Rt. 209 and southwest to Elizabethville. From Elizabethville continue west on Main Street (PA Rt. 209), then turn north onto Botts Road (T462). At the first intersection, turn north onto Feidt Road (T461), then turn east onto West Matterstown Road (Rt. 4008), turn north

onto Matterstown Road (Rt. 1007). Turn right or east onto Berrysburg Road (PA Rt. 25) which turns into Market St. Turn left or north onto Lykens St. Turn right or east onto Mountain Road (T639). Turn left or north on PA Rt. 225 into Pillow on PA Rt. 225, ending at Market St. (Rt. 1026).

[(4)] (3) *Franklin County WPR*. That portion of WMUs 4A and 5A in Franklin County from PA Rt. 30 on the northern border to the Pennsylvania/Maryland state border on the southern border, and from Cove Mountain on the western border to the towns of Laurich and Williamson and the Conococheague Creek on the eastern border. The WPR is bounded on the north by PA Rt. 30 (Lincoln Highway). Beginning at the town of Fort Loudon at the intersection of PA Rt. 30 (Lincoln Highway) and PA Rt. 75, proceed east on PA Rt. 30 (Lincoln Highway), through St. Thomas and continue east to Laurich. Just east of Laurich, proceed south along Back Creek to SR 3012 (Jack Road). Proceed west along SR 3012 (Jack Road), then south along Weber Road. Continue south and southwest along Weber Road to the intersection of Weber, Grapevine and Jacks Mill Roads. Proceed southwest along Grapevine Road and then northwest to intersection with SR 3013. Turn south onto SR 3013 (St. Thomas Williamson Road) and then west onto State Rt. 995. Proceed west and then south on State Rt. 995 through Williamson to the West Branch of the Conococheague Creek (northeast of Welsh Run). Proceed along the West Branch of the Conococheague Creek to the confluence with Conococheague Creek. Follow the Conococheague Creek south to the Pennsylvania/Maryland state border. Proceed west along the Pennsylvania/Maryland state border to State Rt. 456. Proceed northeast along State Rt. 456 to State Rt. 16. Proceed east on State Rt. 16 to Mountain Road. Proceed northeast on Mountain Road to State Rt. 75. Proceed northwest on State Rt. 75 to the intersection of State Rt. 75 and State Rt. 30 at Fort Loudon.

* * * * *

[Pa.B. Doc. No. 18-446. Filed for public inspection March 23, 2018, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 135]

Lands and Buildings; Archery Ranges

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 30, 2018, meeting to add § 135.183 (relating to archery ranges) to authorize the manners of usage of archery ranges established by the Commission.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 30, 2018, meeting of the Commission. Comments can be sent until April 20, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Commission is proposing to add § 135.183 to authorize the manners of usage of archery ranges estab-

lished by the Commission. These changes will not include a requirement that individuals using archery ranges acquire a range permit, hunting or trapping license or meet other exemption criteria.

Section 721(a) of the code (relating to control of property) provides “[t]he administration of all lands or waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations...for its use and protection as necessary to properly manage these lands or waters.” The addition of § 135.183 is proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will add § 135.183 to authorize the manners of usage of archery ranges established by the Commission.

3. Persons Affected

Persons wishing to use State game lands archery ranges will be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Randy S. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-432. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 135. LANDS AND BUILDINGS

Subchapter J. SHOOTING RANGES

§ 135.183. Archery ranges.

(a) *General provisions.* In addition to § 135.2 (relating to unlawful actions) the following provisions pertain to lands under Commission ownership, lease or jurisdiction designated as archery ranges:

(1) Archery ranges are open from dawn until dusk each day of the week.

(2) A range may be reserved for exclusive use by an organized group from January 1 through October 1. An application for a range reservation shall be made through the appropriate regional director or a designee at least 20 days in advance.

(3) An individual may not use the range during any period reserved by an organized group.

(4) An individual or an organized group using the range is responsible for keeping the area clean and free of debris, and may not discard, deposit, leave or throw litter

except in approved refuse containers. Range users shall remove targets from range bales when shooting is completed and prior to leaving the range.

(5) The Commission is not responsible for anyone injured on the range. Individuals using Commission-owned ranges do so at their own risk and assume all responsibility for injuries to a person or property caused by or to them.

(6) When more than one person is using the range, a range officer shall be designated.

(7) An individual under 16 years of age may not use the range unless accompanied by a person 18 years of age or older.

(8) The appropriate regional director or a designee may close a range by posting signs to that effect. An individual or organized group may not use the range during a period when it is posted as closed.

(b) *Prohibited acts.* At an archery range located on land under Commission ownership, lease or jurisdiction, except when authorized by the appropriate regional director or a designee, it is unlawful to:

(1) Discharge a bow or crossbow from any location on the range other than an established shooting station on the firing line.

(2) Discharge a bow or crossbow at any target other than a paper target placed on a permanent target bale mounted by the Commission. Users are prohibited from intentionally shooting at or damaging the frames, stands or other structures constructed by the Commission to mount permanent target bales.

(3) Discharge any arrow or bolt equipped with a broadhead or other cutting device, except at a broadhead shooting station designated by the Commission.

(4) Be intoxicated, use or possess an intoxicating beverage or controlled substance on the range.

(5) Discharge a bow or crossbow more than six times successively if another person is using the range.

(6) Discharge a firearm or use firearm ammunition or other explosive materials.

(7) Operate, manipulate or discharge a bow or crossbow in negligent disregard for the safety of other persons present at or nearby the range. This is specifically intended to include loading a bow or crossbow, operating or manipulating a loaded bow or crossbow, or discharging a bow or crossbow anywhere on the firing range while another person is downrange.

(8) Use a Commission range in violation of any other requirement of this section or posted signage.

[Pa.B. Doc. No. 18-447. Filed for public inspection March 23, 2018, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 139]

Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 30, 2018, meeting to amend § 139.4 (relating to seasons and bag limits for the license year) to

provide updated seasons and bag limits for the 2018-2019 hunting/trapping license year.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 30, 2018, meeting of the Commission. Comments can be sent until April 20, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 to provide updated seasons and bag limits for the 2018-2019 license year. The 2018-2019 seasons and bag limits are proposed to be amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

In regard to small game seasons, the Commission proposes to eliminate the hen pheasant restriction in wildlife management units (WMU) 2A, 2C, 4C and 5B. Commission staff has determined that allowing harvest of male and female pheasants in these WMUs is appropriate because they do not contain wild pheasant recovery areas, there is no evidence that these units are capable of sustaining huntable populations of wild pheasants under current landscape habitat conditions, and either-sex hunting would provide additional hunting opportunity (especially for youth hunters) and allow for more efficient use and distribution of game farm pheasants. The male-only restriction would continue in WMUs 4E and 5A, which contain active wild pheasant recovery areas.

In regard to black bear seasons, the Commission proposes a new 4-day extended firearms seasons in WMUs 4A and 5A and an increase (from 4 to 6 days) in the length of the extended firearms season in WMU 3A. These proposed changes are intended to prevent increases in bear populations and bear-human conflicts within these WMUs.

In regard to furbearer seasons, the Commission proposes the opening of WMUs 4B and 4C to fisher trapping. Commission staff has determined that fisher population indices within these WMUs are comparable to those in other units where fisher harvest is occurring sustainably, and staff and constituents have recommended this expansion of harvest opportunity.

There are no proposed changes in turkey, deer or elk seasons.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to “fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife.” Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to “promulgate regulations relating to seasons and bag limits for hunting or furtaking.” The amendments to § 139.4 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 139.4 to provide updated seasons and bag limits for the 2018-2019 hunting/trapping license year.

3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2018-2019 hunting/trapping license year will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

The effective dates of this proposed rulemaking will be July 1, 2018, to June 30, 2019.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Randy S. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-424. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 139. SEASONS AND BAG LIMITS

(Editor's Note: As part of this proposed rulemaking, the Commission is proposing to replace the table which appears in § 139.4, 58 Pa. Code pages 139-3—139-13, serial pages (387103)—(387113), with the following table.)

§ 139.4. Seasons and bag limits for the license year.

**2018-2019 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT,
FIELD POSSESSION LIMIT AND SEASON LIMIT
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
Squirrel—(Combined species) Eligible Junior Hunters only, with or without the required junior license	Sept. 29		Oct. 13	6	18
Squirrel—(Combined species)	Oct. 13	and	Nov. 24	6	18
	Dec. 10	and	Dec. 24		
	Dec. 26		Feb. 28, 2019		
Ruffed Grouse	Oct. 13	and	Nov. 24	2	6
	Dec. 10		Dec. 24		
Rabbit, Cottontail—Eligible Junior Hunters only, with or without the required junior license	Sept. 29		Oct. 13	4	12
Rabbit, Cottontail	Oct. 13	and	Nov. 24	4	12
	Dec. 10	and	Dec. 24		
	Dec. 26		Feb. 28, 2019		
Ring-necked Pheasant—There is no open season for the taking of pheasants in the Hegins-Gratz or Franklin County wild pheasant recovery areas. Ring-necked Pheasant Eligible Junior Hunters only, with or without the required junior license WMUs 4E and 5A—Male only	Oct. 6		Oct. 13	2	6

PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
WMUs 1A, 1B, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 5B, 5C and 5D—Male or female					
Central Susquehanna Wild Pheasant Recovery Area—Male only	As authorized by Executive Order				
Ring-necked Pheasant	Oct. 20		Nov. 24	2	6
WMUs 4E and 5A—Male only	Dec. 10	and	Dec. 24		
WMUs 1A, 1B, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 5B, 5C and 5D—Male or female	Dec. 26	and	Feb. 28, 2019		
Bobwhite Quail	Oct. 13		Nov. 24	8	24
	Dec. 10	and	Dec. 24		
	Dec. 26	and	Feb. 28, 2019		
Hare (Snowshoe Rabbits) or Varying Hare	Dec. 26		Jan. 1, 2019	1	3
Woodchuck (Groundhog)	No closed season except during the regular firearms deer season(s). Hunting on Sundays is prohibited.			Unlimited	
<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Turkey, Fall—Male or Female				1	1
WMU 2B	Oct. 27		Nov. 16		
(Shotgun, Bow and Arrow only)	Nov. 22	and	Nov. 24		
WMU 1B	Oct. 27		Nov. 3		
WMUs 1A, 2A, 4A and 4B	Oct. 27		Nov. 3		
	Nov. 22	and	Nov. 24		
WMUs 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4C, 4D and 4E	Oct. 27		Nov. 10		
	Nov. 22	and	Nov. 24		
WMU 2C	Oct. 27		Nov. 16		
	Nov. 22	and	Nov. 24		
WMU 5A	Nov. 1		Nov. 3		
WMU 5B	Oct. 30		Nov. 1		
WMUs 5C and 5D	Closed to fall turkey hunting				
Turkey, Spring ¹	Apr. 20, 2019		Apr. 20, 2019	1	1
Bearded Bird only, Eligible Junior Hunters only, with the required junior license					

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Turkey, Spring ¹ Bearded Bird only	Apr. 27, 2019		May 11, 2019	1	2
		and		May be hunted 1/2 hour before sunrise to 12 noon	
	May 13, 2019		May 31, 2019		May be hunted 1/2 hour before sunrise to 1/2 hour after sunset

MIGRATORY GAME BIRDS

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as published in the *Federal Register* on or about February 28 of each year.

Exceptions:

(a) Hunting hours in § 141.4 (relating to hunting hours).

(b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
Crow (Hunting permitted on Friday, Saturday and Sunday only)	July 1		Apr. 14, 2019	Unlimited	
Starling and English Sparrow	No closed season except during the regular firearms deer seasons.			Unlimited	

FALCONRY

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
Squirrel—(Combined species)	Sept. 1		Mar. 30, 2019	6	18
Quail	Sept. 1		Mar. 30, 2019	8	24
Ruffed Grouse	Sept. 1		Mar. 30, 2019	2	6
Cottontail Rabbits	Sept. 1		Mar. 30, 2019	4	12
Snowshoe or Varying Hare	Sept. 1		Mar. 30, 2019	1	3
Ring-necked Pheasant—Male and Female—(Combined)	Sept. 1		Mar. 30, 2019	2	6
Migratory Game Bird—Seasons and bag limits shall be in accordance with Federal regulations.					

WHITE-TAILED DEER

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
Deer, Archery (Antlered and Antlerless) ² With the required archery license WMUs 2B, 5C and 5D	Sept. 15	and	Nov. 24	One antlered deer, and an antlerless deer with each required antlerless license.
	Dec. 26		Jan. 26, 2019	
Deer, Archery (Antlered and Antlerless) ² With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Sept. 29	and	Nov. 10	One antlered deer, and an antlerless deer with each required antlerless license.
	Dec. 26		Jan. 12, 2019	
Deer, Muzzleloading (Antlerless only) With the required muzzleloading license	Oct. 13		Oct. 20	An antlerless deer with each required antlerless license.

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
Deer, Special firearms (Antlerless only) Only Junior and Senior License Holders, ³ Commission Disabled Person Permit Holders (to use a vehicle as a blind) and Residents serving on active duty in the United States Armed Forces or United States Coast Guard	Oct. 18		Oct. 20	An antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered and Antlerless) ² WMUs 2B, 5C and 5D	Nov. 26		Dec. 8	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered only) ² WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Nov. 26		Nov. 30	One antlered deer.
Deer, Regular firearms (Antlered and Antlerless) ² WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 1		Dec. 8	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) ² With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26		Jan. 12, 2019	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) ² With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26		Jan. 26, 2019	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Extended Regular firearms (Antlerless) Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26		Jan. 26, 2019	An antlerless deer with each required antlerless license.
Deer, Antlerless (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.			An antlerless deer with each required antlerless license.

BLACK BEAR

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>		<i>Season Limit</i>
Bear, Archery ⁴ WMUs 2B, 5C and 5D	Sept. 15		Nov. 24		1
Bear, Archery ⁴ WMU 5B	Sept. 29		Nov. 10		1
Bear, Archery ⁴ WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Oct. 29		Nov. 3		1
Bear, Muzzleloader ⁴ WMUs 2B, 5B, 5C and 5D	Oct. 13		Oct. 20		1
Bear, Special firearms ⁴ Only Junior and Senior License Holders ³ , Commission Disabled Person Permit Holders (to use a vehicle as a blind) and Residents serving on active duty in the United States Armed Forces, or in the United States Coast Guard, with required antlerless license WMUs 2B, 5B, 5C and 5D	Oct. 18		Oct. 20		1
Bear, Regular Firearms ⁴ (Statewide)	Nov. 17		Nov. 21		1

PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>		<i>Season Limit</i>
Bear, Extended firearms ⁴ WMUs 3A, 3B, 3C and 3D	Nov. 26		Dec. 1		1
Bear, Extended firearms ⁴ WMUs 2B, 5B, 5C and 5D	Nov. 26		Dec. 8		1
Bear, Extended firearms ⁴ WMUs 1B, 2C, 4A, 4B, 4C, 4D, 4E and 5A	Nov. 28		Dec. 1		1

ELK

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>		<i>Season Limit</i>
Elk, Special Conservation Tag ⁵ and Special-License Tag ⁵ (Antlered and Antlerless)	Sept. 1		Nov. 10		1
Elk, Regular ⁵ (Antlered and Antlerless)	Nov. 5		Nov. 10		1
Elk, Extended ⁵ (Antlered and Antlerless)	Nov. 12		Nov. 17		1

FURTAKING—TRAPPING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Mink and Muskrat	Nov. 17		Jan. 6, 2019	Unlimited	
Beaver WMUs 1A, 1B and 3C (Combined) WMUs 2A, 2B, 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)	Dec. 26		Mar. 31, 2019	20 20	40 20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)				5	5
Coyote, Fox, Opossum, Raccoon, Striped Skunk and Weasel	Oct. 21		Feb. 17, 2019	Unlimited	
Coyote and Fox Use of cable restraint devices authorized with required certification	Dec. 26		Feb. 17, 2019	Unlimited	
Bobcat, with required bobcat permit WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Dec. 15		Jan. 6, 2019	1	1
Fisher, with required fisher permit WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4B, 4C, 4D and 4E	Dec. 15		Dec. 26	1	1
River Otter, with required otter permit WMUs 3C and 3D	Feb. 16, 2019		Feb. 23, 2019	1	1

FURTAKING—HUNTING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Coyote—(Outside of any big game season)	May be taken with a hunting license or a furtaker's license.			Unlimited	
Coyote—(During any big game season)	May be taken while lawfully hunting big game or with a furtaker's license.			Unlimited	
Opossum, Striped Skunk, Weasel	No closed season.				
Raccoon and Fox	Oct. 20		Feb. 16, 2019	Unlimited	
Bobcat, with required bobcat permit WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Jan. 12, 2019		Feb. 6, 2019	1	1
Porcupine	Sept. 1		March 30, 2019	3	10

No open seasons on other wild birds or wild mammals.

¹ Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of 2 spring gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

² Only one antlered deer (buck) may be taken during the hunting license year.

³ Includes residents and nonresident license holders who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

⁴ Only one bear may be taken during the hunting license year with the required bear license.

⁵ Only one elk may be taken during the hunting license year with the required elk license.

[Pa.B. Doc. No. 18-448. Filed for public inspection March 23, 2018, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 147]

Special Permits; Pheasant Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 30, 2018, meeting to amend §§ 147.316 and 147.317 (relating to application; and permit) to require junior hunters to obtain a free pheasant permit to hunt pheasants in this Commonwealth. The Commission is also proposing to amend § 147.317 to exempt additional individuals from the pheasant permit requirement, including individuals currently exempted from licensure by statute and also individuals hunting and taking privately acquired propagated pheasants on private lands.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 30, 2018, meeting of the Commission. Comments can be sent until April 20, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Commission is proposing to amend §§ 147.316 and 147.317 to require junior hunters to obtain a free pheasant permit to hunt pheasants in this Commonwealth. The Commission is also proposing to amend § 147.317 to exempt additional individuals from the pheasant permit requirement, including individuals currently exempted from licensure by statute and also individuals hunting and taking privately acquired propagated pheasants on private lands. This latter change will allow privately acquired pheasants to be hunted and killed on private property without requirement of a pheasant permit or its associated fee. This exemption will not apply to private lands designated by agreement as cooperative access lands. This exemption will also require that any pheasants hunted, taken or possessed under this paragraph shall be banded, tagged, marked or receipted in accordance with section 2930 of the act (relating to propagating permits).

Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any

permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to §§ 147.316 and 147.317 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend §§ 147.316 and 147.317 to require junior hunters to obtain a free pheasant permit to hunt pheasants in this Commonwealth. The Commission is also proposing to amend § 147.317 to exempt additional individuals from the pheasant permit requirement, including individuals currently exempted from licensure by statute and also individuals hunting and taking privately acquired propagated pheasants on private lands.

3. Persons Affected

Persons wishing to hunt or take pheasants in this Commonwealth may be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking will result in the creation of a new class of permit that will be required for junior hunters. The Commission anticipates that this free permit will be made available through the Pennsylvania Automated License System, therefore paperwork requirements to the general public will be nominal. The Commission determined that there will be limited personnel and administrative costs associated with the implementation of this new permit class. However, the Commission anticipates that these costs will be accommodated through existing staffing and existing budgets.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Randy S. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-430. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter Q. PHEASANT PERMIT

§ 147.316. Application.

(a) *Form and content.* Applications for pheasant hunting permits issued under this subchapter shall be made through the Commission or any of its authorized license-issuing agents on the appropriate form designated by the Commission for this purpose. Each application must include the applicant's name, address, date of birth and Commission-issued Customer Identification Number, and any other information required by the Commission.

(b) *Eligibility.*

(1) Adult pheasant hunting permit applications are available for submission by applicants in possession of a valid resident or nonresident adult or senior hunting license, or a valid mentored adult hunting permit. The fee for **[a] an adult** pheasant hunting permit is \$25, plus any applicable transactional and issuing agent fees.

(2) Junior pheasant hunting permit applications are available for submission by applicants in possession of a valid resident or nonresident junior hunting license. There is not a fee for a junior pheasant hunting permit.

§ 147.317. Permit.

(a) A pheasant hunting permit is required for **[an adult] any person** to hunt or take pheasants by any means or manner or device, including the use of dogs, in this Commonwealth.

(b) A pheasant hunting permit shall be signed and carried on person when hunting or taking pheasants in this Commonwealth.

(c) This section and subchapter may not be construed to require a permit **[for individuals engaged in lawful pheasant hunting activities under a valid commercial or noncommercial regulated hunting grounds issued under section 2928 of the act (relating to regulated hunting grounds permits).] for individuals engaged in:**

(1) Lawful pheasant hunting activities under a valid commercial or noncommercial regulated hunting grounds or special retriever training area permit issued under sections 2928 and 2942 of the act (relating to regulated hunting grounds permits; and special retriever training areas).

(2) Lawful dog training activities under a valid dog training area, special retriever area, field dog trial or field dog trial for retrievers permit issued under sections 2941–2944 of the act.

(3) Lawful hunting of pheasants they have acquired and released on private lands not otherwise designated as cooperative access lands under sections 709 and 729 of the act (relating to cooperative agreements relating to land; and public access projects). Any pheasants hunted, taken or possessed

under this paragraph shall be banded, tagged, marked or receipted in accordance with section 2930 of the act (relating to propagating permits).

[Pa.B. Doc. No. 18-449. Filed for public inspection March 23, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 54]

[L-2017-2628991]

Electricity Generation Customer Choice

The Pennsylvania Public Utility Commission, on December 7, 2017, adopted a proposed rulemaking order to amend customer information regulations pertaining to standards and pricing practices for retail electricity services, disclosure statements for residential and small business customers, marketing and sales activities, and notices of contract expiration or changes in terms.

Executive Summary

The Commission adopts this Proposed Rulemaking Order to amend our customer information regulations at 52 Pa. Code §§ 54.3, 54.5, 54.7 and 54.10 providing for standards and pricing practices for retail electric services; a disclosure statement for residential and small business customers; marketing/sales activities; and the provision of notices of contract expiration or changes in terms for residential and small business customers. With this Proposed Rulemaking Order, the Commission proposes to enhance these rules to provide customers ample protections and the necessary information to make informed decisions when shopping in Pennsylvania's competitive retail electricity market. As such, the Commission is proposing to amend its regulations to align its electric supplier regulations with the existing natural gas supplier regulations. In addition, the Commission is proposing to prohibit the imposition of early termination fees once a supplier provides to customers the contract expiration notices required by 52 Pa. Code § 54.10. Furthermore, the Commission is proposing to require suppliers to disclose whether a contract is assignable and how it will handle customer account information.

Public Meeting held
December 7, 2017

Commissioners Present: Gladys M. Brown, Chairperson, statement follows; Andrew G. Place, Vice Chairperson, statement follows; Norman J. Kennard; David W. Sweet; John F. Coleman, Jr.

Rulemaking Regarding Electricity Generation Customer Choice, 52 Pa. Code Chapter 54; L-2017-2628991

Notice of Proposed Rulemaking Order

By the Commission:

The Pennsylvania Public Utility Commission (Commission) adopts this Notice of Proposed Rulemaking Order to seek comments on proposed amendments to our customer information regulations at 52 Pa. Code §§ 54.3, 54.5, 54.7 and 54.10 providing for standards and pricing practices for retail electricity services; a disclosure statement for residential and small business customers; marketing/sales

activities; and the provision of notices of contract expiration or changes in terms for residential and small business customers. The existing regulations at 52 Pa. Code §§ 54.1—54.10 require that electric generation suppliers (EGSs) enable customers to make informed choices regarding the purchase of electricity offered by providing adequate and accurate customer information in an understandable format, including rules regarding the disclosure of contract terms and conditions. With this Proposed Rulemaking Order, the Commission proposes to enhance these rules to provide customers ample protections and the necessary information to make informed decisions when shopping in Pennsylvania's competitive retail electricity market.

Background

The Public Utility Code requires EGSs to provide adequate and accurate information to customers. See 66 Pa.C.S. § 2807(d)(2). Specifically, Section 2807(d)(2) requires the Commission to:

establish regulations to require each electric distribution company, electricity supplier, marketer, aggregator and broker to provide adequate and accurate customer information to enable customers to make informed choices regarding the purchase of all electricity service offered by that provider. Information shall be provided to consumers in an understandable format that enables consumers to compare prices and services on a uniform basis.

66 Pa.C.S. § 2807(d)(2).

Pursuant to this statutory directive to enable customers to make informed choices when purchasing electricity generation, the Commission first issued Interim Requirements in 1997.¹ This was followed by promulgated regulations in 1998.² See 52 Pa. Code §§ 54.1—54.9 (relating to customer information). The regulations at 52 Pa. Code §§ 54.4—54.6 (relating to bill format for residential and small business customers; disclosure statement for residential and small business customers; and request for information about generation supply) were later amended in 2007, after receiving and incorporating comments from numerous stakeholders.³ In 2010, the Commission adopted Interim Guidelines which provided general guidance on the timing and content of advanced notifications that give customers important information about their options prior to the expiration of or a change in terms of their current contract for generation supply.⁴

In 2014, the Commission adopted amendments to 52 Pa. Code § 54.5 and added 52 Pa. Code § 54.10.⁵ The Commission amended these regulations to ensure, among other things, that future EGS disclosure statements include an EGS Contract Summary of key contractual terms and conditions; additional information regarding variable-priced products, including disclosure of the price to be charged for the first billing cycle of generation

service; customer access to historical information; and more specific explanation of limits on variability.

With this Proposed Rulemaking Order, the Commission specifically examines and updates 52 Pa. Code § 54.5 regarding disclosure statements for residential and small business customers. This Section requires that EGSs provide disclosure statements to residential and small business customers when those customers request an EGS to initiate service; when an EGS proposes to change the terms of service; or when service commences from a default service provider. See 52 Pa. Code § 54.5(b)(1—3). These disclosure statements must include, among other things: the generation charges; conditions of and any applicable limitations on variable prices; explanations of cancellation fees; and information regarding a customer's options upon the expiration of an agreement. See Annex A, § 54.5.

History of the Commission's Review of Its Customer Information Regulations

In September of 2010, the Commission reviewed its customer information regulations and provided Interim Guidelines, as noted previously. In its Interim Guidelines, the Commission provided general guidance on the timing and content of advanced notifications that give customers important information about their options prior to the expiration of or a change in terms of their current contract for generation supply.

Guidelines for Use of Fixed Price Labels

The Commission addressed some supplier pricing, labeling and disclosure issues in the November 2013 Final Order regarding Guidelines for Use of Fixed Price Labels for Products with a Pass-Through Clause.⁶ This Order, commonly referred to as the "Fixed Means Fixed" Order, finalized guidelines on the pricing labels used when selling electric generation service to residential customers. The Commission updated its "electric competition dictionary," which is available on www.PAPowerSwitch.com. The updates provide guidance to electric generation suppliers on the appropriate use of the "fixed-price" label when presenting offers to potential customers.

The revised definitions included:

- *Fixed Price*: An all-inclusive per kWh price that will remain the same for at least three billing cycles or the term of the contract, whichever is longer.
- *Variable Price*: An all-inclusive per kWh price that can change, by the hour, day, month, etc. according to the terms and conditions in the supplier's disclosure statement.
- *Introductory Price*: For new customers, an all-inclusive per kWh price that will remain the same for a limited period of time between one and three billing cycles followed by a different fixed or variable per kWh price that will be in effect for the remaining billing cycles of the contract term, consistent with terms and conditions in the supplier's "disclosure statement."

Additionally, the Commission addressed what is meant and intended by the phrase "all-inclusive." The Commission reminded suppliers and consumers that to facilitate the comparison of prices on a uniform basis (i.e. apples-to-apples) the Commission developed the concept of the PTC, which is defined at 52 Pa. Code § 54.182:

PTC—Price-to-compare—A line item that appears on a retail customer's monthly bill for default service.

⁶ See Guidelines for Use of Fixed Price Labels for Products with a Pass-Through Clause Final Order, at Docket No. M-2013-2362961 (Order entered November 14, 2013).

¹ See Chapter 28 Electric Generation Customer Choice and Competition Act—Customer Information—Interim Requirements, Docket No. M-00960890F0008 (Order entered July 11, 1997).

² See Final Rulemaking Order Establishing Customer Information Disclosure Requirements for Electricity Providers 52 Pa. Code, Chapter 54, Docket No. L-00970126 (Order entered May 1, 1998).

³ See Final Rulemaking Order Re Electric Distribution Companies' Obligation to Serve Retail Customers at the Conclusion of the Transition Period Pursuant To 66 Pa.C.S. § 2807(e)(2), Docket No. L-00040169 (Order entered May 10, 2007).

⁴ See Final Order Re Interim Guidelines Regarding Advance Notification by an Electric Generation Supplier of Impending Changes Affecting Customer Service; Amendment re: Supplier Contract Renewal/Change Notices, Docket Nos. M-2010-2195286 and M-0001437 (Order entered September 23, 2010).

⁵ See Final-Omitted Rulemaking Order Re Rulemaking to Amend the Provisions of 52 Pa. Code, Section 54.5 Regulations Regarding Disclosure Statement for Residential and Small Business Customers and to Add Section 54.10 Regulations Regarding the Provision of Notices of Contract Expiration or Changes in Terms for Residential and Small Business Customers, Docket No. L-2014-2409385 (Order entered April 3, 2014).

The PTC is equal to the sum of all unbundled generation and transmission related charges to a default service customer for that month of service.

While this definition specifies its use for default service, the intent is to provide a bundled price that a consumer can use to compare EGS prices. To make an “apples-to-apples” comparison possible, it follows that EGS prices should be similarly bundled. The Commission reiterated that the price that an EGS presents to a residential or small business customer is expected to be “all-inclusive”—including all of the pricing components found in the PTC for default service customers (generation, transmission where applicable, gross receipts tax, etc. “Sales tax” is a notable exception in that it is not bundled within the PTC—but for residential consumers this is usually of no relevance since most residential accounts are exempt from this tax).⁷

We also emphasized the importance of disclosure and the disclosure regulations at 52 Pa. Code § 54.5 and that disclosures need to be clear, well-organized and in plain language so that consumers have the information they need to make informed decisions. Further, we reminded everyone of the regulation at 52 Pa. Code § 54.7 that requires EGSs to calculate and present to the customer the actual per kWh rate at 500, 1,000 and 2,000 usage levels. This regulation is of relevance if the supplier is using a pricing structure that varies depending upon usage (such as a declining or inclining block rate) and/or the supplier is using flat monthly charges in addition to the PTC that are sometimes referred to as monthly “service charges” or “customer charges.” This information must be presented to the customer to allow the “apples-to-apples” comparison discussed above.⁸

2014 Polar Vortex

During the winter of 2014, some retail electric customers with variable-rate contracts experienced sharp price increases resulting from price fluctuations in the wholesale and retail electricity markets. In light of this and after a review of the 2010 Interim Guidelines, the Commission concluded that codifying, strengthening, and augmenting the 2010 guidelines as expeditiously as possible was in the public interest.

In an Order adopted at its February 20, 2014 Public Meeting, the Commission reaffirmed the General Assembly’s directive that EGSs provide:

adequate and accurate customer information to enable customers to make informed choices regarding the purchase of all electricity services offered by the provider. Information shall be provided to consumers in an understandable format that enables consumers to compare prices and services on a uniform basis.

Review of Rules, Policies and Consumer Education Measures Regarding Variable Rate Retail Electric Products, Order, Docket No. M-2014-2406134, (Order entered March 4, 2014) (Variable Rate Order) at 4-5 (citing 66 Pa.C.S. § 2807(d)).

In the Variable Rate Order, the Commission expressed particular concern for customers receiving their electric supply service from an EGS under a contract with a monthly adjusted variable rate. As indicated supra, some of these customers experienced sharp increases in their monthly bills during the early months of 2014 due to the demands of the winter heating season and unprecedented

price spikes in the wholesale electricity market. While acknowledging that it is important for consumers to carefully review the terms of their supplier contracts, including conditions of variability, the Commission believed that EGSs had to take further steps to ensure that customers can easily find and understand information related to price, price variability and history, as well as cancellation fees, renewal notices, and other terms and conditions.

To obtain feedback from stakeholders on the proposed changes to our regulations on customer information, the Commission issued a Secretarial Letter on March 19, 2014, alerting affected parties of the Commission’s intention to promulgate a Final-Omitted Rulemaking that would amend existing regulations at 52 Pa. Code, Chapter 54, to revise disclosure statement requirements for residential and small business customers.⁹ This Secretarial Letter noted that while some amendments would codify, with modifications, existing contract renewal and change in terms notice requirements contained in the Interim Guidelines, other changes raise new issues that had not previously been considered. Thus, the Commission requested comments on its proposed regulations to give those entities most affected an opportunity to provide recommendations prior to the issuance of a Final-Omitted Rulemaking Order.

The Commission determined that revising the customer information regulations, 52 Pa. Code § 54.5, and adding 52 Pa. Code § 54.10 by use of a Final-Omitted rulemaking process was necessary to serve and protect the public interest. Based upon the circumstances of the situation at the time, specifically, the unusually high electric supply bills incurred by customers receiving supply service through variable-priced contracts and fluctuations in wholesale energy markets—the Commission found good cause for omitting the traditional notice and comment procedures for the revisions as they were impractical, unnecessary, and contrary to the public interest.

In response to the March 19, 2014 Secretarial Letter, twelve parties¹⁰ filed comments. In addition, Pennsylvania Senators Robert M. Tomlinson and Lisa M. Boscola sent a letter notifying the Commission that they had received numerous complaints from constituents enrolled in variable-priced contracts. In their letter, Senators Tomlinson and Boscola stated that the Commission should immediately begin revising its regulations regarding variable-priced contracts and the treatment of customers who have an expiring fixed-term contract.

After careful review and consideration of the comments, the Commission on April 3, 2014, adopted a Final-Omitted Rulemaking Order Regarding the Provisions of Notices of Contract Expiration or Changes in Terms for Residential & Small Business Customers.¹¹ (Final Omitted Rulemaking). This Final Omitted Rulemaking made numerous significant changes to the Chapter 54 customer information regulations—most of which were intended to provide consumers with more detailed information concerning variable priced products.

⁹ Secretarial Letter Re Rulemaking to Amend the Provisions of 52 Pa. Code, Section 54.5 Regulations Regarding Disclosure Statement for Residential and Small Business Customers and to Add Section 54.10 Regulations Regarding the Provision of Notices of Contract Renewal or Changes in Terms, Docket No. L-2014-240938, (served March 19, 2014) (Secretarial Letter).

¹⁰ Pennsylvania Representatives Robert W. Godshall and Peter J. Daley; the Office of Consumer Advocate, the Office of Small Business Advocate, Citizen Power, UGI Energy Services, LLC, Washington Gas Energy Services, Inc., Constellation NewEnergy, Inc. and Constellation Energy Power Choice, Inc., IGS Energy, the Retail Energy Supply Association, NRG Retail Northeast Companies, Alphabuyer, the National Energy Marketers Association, and FirstEnergy Solutions Corp.

¹¹ See Final-Omitted Rulemaking Order Regarding the Provisions of Notices of Contract Expiration or Changes in Terms for Residential & Small Business Customers, Docket No. L-2014-2409385 (Order entered April 3, 2014).

⁷ See page 28 Guidelines for Use of Fixed Price Labels for Products with a Pass-Through Clause, Final Order, at Docket No. M-2013-2362961 (Order entered November 14, 2013).

⁸ Id. page 29.

To codify the Interim Guidelines and to ensure EGS compliance with these requirements, the Commission added Section 54.10 (Notice of Contract Renewal or Change in Terms), to the customer information regulations. At the same time, the Commission augmented the notice rules by requiring that the EGS provide the new price the customer will be charged the first billing cycle following the expiration or change in terms and that the EGS provide 30 days' notice in advance of any subsequent price change.

2016 NGS Disclosure Regulation Revisions

In April 2016, as part of the Commission's continuing efforts to enhance customer protections in the competitive energy markets, the Commission revised the Chapter 62 natural gas customer information regulations.¹² This rulemaking amended customer information disclosure regulations at 52 Pa. Code §§ 62.72 and 62.75 for residential and small business natural gas supply customers. Section 62.72 provides regulatory definitions while Section 62.75 discusses the disclosure statement and notice requirements of the natural gas supplier (NGS) to the customer.

The Commission noted that a principal reason for revising the NGS rules was to bring them into alignment with the analogous EGS rules that had been significantly revised in 2014 as discussed above. We believe that both customers and suppliers benefit from substantially consistent cross-industry rules. Inconsistencies between the two sets of rules can lead to customer confusion and inefficiencies for suppliers, especially for those customers who obtain both gas and electric service from the same supplier. Another important rationale for revising the natural gas rules in 2016 was the Commission's belief that concerns regarding variable rates and disclosure statements in the electric supply industry are relevant to the customer disclosure information in the natural gas industry. The Commission believes that concerns about wholesale market price spikes in the natural gas markets, similar to the electric price spikes of early 2014, cannot be dismissed.

Because of the extensive changes to the NGS disclosure rules in 2016, there are now some inconsistencies between those rules and the analogous electric disclosure rules. These differences include:

- *Introductory Pricing:* The NGS rules state that "If the price is introductory, the variable pricing statement must include a statement that the price is an introductory price, the duration of the introductory period and the price for the first billing cycle after the introductory period." 52 Pa. Code § 62.75(c)(2)(ii). Introductory pricing is not mentioned in the EGS rules.

- If prices change (such as with a variable priced product), the NGS rules require the NGS to disclose when and how a customer gets informed of the price change. "A description of when and how the customer will receive notification of price changes." 52 Pa. Code § 62.75(c)(2)(iv).

- The NGS rules address contract assignment. "If the contract is assignable, the NGS shall inform the customer at the time the parties enter into the contract. Prior to a contract assignment, the NGS shall provide notice to the affected customer, the affected NGDC and the Commission. The customer notice must include the name of the

new NGS, the contact information for the new NGS and language informing the customer that contract terms and conditions remain unchanged." 52 Pa. Code § 62.75(j).

- Most references to the NGDC were removed from the NGS disclosure statement. The EGS disclosure rules still require including some references to the EDC.

Discussion

As noted above, the Commission recognizes the value in having the EGS and NGS disclosure rules be as consistent as possible (noting that some inherent operational differences between the two industries may make complete consistency impractical). We also acknowledge that our 2014 Final-Omitted proceeding provided a limited opportunity for parties to comment on electric customer information matters. Given the emergency conditions of 2014, the Commission had no alternative but to resort to an abbreviated process. Now we have time to more fully consider these matters again based on experience with the existing regulations. Accordingly, during an April 21, 2017 CHARGE¹³ conference call, the Commission's Office of Competitive Market Oversight (OCMO) invited stakeholders to submit informal comments on possible revisions to the EGS disclosure rules at 52 Pa. Code § 54.5—with the intent of using the informal comments to develop this Notice of Proposed Rulemaking to revise the EGS disclosure rules. Upon careful review of the informal comments received and input from various previous proceedings, and the authority granted the Commission under Sections 501 and 1501 of the Public Utility Code, 66 Pa.C.S. §§ 501 and 1501; the Commonwealth Documents Law, 45 P.S. § 1204; the Regulatory Review Act, 71 P.S. §§ 745.1 et seq.; the Commonwealth Attorneys Act, 71 P.S. §§ 732-204; and the regulations promulgated at 1 Pa. Code § 7.4, the Commission proposes amendments to regulations at 52 Pa. Code §§ 54.3, 54.5, 54.7, and 54.10, as set forth below.

§ 54.3. Standards and pricing practices for retail electricity service:

We propose revisions to 52 Pa. Code § 54.3(1)(ii) to update the regulation by referring to the correct location where the glossary of terms can be found. We plan to propose the same revision to a similar requirement at 52 Pa. Code § 54.5(e).

We propose a new requirement at 52 Pa. Code § 54.3(2) that would in effect ban the imposition of early termination fees (ETFs) once a supplier has provided the initial contract expiration notice required by 52 Pa. Code § 54.10. We are proposing this requirement on all supplier contracts entered into after the effective date of this regulation. We are proposing this requirement in response to consumers who object to having an ETF assessed upon them simply because they acted on the expiration notices sent by the supplier. From the consumer's perspective, they are acting on the expiration notice they received from the supplier by exercising one of the following options available to them—selecting a new supplier or returning to default service. In addition, we note that the early ending of a contract can be inadvertent—the customer miss-times the switch to a new supplier or default service resulting in the ETF being imposed. This is especially true given that the customer has no actual control over the timing of the switch—it is ultimately up to the supplier and the utility as to just when a switch occurs. The switching regulations at

¹² See Final Rulemaking Order—Rulemaking to Amend and Add Regulations to Title 52 of the *Pennsylvania Code*, Sections 62.72, 62.75, and 62.81 Regarding Customer Information Disclosure Requirements for Natural Gas Suppliers Providing Natural Gas Supply to Residential and Small Business Customers, Docket No. L-2015-2465942 (Order entered April 21, 2016).

¹³ CHARGE (Committee Handling Activities for Retail Growth in Electricity) participants include EDCs, EGSs, industry trade organizations, consumers, the Office of Consumer Advocate, and the Office of Small Business Advocate.

Chapter 57 provide for several possible timeframes for both the EGS and EDC to perform a switch. 52 Pa. Code § 57.173(1) allows the EGS to forward a switch request to the EDC at the end of the three-business day rescission period or a future date specified by the customer.¹⁴ Section 57.174(a) provides EDCs with a three-business day window for performing a switch.¹⁵ Given the latitude that EGSs and EDCs have in performing a switch—the precise timing of a switch is beyond the control or knowledge of the customer.

The imposition of an ETF under these circumstances can understandably frustrate and discourage customers from participating in the competitive market. Anything that damages the reputation of the market harms all market participants. While we acknowledge, and appreciate, that many suppliers will waive or forgo the charging of an ETF under these circumstances—we are concerned that the imposition of an ETF may still occur. Furthermore, as suppliers may waive or forgo the ETF under these circumstances, this new limitation should have minimal impact. We note that this requirement would be in effect only during the final 45–60 days of the customer’s contract with the EGS (once the initial notice has gone out). Accordingly, we think the number of days that the customer could exit the contract “early” without an ETF is limited; thus, limiting any resulting financial loss an EGS may experience. We also note that we are targeting this requirement only to the residential and small business segment of the market. We acknowledge that this kind of requirement may not be appropriate for large commercial/industrial customers—where early exits can result in significant financial loss for the EGS and where the customer is more sophisticated and more able to manage such transitions due to the costs involved. Regardless, we acknowledge that this is a new proposal and we invite parties to offer their perspectives—especially relating to any possible unintended consequences that could result from this proposed rule.

Accordingly, we propose the following changes to Section 54.3:

In furnishing retail electricity service, EDCs and EGSs or any entity that otherwise provides retail electricity service information to customers, shall comply with the following:

(1) Use common and consistent terminology in customer communications, including marketing, billing and disclosure statements.

(i) Use the term EDC as described in § 54.2 (relating to definitions) as a standard term.

(ii) Use the terms **[as defined in the Commission’s “Consumer’s Dictionary for Electric Competition” (Dictionary), maintained on file in the Commission’s Office of Communications. EDCs shall provide this dictionary upon customer request. The “Common Electric Competition Terms” as described in subparagraph (iii) shall indicate the phone number and address to re-**

¹⁴ 52 Pa. Code § 57.173. Customer contacts the EGS to request a change in electric supply service. When a customer contacts an EGS to request a change from the current EGS or default service provider to a new selected EGS, the following actions shall be taken by the selected EGS and the customer’s EDC:

(1) The selected EGS shall notify the EDC of the customer’s EGS selection at the end of the 3-business day rescission period under § 54.5(d) (relating to disclosure statement for residential and small business customers) or a future date specified by the customer. The selected EGS may notify the EDC by the end of the next business day following the customer contact upon customer consent.

¹⁵ 52 Pa. Code § 57.174(a). When a customer has provided the selected EGS or current EGS with oral confirmation or written authorization to select the new EGS or default service provider, consistent with electric data transfer and exchange standards, the EDC shall make the change within 3 business days of the receipt by the EDC of the electronic enrollment transaction.

quest the dictionary] in accordance with the glossary posted on the www.PaPowerswitch.com website or other successor media platform as determined by the Commission.

[(iii) EDCs shall distribute the “Common Electric Competition Terms,” as part of its consumer education program.]

(2) For residential and small commercial customers, contracts for retail electric service entered into after the effective date of this regulation may not include any fees to be paid by the retail electric customer for terminating a fixed duration contract between the date the initial notice required in § 54.10 (relating to notice of contract expiration or change in terms for residential and small business customers) is issued and the expiration of the fixed duration contract.

§ 54.5. *Disclosure statement for residential and small business customers.*

Upon careful review of the informal comments received from various stakeholders, we propose the following changes to the EGS disclosure regulations at 52 Pa. Code § 54.5. Please refer to Annex A for the proposed new language—the key revisions include the following:

52 Pa. Code § 54.5(c)(1):

“Generation charges shall be disclosed according to the actual prices per kilowatt-hour. Generation charges must include an estimate of all applicable taxes except for State sales tax and county tax.”

This proposed revision will bring the electric rule into alignment with the natural gas rule at 52 Pa. Code § 62.75(c)(1). This requirement is also intended to ensure that the prices presented to consumers are bundled appropriately to make “apples-to-apples” comparisons possible. We recognize that as we move forward to an electric market with advanced metering technology, new products and pricing structures are possible. We invite parties to comment on the need for this regulation to accommodate these possibilities; or at the least, not to obstruct or be an obstacle to future innovations.

52 Pa. Code § 54.5(c)(2):

“If the price is introductory, the pricing statement must include a statement that the price is an introductory price, the duration of the introductory period and the price for the first billing cycle after the introductory period.”

This proposed revision will bring the electric rule into alignment with the natural gas rule at 52 Pa. Code § 62.75(c)(2)(ii). This requirement is also intended to provide for full price transparency when an EGS is offering an introductory price product. To make fully informed decisions in the energy marketplace, we believe it is essential that a potential customer fully understand that the product is introductory in nature—and that the customer know both the introductory price and the price they will be charged after the introductory period ends.

52 Pa. Code § 54.5(c)(3):

“[The] If the price is variable, the variable pricing statement must include:”

This proposed revision is to clarify that a variable pricing statement is only necessary if the product is a variable-priced product.

52 Pa. Code § 54.5(c)(3)(i):

“Conditions of variability (state on what basis prices will vary) **including the EGS’s specific prescribed variable pricing methodology.**”

This proposed addition reflects a long-standing similar requirement in the analogous natural gas rule at 52 Pa. Code § 62.75(c)(2)(i). The intent of this amendment is to provide greater transparency with variable-priced products; allowing the potential consumer to make a better-informed decision.

52 Pa. Code § 54.5(c)(3)(iv):

“**A description of when and how the customer will receive notification of price changes.**”

This proposed revision will bring the electric rule into alignment with the natural gas rule at 52 Pa. Code § 62.75(c)(2)(iv). We also note that while this requirement is not in the current electric disclosure rule, it has been in the electric contract summary since 2014. This requirement is intended to let the potential customer know when and how they will be informed of their variable-price changes. For example, if the customer will not be informed of the price until the time of billing—the EGS must disclose this. Or if advanced notice of price changes will be provided, the EGS must disclose the timeframe of those notices and how they are delivered (U.S. mail, electronically, etc.).

52 Pa. Code § 54.5(c)(4):

“**If the unit price changes based on customer usage or if the product includes fees in addition to the unit price, the price per kWh shall factor in all costs associated with the rate charged to the customer and show the average price per kWh for usages of 500, 1,000 and 2,000 kWh of electricity in a table format.**”

This proposed addition is intended to make the longstanding requirements at 52 Pa. Code § 54.7 more visible and effective. Stakeholders have noted that these requirements are often overlooked because they are not found or referenced in the disclosure rules. This requirement is intended to enable consumers to compare supplier offers on an “apples-to-apples” basis; especially when non-volumetric charges such as monthly fees or one-time fees are involved. We invite parties to comment on the need for this regulation to accommodate an evolving electric marketplace where new products and pricing structures are likely.

52 Pa. Code § 54.5(c)(6):

“The [**length**] **duration** of the agreement, which includes:”

As we did with the analogous gas rule and in the interest of plain language, when describing how many months/years a contract is in effect, we propose replacing the words “length” and “term” with “duration.” We note that “term” can be particularly confusing because in addition to describing “duration” it can be used more generally to discuss all contract provisions, i.e. “terms and conditions.”

52 Pa. Code § 54.5(c)(9):

“[**(9) The name and telephone number of the default service provider.**]”

As we did with the natural gas disclosure, we propose to remove all unnecessary references to the utility from the EGS disclosure statement. At the time these regula-

tions were promulgated, the EDCs had robust consumer education programs and were expected to play a key role in informing consumers about the competitive market. We now believe it is unnecessary to require a prominent display of EDC information on EGS documents, as this may invite customer confusion and even the risk of creating the false impression that the EGS is “affiliated with” or “partnering with” the EDC. As discussed extensively by many parties during the promulgation of our supplier marketing regulations, misrepresentation and customer confusion between suppliers and utilities is an ongoing concern.¹⁶ Yet our regulations require the EGS to place the utility name and contact information throughout the EGS’s documents, which in part likely yields complaints from customers believing they have been “misled” or are the victim of “misrepresentation.” To help minimize this possible confusion, we propose to remove the requirement that the EGS provide references to the utility on the disclosure statement.

52 Pa. Code § 54.5(c)(11):

“An explanation of limits on price variability, penalties, fees or exceptions, printed in type size larger than the type size appearing in the terms of service. **Penalties and fees shall be disclosed in actual dollars or a specific method for determining the actual dollars shall be disclosed.**”

This proposed revision will bring the electric rule into alignment with the natural gas rule at 52 Pa. Code § 62.75(c)(9). This is intended to provide full transparency concerning the potential customer’s exposure to penalties and fees. Complex penalty or fee formulas with unspecified or unknown components make it difficult for customers to arrive at informed decisions about generation choices. In addition to early termination fees, this requirement is intended to ensure the disclosure of other fees, including non-volumetric charges such as monthly fees or one-time fees. We invite parties to comment on the sufficiency of this regulation in the context of an evolving electric marketplace where new products and pricing structures are likely.

52 Pa. Code § 54.5(c)(12):

“Customer contact information that includes the name of the [**EDC and**] EGS, and the EGS’s address, telephone number, Commission license number and Internet address, if available. [**The EGS’s information must appear first and be prominent.**]”

As discussed above, we propose to remove all unnecessary references to the utility from the EGS disclosure statement.

52 Pa. Code § 54.5(c)(13):

[**(13) The name and telephone number for universal service program information.**]

As discussed above, we propose to remove all unnecessary references to the utility from the EGS disclosure statement. Including universal service program information in the EGS disclosure risks the customer thinking that these programs are operated or provided by EGSs—when they are not. We reiterate that this disclosure statement governs the contract between the supplier and the customer.

¹⁶ See Corrected Final Rulemaking Order: Marketing and Sales Practices for the Retail Residential Energy Market, Docket No. L-2010-2208332 (Order entered October 24, 2012).

New 52 Pa. Code § 54.5(c)(13):

“A statement [that directs a customer to the Commission if the customer is not satisfied after discussing the terms of service with the EGS] providing that information about shopping for an electric supplier is available at www.PaPowerSwitch.com or other successor media platform as determined by the Commission, by calling the Commission at (800) 692-7380 and at www.oca.state.pa.us.”

This proposed revision will bring the electric rule into alignment with the natural gas rule at 52 Pa. Code § 62.75(c)(11). Both the Commission’s electric shopping website, www.PaPowerSwitch.com, and the Office of Consumer Advocate’s (OCA) website, www.oca.state.pa.us, include helpful consumer education information along with access to supplier offers. We believe including a reference to these websites provides another option, in addition to the Commission’s phone number, for consumers to obtain answers to their questions.

52 Pa. Code § 54.5(c)(14)(i):

A telephone number and Internet address at which a customer may obtain the previous 24 months’ average monthly billed prices for that customer’s rate class and EDC service territory. If an EGS has not been providing generation service in a rate class and EDC service territory for 24 months, the EGS shall provide the average monthly billed prices for the months available to date. If price history or representative price information is not available for the product, the EGS shall inform the customer of this fact.

This proposed addition reflects the analogous natural gas rule at 52 Pa. Code § 62.75(c)(2)(v). It is intended to acknowledge the reality that a price history may not be available for all products. An example would include a supplier offering a variable-price product for the first time or a new supplier just entering the market. In these types of situations, the supplier would be expected to inform the customer that a price history is not available.

52 Pa. Code § 54.5(e):

“Definitions for generation charges and transmission charges, if applicable, are required on electric disclosure statements and shall be defined in accordance with the [“Common Electric Competition Terms.”] glossary posted on the www.PaPowerSwitch.com website or other successor media platform as determined by the Commission. Definitions for each of the basic and nonbasic services, if applicable, are required. The definition section of the [bill] disclosure statement must be distinctly separate.”

These proposed revisions are intended to update the regulation by referring to the correct location where the glossary of terms can be found. We also propose that basic charges should be defined to bring this requirement into alignment with the analogous natural gas rule at 52 Pa. Code § 62.75(e). We also propose to replace the word “bill” with “disclosure” as to correct an apparent error as this section contains requirements for electric “disclosures,” not “bills.” Requirements for electric “bills” can be found at 52 Pa. Code § 54.4 (relating to bill format for residential and small business customers).

52 Pa. Code § 54.5(g):

Disclosure statements must include one of the following customer [notification] notifications:

(1) Disclosure statements for fixed duration contracts must include the following customer notification: “If you have a fixed [term] duration contract approaching the expiration date, or whenever we propose to change the terms of service in any type of contract, you will receive two separate written notifications that precede either the expiration date or the effective date of the proposed changes. These notifications will explain your options going forward.”

(2) Disclosure statements for non-fixed duration contracts must include the following customer notification: “Whenever we propose to change the terms of service in any type of contract, you will receive two separate written notifications that precede either the expiration date or the effective date of the proposed changes. These notifications will explain your options going forward.”

This proposed change is intended to create two options for disclosure language concerning contract expiration or change notices. One option for contracts with a fixed duration; and a second option for contracts without a fixed duration, such as a month-to-month contract. Stakeholders have noted customer confusion can result from having just one standard statement that may not be applicable to all contracts.

52 Pa. Code § 54.5(j):

“If the contract is assignable, the EGS shall inform the customer at the time the parties enter into the contract. Prior to a contract assignment, the EGS shall provide notice to the affected customer, the affected EDC and the Commission. The customer notice must include the name of the new EGS, the contact information for the new EGS and language informing the customer that contract terms and conditions remain unchanged.”

This proposed addition reflects the analogous natural gas rule at 52 Pa. Code § 62.75(j). We propose adding the requirement that if the customer’s contract is assignable, the supplier must disclose this to the customer. The assignment of contracts from one supplier to another, while not common, does occur frequently enough to be a source of some customer confusion. This requirement is also consistent with the guidance provided by a Commission order addressing assignment in the electric industry.¹⁷ In these guidelines, the Commission specified that “[a]ny assignment clause used in a supplier contract must be written in plain language, be prominently printed and explained fully in ‘terms of service and disclosure.’”¹⁸

52 Pa. Code § 54.5(k):

“If the EGS intends on obtaining customer account information from the EDC, the EGS shall inform the customer what type of information may be obtained, the purpose for obtaining this information and inform the customer that they are consenting by entering into this contract. The EGS shall also inform the customer that the EGS will maintain the confidentiality of a customer’s personal information including their name, address, telephone number, electric usage and historic payment information as required by applicable Commission regulations and federal and State laws.”

¹⁷ See Order on the Interim Guidelines Regarding Notification by an Electric Generation Supplier of Operational Changes Affecting Customer Service and Contracts, Docket No. M-00960890F0013 (Order entered August 14, 1998).

¹⁸ See id., at Appendix, Guideline (II)(B)(1).

We propose adding a new paragraph (k) requiring that the disclosure inform the customer if the EGS intends on obtaining customer account and usage information from the utility, which is usually the case (for example, the EGS needs metering information to determine how much electricity the customer has used to calculate the bill, etc.). In our experience, many EGSs already include such a provision in their disclosures. We are simply proposing to make this a uniform requirement for all disclosures. Customer privacy and third-party access to information is becoming an increasingly sensitive issue and we think that making this as transparent as possible is in the best interest of both consumers and suppliers. We acknowledge that this is a new proposal, and we invite all parties to comment on what should be included in such a provision.

§ 54.7. *Marketing/sales activities.*

In response to concerns expressed by some stakeholders about the relevance and effectiveness of the marketing and sales activities rules at 52 Pa. Code § 54.7, we propose the following changes to this section:

(a) Advertised prices shall reflect prices in disclosure statements and billed prices.

(b) **If the unit price changes based on customer usage or includes fees in addition to unit prices, [Marketing] marketing materials, including contract summaries,** that offer terms of service for acceptance by consumers shall include prices, as follows:

(1) **[If using a fixed price, the EGS shall show in a table the price per kWh for an average customer using 500, 1,000 or 2,000 kWh of electricity.**

(2) **If using a variable price mechanism, the [The] EGS shall factor in all costs associated with the rate charged to the customer, and show the average price per kWh for usages of 500, 1,000 and 2,000 kWh of electricity in a table format.**

[(3) (2) The EGS shall note the effective date of the prices shown in the table [provided under paragraph (1) or (2)].

(c) Advertising materials targeted for residential and small business sales shall be made available upon request of the Commission in the event of a formal or informal complaint or investigation.

When this section was first promulgated in 1997, electric utility rate structures often featured declining or inclining block rate structures—the unit rate (per kWh) would vary depending upon the customer’s usage. It was envisioned back in 1997 that EGS pricing structures might reflect similar rate structures. This regulation was created to inform consumers of how their supplier unit price would change depending upon their usage.

Since then, however, electric utility rate structures have been simplified—including the elimination of most block rate structures. See 52 Pa. Code § 69.1810 (relating to retail rate design).¹⁹ As a result, EGSs offering block pricing structures are relatively rare—meaning that this regulation has become somewhat outdated. We propose to update this regulation by clarifying that it is only effective

if the supplier is offering a product where the unit price changes depending upon the customer’s usage—or if the supplier is charging a fee, such as a monthly customer service charge, in addition to the unit price. In these situations, we think this regulation provides important information that allows the customer to make an “apples-to-apples” comparison to another supplier’s offer. We also propose to simplify the rule by eliminating the separate requirements for fixed and variable prices as the proposed amendment applies the same rule regardless of whether the product is fixed or variable.

§ 54.10. *Notice of contract expiration or change in terms for residential and small business customers.*

We propose some minor modifications to the Notice of Contract Expiration or Change in Terms rules at 52 Pa. Code § 54.10. As we did with the disclosure rules at 52 Pa. Code § 54.5(c) and (g) and discussed above, we propose using the phrase “fixed duration” in place of “fixed term” to avoid confusion over the use of the word “term” with its multiple-meanings.

The other, more significant, proposed revision to this section is to 52 Pa. Code § 54.10(1)(vi):

(vi) A statement indicating whether the existing fixed [**term**] **duration** contract has a cancellation fee, and an explanation [**of the fee amount and how to avoid the fee, if possible, including notice of the date when the customer can choose a different product from the customer’s existing EGS, choose an alternative EGS or return to default service**] **that the customer is not subject to the cancellation fee if the customer terminates the contract at any time between the date of the initial notice and the expiration date of the fixed duration contract.**

We are proposing this revision to align with our proposed revisions to 52 Pa. Code § 54.3 (relating to standards and pricing practices for retail electricity service). As discussed previously, we are proposing a new requirement that would in effect ban the imposition of early termination fees (ETFs) once a supplier has provided the contract expiration notices required by 52 Pa. Code § 54.10. In addition to placing this new requirement in Section 54.3, we believe it is appropriate to place this same requirement in Section 54.10, since this restriction is based upon the issuing of the notices required by Section 54.10.

As discussed earlier, we are proposing this requirement in response to consumers who object to having an ETF assessed upon them simply because they acted on the expiration notices sent by the supplier. The early ending of a contract can be inadvertent—the customer mis-times the switch to a new supplier (or default service) and thus incurs an ETF. The imposition of an ETF under these circumstances can understandably frustrate and discourage customers from participating in the competitive market.

Contract Summary

As discussed previously, in 2014 we developed and adopted a contract summary that highlights key provisions of a supplier contract in a plain-language box format. This increased the visibility of the most important contract items—and allowed the consumer to make an easier comparison of different supplier offerings when shopping.

We did not imbed the contract summary into the regulations in 2014 because we wanted to preserve the

¹⁹ 52 Pa. Code § 69.1810. Retail rate design. Retail rates should be designed to reflect the actual, incurred cost of energy and therefore encourage energy conservation. The PTC should not incorporate declining blocks, demand charges or similar elements. The PTC for a particular customer class may be converted to a time of use design if the Commission finds it to be in the public interest.

flexibility to revise it as the market evolves. However, we did commit to using a process to revise the contract summary in a way that would allow all stakeholders an opportunity to have a voice in any such revisions. Accordingly, we think this rulemaking is an appropriate venue for revising the contract summary, both to bring it into as much alignment with the natural gas contract summary as possible and to reflect changes in the market since 2014.

Among the updates, we propose clarifying that some terms outlined in the EGS Contract Summary template may not be relevant to all contracts by specifying which ones may be omitted entirely if not applicable. We also, as discussed previously, propose replacing the word “term” with “duration” when discussing length of the contract. Another general revision is the removal of information related to the utility. As discussed previously, we believe that including utility information is unnecessary and increases the risk that the consumer may confuse the supplier with the utility or get the impression that the supplier is affiliated with the utility. Omitting this information will also shorten the contract summary. We believe that the contract summary must be as concise as possible and needs to fit on no more than one page. The proposed amended Contract Summary is in Attachment One.

The key revisions include the following:

Generation/Supply Price: Requiring that the customer be informed if the price is introductory, what the introductory price is and what the price is upon expiration of the introductory period. As discussed previously in the context of the proposed revisions to 52 Pa. Code § 54.5(c)(2), this proposed revision will bring the electric rule into alignment with the natural gas rule and is intended to provide for full price transparency when an EGS is offering an introductory price product.

Generation Price at Various Usage Levels: This proposed new row will only be required if the unit price varies by usage level and/or there are fees in addition to the unit price. This is intended to align with the proposed changes to 52 Pa. Code §§ 54.5(c)(4) and 54.7.

Incentives: In the interest of brevity, we are proposing to clarify that if the supplier is not offering any special incentives this row can be omitted from the summary.

End of Contract: We propose minor revisions to the language to make this contract summary the same as the NGS contract summary. This row should be informing the customer that they should look for the two notices required by 52 Pa. Code § 54.10 as their contract nears expiration.

Right of Rescission: We propose adding this new row to highlight the customer’s 3-day right of rescission as found in 52 Pa. Code § 54.5(d). We believe this is a key consumer protection and needs to be visible and understandable to the customer.

In addition to the above proposed revisions, we invite parties to contribute any other changes they believe are needed to the contract summary. However, we again remind parties that in doing so, please keep in mind that the contract summary, to be effective, must be just that—a “summary.” We recognize that it can be challenging to find the correct balance between needed information and brevity—but we urge all parties to keep conciseness paramount when they consider the contract summary.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 13, 2018, the Commission submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Consumer Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Commission, the General Assembly and the Governor of comments, recommendations or objections raised.

Conclusion

The proposed revisions of the standards and pricing practices for retail electricity service at Section 54.3; the disclosure statement for residential and small business customers at Section 54.5, including the proposed changes to the EGS Contract Summary; marketing/sales activities at Section 54.7; and Section 54.10, notice of contract expiration or change in terms for residential and small business customers, are intended to increase consumer protection and better inform customers about the terms and conditions of an EGS contract. The proposed changes will also make these regulations more consistent with the analogous natural gas regulations—reducing consumer confusion and costs for suppliers that provide both services. The proposed regulations, as developed after consideration of informal comments from affected parties and from the previous proceedings leading up to this, provide for enhanced information from EGSs to customers—and helps ensure that customers will have this information at hand when considering the various alternatives for purchasing future electric generation supply.

Well-informed customers are essential participants in a successful competitive retail market. By updating these regulations to provide customers with accurate, timely pricing information when they are shopping for electric generation supply, we intend to create a more user-friendly marketplace that should continue to attract increased numbers of customers.

Accordingly, under sections 501 and 1501 of the Public Utility Code (66 Pa.C.S. §§ 501 and 1501); section 204 of the of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204), known as the Commonwealth Documents Law; the Regulatory Review Act (71 P.S. §§ 745.1—745.14); section 204 of the Commonwealth Attorneys Act (71 P.S. § 732-204); and the regulations promulgated at 1 Pa. Code § 7.4, the Commission proposes amendments to regulations at 52 Pa. Code §§ 54.3, 54.5, 54.7, and 54.10, as set forth in Annex A; *Therefore,*

It Is Ordered That:

1. A proposed rulemaking be opened to consider the regulations set forth in Annex A.

2. The Law Bureau shall submit this Order, Attachment A and Annex A to the Office of Attorney General for review and approval and to the Governor’s Budget Office for review for fiscal impact.

3. The Law Bureau shall submit this Order, Attachment A and Annex A for review and comment to the Independent Regulatory Review Commission and the Legislative Standing Committees.

4. The Law Bureau shall deposit this Notice of Proposed Rulemaking Order, Attachment A and Annex A, with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

5. Interested parties may submit written comments referencing Docket Number L-2017-2628991 within 60 days from the date the notice is published in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn: Secretary, P.O. Box 3265, Harrisburg, PA 17105-3265. Comments may also be filed electronically through the Commission's e-File System.

6. The Secretary shall serve this Order, Attachment A and Annex A, upon all licensed Electric Generation Suppliers, jurisdictional electric distribution companies, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate and the Office of Small Business Advocate.

7. The Office of Competitive Market Oversight shall electronically send a copy of this Order, Attachment A and Annex A, to all persons on the contact list for the Committee Handling Activities for Retail Growth in Electricity.

8. A copy of this Order, Attachment A and Annex A, shall be posted on the Commission's web site at the Office of Competitive Market Oversight web page.

9. The contact persons for this matter are Daniel Mumford in the Office of Competitive Market Oversight (717) 783-1957, dmumford@pa.gov; Matthew Hrivnak in Bureau of Consumer Services (717) 783-1678, mhrivnak@pa.gov, and Kriss Brown in the Law Bureau (717) 787-4518, kribrown@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

Fiscal Note: 57-319. No fiscal impact; (8) recommends adoption.

**Attachment A
Electric Generation Supplier Contract Summary**

Electric Generation Supplier Information	<i>Name, telephone number, website, etc. Plain language statement that EGS is responsible for generation charges.</i>			
Price Structure	<i>Fixed or variable. If variable, based on what? If variable, how often is the rate expected to vary? If variable, give any applicable ranges/ceilings. If no ranges/ceilings, a plain language statement indicating this fact. If variable, describe when the customer will receive notification of price changes in relation to time of month, final monthly meter read, billing cycle or when the price takes effect.</i>			
Generation/Supply Price	<i>\$/kWh or ¢/kWh. If variable rate, the first billing cycle's rate. [Any introductory rate with length of term.] Full disclosure of any introductory price, including the introductory price and the price after the introductory period expires. Full disclosure of any fees in addition to the per kWh price.</i>			
Generation Price at Various Usage Levels	Usage:	500 kWh	1,000 kWh	2,000 kWh
<i>(This row is required only if the price varies by usage and/or there are fees in addition to the per kWh price. See 52 Pa. Code § 54.5(C)(4) and 54.7.)</i>	Price per kWh:			
Statement Regarding Savings	<i>Plain language that the supply price may not always provide savings to the customer</i>			
Deposit Requirements	<i>Any deposit requirements necessary for a customer and any terms associated with that deposit, in plain language.</i>			
Incentives <i>This row is required only if the supplier is offering any special incentives.</i>	<i>Any bonuses, discounts, cashback, etc. offers and any associated terms, in plain language.</i>			
Contract Start Date	<i>Plain language regarding start of EGS service (meter reads/billing cycles/etc.)</i>			
Contract [Term] Duration /Length	<i>In months, billing cycles, etc.</i>			
Cancellation/Early Termination Fees	<i>Yes or no. If yes, describe the amount of the fee and how to avoid that fee, if possible.</i>			
[Renewal Terms] End of Contract	<i>Treatment of customer at end of contract. Timing of notices. [No cancellation/early termination fees. In plain language.]</i>			

<p>[Electric Distribution Company Information]</p>	<p><i>[Name, telephone number, website, etc.</i> <i>Plain language statement that EDC is responsible for distribution charges, as well as any emergencies/outages/etc.]</i></p>
<p>Right of Rescission:</p>	<p>An explanation of the customer’s 3-day right of rescission per 52 Pa. Code § 54.5(d) and how to exercise this right.</p>

Statement of Chairperson Gladys M. Brown

Before the Commission is the Notice of Proposed Rulemaking Order (NOPR) seeking comments on proposed amendments to our regulations at 52 Pa. Code § 54. This proceeding represents another step forward in the Commission’s efforts to empower and protect retail electricity customers as they shop for electric generation services in Pennsylvania. The retail electric market continues to evolve, as this happens so to must Commission regulations evolve.

The NOPR includes proposed revisions which, inter alia; protect customers from termination fees during the days leading up to contract expiration, mandate the transparent disclosure of enrollment or monthly fees, mandate the transparent disclosure of introductory prices, and require the inclusion of any additional fees within supplier price tables to facilitate an ‘apples-to-apples’ comparison with the ‘price-to-compare.’

I would like to thank Commission Staff, including those from the Office of Competitive Market Oversight, the Law Bureau, and the Bureau of Consumer Services, for their continued work in the retail energy competition landscape.

I look forward to reviewing the comments on this NOPR.

GLADYS M. BROWN,
Chairperson

Statement of Vice Chairperson Andrew G. Place

Before us for consideration is the Notice of Proposed Rulemaking Order (Rulemaking) seeking comments on certain revisions to our customer information regulations concerning electric generation suppliers (EGSs) at 52 Pa. Code §§ 54.3, 54.5, 54.7 and 54.10. The sections provide for standards and pricing practices for retail electricity services; a disclosure statement for residential and small business customers; marketing/sales activities; and the provision of notices of contract expiration or changes in terms for residential and small business customers. As part of this Proposed Rulemaking, the Commission seeks to remove some inconsistencies between the extensive changes to the Natural Gas Supplier (NGS) disclosure rules in 2016 and the analogous EGS disclosure rules.

As stakeholders review the proposed changes, I wish to emphasize two specific provisions that I believe can benefit from comments from the interested parties. The proposed change at 52 Pa. Code § 54.3(2) prohibits the imposition of early termination fees (ETFs) once a supplier has provided the contract expiration notices required by 52 Pa. Code § 54.10. The Commission is proposing this requirement to be enforceable on all supplier contracts entered into after the effective date of the regulation. This proposed revision is in response to consumers who object to having an ETF assessed upon them simply because they acted on the expiration notices sent by the supplier.

Secondly, the Commission is proposing several disclosure requirements, including a requirement that genera-

tion charges shall be disclosed according to the actual prices per kilowatt hour. The proposed revisions at Section 54.5(c)(4) also state that “if the unit price changes based on customer usage or if the product includes fees in addition to the unit price, the price per kWh shall factor in all costs associated with the rate charged to the customer and show the average price per kWh for usages of 500, 1,000 and 2,000 kWh of electricity in a table format.” I wish to highlight this issue to solicit comments that consider the continued deployment of advanced meters that can enable more sophisticated supply products, including spot pricing based on locational marginal price, Time-of-Use products, Critical Peak Pricing products, and Peak Time Rebate products. Additionally, demand-based products could be offered which enable greater incentives to reduce usage on peak summer days, in exchange for a lower long term allocation of wholesale capacity costs or transmission costs. In instances like this, is it appropriate to express prices in cents/kwh? When providing costs at various usage levels, how can the Commission best avoid customer confusion, or meet customer pricing expectations if customer billings are higher (or lower) than indicated due to changes of when and how much customers use electricity?

I want to emphasize that this is a proposed rulemaking, and actively encourage parties to provide comments to assist the Commission in providing the necessary guidance and rules to ensure that customers are fully informed regarding the purchase of electricity, including the associated contract terms and conditions.

ANDREW G. PLACE,
Vice Chairperson

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 54. ELECTRICITY GENERATION CUSTOMER CHOICE

Subchapter A. CUSTOMER INFORMATION

§ 54.3. Standards and pricing practices for retail electricity service.

In furnishing retail electricity service, EDCs and EGSs or any entity that otherwise provides retail electricity service information to customers, shall comply with the following:

(1) Use common and consistent terminology in customer communications, including marketing, billing and disclosure statements.

(i) Use the term EDC as described in § 54.2 (relating to definitions) as a standard term.

[(ii) Use the terms as defined in the Commission’s “Consumer’s Dictionary for Electric Competition” (Dictionary), maintained on file in the Commission’s Office of Communications. EDCs shall provide this dictionary upon customer request. The “Common Electric Competition Terms” as described

in subparagraph (iii) shall indicate the phone number and address to request the dictionary.

(iii) EDCs shall distribute the “Common Electric Competition Terms,” as part of its consumer education program.]

(ii) Use the terms in accordance with the glossary posted at www.PaPowerSwitch.com or other successor media platform as determined by the Commission.

(2) For residential and small commercial customers, contracts for retail electric service entered into after _____ (Editor’s Note: The blank refers to the effective date of adoption of this proposed rulemaking.) may not include any fees to be paid by the retail electric customer for terminating a fixed duration contract between the date the initial notice required under § 54.10 (relating to notice of contract expiration or change in terms for residential and small business customers) is issued and the expiration of the fixed duration contract.

§ 54.5. Disclosure statement for residential and small business customers.

(a) The agreed upon prices in the disclosure statement must reflect the marketed prices and the billed prices.

(b) The EGS shall provide the customer written disclosure of the terms of service at no charge whenever:

- (1) The customer requests that an EGS initiate service.
- (2) The EGS proposes to change the terms of service.
- (3) Service commences from a default service provider.

(c) The contract’s terms of service shall be disclosed, including the following terms and conditions, if applicable:

(1) Generation charges shall be disclosed according to the actual prices per kilowatt-hour. **Generation charges must include an estimate of all applicable taxes except for State sales tax and county tax.**

(2) If the price is introductory, the pricing statement must include a statement that the price is an introductory price, the duration of the introductory period and the price for the first billing cycle after the introductory period.

[(2) The] (3) If the price is variable, the variable pricing statement must include:

(i) Conditions of variability (state on what basis prices will vary) **including the EGS’s specific prescribed variable pricing methodology.**

(ii) Limits on price variability:

(A) If there is a limit on price variability, such as a specific price cap, a maximum percentage increase in price between billing cycles or minimum/maximum charges per kilowatt-hour for electricity during the term of the contract, the EGS shall clearly explain the applicable limits.

(B) If there is not a limit on price variability, the EGS shall clearly and conspicuously state that there is not a limit on how much the price may change from one billing cycle to the next.

(iii) The price to be charged, per kilowatt-hour, for the first billing cycle of generation service.

(iv) A description of when and how the customer will receive notification of price changes.

(4) If the unit price changes based on customer usage or if the product includes fees in addition to the unit price, the price per kWh must factor in all costs associated with the rate charged to the customer and show the average price per kWh for usages of 500, 1,000 and 2,000 kWh of electricity in a table format.

[(3)] (5) An itemization of basic and nonbasic charges distinctly separate and clearly labeled.

[(4) The length] (6) The duration of the agreement, which includes:

- (i) The starting date.
- (ii) The expiration date, if applicable.

[(5)] (7) An explanation of sign-up bonuses, add-ons, limited time offers, other sales promotions and exclusions, if applicable.

[(6)] (8) An explanation of prices, terms and conditions for special services, including advanced metering deployment, if applicable.

[(7)] (9) The cancellation provisions, if applicable.

[(8)] (10) The renewal provisions, if applicable.

[(9) The name and telephone number of the default service provider.

(10) An explanation of limits on price variability, penalties, fees or exceptions, printed in type size larger than the type size appearing in the terms of service.

(11) Customer contact information that includes the name of the EDC and EGS, and the EGS’s address, telephone number, Commission license number and Internet address, if available. The EGS’s information must appear first and be prominent.

(12) A statement that directs a customer to the Commission if the customer is not satisfied after discussing the terms of service with the EGS.

(13) The name and telephone number for universal service program information.]

(11) An explanation of limits on price variability, penalties, fees or exceptions, printed in type size larger than the type size appearing in the terms of service. Penalties and fees must be disclosed in actual dollars or a specific method for determining the actual dollars must be disclosed. This explanation must include a statement advising the customer that the customer will not be subject to any penalty or fee if the customer terminates the contract at any time between the date the initial notice required under § 54.10 (relating to notice of contract expiration or change in terms for residential and small business customers) is issued and the expiration of the fixed duration contract.

(12) Customer contact information that includes the name of the EGS, the EGS’s address, telephone number, Commission license number and Internet address, if available.

(13) A statement providing that information about shopping for an electric supplier is available at www.PaPowerSwitch.com or other successor media platform as determined by the Commission, by calling the Commission at (800) 692-7380 and at www.oca.state.pa.us.

(14) For contracts with variable pricing, the EGS must provide:

(i) A telephone number and Internet address at which a customer may obtain the previous 24 months' average monthly billed prices for that customer's rate class and EDC service territory. If an EGS has not been providing generation service in a rate class and EDC service territory for 24 months, the EGS shall provide the average monthly billed prices for the months available to date. **If price history or representative price information is not available for the product, the EGS shall inform the customer of this fact.**

(ii) In plain language, a statement that historical pricing is not indicative of present or future pricing.

(d) Customers shall be provided a 3-day right of rescission period following receipt of the disclosure statement.

(1) The 3-day right of rescission is 3 business days.

(2) The 3-day right of rescission begins when the customer receives the written disclosure.

(3) The customer may cancel in writing, orally or electronically, if available.

(4) Waivers of the 3-day right of rescission are not permitted.

(e) **[Definitions for generation charges and transmission charges, if applicable, are required and shall be defined in accordance with the "Common Electric Competition Terms." Definitions for each of the nonbasic services, if applicable, are required. The definition section of the bill must be distinctly separate.] Definitions for generation charges and transmission charges, if applicable, are required on electric disclosure statements and must be defined in accordance with the glossary posted at www.PaPowerSwitch.com or other successor media platform as determined by the Commission. Definitions for each of the basic and nonbasic services, if applicable, are required. The definition section of the disclosure statement must be distinctly separate.**

(f) The EGS shall include in the customer's disclosure statement the following statements which may appear together in a paragraph:

(1) "Generation prices and charges are set by the electric generation supplier you have chosen."

(2) "The Public Utility Commission regulates distribution prices and services."

(3) "The Federal Energy Regulatory Commission regulates transmission prices and services."

(g) Disclosure statements must include **one of** the following customer **[notification] notifications**:

(1) Disclosure statements for fixed duration contracts must include the following customer notification: "If you have a fixed [term] duration contract approaching the expiration date, or whenever we propose to change the terms of service in any type of contract, you will receive two separate written notifications that precede either the expiration date or the effective date of the proposed changes. These notifications will explain your options going forward."

(2) Disclosure statements for nonfixed duration contracts must include the following customer notification: "Whenever we propose to change the terms of service in any type of contract, you will

receive two separate written notifications that precede either the expiration date or the effective date of the proposed changes. These notifications will explain your options going forward."

(h) If the default service provider changes, the new default service provider shall notify customers of that change, and provide customers with its name, address, telephone number and Internet address, if available.

(i) The EGS shall provide, with the disclosure statement, a separate EGS contract summary in a format provided by the Commission.

(j) If the contract is assignable, the EGS shall inform the customer at the time the parties enter into the contract. Prior to a contract assignment, the EGS shall provide notice to the affected customer, the affected EDC and the Commission. The customer notice must include the name of the new EGS, the contact information for the new EGS and language informing the customer that contract terms and conditions remain unchanged.

(k) If the EGS intends on obtaining customer account information from the EDC, the EGS shall inform the customer what type of information may be obtained, the purpose for obtaining this information and inform the customer that they are consenting by entering into this contract. The EGS shall also inform the customer that the EGS will maintain the confidentiality of a customer's personal information including the customer's name, address, telephone number, electric usage and historic payment information as required by applicable Commission regulations and Federal and State laws.

§ 54.7. Marketing/sales activities.

(a) Advertised prices **[shall] must** reflect prices in disclosure statements and billed prices.

[(b) Marketing materials that offer terms of service for acceptance by consumers shall include prices, as follows:

(1) If using a fixed price, the EGS shall show in a table the price per kWh for an average customer using 500, 1,000 or 2,000 kWh of electricity.

(2) If using a variable price mechanism, the EGS shall factor in all costs associated with the rate charged to the customer, and show the average price per kWh for usages of 500, 1,000 and 2,000 kWh of electricity in a table format.

(3) The EGS shall note the effective date of the prices shown in the table provided under paragraph (1) or (2).]

(b) If the unit price changes based on customer usage or includes fees in addition to unit prices, marketing materials, including contract summaries, that offer terms of service for acceptance by consumers must include prices, as follows:

(1) The EGS shall factor in all costs associated with the rate charged to the customer, and show the average price per kWh for usages of 500, 1,000 and 2,000 kWh of electricity in a table format.

(2) The EGS shall note the effective date of the prices shown in the table.

(c) Advertising materials targeted for residential and small business sales shall be made available upon request of the Commission in the event of a formal or informal complaint or investigation.

§ 54.10. Notice of contract expiration or change in terms for residential and small business customers.

An EGS shall provide the following notices to customers prior to the expiration of a fixed **[term] duration** contract or prior to a change in contract terms:

(1) An initial notice shall be provided to each affected customer 45 to 60 days prior to the expiration date of the fixed **[term] duration** contract or the effective date of the proposed change in terms. For customers who have elected to receive electronic communications from the EGS, the notice shall be transmitted in the manner chosen by the customer. The initial notice must include:

(i) A general description of the proposed change in terms of service.

(ii) The date a change shall be effective or when the fixed **[term] duration** contract is to expire.

(iii) An explanation of why a change in contract terms is necessary.

(iv) A statement indicating when a follow-up options notice shall be issued with details regarding the proposed change.

(v) A statement explaining that the options notice must discuss the customer's options to the proposed change in terms of service or expiring fixed **[term] duration** contract.

(vi) A statement indicating whether the existing fixed **[term] duration** contract has a cancellation fee, and an explanation **[of the fee amount and how to avoid the fee, if possible, including notice of the date when the customer can choose a different product from the customer's existing EGS, choose an alternative EGS or return to default service] that the customer is not subject to the cancellation fee if the customer terminates the contract at any time between the date of the initial notice and the expiration date of the fixed duration contract.**

(2) An options notice shall be provided, by first class mail, to each affected customer at least 30 days prior to the expiration date of the fixed **[term] duration** contract or the effective date of the proposed change in terms. The options notice must include:

(i) A statement advising the customer of the specific changes being proposed by the EGS and informing the customer of how to exercise the customer's options, including the customer's ability to accept the proposed changes, to choose another product offering from the customer's existing EGS, to select another EGS or to return to default service.

(ii) Information regarding new pricing or renewal pricing including the price to be charged, per kilowatt-hour, for the first billing cycle of generation service:

(A) If a customer fails to respond to the options notice and is converted to a month-to-month contract, the EGS shall provide a disclosure statement under § 54.5 (relating to disclosure statement for residential and small business customers).

(I) Notice of a subsequent change in pricing shall be provided to the customer at least 30 days prior to the new price being charged.

(II) For customers who have elected to receive electronic communications from the EGS, notice of the change in pricing shall be transmitted in the manner chosen by the customer. For all other customers, notice shall be provided by first class mail.

(B) If a customer fails to respond to the options notice and is entered into a new fixed **[term] duration** contract, the EGS shall provide the fixed, per kilowatt-hour price to be charged and term length of the contract.

(iii) The telephone numbers and Internet addresses, as applicable, for the Office of Consumer Advocate, the Commission and PaPowerSwitch.com.

(iv) Language clearly visible on the front of the envelope used to provide the options notice stating that it contains important information regarding the expiration or changes in terms of the customer's electric supply contract.

(3) When a customer fails to respond to either notice, the following apply:

(i) A fixed **[term] duration** contract shall be converted to one of the following:

(A) A month-to-month contract, either at the same terms and conditions or at revised terms and conditions, as long as the contract does not contain cancellation fees.

(B) Another fixed **[term] duration** contract, as long as the new contract includes a customer-initiated cancellation provision that allows the customer to cancel at any time, for any reason, and does not contain cancellation fees.

(ii) The converted contracts shall remain in place until the customer chooses one of the following options:

(A) Select another product offering from the existing EGS.

(B) Enroll with another EGS.

(C) Return to the default service provider.

[Pa.B. Doc. No. 18-450. Filed for public inspection March 23, 2018, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

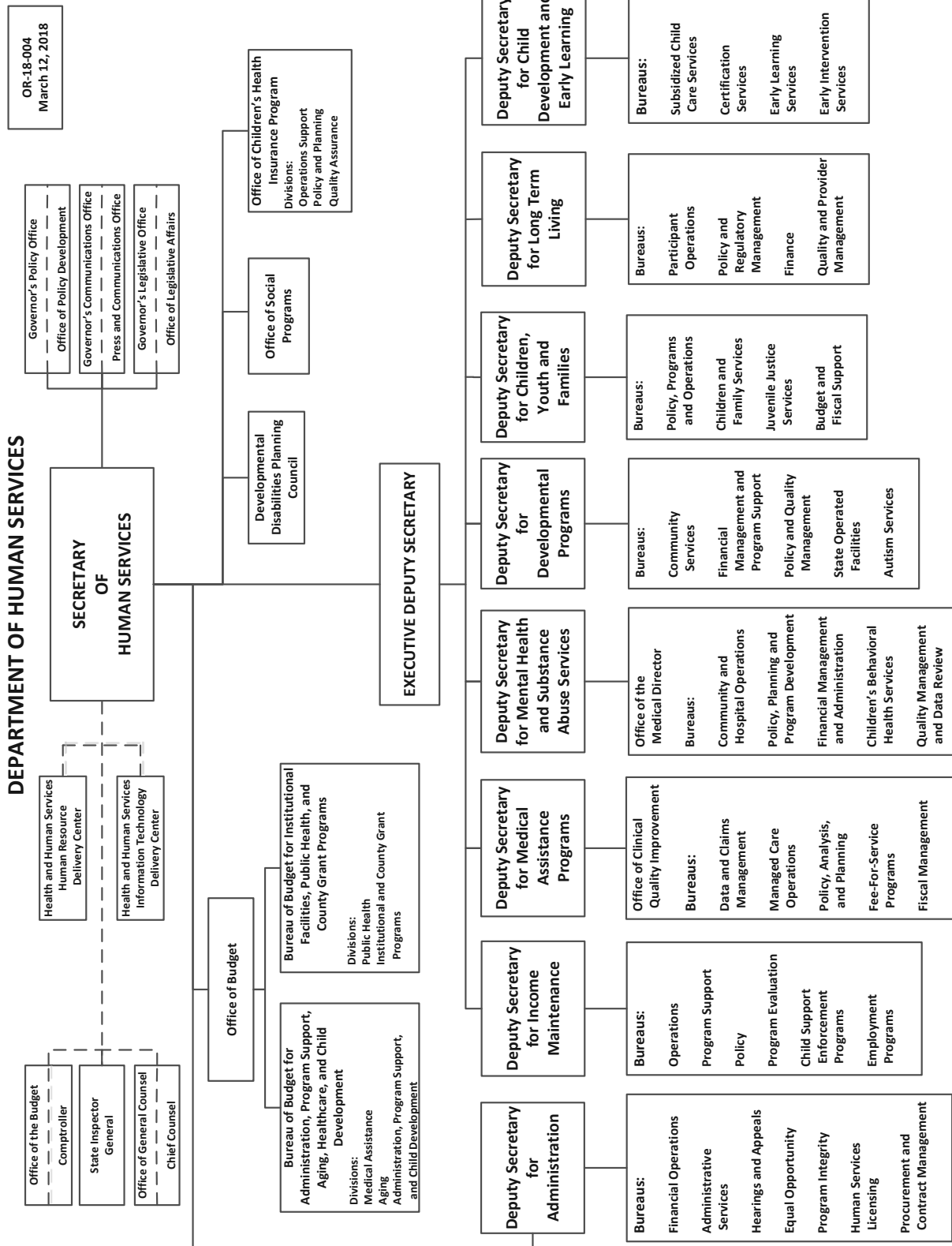
Reorganization of the Department of Human Services

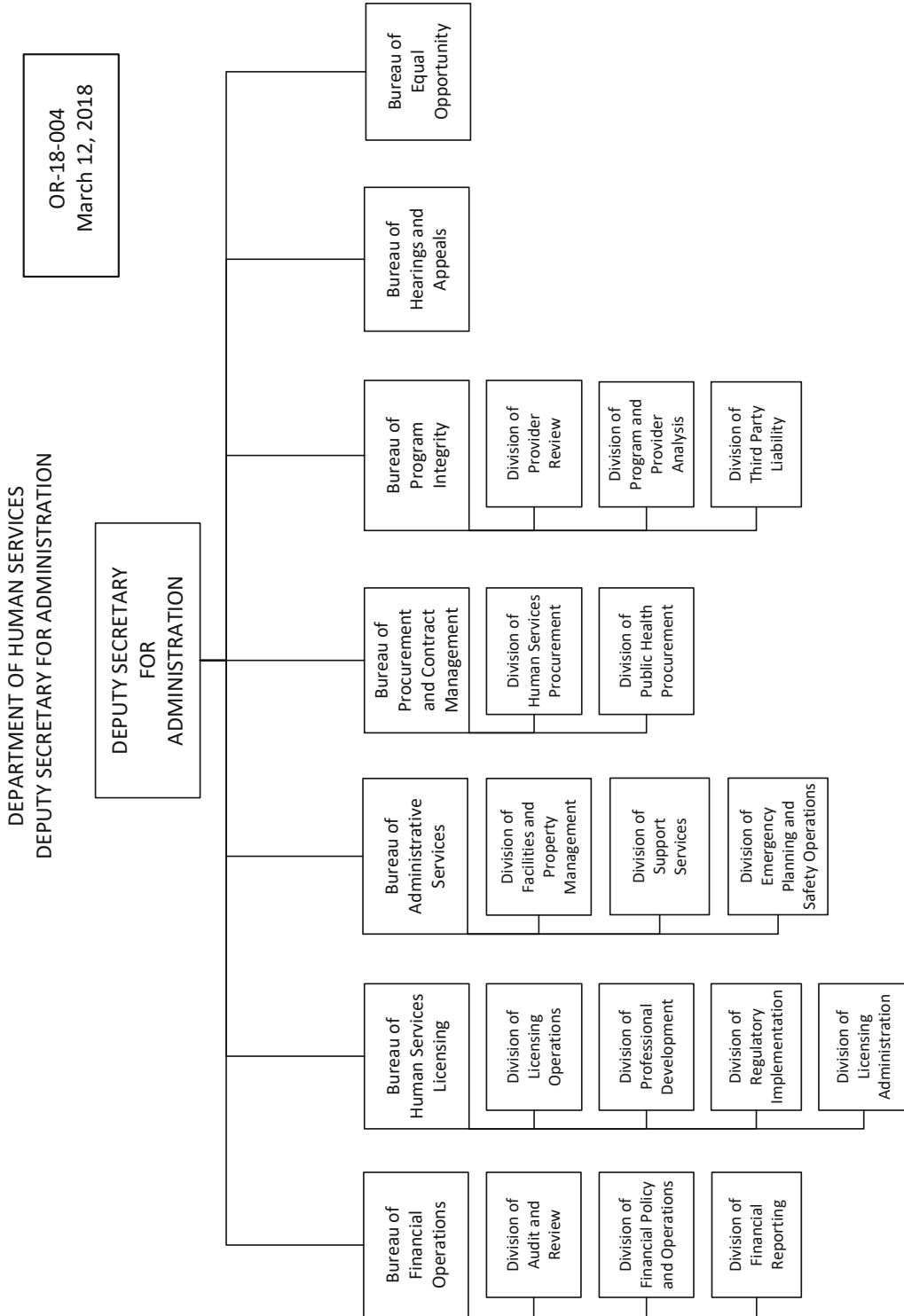
The Executive Board approved a reorganization of the Department of Human Services effective March 12, 2018.

The organization chart at 48 Pa.B. 1711 (March 24, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

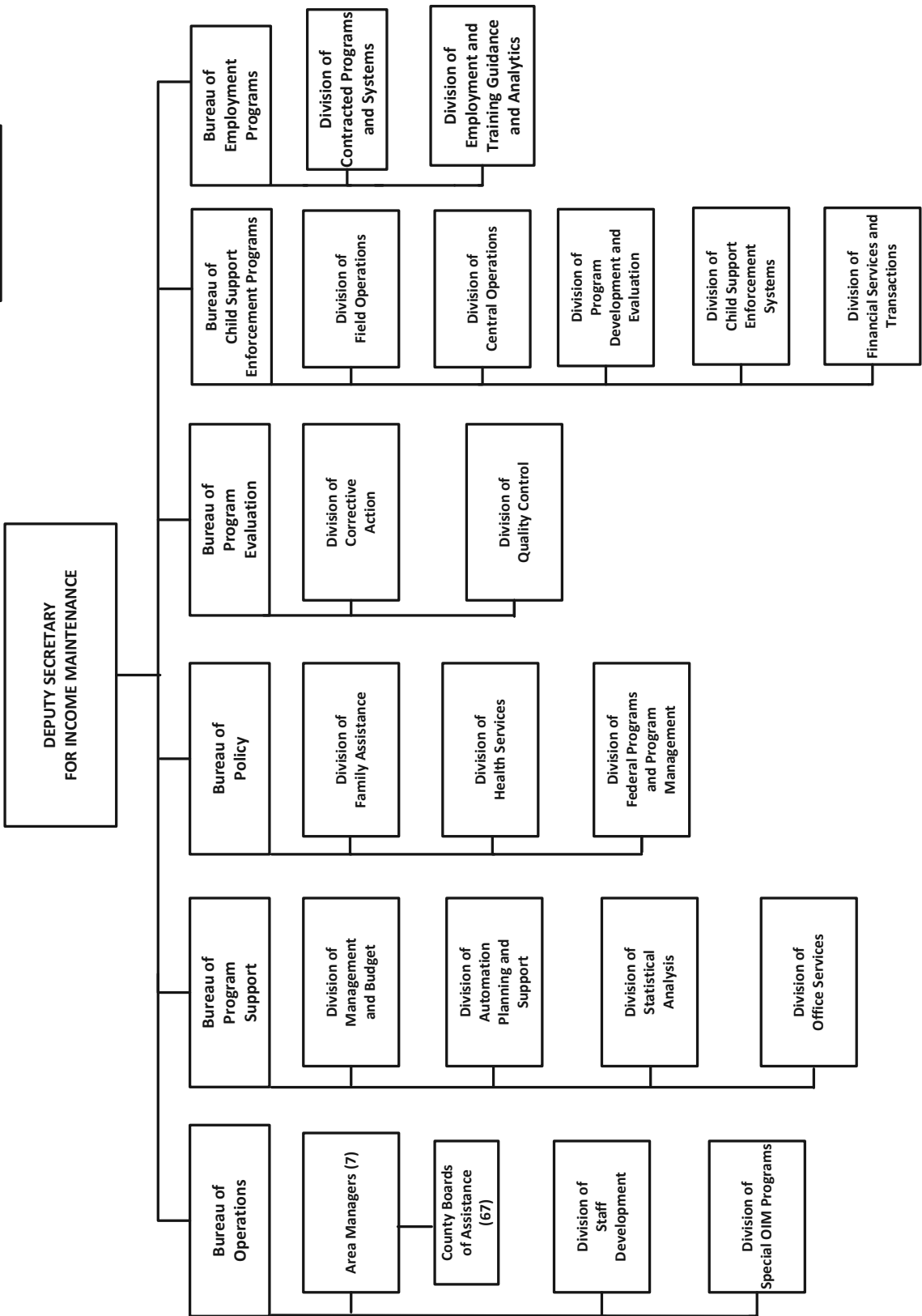
[Pa.B. Doc. No. 18-451. Filed for public inspection March 23, 2018, 9:00 a.m.]





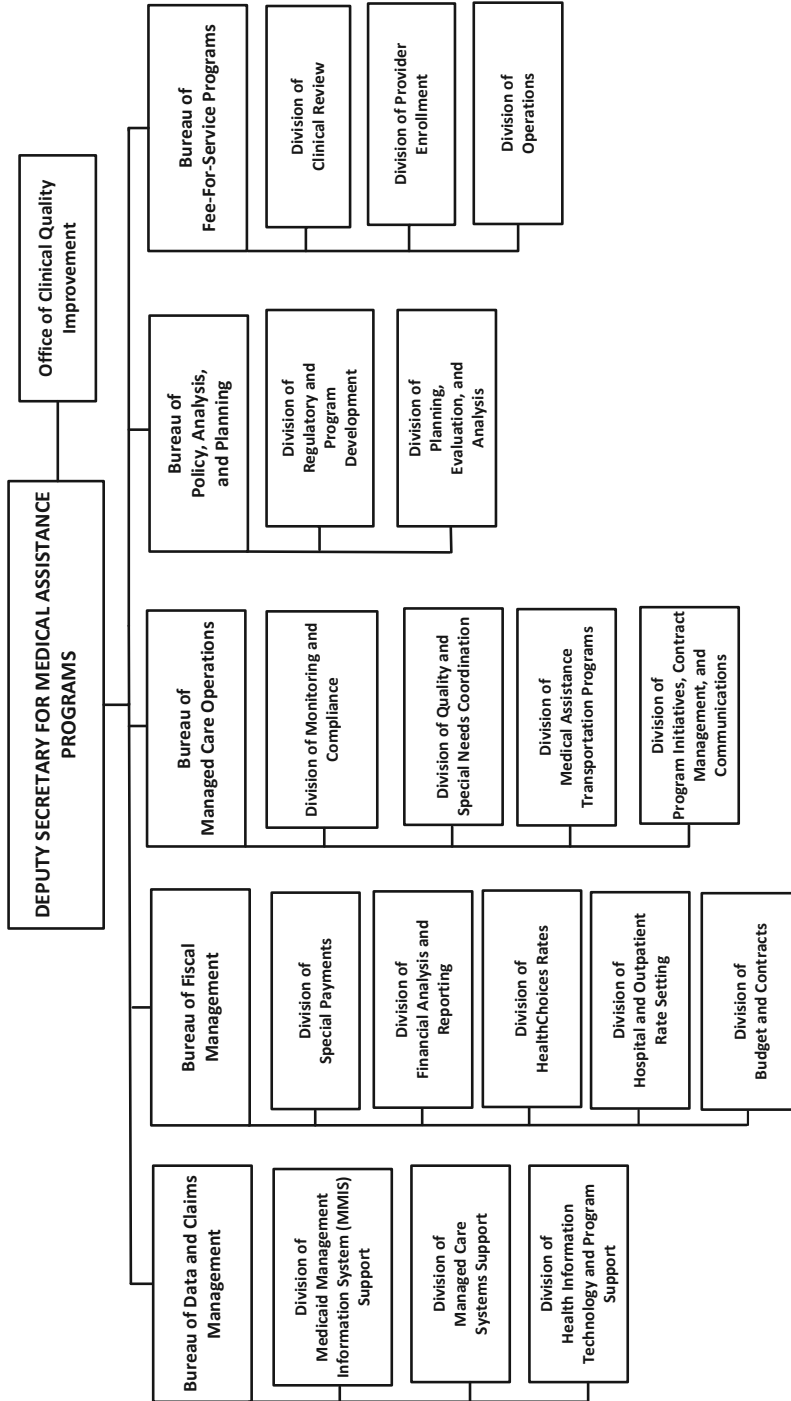
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DEPUTY SECRETARY FOR INCOME MAINTENANCE

OR-16-031
January 25, 2017



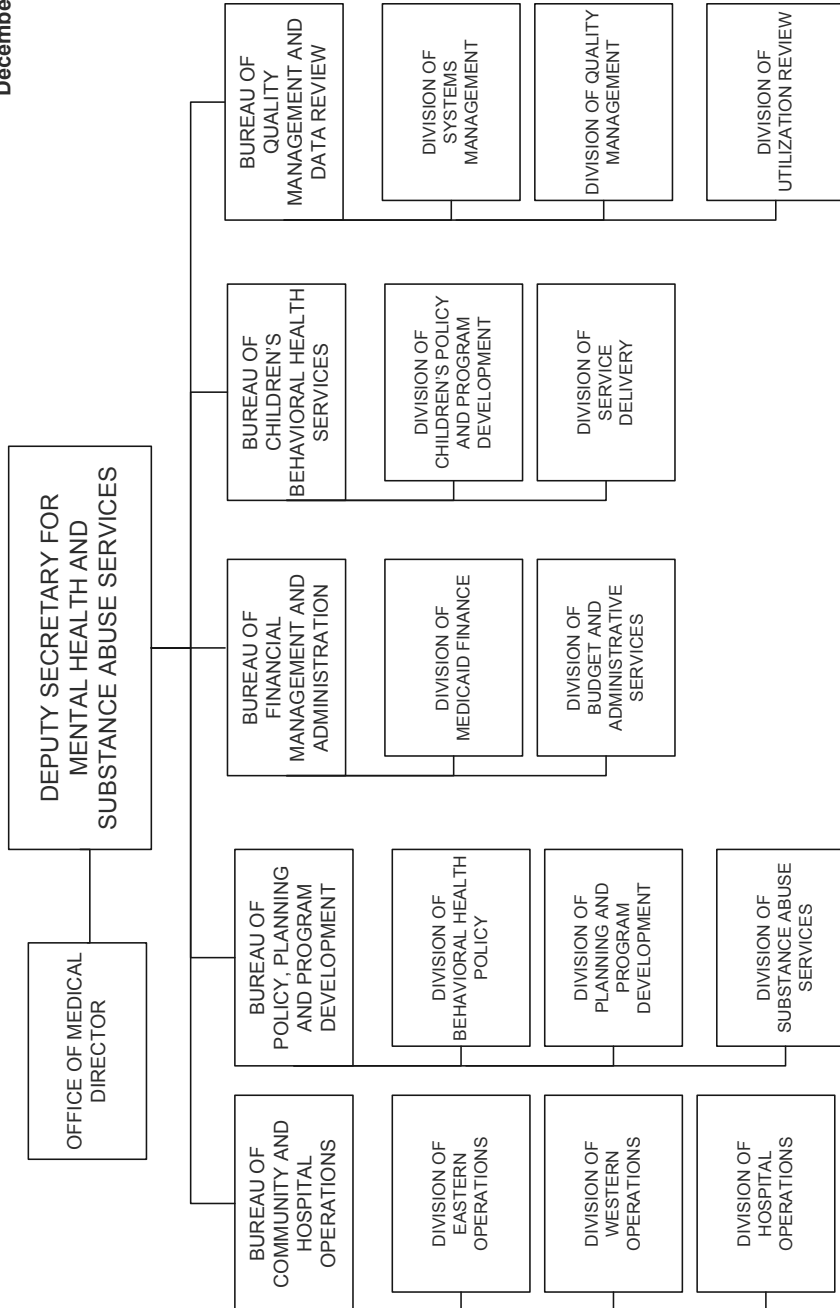
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DEPUTY SECRETARY FOR MEDICAL ASSISTANCE PROGRAMS

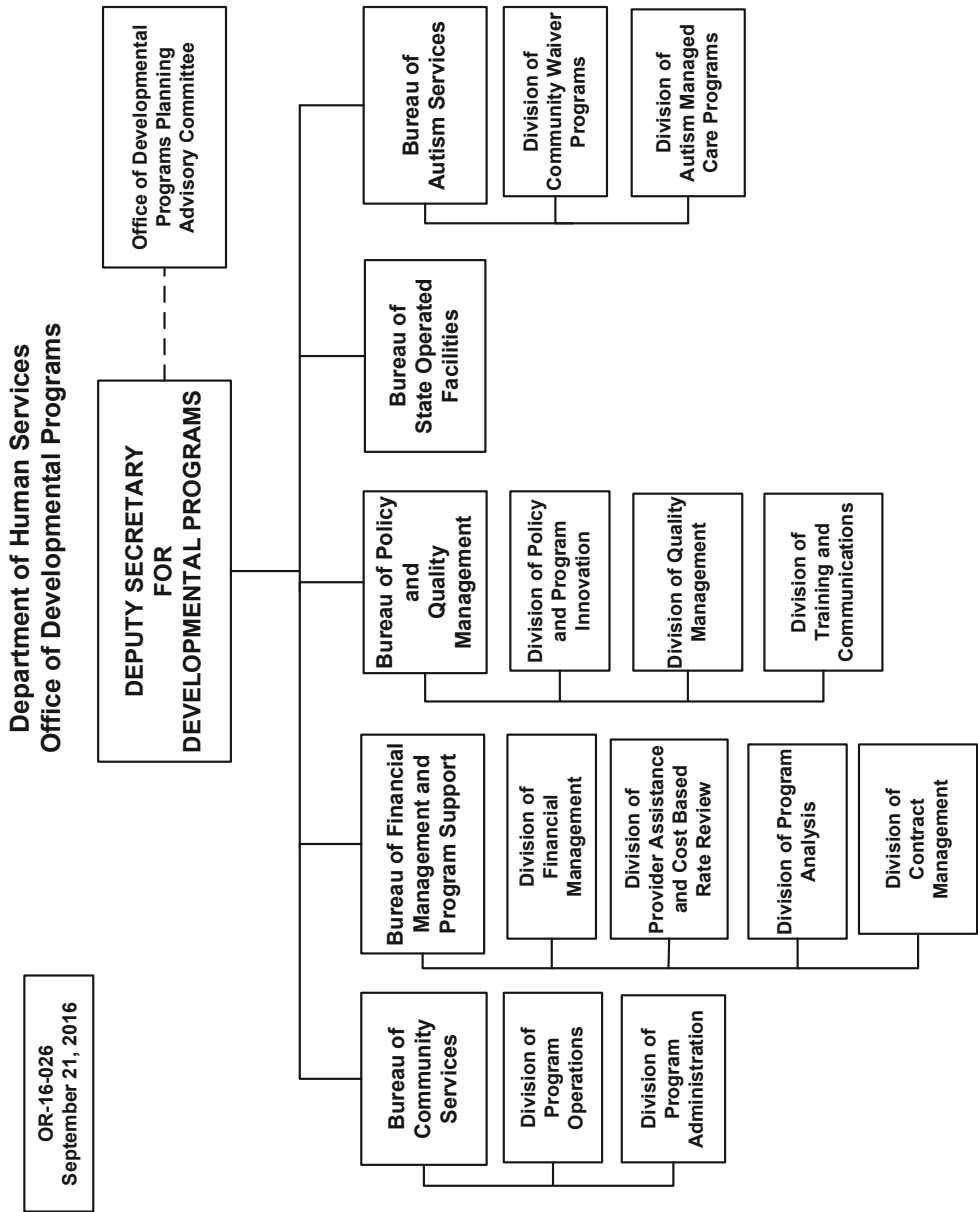
OR-16-022
August 3, 2016



DEPARTMENT OF HUMAN SERVICES
DEPUTY SECRETARY FOR MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

OR-14-027
December 4, 2014

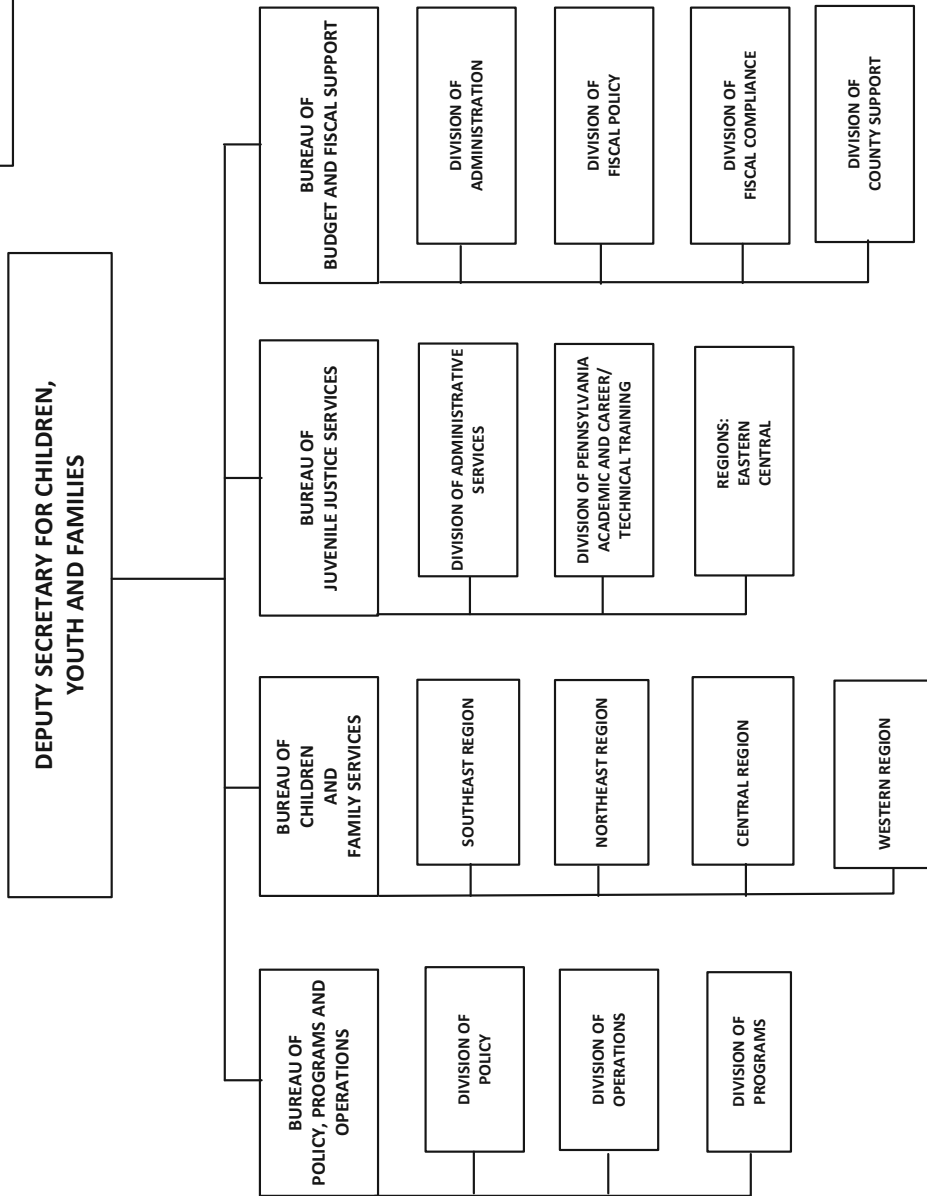




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September 21, 2016

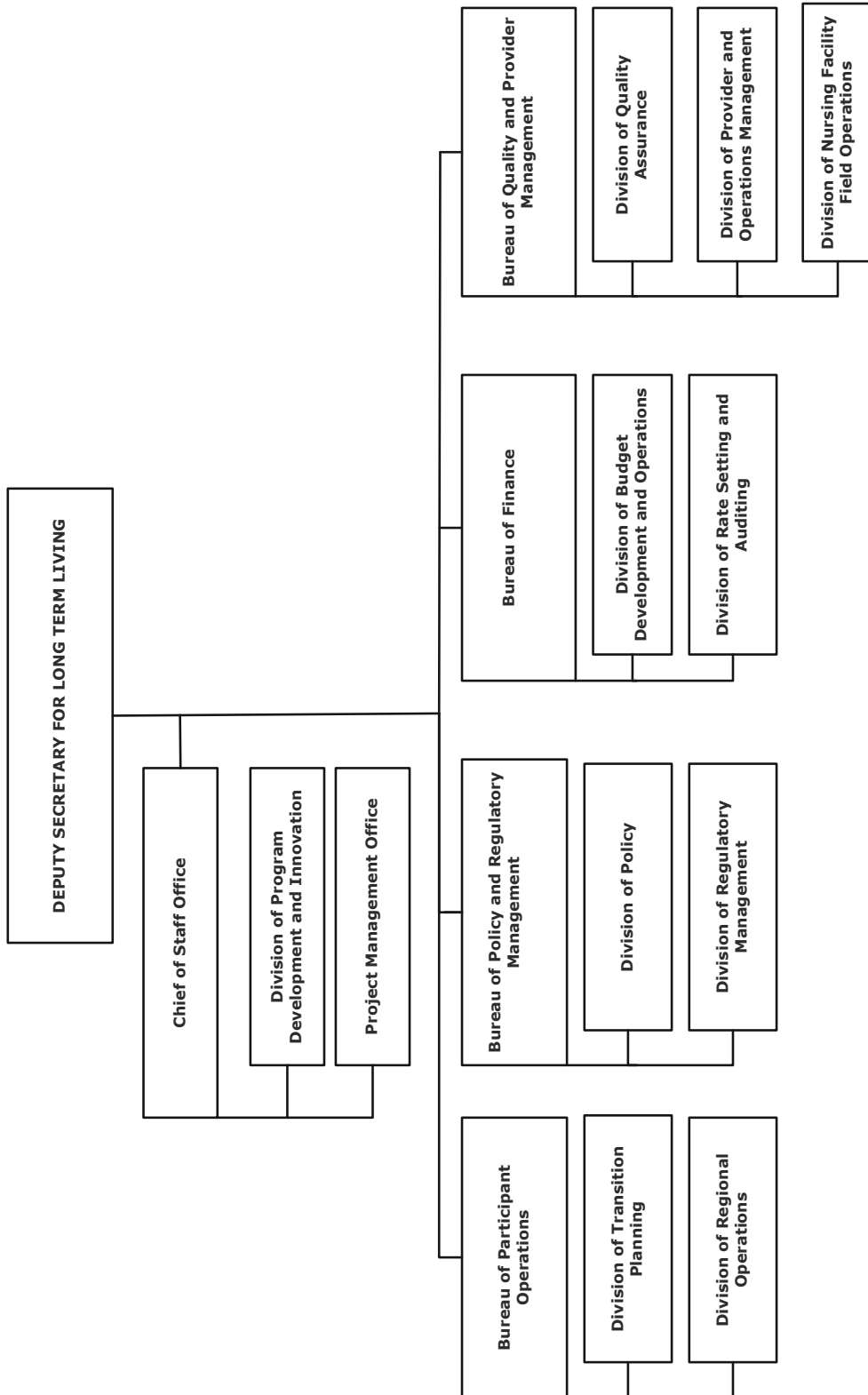
DEPARTMENT OF HUMAN SERVICES
DEPUTY SECRETARY FOR CHILDREN, YOUTH AND FAMILIES

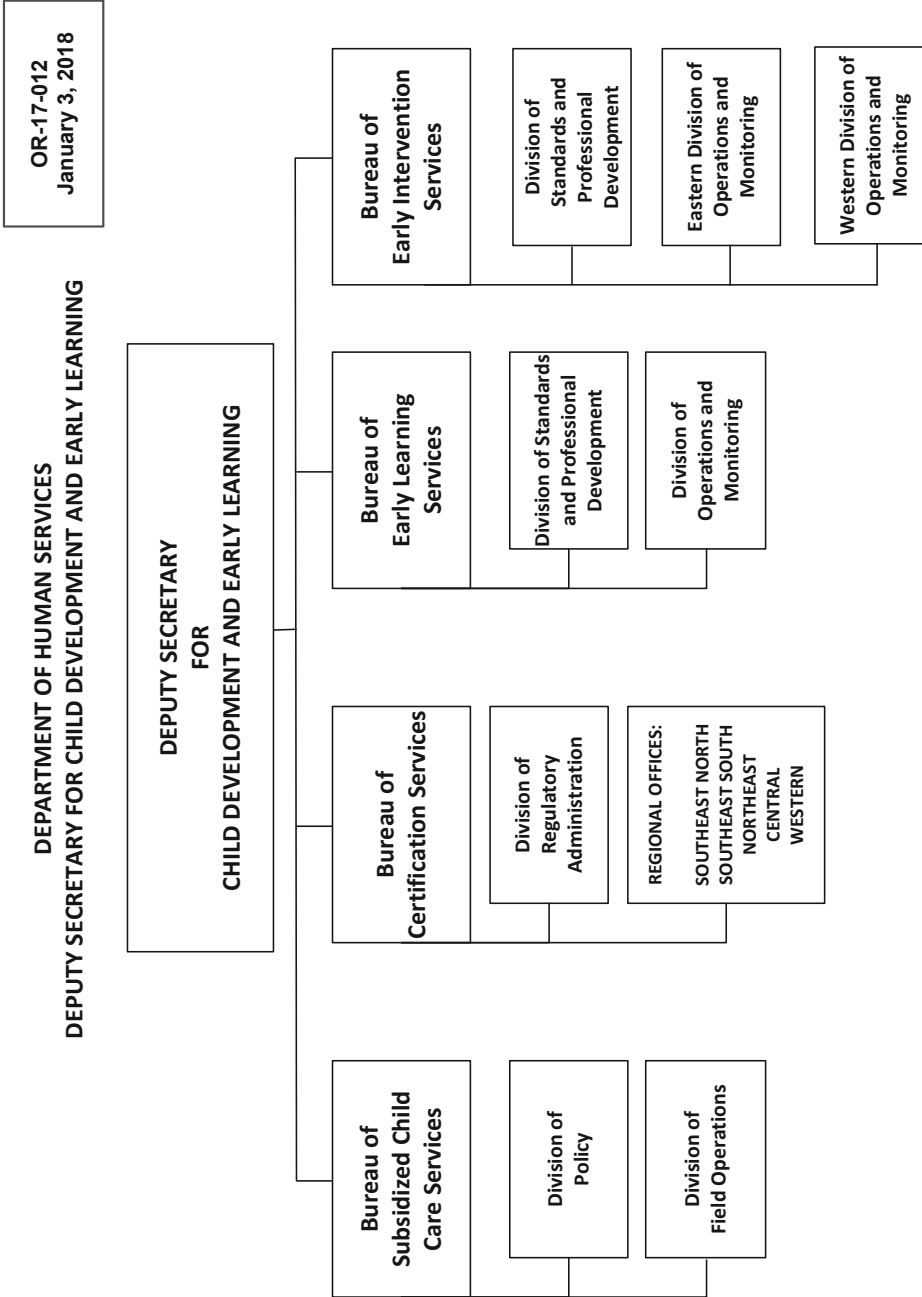
OR-17-007
December 12, 2017



**DEPARTMENT OF HUMAN SERVICES
DEPUTY SECRETARY FOR LONG TERM LIVING**

OR-14-027
December 4, 2014





NOTICES

DEPARTMENT OF AGRICULTURE

Pennsylvania Wine Marketing and Research Program Board; Grant Solicitation Announcement and Application Procedures; Correction

An error occurred in the notice published at 48 Pa.B. 1273 (March 3, 2018). The application deadline for a complete project proposal and grant application sent by mail is corrected as follows.

The Pennsylvania Wine Marketing and Research Program Board (Board) annually, or more frequently as the availability of fund permits, solicits applications for grants to conduct promotion, marketing and research projects to increase the quality, profitability, production and sale of wines, enhance the wine industry and benefit wine producers of this Commonwealth.

The Board was established by the Department of Agriculture (Department) under 3 Pa.C.S. §§ 4501—4513 (relating to Agricultural Commodities Marketing Act) (ACMA). Its composition, funding and duties were subsequently expanded by section 488.1 of the Liquor Code (47 P.S. § 4-488.1).

The Board makes awards of grants from its own funds generated by the methods set forth in the ACMA and makes recommendations for the awarding of grants by the Liquor Control Board from funds provided through the Liquor Code (47 P.S. §§ 1-101—10-1001).

This notice establishes the procedures by which grant applications will be solicited, reviewed and grants awarded.

1. *Grant Solicitation.* The Board will be accepting grant applications for the purposes, in the form and according to the schedule set forth herein for a period of not less than 30 days beginning on the date of publication of this notice in the *Pennsylvania Bulletin*. Additional publication and dissemination of this notice shall be made to applicants who have previously submitted grant applications to, or received grants from, the Board, State universities and State-supported universities located in this Commonwealth, universities with colleges of agricultural science located in this Commonwealth and individuals or entities who have requested notification from the Department or the Board of grant availability.

2. *Process Overview.* The Board will employ the review process described as follows to select projects: (a) to fund by making a grant from its ACMA funds; or (b) to recommend to the Liquor Control Board for the making of a grant.

a. In the event of an ACMA-funded grant, the terms and conditions of the grant will be governed by a grant agreement between the Board and the applicant which shall be tendered to the applicant for execution, returnable in no more than 30 days.

b. In the event of a recommendation to the Liquor Control Board to make and fund a grant, the decision as to whether to award a grant will be made by the Liquor Control Board. If the Liquor Control Board approves the grant recommendation, the terms and conditions of the grant will be governed by a grant agreement between the Liquor Control Board and the applicant, which shall be tendered to the applicant for execution by the Board on behalf of the Liquor Control Board, returnable in no more than 30 days.

3. *Application Deadline.* Interested applicants must deliver a complete project proposal and grant application to the Board by 4 p.m. on Friday, April 20, 2018, if hand-delivered, or sent by mail postmarked on or before the same date and received by Monday, April 30, 2018. Applications should be addressed and delivered to the Department of Agriculture, Bureau of Market Development, ATTN: Agricultural Commodity Board Grant Program, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

a. Applicants are expected to provide a brief presentation of their proposals to the Board at its scheduled meeting on Tuesday, May 8, 2018, beginning at 10 a.m. in Room 309, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110-9408. In-person attendance of applicants is not required and a conference call-in number will be provided to those who wish to participate by phone. It is important that applicants prominently include their e-mail and phone contact information in their applications.

4. *Format of the Project Proposal and Grant Application.* The project proposal and grant application shall be formatted as follows:

a. A cover page, titled Pennsylvania Wine Marketing and Research Program—Project Proposal and Grant Application, providing: the title of the proposed project; the name and address of the applicant; the name, address, telephone number and e-mail address of the applicant's principal contact person for matters relating to the application; and the total maximum grant amount sought for the proposed project or program.

b. Section 1, titled Statement of Purpose, explaining or presenting: the purpose for which the grant funds would be utilized; details of the proposed project, including a statement of expected impact of outcomes, staffing for the project, and objectives and methodologies; and whether, how and to what anticipated extent the proposed promotion, marketing or research project increases the quality, profitability, production and sale of wines, enhances the wine industry and benefits wine producers of this Commonwealth.

c. Section 2, titled Statement of Need, explaining the need for the grant funds sought, and identifying the presence of any additional funding partners and the extent of that funding.

d. Section 3, titled Budget, presenting a detailed budget for the proposed project or program, including an itemized breakdown of: all personnel by name devoted to the project, their professional qualifications, the amount of time calculated by hours and the tasks to be performed by each of the named personnel; each and every item of direct expense to be incurred in the project separately set forth, including all purchases of consumable or non-consumable goods or equipment, listing the disposition of all nonconsumable goods or equipment upon completion of the project; all travel by dates, purpose, destination, mode of transportation and rate; a full breakdown of other costs, if any, and the method used to calculate those costs. See also paragraph 10.

e. Section 4, titled Criteria for Measuring Outcomes, identifying methods for measuring outcomes.

f. Section 5, titled Industry Involvement, describing the extent of any support, participation and funding from this

Commonwealth's wine industry, including any written confirmation of that support, participation or funding.

5. *Scoring of Applications.* The Board will evaluate each complete and timely-filed project proposal and grant application it receives, which shall include a 100-point scale assessing:

- a. Up to 20 points for the project needs statement.
- b. Up to 20 points for the expected impact of project outcomes.
- c. Up to 20 points for the promotion, marketing or research methodology.
- d. Up to 20 points for overall project evaluation.
- e. Up to 20 points for support and participation from industry.

6. *Scores.* Upon completion of evaluations, the Board will prepare a record identifying each complete and timely-filed project proposal and grant application received and the numerical score assigned to each. In the event of an ACMA-funded grant, the Board will award grants based upon its evaluation and scoring. In the event of one or more recommendations to the Liquor Control Board to make and fund a grant, the Board will transmit to the Liquor Control Board the project proposal and grant application, along with the score assigned to it by the Board and any other information deemed relevant by the Board or requested by the Liquor Control Board. Request will be made by the Board that the Liquor Control Board respond to all recommendations for grant approval within 30 days.

7. *Term of Grants.* Applications should be submitted for projects to begin after July 1, 2018, on a date within Fiscal Year 2018-2019 (July 1, 2018—June 30, 2019). Anticipated completion dates will be dictated by the project scope and parameters and may exceed 12 months from commencement if the project so warrants. The

Board may award, or recommend that the Liquor Control Board approve, grant funding for multiyear projects or extensions of an on-going project, if the Board identifies that a multiyear term or an extension advances the grant's objectives. Requests for extensions of ongoing projects shall be made, evaluated and processed in accordance with all the requirements of this notice.

8. *Notice of Award.* Applicants shall be notified by mail of the decision on their grant applications by the Board. Best efforts will be made to do so within 60 days of the application deadline.

9. *Grant Agreement.* With the mailed grant award notice, the Board will provide applicants with a grant agreement for execution and return within 30 days. The Board will obtain the required signature on the grant agreements, including the Liquor Control Board, if necessary, and any other required Commonwealth entities, and return a copy to the applicant. No grant agreement is effective and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Board full and complete access to all records relating to the performance of the project and submit information as the Board may require.

10. *Nonmatching Cost-Reimbursement Grant and Indirect Costs Cap.* Grants made hereunder do not require the applicant secure or devote a matching sum to the project. Payment of grant funds will occur on a reimbursement basis only. No grant award will include an allowance for indirect costs, if any, in excess of 10%.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 18-452. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending March 13, 2018.

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

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-8-2018	Steven B. Atlass and the Atlass Family Trust Haverford Montgomery County Application for approval to acquire more than 5% of the common stock of Hyperion Bank, Philadelphia.	Withdrawn

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-26-2018	First Priority Bank Malvern Chester County	237 East Gay Street West Chester Chester County	Opened
3-8-2018	ESSA Bank & Trust Stroudsburg Monroe County	600 West Hamilton Street Allentown Lehigh County	Filed
3-8-2018	Northwest Bank Warren Warren County	1228-1242 Jefferson Road Buffalo Erie County, NY	Filed
3-12-2018	Somerset Trust Company Somerset Somerset County	915 Mills Drive North Huntingdon Westmoreland County	Filed
3-13-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	176 West Street Road Feasterville-Trevoise Bucks County	Filed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
3-12-2018	Sharon Savings Bank Darby Delaware County	Filed

Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety to change their corporate title to "Sharon Bank."

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. 18-453. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Execution of First Amendment to Oil and Gas Lease for Publicly-Owned Streambeds

Effective September 22, 2017, a First Amendment to Oil and Gas Lease for Publicly-Owned Streambeds, Contract No. M-2102032-04, was executed by and between the Commonwealth, acting through the Department of Conservation and Natural Resources (Department) (lessor), and EQT Production Company (lessee), with its principal place of business located at 625 Liberty Avenue, Pittsburgh, PA 15222.

The lease is for Streambed Tract 2032 on the Monongahela River encompassing a total of 945 acres of submerged lands located in Carroll, Monongahela, Union, Luzerne, Forward, Jefferson, Rices Landing, Jefferson Hills, Elizabeth, West Elizabeth, Monessen and Fallowfield Townships, Greene, Fayette, Washington, Westmoreland and Allegheny Counties. The lease was recorded at the Allegheny County courthouse on November 21, 2017, document No. 2017-36440, Bk-DE VI-17022 Page

250; the Fayette County courthouse on February 20, 2018, instrument No. 201800001873, Book 3364, Page 2381; the Greene County courthouse on January 10, 2018, instrument No. 201800000206, Book 510 Page 1018; the Westmoreland County courthouse on January 03, 2018, instrument No. 201801030000228; and the Washington County courthouse on December 4, 2017, instrument No. 201731696. The lease allows for the development of oil and natural gas below and between the ordinary low water marks of the Monongahela River solely by means of directional, including horizontal, drilling on a nondevelopment basis that will not disturb the river or its bed. Contract No. M-2102032-04 may be viewed online at http://contracts.patreasury.gov/Admin/Upload/432781_First%20Amendment%20Tract%202032%20M-2102032-04%20-%20EQT%20Monongahela.pdf.

Questions regarding this lease should be directed to the Department's Bureau of Forestry, Minerals Division, (717) 787-2703.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 18-454. Filed for public inspection March 23, 2018, 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.

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>
PAS322201 (Storm Water)	Crayola LLC Church Lane Plant 1100 Church Lane PO Box 431 Easton, PA 18040-6638	Northampton County Forks Township	Bushkill Creek (1-F)	Yes

<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>
PAS322204 (Storm Water)	Crayola LLC Bethlehem Plant 1100 Church Lane Easton, PA 18040-6638	Northampton County Bethlehem Township	Unnamed Tributary to Monocacy Creek (2-C)	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>
PA0009440—IW	PA American Water—Silver Spring Water Treatment Plant 852 Wesley Drive Mechanicsburg, PA 17055	Cumberland County/ Silver Spring Township	7B—Conodoguinet Creek	Y
PA0087483—IW	Elizabethtown Area Water Authority 211 West Hummelstown Street Elizabethtown, PA 17022	Lebanon County/ Cornwall Borough and West Cornwall Township	7G—Chickies Creek	Y
PA0248045—SEW	Jason Sauder 88 Oak Tree Road Manheim, PA 17545	Lancaster County/ Rapho Township	7G—UNT Rife Run	Y
PA0246590—SEW	Dennis and Janice McClure 3469 McAlevys Fort Road Petersburg, PA 16669	Huntingdon County/ Jackson Township	11B—Crooked—Standing Stone Creeks	Y
PA0081361—SEW	Memphord Estates Sewerage Co., Inc. PO Box 421 148 S Baltimore Street Dillsburg, PA 17019-1007	York County/ Monaghan Township	7E—Stony Run	Y
PA0029572—SEW	Paramount Senior Living at Fayetteville, LLC 933 Grindstone Road Greencastle, PA 17225	Adams County/ Franklin Township	13C—Clear Run	Y
PA0262129—SEW	Gerald & Cheryl Mishler 1040 Manada Bottom Road Harrisburg, PA 17112	Dauphin County/ East Hanover Township	7E—Manada Creek	Y
PA0262145—SEW	Jeffrey M. Pierson 367 Sherwood Drive Carlisle, PA 17015	Cumberland County/ Middlesex Township	7B—Conodoguinet Creek	Y
PA0248215—SEW	Shane V. Keefer (Lot # 4) 90 E. Main St. Walnut Bottom, PA 17266	Cumberland County/ Upper Frankford Township	7B—UNT Conodoguinet Creek	Y
PA0261815—SEW	Jeremy & Elizabeth Brocious 6418 Schoolhouse Road Hershey, PA 17033	Dauphin County/ Conewago Township	7G—Hoffer Creek	Y
PA0261947—SEW	Kelly A. Horlacher 147 Sieger Road Kutztown, PA 19530	Berks County/ Richmond Township	3B—UNT Maiden Creek	Y
PA0031631—SEW	Twin Valley School District 4851 N. Twin Valley Road Elverson, PA 19520-9340	Berks County/ Caernarvon Township	7J—East Branch Conestoga River	Y
PA0084646—SEW	Southern Fulton School District 3072 Great Grove Road Suite 100 Warfordsburg, PA 17267	Fulton County/ Bethel Township	13B—UNT White Oak Run	Y
PA0247928—SEW	Hopewell Township 415 Three Square Hollow Road Newburg, PA 17240	Cumberland County/ Hopewell Township	7B—UNT Peebles Creek	Y
PA0260797—SEW	Clappertown CMA Church 3229 Piney Creek Road Williamsburg, PA 16693	Blair County/ Huston Township	11A—UNT Piney Creek	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>
PA0080608—SEW	Fellowship of Bible Churches, Inc.—Camp Tohiglo 10670 Fort Loudon Road Mercersburg, PA 17236	Franklin County/ Montgomery Township	12B—Licking Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0113107 (Sewage)	Columbia County Briar Creek Park 11 W Main Street Bloomsburg, PA 17815-1702	Columbia County Briar Creek Township	East Branch Briar Creek (5-D)	Yes
PA0218839 (Sewage)	Cherry Tree Wastewater Treatment Plant 602 Kolter Drive Indiana, PA 15701-3570	Clearfield County Burnside Township	West Branch Susquehanna River (8-B)	No

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>
PA0103373 (Sewage)	Foxburg STP PO Box 2 Foxburg, PA 16036-0002	Clarion County Foxburg Borough	Allegheny River (17-C)	Yes

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

Southeast Regional Office: Regional Water Management Program Manager, 2 E Main Street, Norristown, PA 19401, Telephone: 484.250.5970.

PA0054909, Industrial Waste, SIC Code 4941, **North Penn and North Wales Water Authorities d/b/a Forest Park Water**, PO Box 317, Chalfont, PA 18914-0317. Facility Name: North Penn North Wales Diversion. This existing facility is located in Plumstead Township, **Bucks County**.

Description of Existing Activity: The diversion of untreated Delaware River water to the North Branch Neshaminy Creek, via the Bradshaw Reservoir.

The receiving stream(s), North Branch Neshaminy Creek, is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The nearest downstream water supply is for North Penn and North Wales Water Authorities is located on North Branch Neshaminy Creek.

The proposed effluent limits for Outfall 001 are based on a design flow of 26 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen Aug 1 - Feb 15	XXX	XXX	4.0 Inst Min	5.0	XXX	XXX
Dissolved Oxygen Feb 16 - Jul 31	XXX	XXX	5.0 Inst Min	6.0	XXX	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	Report
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Orthophosphate	XXX	XXX	XXX	Report	XXX	XXX

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

1. No Chemical Additives without Prior Approval
2. Dissolved Oxygen Requirements
3. Continuous Monitoring/Alternative Monitoring Requirements
4. Aquatic Biology Assessment

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 Regional Office: Maria Bebenek, PE, Southcentral Regional Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Telephone: 717.705.4800.

PA0266655, Sewage, SIC Code 8811, **Harris Daniel N & Harris Ida F**, 5178 Cortland Road, New Paris, PA 15554. Facility Name: Harris Residence. This proposed facility is located in Lincoln Township, **Bedford County**.

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

The receiving stream(s), Georges Creek, is located in State Water Plan watershed 11-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
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 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

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

PA0024759, Sewage, SIC Code 4952, **Curwensville Municipal Authority**, 314 South Street, Curwensville, PA 16833-1237. Facility Name: Curwensville Municipal Authority Wastewater Treatment Plant. This existing facility is located in Curwensville Borough, **Clearfield 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), West Branch Susquehanna River, is located in State Water Plan watershed 8-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.75 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	155	250	XXX	25.0	40.0	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	185	280	XXX	30.0	45.0	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	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)						
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)						
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	Semi Avg Report	XXX	XXX	Semi Avg 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.

<i>Parameters</i>	<i>Mass Units (lbs)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)						
Effluent Net	XXX	13,698 Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)						
Effluent Net	XXX	1,826 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3636.

The EPA Waiver is not in effect.

Application No. PA0234087 A-1, Concentrated Animal Feeding Operation (CAFO), **Philip D. Courter (Courter's Finisher Farm)**, 6527 Jacksonville Road, Mill Hall, PA 17751-8876.

Courter Philip has submitted an application for an Individual NPDES permit for an amendment of a CAFO known as Courters Finisher Farm, located in Porter Township, **Clinton County**.

The CAFO is situated near Cedar Run in Watershed 9-C, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 1,070.86 animal equivalent units (AEUs) consisting of 7,000 swine, 15 heifers, 10 beef cows, 10 beef calves, 6 doe goats, 12 kid goats, and 6 layer hens. Manure is collected through slotted floors and stored in the underbarn manure storages. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

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

PA0255297, Industrial, SIC Code 4911, **APV Renaissance Partners Opco LLC**, 232 Chestnut Avenue, Bernardsville, NJ 07924. Facility Name: APV Renaissance Partners/Renaissance Energy Center. This proposed facility is located in Monongahela Township, **Greene County**.

Description of Proposed Activity: The application is for a new NPDES permit for new discharges of treated sanitary wastewater, treated industrial wastes, and treated and untreated storm water.

The receiving stream, the Monongahela River, is located in State Water Plan watershed 19-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.748 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Daily Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0.011 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Daily Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Internal Monitoring Point 201 are based on a design flow of 0.0015 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Daily Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	0.0015	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Internal Monitoring Point 301 are based on a design flow of 1.718 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX

The proposed effluent limits for Internal Monitoring Point 401 are based on a design flow of 0.014 MGD.

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

The proposed effluent limits for Internal Monitoring Point 501 are based on a design flow of 0.002 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX

In addition, the permit contains the following major special conditions: requirements applicable to 1) storm water outfalls associated with industrial activities; 2) chemical additives; 3) post-startup effluent analyses; and 4) the existing cooling water intake structure pursuant to Section 316(b) of the Clean Water Act.

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. 4618401, Sewage, **Green Lane-Marlborough Joint Authority**, P.O. Box 45, Green Lane, PA 18054.

This proposed facility is located in Green Lane Borough, **Montgomery County**.

Description of Action/Activity: Influent splitter box and influent ultra-violet disinfection upgrades.

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

WQM Permit No. 6304201 A-1, Industrial, **US ACOE Pittsburgh District**, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186.

This existing facility is located in Charleroi Borough, **Washington County**.

Description of Proposed Action/Activity: The installation of an automatic passive pH neutralization system consisting of a French drain and limestone contact vault for groundwater seep treatment.

WQM Permit No. 6518402, Sewage, **New Kensington City Municipal Sanitary Authority**, 120 Logans Ferry Road, New Kensington, PA 15068.

This proposed facility is located in New Kensington City, **Westmoreland County**.

Description of Proposed Action/Activity: Combined sewer overflow consolidation project.

WQM Permit No. 3281205 A-17, Industrial, **Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748.

This existing facility is located in Center Township, **Indiana County**.

Description of Proposed Action/Activity: Addition of a pH adjustment system to the industrial wastewater treatment plant.

WQM Permit No. 3218200, Industrial, **Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748-8009.

This proposed facility is located in Cherryhill Township, **Indiana County**.

Description of Proposed Action/Activity: Operation of an existing acid mine drainage treatment system for Dixon Run Mine No. 3.

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

WQM Permit No. 6217414, Sewage, **Corissa Williams**, 1267 Howard Road, Russell, PA 16345.

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

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

IV. NPDES Applications for Stormwater Discharges from MS4.

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

PAI132272, MS4, **Hamilton Township Monroe County**, PO Box 285, Sciota, PA 18354-0285. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Hamilton Township, **Monroe County**. The receiving stream(s), Unnamed Tributary to Appenzell Creek, Pocono Creek, Unnamed Tributary to McMichael Creek, Kettle Creek, Cherry Creek, McMichael Creek, and Lake Creek, is located in State Water Plan watershed 1-E and is classified for High Quality—Cold Water and Migratory Fish, 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 570-826-5472.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130011	Bowmanstown Borough 490 Orc St PO Box 127 Bowmanstown, PA 18030	Carbon	Bowmanstown Borough	Fireline Creek (HQ-CWF, MF)

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390064	Brookshire Partners, LP 409 Stenton Ave Flourtown, PA 19031	Lehigh Berks	Upper Milford Twp Hereford Twp	Perkiomen Creek (HQ-CEF, MF) EV Wetlands

Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450052	Kalahari Resorts, LLC 1305 Kalahari Dr PO Box 590	Monroe	Tobyhanna Twp Pocono Twp	Swiftwater Creek (EV) UNT to Swiftwater Creek (EV) Indian Run (EV) UNT to Indian Run (EV)

Wayne Conservation District, 925 Court Street, Honesdale, PA 18431.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD640011	CRVC Realty LLC 328 Wanoka Rd Honesdale, PA 18431	Wayne	Cherry Ridge Twp Texas Twp	UNT to Lackawaxen River (HQ-CWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD140028	KOA Bellefonte/State College 2481 Jacksonville Road Bellefonte, PA 16823	Centre	Marion Twp	UNT-Nittany Creek HQ-CWF

Tioga County Conservation District: 50 Plaza Lane, Wellsboro, PA 16901, (570) 724-1801, X 3.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD590005	DB Adventures, LLC John Deere Ln Gaines, PA 16922	Tioga	Gaines Twp	Pine Creek EV, MF

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAD0200112	Ms. Colleen Loreda 5720 East Schaaf Road Independence, OH 44131	Allegheny County	Neville Township	Ohio River (WWF)
PAD650013	Laurel Highland Total Communications, Inc. P.O. Box 168 Stahlstown, PA 15687	Westmoreland County	Donegal Township	UNT to Indian Creek (HQ-CWF)
PAI050215002	Joseph A. Ciccone Pittsburgh Field Club 121 Field Club Road Pittsburgh, PA 15238	Allegheny County	Fox Chapel Borough	Squaw Run (HQ-WWF)

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

PAG-12 CAFOs

CAFO Notices of Intent Received.

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

NPDES Permit No. PA0088889, CAFO, **Graywood Farms LLC**, 225 Mason Dixon Road, Peach Bottom, PA 17563-9406.

This existing facility is located in Fulton Township, **Lancaster County**.

Description of size and scope of existing operation/activity: Dairy (Cows, Heifers, Calves): 1,828.06 AEUs.

The receiving stream, Unnamed Tributary to Conowingo Creek, is in watershed 7-K and classified for: High Quality—Cold Water, High Quality Waters—Cold Water Fishes, and Migratory Fish.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

NPDES Permit No. PAG123754, CAFO, **Mountain View Swine Farms**, 411 Chestnut Hill Road, York, PA 17402-9559.

This existing facility is located in Bethel Township, **Berks County**.

Description of size and scope of existing operation/activity: Swine (Grow—Finish): 2,125.41 AEUs.

The receiving stream, Unnamed Tributary to Little Swatara Creek, is in watershed 7-D and classified for: Cold Water Fishes and Migratory Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

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

NPDES Permit No. PAG124830, CAFO, **Zimmerman Dennis**, 55 Zimmerman Lane, Beaver Springs, PA 17812-9370.

This existing facility is located in Spring Township, **Snyder County**.

Description of size and scope of existing operation/activity: The facility is comprised of approximately 9,000 ducks. There is a total of 15.28 AEUs.

The receiving stream, Unnamed Tributary to Middle Creek, is in watershed 6-A and classified for: Cold Water Fishes and Migratory Fishes.

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

NPDES Permit No. PAG124844, CAFO, **John Pfleeger**, 460 Gold Road, Muncy, PA 17756-5748.

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

Description of size and scope of existing operation/activity: This operation includes three hog barns holding up to 4,400 hogs and a bank barn holding up to 30 beef steers for a total of 682.41 AEUs. The farm consists of 375 owned or rented acres of crop production.

The receiving stream, Unnamed Tributary of Warrior Run, is in watershed 10-D and classified for: Migratory Fishes and Warm Water Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

MS4 PAG-13 Notices of Intent Received.

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136215	Fawn Township 3054 Howes Run Road Tarentum, PA 15084-3633	Fawn Township, Allegheny County	Y	N
PAG136356	Beaver County 810 Third Street Beaver, PA 15009	Beaver County	Y	N
PAG136362	Franklin Borough 1125 Main Street Johnstown, PA 15909	Franklin Borough, Cambria 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.

**ACT 38
NUTRIENT MANAGEMENT PLANS
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Ken Loht 199 Road Apple Drive McClure, PA 17841	Mifflin	0	474	Finisher Swine	NA	renewal
Brechland Farms, LP 3387 Mont Alto Road Fayetteville, PA 17222	Franklin	728.5	1,404.3	Dairy	NA	Renewal

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Bortnick Dairy LLC 21820 Palmer Road Conneautville, PA 16406	Crawford	3,570	2,605	Dairy	NA	R
Sperry Farms, Inc. 11549 Sperry Road Atlantic, PA 16111	Crawford	413.1	4,285.58	Poultry	NA	R

**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. 2318501, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Middletown
County	Delaware
Responsible Official	Curt R. Steffy Vice President-Production
Type of Facility	PWS
Consulting Engineer	Jason R. Marie, P.E. Mott McDonald The Public Ledger Building Suite-1040 150 South Independence Mall West Philadelphia, PA 19106

Application Received Date February 14, 2018
 Description of Action Addition of chlorine dioxide at the Ridley Water Treatment Plant.

Permit No. 1518504, Public Water Supply.

Applicant **Atglen Borough**
 P.O. Box 250
 Atglen, PA 19310
 Township Atglen
 County **Chester**
 Responsible Official Caren Andrews-Manager
 P.O. Box 250
 Atglen, PA 19310
 Type of Facility PWS
 Consulting Engineer Mark L. Homan, P.E.
 Becker Engineers, LLC
 115 Millersville Road
 Lancaster, PA 17603

Application Received Date February 8, 2018
 Description of Action Addition of nitrate treatment at Well No. 4.

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

Permit No. 4318501, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 Township or Borough City of Sharon
 County **Mercer**
 Responsible Official Patrick Burke, P.E.
 204 East Sunbury Street
 Shamokin, PA 17872
 Type of Facility Public Water Supply
 Consulting Engineer Robert Horvat, Jr., P.E.
 Entech Engineering, Inc.
 400 Rouser Road
 Building 2, Suite 200
 Coraopolis, PA 15108

Application Received Date March 2, 2018
 Description of Action Relocation of final chlorination point at SVWTP to facilitate chlorine monitoring and chloramine production. Part of this project is the substitution of NaMnO₄ for KMnO₄ as a preoxidant and the relocation of the ClO₂ feed to the top of the filter beds.

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.

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

WA 24-1001, Water Allocations. **Johnsonburg Municipal Authority**, 434 Center Street, Johnsonburg, PA

15845, Johnsonburg Borough, **Elk County**. Water Allocation Permit application requesting the right to withdraw 1.50 MGD from the East Branch of the Clarion River.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

WA 12-373C, Water Allocations. **Emporium Water Company**, 174 Nickler Road, Emporium, PA 15834, Porter Township, **Cameron County**. Application for renewal of previous water allocation permit WA 12-373B. No increase from the current allocated amount 425,000 gallons per day (gpd) is being requested.

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:

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

Vitali Property, 14025 Upper Maple Drive, Newton Township, **Lackawanna County**. SCE Environmental Group, 1380 Mount Cobb Road, Lake Ariel, PA 18436, on behalf of Catherine Vitali, 14025 Upper Maple Drive, Clarks Summit, PA 18411, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated as the result of a release of heating oil. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Scranton Times* on February 23, 2018.

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

CVS Store # 11040, 131 East Main Street, Hummelstown, PA 17036, Hummelstown Borough, **Dauphin County**. ECS Mid-Atlantic LLC, 56 Grumbacher Road, Suite D, York, PA 17406, on behalf of PA CVS Pharmacy LLC c/o J.C. Bar Development LLC, 224 St. Charles Way, Suite 290, York, PA 17402, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with No. 2 fuel oil. The site will be remediated to the Site-Specific Standard. Future use of the site is to be developed into a CVS Pharmacy. The Notice of Intent to Remediate was published in *The Sun* on March 1, 2018.

Halifax Village MHP, 65 South Elmer Avenue, Halifax, PA 17032, Halifax Township, **Dauphin County**. Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Halifax Village LLC, P.O. Box 375, Gap, PA 17527, submitted a Notice of Intent to Remediate site soil contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is to be used for residential purposes. The Notice of Intent to Remediate was published in *The Patriot News* on February 13, 2018.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Former Dry Cleaning Operation, 1151 West 38th Street, City of Erie, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Park Plaza Partnership, 2540 Village Common Drive, Erie, PA 16506 submitted a Notice of Intent to Remediate. The site historically operated as a dry cleaning business. Site soil and site groundwater have been impacted by volatile organic compounds, specifically, trichloroethene and tetrachloroethene. The remediation standard will be Site-Specific. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in the *Erie-Times News* on February 28, 2018.

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.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

General Permit No. WMGR081D039. Wade Material Recoveries International, Inc., 382 Jackson Rd, Atco, NJ 08004-1604. An application for coverage under general permit WMGR0081, authorizing the processing and beneficial use of uncontaminated and source separated electronics equipment and components by sorting, disassembling or mechanical processing (sizing, shaping, separating and volume reduction only) at 5250 Unruh Avenue, **Philadelphia County**, was deemed administratively complete by the Department on March 6, 2018.

Persons interested in obtaining more information about the general permit application may contact Kevin Beer, Environmental Group Manager, 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.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

General Permit Application No. WMGR028SC007J. 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 Leesport Blacktop Plant, 167 New Enterprise Drive, Leesport, PA 19533 in Ontelaunee 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 February 13, 2018.

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 Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

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.

62-032N: Ellwood National Forge—Irvine (One Front Street, Irvine, PA 16329), for the proposed reactivation of Furnace 388 (rated at 5.3 MMBtu/hr) as a new source that will burn natural gas instead of # 2 fuel oil. This furnace will be included in Source 111 [ENF Heat Treat Furnaces (13)]. The facility is located in Brokenstraw Township, **Warren County**. This is a Title V facility.

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.

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

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

39-00004C: Mack Trucks, Inc. (700 Alburtis Road, Macungie, PA 18062) for their facility in Lower Macungie Township, **Lehigh County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval for Mack Trucks, Inc. (700 Alburtis Road, Macungie, PA 18062) for their facility in Lower Macungie Township, Lehigh County. This Plan Approval No. 39-00004C will be incorporated into a Title V Permit through an administrative amendment at a later date.

Plan Approval No. 39-00004C is for a production increase from 74 to 130 chassis per day on their "G" line Chassis spray booth and oven (Source ID 108, ID 109). The main emissions from these sources are VOCs. The project net VOC emission increase is 33.31 Tons/year. The new sources will be required to comply with 25 Pa. Code § 129.52 surface coating requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting

the comments, identification of the proposed permit No. 39-00004C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

58-00021A: Xpress Natural Gas, LLC, (160 State Street, Boston, MA 02109) for a Liquefied Natural Gas (LNG) processing and distribution facility located in Forest Lake Township, **Susquehanna County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) intends to issue a Plan Approval for Xpress Natural Gas, LLC, (160 State Street, Boston, MA 02109) for a Liquefied Natural Gas (LNG) processing and distribution facility located Forest Lake Township, Susquehanna County. This Plan Approval No. 58-00021A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 58-00021A is for the installation and operation of two (2) 1,680 BHP compressor engines and one (1) natural gas fired emergency engine. The main emissions for the new sources are NO_x , and CO. The new sources shall meet all applicable requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 58-00021A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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

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

63-00930A: Woodruff Partners, LLP—DBA Peaceful Pastures Pet Cemetery (2820 Washington Road, McMurray, PA 15317) for intent to issue a modified Air Quality plan approval to authorize the construction and temporary operation of one (1) additional animal crematory incinerator at its facility located in North Strabane Township, **Washington County**. The proposed crematory incinerator is a Matthews ("Matthews") International-Cremation Division IEB-26 natural gas-fired unit with a maximum cremation rate of 200 pounds per hour. One (1) Matthews IE43-PPII natural gas-fired animal crematory incinerator with maximum cremation rate of 150 pounds per hour is currently installed and operated at the facility.

With annual operation limited to 3,744 hours, annual potential to emit (PTE) from the proposed crematory incinerator will not exceed the following: 2.0 tons of carbon monoxide (CO); 0.6 ton each of nitrogen oxides (NO_x) and volatile organic compounds (VOC); 0.9 ton each of PM, PM_{10} , and $\text{PM}_{2.5}$; 0.50 ton sulfur oxides (SO_x); 0.2 ton of total hazardous air pollutants (HAP). Total annual PTE from the facility will not exceed the following: 3.5 tons of CO; 1.1 ton each of NO_x and VOC; 1.7 ton each of PM, PM_{10} , and $\text{PM}_{2.5}$; 0.9 ton SO_x ; 0.4 ton of total HAPs. Best available technology (BAT) for the proposed crematory incinerator includes operation and maintenance in accordance with the manufacturer's specifications and instructions and using good air pollution control practices; and multi-chamber design with a minimum secondary chamber temperature of 1,800°F and residence time greater than 1 second. The proposed crematory incinerator is subject to applicable portions of 25 Pa. Code Chapters 121, 123, and 127, and the requirement to meet Best Available Technology (BAT) pursuant to 25 Pa. Code § 127.1. The proposed Plan Approval has been conditioned to ensure compliance with all applicable regulations and includes emissions limitations, limitations on hours of operation, and also includes work practice, monitoring, recordkeeping, and reporting requirements.

The plan approval application, the Department's Air Quality review memorandum, and the proposed Air Quality plan approval for the facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To schedule an appointment to review the referenced documents, a person may contact the Southwest Regional Office at 412-442-4000; or, to request an electronic copy of the Department's Air Quality review memorandum or an electronic copy of the Department's proposed Air Quality plan approval for the facility, a person may contact Devin P. Tomko via email at dtomko@pa.gov or via telephone at 412-442-5231.

A person may oppose the proposed Air Quality plan approval by filing a written protest with the Department or may submit written comments through Devin P. Tomko via the U.S. Postal Service to the Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; written comments may also be submitted via email to dtomko@pa.gov or via fax to 412-442-4194. Each set of written comments or protest must contain the name, address, and telephone number of the person submitting the comments or protest, identification of the proposed plan approval (63-00930A) and a

concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

All comments must be received prior to the close of business 30 days after the date of this publication. A protest to the proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.44 (relating to public notice).

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 who have properly filed a protest under 25 Pa. Code § 127.46 may appear and give testimony. The applicant, the protestant and other participants 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.

65-00634A: Dominion Energy Transmission, Inc. (5000 Dominion Boulevard—2NE, Glen Allen, VA 23060) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (“Department”) intends to issue Air Quality Plan Approval: PA-65-00634A to Dominion Energy Transmission, Inc. (“DETI”) for installation of one Solar Titan 130-20502S natural gas-fired compressor turbine rated at 20,500 HP ISO conditions, controlled by an oxidation catalyst; one natural gas-fired emergency generator engine rated at 637 bhp; one natural gas-fired boiler rated at 6.384 MMBtu/hr; one pipeline fluids storage tank, 1,000 gallon capacity; one waste oil tank, 2,500 gallon capacity; and piping components in natural gas service at the JB Tonkin Compressor Station (“JB Tonkin CS”) located in Murrys ville Borough, **Westmoreland County**.

Potential to emit (PTE) changes from installation of the new sources and emission and operational restrictions on currently authorized sources are calculated to be a decrease of 113.7 tons of nitrogen oxides (NO_x); and an increase of 30.9 tons of carbon monoxide (CO), 9.89 tons of volatile organic compounds (VOC), 2.59 tons of sulfur oxides (SO_x), 15.42 tons of particulate matter less than 10 microns in diameter (PM₁₀), 15.42 tons of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 1.68 ton of total hazardous air pollutants (HAP), and 101,365 tons of carbon dioxide equivalents (CO₂e) per year.

This authorization is subject to State regulations including 25 Pa. Code Chapters 123—Standards for Contaminants; 127—Construction, Modification, Reactivation, and Operation of Sources; 135—Reporting of Sources; and 139—Sampling and Testing. This authorization is also subject to Federal New Source Performance Standards (“NSPS”) including 40 CFR Part 60 Subparts JJJJ, KKKK, and OOOOa; and Federal National Emission Standards for Hazardous Air Pollutants (“NESHAP”) including 40 CFR Part 63 Subpart ZZZZ. Other applicable Federal regulations include 40 CFR Part 98—Mandatory Greenhouse Gas Reporting.

Plan approval conditions include source specific emission limitations, operational restrictions, compliance testing and monitoring requirements, work practice standards, and associated recordkeeping and reporting requirements. The Department has determined that the proposed facility satisfies Best Available Technology (“BAT”) requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to submit a Title V Operating Permit (“TVOP”) application in accordance with 25 Pa. Code Subchapters F and G.

DETI’s Plan Approval application, the Department’s Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department’s Air Quality Review Memorandum, or to receive an electronic copy of the Department’s proposed Air Quality Plan Approval for this project, a person may contact Alan Binder at abinder@pa.gov or 412.442.4168.

A person may oppose the proposed Plan Approval by filing a written protest with the Department through Alan Binder via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to abinder@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-00634A) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

All comments must be received prior to the close of business 30 days after the date of this publication.

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 in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

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

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

37-331C: RWE Holding Company (P.O. Box 311, Portersville, PA 16051), The Department intends to issue a plan approval to RWE Holding Company for authorization to construct and initially operate an additional material drying process, two additional crushers, and two additional screeners at their existing Rundle Road Facility. RWE Holding Company’s Rundle Road Facility is located in Taylor Township, **Lawrence County** at 535 Rundle Road (16101—New Castle).

This application was reviewed to evaluate the project’s incorporation of Best Available Technology. The sources’ emission rates of PM will be limited to the minimum achievable through BAT. Emissions from the proposed sources will be controlled through efficient filtration technology. Particulate matter emissions will be restricted to a maximum rate 0.02 gr/dscf. A 2,500 cfm bag house and a 1,440 cfm bag house will be installed with the sources. One of the control devices will be vented indoors.

Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also avail-

able for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [37-331C: RWE Holding Company] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to the New Source Review Section Chief, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6328.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

OPERATING PERMITS

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

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

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

49-00020: Truck Accessories Group LLC d/b/a TAG East (3560 Housels Run Road, Milton, PA 17847) a Title V operating permit renewal for their Milton facility located in Milton Borough, **Northumberland County**. In accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 8.98 TPY of CO; 9.02 TPY of NO_x; 0.05 TPY of SO_x; 1.95 TPY of PM/PM₁₀; 183.65 TPY of VOC; 92.54 TPY of total HAPs and 10,672 TPY of CO₂e. The facility's sources include forty-three (43) natural gas-fired space heaters, one (1) propane-fired emergency generator, a fiberglass reinforced plastic molding and assembly operation, a truck cap and Tonneau Cover assembly and finishing area, aluminum truck cap assembly and finishing area and three (3) solvent recovery units. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12, as well as the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products, 40 CFR 63.4480—63.4581; National Emission Standards for Hazardous Air Pollutants for Reinforced Plastic Composites Production, 40 CFR 63.4480—63.4581 and the National

Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63.6580—63.6675. The proposed Title V operating permit contains all applicable Federal and State regulatory requirements including monitoring, recordkeeping, and reporting conditions. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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.

46-00007: Holy Redeemer Hospital & Medical Center (1648 Huntingdon Pike, Meadowbrook, PA 19047) for renewal of a non-Title V, State Only, Synthetic Minor Operating Permit in Abington Township, **Montgomery County**. Plan Approval 46-0007 has been incorporated into the permit. The permit contains monitoring and recordkeeping requirements to address applicable limitations.

15-00051: Allan A. Myers, L.P. d/b/a Allan Myers Materials, Devault Asphalt Plant (Rte. 29, (Devault) Charlestown Twp., PA 19432) for a non-Title V, State Only, Synthetic Minor operating permit in Charlestown Township, **Chester County**. This action is a renewal of the State Only Operating Permit. The permit was initially issued on 8-26-2008 and was subsequently renewed on 9/27/2013. The Devault Asphalt Plant consists of counter-flow drum mix asphalt plant with a rated capacity of 450 tons per hour (tph) and an aggregate drum dryer/burner that uses natural gas as the primary fuel and No. 2 fuel oil as the backup fuel. The plant utilizes a combination baghouse/cyclone for control of particulate matter emissions. The plant also has a recycled asphalt pavement (RAP) crusher with a rated at 250 tph. The renewed permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

15-00095: Longwood Gardens (410 Street Rd., Kennett Square, PA 19348), for a non-Title V, State-Only, Synthetic Minor Operating Permit in East Marlborough Township, **Chester County**. This action is for the third renewal of the State Only Operating Permit. The permit was initially issued on 5-21-2003 and was subsequently renewed on 8-26-2008 and on 6-27-2013. Longwood Gardens is a non-profit business activity focused on horticulture. The primary emission sources include three (3) dual fuel-fired (natural gas and No. 6 fuel oil) backup boilers that are used to heat the greenhouses in the cool months of the year, four (4) emergency generators that are used in the event of a power interruption and two 2,250-kW standby (backup) generators. The renewed permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

15-00009: AGC Chemicals Americas, Inc. (255 S. Bailey Road, Downingtown, PA 19335), located in Caln Township, **Chester County**. The renewal incorporates the conditions of Plan Approval 15-0009C and 15-0009D for the two fluid bed dryers. The facility is custom manufacturer using fine powders such as PTFE. The facility wide VOC emission limit is 15 TPY on a 12-month rolling sum. The permit includes monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

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

39-00056: Lehigh County Authority Wastewater Treatment Plant (7676 Industrial Blvd., Allentown, PA 18106) intends to issue a State-Only (Natural Minor) Operating Permit renewal for operation of their wastewater treatment plant located in Upper Macungie Township, **Lehigh County**. The sources include the facility headworks and solids processing building controlled by four (4) scrubbers. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00106: Wyman Gordon PA, LLC (701 Crestwood Road, Mountaintop, PA 18707-2143) intends to issue a State-Only (Natural Minor) Operating Permit renewal for operation of their aircraft engine parts manufacturing operation located in Wright Township, **Luzerne County**. The sources include a splitter saw controlled by a dust collector and an emergency engine. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

39-00072: Hamilton 9999 Associates, L.P. (9999 Hamilton Boulevard, Suite 010, Breinigsville, PA 18031). The Department intends to issue a renewal State-Only Synthetic Minor Permit for their facility located in Upper Macungie Township, **Lehigh County**. The main sources at this facility are Boilers. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00084: Lacey Memorial, Inc. (1000 South Church Street Rear, Hazelton, PA 18201). The Department intends to issue a renewal State-Only Natural Minor Permit for Lacey Memorial, Inc. located in the City of Hazelton, **Luzerne County**. The main source at this facility is an incinerator. The control device is an after-burner. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

66-00007: Airport Sand & Gravel Co., Inc. (500 Swetland Lane, West Wyoming, PA 18644). The Department intends to issue a renewal State-Only Natural

Minor Permit for the Airport Sand & Gravel Co., Inc. located in Nicholson Township, **Wyoming County**. The main source at this facility is a crusher. The control device are water sprays. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-05125: PA Department of Corrections (1451 N. Market Street, Elizabethtown, PA 17022) for operation of boilers and generators at the corrections officers training facility in Mount Joy Township, **Lancaster County**. Potential emissions after limiting coal usage to no more than a 10% annual capacity factor for each of the two (2) coal-fired boilers is 10.64 tpy of NO_x and 23.57 tpy of SO_x. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial—Commercial—Institutional Steam Generating Units and from 40 CFR Part 63 Subpart JJJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial, and Institutional Boilers.

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

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

14-00036: Gensimore Trucking, Inc. (P.O. Box 5210, Pleasant Gap, PA 16823), for operation of their Happy Valley Blended Products Trucking facility located in Spring Township, **Centre County**. The facility's main sources include small combustion units rated less than 1 MMBtu/hr, two cement blending lines, one Permanent Life Aggregates processing line, and one Kitty Litter processing line. The facility is currently operating under NMOP 14-00036. This facility has the potential annual emissions 0.11 ton of carbon monoxide, 0.32 ton of nitrogen oxides, 0.77 ton of sulfur oxides, 11.61 tons of particulate matter, 1.19 ton of particulate matter less than 10 microns, 0.32 ton of particulate matter less than 2.5 microns, 0.01 ton of hazardous air pollutants, 0.02 ton of volatile organic compounds, and 11,654 tons of greenhouse gases. The Kitty Litter processing line is a new source and was proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting, and work practice conditions of the NMOP have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

17-00062: Dubois Regional Medical Center d/b/a Penn Highland DuBois (100 Hospital Ave, Dubois, PA 15801) for renewal of State-Only (Synthetic Minor) Permit issued on May 1, 2013, for their facility located in the City of Dubois, **Clearfield County**. The sources currently in operation at this facility are described, as follows: four (4) dual fuel-fired (natural gas and # 2 fuel oil) boilers (each with a rated heat input less than 50 million British thermal units per hour (MMBtu/hr)), various natural-gas-fired combustion sources (each with a rated heat input less than 2.5 MMBtu/hr, two (2) natural-gas-fired boilers (each with a rated heat input less than 10 MMBtu/hr, two (2) natural-gas-fired emergency generators, six (6) # 2 fuel oil-fired emergency generators, and three (3) ethylene oxide sterilizers. A small (119-hp) 1967 vintage natural gas-fired emergency generator was added to Source ID P101 of the renewal permit. No other equipment changes or changes to facility wide potential to emit were made. The dual fuel-fired boilers are each currently operated as a gas-fired boiler per 40 CFR 63.11237 to comply with Maximum Achievable Control Technology (MACT) pursuant to 40 CFR Part 63 Subpart JJJJJJ. Additionally, these boilers are subject to Best Available Technology (BAT) pursuant to 25 Pa. Code §§ 127.1 and 127.12. All other boilers and combustion sources are operated only on natural gas pursuant to the renewal permit. Each emergency generator engine of Source IDs P101 through P103 is required to be operated as an emergency stationary RICE per 40 CFR 63.6640(f) to comply with MACT pursuant to 40 CFR Part 63 Subpart ZZZZ. Moreover, the renewal State-Only (Synthetic Minor) Permit contains the applicable MACT requirements pertaining to the three (3) ethylene oxide sterilizers of Source ID P105, as codified in 40 CFR Part 63 Subpart WWWW. Based on the application provided by DRMC, renewal State-Only (Synthetic Minor) Permit No: 17-00062 contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with the applicable requirements. The applicable requirements in the renewal were derived from 25 Pa. Code Chapters 121—145. Facility wide emission calculation of potential to emit was determined, as follows: 19.54 tons per year (tpy) for carbon monoxide, 35.23 tpy for nitrogen oxides (expressed as NO₂), 25.34 tpy for sulfur oxides (expressed as SO₂), 2.51 tpy for PM₁₀, 2.11 tpy for PM_{2.5}, 7.22 tpy for volatile organic compounds (expressed as propane), 0.48 tpy for hazardous air pollutants, and 28,728 tpy for greenhouse gases (expressed as CO₂e). All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

PLAN APPROVALS

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

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

Contact: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.

39-00081B: Insulation Corporation of America (2571 Mitchell Avenue, Allentown, PA 18103) for their facility in the City of Allentown, **Lehigh County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application from and intends to issue a Plan Approval to Insulation Corporation of America (2571 Mitchell Avenue, Allentown, PA 18103) for their facility in the City of Allentown, Lehigh County. This Plan Approval No. 39-00081B will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 39-00081B is for the increase in production capacity of one (1) 9,150 pounds/hour polystyrene pre-expander, one (1) 4,103 pounds/hour polystyrene block mold to a limit of 936,000 pounds of expanded polystyrene per month and limit VOC emissions to 47 tons per year. VOC emissions from the plant will remain under their 50 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. Volatile organic compound (VOC) emissions (pentane) shall be controlled by the existing natural gas fired boiler which also acts as a control device with a minimum destruction/removal efficiency (DRE) of 95%. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 39-00081B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

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

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 11180101 and NPDES No. PA0279625. Laurel Sand & Stone Inc., 210 East Main Street, P.O. Box 556, Ligonier, PA 15658, commencement, operation and restoration of a bituminous surface and auger mine in Jackson Township, **Cambria County**, affecting 233 acres. Receiving streams: Shuman Run and unnamed tributaries to/and Bracken Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 2, 2018.

The application includes a stream variance for use and maintenance of an existing stream crossing and impacts to 0.20 acre of wetlands.

The application also includes a request for a Section 401 Water Quality Certification.

Permit No. 32170101 and NPDES No. PA0279595 and General Permit GP-12-32170101, Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, revision of an existing bituminous coal surface mining site to obtain coverage for coal processing under air quality general permit GP-12 in Burrell and West Wheatfield Townships, **Indiana County**, affecting 94.6 acres. Receiving streams: unnamed tributaries to Toms Run and Roaring Run, all to the Conemaugh River, classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 5, 2018.

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

16120104 and NPDES Permit No. PA0259349. Ancient Sun, Inc. (P.O. Box 129, Shippenville, PA 16254) Renewal of an existing bituminous surface mine and associated NPDES permit in Elk Township, **Clarion County**, affecting 93.0 acres. Receiving streams: One unnamed tributary to Canoe Creek, classified for the following: HW-CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 7, 2018.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

59980302. DeCristo, Inc. (9070 Route 414, Canton, PA 17724). Transfer of an existing large noncoal mine from Dunbar Farm and Gavel located in Chatham and Westfield Townships, **Tioga County** affecting 12.6 acres. Receiving

stream(s): UNT to Jemison Creek classified for the following use(s): WWF and MF. There are no potable water supply intakes within 10 miles downstream. Application received: February 21, 2018.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

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

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

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

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

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

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

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

Bulletin and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

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

NPDES No. PA0213683 (Mining Permit No. 32850701), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). A renewal and revision to the NPDES and mining activity permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County** to add 1.5 acre of drainage area and additional treatment pond (TP-5) to Outfall 009. Surface Acres Affected 159.1. Receiving stream: Unnamed Tributary to Buck Run, classified for the following use: CWF. Receiving stream: Unnamed Tributary 44301 to Dixon Run, classified for the following use: CWF. Receiving stream: Dixon Run, classified for the following use: CWF. Kiski-Conemaugh TMDL. The application was considered administratively complete on March 21, 2016. Application received August 4, 2015.

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

Outfall 006 discharges to: UNT 44301 to Dixon Run

The proposed effluent limits for *Outfall 006* (Lat: 40° 41' 01" Long: -79° 00' 21") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

Outfall 007 discharges to: UNT to Buck Run

The proposed effluent limits for *Outfall 007* (Lat: 40° 41' 04" Long: -78° 59' 57") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

Outfall 008 discharges to: UNT to Buck Run

The proposed effluent limits for *Outfall 008* (Lat: 40° 41' 12" Long: -78° 59' 52") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

Outfall 009 discharges to: UNT 44301 to Dixon Run

The proposed effluent limits for *Outfall 009* (Lat: 40° 41' 04" Long: -79° 00' 19") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
Nickel	(mg/l)	-	-	-	Report
Zinc	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

Outfall 010 discharges to: Dixon Run

The proposed effluent limits for *Outfall 010* (Lat: 40° 41' 20" Long: -79° 00' 35") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

Outfall 011 discharges to: UNT to Buck Run

The proposed effluent limits for *Outfall 011* (Lat: 40° 41' 14" Long: -78° 59' 54") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

Outfall 012 discharges to: Dixon Run

The proposed effluent limits for *Outfall 012* (Lat: 40° 41' 20" Long: -79° 00' 35") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

EPA Waiver not in effect.

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

NPDES No. PA0251623 (Mining permit no. 03090102), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, renewal NPDES permit for non-started surface mine permit in Plumcreek Township, **Armstrong County**, affecting 22.9 acres. Receiving stream: Plum Creek, classified for the following use: TSF. The receiving stream is included in the August 2015 Final Crooked Creek Watershed Suspended Solids TMDL, Armstrong County. Application received: October 25, 2016.

The following treated wastewater outfall discharges to Plum Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	Treatment Facility Outfall

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

<i>Outfall: 002 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	N/A	N/A	N/A
Sulfate (mg/L)		Monitor & Report	

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

Alkalinity must exceed acidity at all times.

The following stormwater outfalls discharge to Plum Creek:

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

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

<i>Outfalls: 001, 003 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	N/A	N/A	N/A
Sulfate (mg/L)		Monitor & Report	

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

Alkalinity must exceed acidity at all times.

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

<i>Outfalls: 001, 003 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	N/A	N/A	7.0
Settleable Solids (m/l)	N/A	N/A	0.5

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

Alkalinity must exceed acidity at all times.

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

NPDES Permit No. PA0595187 on Surface Mining Permit No. 35910101. Pioneer Aggregates, Inc., (215 East Saylor Avenue, Laflin, PA 18702), renewal of an NPDES Permit for an anthracite surface mine operation in Fell Township, **Lackawanna County**, affecting 425.0 acres. Receiving stream: Wilson Creek, classified for the following uses: cold water and migratory fishes, TMDL. Application received: November 3, 2016.

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

<i>Outfall</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
OMP 2	No	Stormwater
OMP 7	No (to be constructed)	Stormwater
OMP 9	No (to be constructed)	Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			
Alkalinity greater than acidity				
Total Suspended Solids		35.0	70.0	90.0

¹ The parameter is applicable at all times.

Noncoal NPDES Draft Permits

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

NPDES No. PA0250534 (Permit No. 20900302). Frank Tucci (25000 PA Route 99, Cambridge Springs, PA 16403) New NPDES permit for a large industrial minerals surface mine in Rockdale Township, **Crawford County**, affecting 27.0 acres. Receiving streams: Kelly Run, classified for the following uses: HQ-CWF. TMDL: None. Application received: January 3, 2018.

There will be no discharge from this site.

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

NPDES Permit No. PA0225762 on Surface Mining Permit No. 5276SM8. Pocono Transcrete, Inc., (179 Burger Road, Blakeslee, PA 18610), new NPDES Permit for a sand and gravel quarry operation in Tobyhanna Township, **Monroe County**, affecting 10.0 acres. Receiving stream: Twomile Run, classified for the following uses: HQ—cold water and migratory fishes. Application received: October 3, 2017.

Non-discharge BMP's shall be in effect.

NPDES Permit No. PA0595209 on Surface Mining Permit No. 35910301. Scranton Materials, LLC, (P.O. Box 127, Meshoppen, PA 18630), renewal of an NPDES Permit for a sandstone quarry operation in Newton and Ransom Townships, **Lackawanna County**, affecting 249.0 acres. Receiving stream: Keyser Creek, classified for the following use: cold water fishes. Application received: December 18, 2017.

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

The following outfall discharges to Keyser Creek.

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0

¹ The parameter is applicable at all times.

NPDES Permit No. PA0224235 on Surface Mining Permit No. 45020301. H & K Group, Inc., (P.O. Box 196, Skippack, PA 19474), renewal of an NPDES Permit for a sandstone quarry operation in Smithfield Township, **Monroe County**, affecting 61.6 acres. Receiving stream: Marshalls Creek, classified for the following use: HQ—cold water fishes. Application received: December 28, 2017.

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

The following outfalls discharge to Marshalls Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
DP-001	No	Pit Sump/Stormwater
DP-002	No	Sedimentation Basin/Stormwater

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instantaneous Maximum
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0
Turbidity (NTU)		40.0	80.0	100.0

¹ The parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E23-541: Southeastern Pennsylvania Transport Authority (SEPTA), 1234 Market Street, Philadelphia, PA 19107-3780, Middletown Township, and Chester Heights Borough, **Delaware County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway/floodplain of the Chester Creek (TSF-MF), two UNTs to Chester Creek

(TSF-MF), Rocky Run (HQ-CWF-MF), Chrome Run (TSF-MF), and three UNTs to Chrome Run (TSF-MF) associated with the SEPTA Elwyn to Wawa Service Restoration Project. Permanent wetland impact will be 401 sq. ft., and temporary wetland impacts will be 4,142 sq. ft.

1. To remove two timber bridges and to construct and maintain two one span steel girders across Chester Creek (TSF-MF). 100-year floodway elevations will remain the same.

2. To rehabilitate and or replace and maintain five existing stone arches, CMPs, and stone masonry culverts with concrete/ RCP culverts across misc. tributaries. 100-year floodway elevations will remain the same.

3. To construct and maintain a 3-foot diameter pipe stream enclosure situated along UNT to Chester Creek (TSF-MF) and measuring approximately 141-feet in length associated with the restoration project.

4. Construct six temporary access road crossings.

5. Sediment and debris removal from the Chrome Run stream, about 3,617 feet.

The site is located SEPTA R3 track between Elwyn and Wawa (USGS Media, PA Quadrangle Latitude 39.900074; Longitude -75.458131).

E15-894. Chester Valley Golf Club, 430 Swedesford Road, Malvern, PA 19355, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To construct, modify, and maintain a sewer line extension to an existing 6 inch and 8 inch sewer line and it's manholes in and along 100 year floodway of unnamed tributary to Little Valley creek for the purpose of providing services to an existing 4 buildings and clubhouse.

The site is located near the intersection of Church Road and Swedesford Road (Malvern, PA USGS map; Lat: 40.0472722; Long: -75.562662).

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

E35-472 Ryan and Kathryn Jones, 106 Bonnie Drive, Elmhurst Township, PA 18444, Roaring Brook Township, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To place and maintain fill in 0.02 acre of wetland and to construct and maintain a 24 inch, 31 feet long culvert in a tributary to Roaring Brook (HQ-CWF) for the construction of a driveway to a private single family residence. The project is located 106 miles west of the intersection of Gardner Road and SR 0690 (Pittston, PA Quadrangle Latitude: 41° 21' 42.3"; Longitude: -75° 32' 41.9") in Roaring Brook Township, Lackawanna County.

E40-805 Frank M. Henry Associated, 1575 Wyoming Avenue, Forty Fort, PA 18704, Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 352 sq. ft. pile-supported boathouse addition and a 45 sq. ft. pile-supported addition to the existing dock within the basin of Harveys Lake (HQ-CWF).

The project is located at Pole 34 along Lakeside Drive (Harveys Lake, PA Quadrangle Latitude: 41° 21' 43"; Longitude: -76° 2' 9") in Harveys Lake Borough, Luzerne County.

E40-806 Restaurant Depot, 1524 132nd Street, College Point, NY 11356, Wilkes-Barre City, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To place and maintain fill in 0.047 ac of isolated PEM wetlands associated with the construction of a 71,000 sq. ft. warehouse facility.

The project is located 300 feet north of the intersection of Kidder Street and Scott Street (Pittston, PA Quadrangle Latitude: 41° 15' 6.4"; Longitude: -75° 51' 14.9") in Wilkes-Barre City, Luzerne County.

E48-442. Georgeann Pasch-Clamp & Richard Clamp, 4 Cambridge Drive, Rockaway, NJ 07866, in Lower Mount Bethel Township, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 190-square foot boat dock and a 120-foot-long concrete boat launching ramp in the Delaware River and its floodway. (CWF)(Scenic).

The project is located approximately 600 feet south of the intersection of Brush Drive and Delhaven Road. (Bangor, PA Quadrangle Latitude: 40.779579; Longitude: -75.130377) in Lower Mount Bethel Township, Northampton County.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E05-394: Mann Township, 1187 Blackberry Lick Road, Clearville, PA 15535 in Mann Township, **Bedford County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain 173.0 feet of riprap for stream bank protection due to slope failure and streambank stabilization, along with six (6) rock vanes constructed to direct flow away from the failed right streambank. Also, approximately 125-foot gravel bar will be removed on the left stream side to enhance flow to the center of the channel. A temporary full stream width causeway will be implemented to access both banks during construction. The project will impact 0.44 acre of stream and floodway to Blackberry Lick Run (EV, MF), all for the purpose of stabilizing the collapsed stream bank and roadway above. There are no wetlands within the proposed project area or within the 0.71 acre of limit of disturbance. The project is located north of Blackberry Lick Road (T-334) approximately 0.15 mile east of its intersection with S.R. 0026 (Latitude: 39°47'02", Longitude: -78°24'31") in Mann Township, Bedford County.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E63-672-A1, Burkett Place Limited Partnership, 9349 Waterstone Boulevard, Cincinnati, OH 45249, North Strabane Township and South Strabane Township, **Washington County**, Pittsburgh ACOE District.

The applicant proposes to:

Amend Permit No. E63-672, (which authorized MV Affordable Housing, LLC, now Burkett Place Limited Partnership, to construct, operate and maintain various water obstructions and encroachments associated with the affordable housing development), to:

Maintain fill in 0.019 acre of PSS/PEM wetland (Wetland 001), which was placed during the construction of a 60" CMP culvert and site fill. To mitigation for this after-the-fact impact to a wetland, the applicant is proposing to make a contribution to the Pennsylvania Wetland Replacement Fund, for the purpose of constructing an affordable housing development, consisting of two (2) apartment buildings with associated parking lots, garages, a community clubhouse, greenspace and utilities. The project is located at the terminus of Burkett Lane (Washington East, PA USGS topographic quadrangle; Latitude: 40° 12' 40.31"; Longitude: -80° 11' 27.24"; Sub-basin: 20F; Pittsburgh Corps District), in North Strabane Township and South Strabane Township, Washington County.

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701.

E5929-076: HEP Tioga Gathering, LLC, 22024 Route 14, Troy, PA 16947, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 50 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 32' 53" N, 77° 10' 19" W);

2) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 51 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 32' 53" N, 77° 10' 17" W);

3) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 51 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 33' 02" N, 77° 09' 42" W);

4) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 55 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 33' 09" N, 77° 09' 50" W);

5) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 50 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 33' 11" N, 77° 09' 50" W);

6) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 546 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, 282 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 48 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 33' 26" N, 77° 09' 53" W);

7) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 52 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 33' 32" N, 77° 09' 53" W);

8) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 1,701 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 56 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 33' 35" N, 77° 09' 53" W);

9) A 16 inch diameter waterline impacting 3 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 33' 41" N, 77° 09' 53" W);

10) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 65 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 53 linear feet of an unnamed tributary to Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41° 33' 43" N, 77° 09' 52" W);

11) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 20,378 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41° 33' 48" N, 77° 09' 05" W);

12) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 16,312 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41° 33' 38" N, 77° 08' 40" W);

13) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 13,819 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41° 33' 29" N, 77° 08' 07" W);

14) A temporary road crossing using timber mats 16 inch diameter waterline impacting 52 linear feet of Black Creek (CWF) (Nauvoo, PA Quadrangle 41° 33' 29" N, 77° 08' 05" W);

15) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 2,762 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41° 33' 29" N, 77° 08' 07" W);

16) A temporary road crossing using timber impacting 1,185 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41° 33' 31" N, 77° 07' 56" W);

17) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 1,004 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41° 33' 25" N, 77° 08' 01" W);

18) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 5,475 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41° 33' 18" N, 77° 08' 01" W);

19) A temporary road crossing using timber mats and 16 inch diameter natural gas pipeline impacting 1,328 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41° 32' 55" N, 77° 07' 38" W);

The project will result in 521 linear feet of temporary stream impacts and 64,857 square feet (1.49 acre) of temporary wetland impacts all for the purpose of installing a freshwater pipeline in Liberty Township, Tioga County.

E4129-118: HEP Tioga Gathering, LLC, 22024 Route 14, Troy, PA 16947, Jackson Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 4,605 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 73 linear feet of an unnamed tributary to Blockhouse Creek (CWF) (Nauvoo, PA Quadrangle 41° 32' 44" N, 77° 07' 32" W);

2) A temporary road crossing using timber mats 4,843 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41° 32' 24" N, 77° 07' 43" W);

3) A 16 inch diameter natural gas pipeline, and a 16 inch diameter waterline via HDD bore impacting 352 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, 126 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 50 linear feet of Blockhouse Creek (CWF) and 5 linear feet of an unnamed tributary of Blockhouse Creek (CWF) (Liberty, PA Quadrangle 41° 32' 12" N, 77° 07' 24" W);

4) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 87 linear feet of an unnamed tributary to Blockhouse Creek (CWF) (Liberty, PA Quadrangle 41° 32' 10" N, 77° 07' 00" W);

5) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 3,025 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41° 32' 19" N, 77° 05' 18" W);

6) A temporary road crossing using timber mats impacting 187 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41° 32' 18" N, 77° 04' 54" W);

7) A temporary road crossing using timber mats and a 16 inch diameter waterline impacting 7,757 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41° 32' 09" N, 77° 04' 39" W).

The project will result in 215 linear feet of temporary stream impacts, 20,895 square feet (0.48 acre) of temporary wetland impacts all for the purpose of installing a freshwater pipeline in Jackson Township, Tioga County.

E4129-119: ARD Operating, LLC, 33 West Third Street, Suite 300, Williamsport, PA 17701, Gamble Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 6-inch gas pipelines, a 12-inch water pipeline, and a timber mat bridge impacting 12,688 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41° 24' 15" N 76° 59' 09" W).

The project will result in a total of 0.29 acre of wetland impacts all for the purpose of installing natural gas gathering line, water line, and access roadway for Marcel-lus well development.

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, P.O. 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>
PA0054313 (Sewage)	Sherry Stangil & Susan Montag 3176 Walnut Street P.O. Box 512 Springtown, PA 18081-0512	Bucks County Springfield Township	Unnamed Tributary to Cooks Creek 2D	Y
PA0244899 (Sewage)	Mark W. Garner 101 Shady Lane Sellersville, PA 18960	Bucks County West Rockhill Township	Unnamed Tributary to Ridge Valley Creek 3E	Y

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>
PA0060348 (Sewage)	PennDOT Interstate Safety Rest Stop No. 62 WWTP I-84 West near Exit 26 Palmyra Twp., PA 18426	Pike County Palmyra Township	Unnamed Tributary to Kleinmans Creek (1-C)	No

<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>
PA0035637 (Sewage)	PennDOT Rest Stop No. 55 WWTP I-81 North near Exit 202 Greenfield Twp., PA 18411	Lackawanna County Greenfield Township	Unnamed Tributary of South Branch Tunkhannock Creek (4-F)	Yes
PAS212214 (Stormwater)	Gustin Stone Supply 2390 Creamton Drive Lakewood, PA 18439	Wayne County Preston Township	Unnamed Tributary to Equinunk Creek (1-A)	Yes
<i>Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.</i>				
<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>
PA0266337 CAFO	Quality Livestock Company, LLC Farm Quest Properties, LP (Quality Livestock Swine Farm) 1250 Lincoln Road Lititz, PA 17543-7313	West Lampeter Township, Lancaster County	Watershed 7-J	N
PA0081191 SEW	MHC PA Dutch Country LP 185 Lehman Road Manheim, PA 17545-8720	West Cornwall Township Lebanon County	Chickies Creek (via swale) Watershed 7-G	Y
<i>Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.</i>				
<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>
PA0093165 (Sewage)	PA American Water—Claysville STP 800 W Hershey Park Drive Hershey, PA 17033-2400	Washington County Donegal Township	Unnamed Tributary to Dutch Fork (20-E)	Yes
PA0024686 (Sewage)	Mid Mon Valley Wpca P.O. Box 197 Allenport, PA 15412-0197	Washington County Allenport Borough	Unnamed Tributary to Monongahela River, Unnamed Tributary to Spruce Run, and Monongahela River (19-D and 19-C)	Yes

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

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

NPDES Permit No. PA0028576, Sewage, SIC Code 4952, **Abington Region WW Authority**, P.O. Box 199, Chinchilla, PA 18410-0199.

This existing facility is located in South Abington Township, **Lackawanna County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

NPDES Permit No. PA0276065, Stormwater, SIC Code 4225, **Amazon.com DEDC, LLC**, P.O. Box 80842, Seattle, WA 98108-0842.

This facility is located in Covington Township, **Lackawanna County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit for a discharge of stormwater.

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

NPDES Permit No. PA0110965, Sewage, SIC Code 4952, **Mid Centre County Authority**, P.O. Box 811, Milesburg, PA 16853-0811.

This existing facility is located in Boggs Township, **Centre County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

III. WQM 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. 1518401, Sewage, **Oxford Area Sewer Authority**, 14 South Third Street, Oxford, PA 19363.

This proposed facility is located in Oxford Borough, **Chester County**.

Description of Action/Activity: Construction and operation of a new pump station. (replacing undersized aging pumping).

WQM Permit No. WQG010066, Sewage, **Daniel & Dell Fascione**, 1301 Woodmont Road, Gladwyne, PA 19035.

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

Description of Action/Activity: Construction and operation of a single residence small flow sewage treatment plant.

WQM Permit No. WQG010065, Sewage, **Jason & Rachelle Kunsch**, 3251 New Hanover Square Road, Gilbertsville, PA 19525.

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

Description of Action/Activity: Construction and operation of a small flow treatment facility.

WQM Permit No. 1507406, Sewage, Renewal, **East Brandywine Township Municipal Authority**, 1214 Horseshoe Pike, Downingtown, PA 19335-1132.

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

Description of Action/Activity: Approval for renewal of a WQM Permit to operate a sewage treatment plant with a drip irrigation disposal system.

WQM Permit No. 2389201, Industrial, Amendment, **Exelon Generation Company, LLC**, 1 Industrial Highway, Eddystone, PA 19022.

This proposed facility is located in Eddystone Borough, **Delaware County**.

Description of Action/Activity: Permanently remove from service the clarifiers, the pH neutralization treatment system and the vacuum filter press system.

WQM Permit No. 4617410, Sewage, **Horsham Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044.

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

Description of Action/Activity: Installation of 8,300 linear feet of 12" sanitary sewer & 3,400 linear feet of 6" force main.

WQM Permit No. 0991415, Sewage, Transfer, **Sherry Stangil & Susan Montag**, 3176 Walnut Street, P.O. Box 512, Springtown, PA 18081-0512.

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

Description of Action/Activity: Transfer was to include both owners on the permit. Originally the permit on has Sherry Stangil's name.

WQM Permit. No. 0990411, Sewage, Transfer, **Joseph & Karen Difloure**, 1496 Sugar Bottom Road, Furlong, PA 18925.

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

Description of Action/Activity: Transfer of ownership from Richard Vaccaro to Joseph & Karen Difloure.

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: Adding two additional spray field zones to the facility.

WQM Permit No. 4617406, Sewage, **Pottstown Borough Authority**, 100 E. High Street, Pottstown, PA 19464.

This proposed facility is located in Pottstown Borough, **Montgomery County**.

Description of Action/Activity: Replacement of existing sludge dryer with a new belt driven, closed air loop thermal sludge.

WQM Permit No. 0994405, Sewage, **Mark W. Garner**, 101 Shady Lane, Sellersville, PA 18960.

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

Description of Action/Activity: Permit transferred ownership from Stephen Sitko to Mark Garner.

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

WQM Permit No. 2117408, Sewerage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013-1185.

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

Description of Proposed Action/Activity:

This permit approves the construction/operation of sewage facilities consisting of:

Replacement of the existing 1,172 L.F. 8-inch PVC interceptor with 12-inch PVC interceptor from Manhole 9-22 to Manhole 9-55. The new interceptor will have a design capacity of 0.733 MGD with a peak design capacity of 2.8 MGD.

WQM Permit No. 3617203, CAFO, **Shelmar Acres LLC**, 304 Colebrook Road, Mount Joy, PA 17552-9776.

This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity:

This permit approves the construction and operation of manure storage facilities consisting of:

A swine barn with an underbarn liquid manure storage.

WQM Permit No. WQG02501701, Sewerage, **Marysville Borough Perry County**, 200 Overcrest Road, Marysville, PA 17053-1159.

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

Description of Proposed Action/Activity:

This General Permit approves the construction and operation of:

1-Sewer Extension

1-Pump Station

IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.

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

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI136150	Plum Borough 4575 New Texas Road Pittsburgh, PA 15239	Plum Borough, Allegheny	Little Plum Creek, Unnamed Tributary to Thompson Run, Piersons Run, Unnamed Tributary of Haymakers Run, and Plum Creek/WWF, TSF, and HQ-CWF	N	Y

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 following MS4s instead of NPDES permit coverage.

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

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG132302	Beaver Meadows Borough P.O. Box 215 Beaver Meadows, PA 18216-0215	Beaver Meadows Borough, Carbon	Beaver Creek/CWF and MF

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the following MS4s instead of NPDES permit coverage.

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136169	Fallston Borough 158 Beaver Street New Brighton, PA 15066-2926	Fallston Borough, Beaver County	Brady Run/TSF
PAG136113	Borough of Pennsbury Village 1043 Pennsbury Boulevard Pittsburgh, PA 15205-1643	Pennsbury Village Borough, Allegheny County	Unnamed Tributary of Campbells Run/WWF
PAG136107	Stonycreek Township Cambria County 1610 Bedford Street Johnstown, PA 15902	Stonycreek Township, Cambria	Sams Run, Solomon Run, and Unnamed Tributary to Stonycreek River/WWF and CWF
PAG136352	Paint Township Somerset County 1741 Basin Drive Windber, PA 15963-6801	Paint Township, Somerset	Unnamed Tributary to Seese Run, Paint Creek, and Seese Run/CWF

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

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG138342	Mahoning Township P.O. Box 99 Hillsville, PA 16132-0099	Mahoning Township, Lawrence	Unnamed Tributaries to Mahoning River and the Mahoning River/WWF

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG138338	Zelienople Borough Butler County 111 West New Castle Street Zelienople, PA 16063-1153	Zelienople Borough Butler County	Connoquenessing Creek and Unnamed Tributary to Connoquenessing Creek/WWF
PAG138339	Jackson Township Butler County 140 Magill Road Zelienople, PA 16063-3424	Jackson Township, Butler	Unnamed Tributary of Glade Run, Little Connoquenessing Creek, Connoquenessing Creek, Breakneck Creek, Unnamed Tributary to Brush Creek, Scholars Run, and Glade Run/WWF and CWF
PAI138309	Jefferson Township Butler County 157 Great Belt Road Butler, PA 16002-9026	Jefferson Township Butler County	Unnamed Tributary to Sarver Run, Unnamed Tributary to Little Buffalo Creek, Thorn Creek, and Sarver Run/HQ-TSF and CWF
PAG138320	PA State University Penn State Shenango Sharon, PA 16146	City of Sharon Mercer County	Shenango River/WWF
PAG138304	Shenango Township 3439 Hubbard Middlesex Road West Middlesex, PA 16159	Shenango Township Mercer County	Unnamed Tributary of Shenango River/WWF
PAG138341	Clark Borough Mercer County 2798 Winner Road Clark, PA 16113	Clark Borough, Mercer	Shenango River/WWF
PAG138335	Forward Township Butler County 207 Ash Stop Road Evans City, PA 16033	Forward Township Butler County	Unnamed Tributary to Connoquenessing Creek and Glade Run/WWF
PAG138336	Harmony Borough Butler County 217 Mercer Street Harmony, PA 16037	Harmony Borough Butler County	Connoquenessing Creek/WWF and CWF

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>
PAD150069	Bentley Systems, Inc. 685 Stockton Drive Exton, PA 19341-1151	Chester	Uwchlan and Upper Uwchlan Townships	POI 1 and 3: Unnamed Tributary to Marsh Creek HQ-TSF-MF POI 2: Unnamed Tributary to Shamona Creek HQ-TSF-MF
PAD150072	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341	Chester	Uwchlan Township	Shamona Creek HQ-TSF-MF
PAD150067	Armstrong Engineering Associates, Inc. P.O. Box 633 West Chester, PA 19380	Chester	West Bradford Township	Broad Run EV-MF
PAD150071	Longview Culbertson, LP 1055 Westlakes Drive Suite 170 Berwyn, PA 19312	Chester	West Brandywine Township	Culbertson Run HQ-TSF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150068	Oxford Commons LP Oxford Phase II, LP Oxford Phase III, LP 120 West Germantown Pike Suite 120 Plymouth Meeting, PA 19462	Chester	Lower Oxford Township	Leech Run TSF-MF Little Elk Creek HQ-TSF-MF
PAD510020	New Market West, LLC 2042-48 Arch Street 2nd Floor Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Cobbs Creek WWF-MF

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

Lackawanna County Conservation District, 1038 Montdale Road, Scott Township, PA 18447.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD350006	First Industrial LP 707 Eagleview Blvd Suite 110 Exton, PA 19341	Lackawanna	Covington Township	Lake Run (HQ-CWF, MF), Roaring Brook (HQ-CWF, MF), Tamarack Creek (EV, MF), Meadow Brook (EV, MF)

Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450048	PPL Electric Utilities Corporation 2 North Ninth Street Allentown, PA 18101	Monroe	Pocono Township Stroud Township	Pocono Creek (HQ-CWF), Cranberry Creek (HQ-CWF, MF), Unnamed Tributary to Pocono Creek (HQ-CWF, MF) Wigwam Run (HQ-CWF, MF), Exceptional Value (EV) Wetlands

Northampton County Conservation District, 14 Gracedale Ave., Greystone Building, Nazareth, PA 18064-9211.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480014	IPT Brodhead DC, LLC 301 Rt 17 N Ste 206 Rutherford, NJ 07070	Northampton	Bethlehem Twp	Monocacy Creek (HQ-CWF, MF)
PAD480008	Gartner Homes LVH c/o Mr. Joe Gartner 1576 Courtney Court Hellertown, PA 18055	Northampton	Palmer Township	Bushkill Creek (HQ-CWF, MF)

Wayne Conservation District, 925 Court Street, Honesdale, PA 18431.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD640006	Thomas Renehan 26 Long Ln Malvern, PA 19355	Wayne	Manchester Twp	Cooley 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>
PAD050002 Issued	Mid-Atlantic Interstate Transmission/Pennsylvania Electric Company (MAIT/Penelec) 341 White Pond Drive Akron, OH 44320	Somerset Bedford	Central City Borough Shade Township Napier, East St. Clair and Bedford Townships	Little Dark Shade Creek (CWF, MF), Dark Shade Creek (CWF, MF), UNT to Dark Shade Creek (CWF, MF), Beaverdam Run (HQ-CWF, MF), UNT to Beaverdam Run (HQ-CWF, MF), UNT to Adams Run (WWF, MF), Brush Run (WWF, MF), and UNT to Brush Run (WWF, MF) Dunnings Creek (WWF, MF), UNT to Dunnings Creek (WWF, MF), Raystown Branch—Juniata River (WWF, MF), Shawnee Branch (WWF, MF), UNT to Shawnee Branch (WWF, MF)
PAD310004 Issued	Dustin Yoder 13233 Greenwood Road Huntingdon, PA 16652	Bedford	Jackson Township	UNT Standing Stone Creek (HQ-CWF, MF)
PAD310005 Issued	Helena Chemical Company 225 Schilling Boulevard Collierville, TN 38017	Huntingdon	Warriors Mark Township	UNT Warriors Mark Run (HQ-CWF, MF) UNT Logan Spring Run (WWF, MF)
PAD670009 Issued	Tri H Enterprises, LLC 385 Industrial Road Glen Rock, PA 17327	York	Springfield Township	Seaks Run (HQ-CWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140023	State College Joint Venture 708 Third Avenue 21st Fl. New York, NY 10017	Centre	State College Boro	UNT to Thompson Run HQ-CWF

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD300001	Southwestern Pennsylvania Water Authority 1442 Jefferson Road P.O. Box 187 Jefferson, PA 15344	Greene County	Center Township	UNT to McCourtney Run (WWF); UNT to Mccourtney Run (HQ-WWF); Hoge Run (HQ-WWF); House Run (HQ-WWF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD300003	Southwestern Pennsylvania Water Authority 1442 Jefferson Road P.O. Box 187 Jefferson, PA 15344	Greene County	Franklin Township; Washington Township; Morris Township	UNT to Browns Run (HQ-WWF); Wisecarver Run (HQ-WWF); Mud Lick Run (HQ-WWF); Gamers Run (HQ-WWF); Bates Fork (HQ-WWF)

Northwest Region: Waterways & Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Elk County Conservation District, 850 Washington Street, St. Marys, PA 15857, 814-776-5373.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD240002	Bob Cummins Construction Company 50 Songbird Road Bradford, PA 16701	Elk	Jones Township	East Branch Clarion River 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>
Skippack Township Montgomery County	PAC460060	Dominic L. Conicelli 470 Collegeville Road Collegeville, PA 19426	Skippack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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<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 Merion Township Montgomery County	PAC460127	Kevin Gillen CP Acquisitions 35, LLC 18 East Lancaster Avenue Wynnewood, PA 19096	East Branch Indian Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Pottsgrove Township Upper Pottsgrove Township Pottstown Borough Montgomery County	PAC460027	Cedar Paramount Upland # 1, # 2, # 3, # 4, # 5 LLC 1195 Route 70 Suite 2000 Lakewood, NJ 08701	Manatawny Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Scranton Lackawanna County	PAC350027	Pennsylvania American Water Company 800 West Hershey Park Dr Hershey, PA 17033	Roaring Brook (CWF-MF)	Lackawanna County Conservation District 570-382-3086
Hazle Twp Luzerne County	PAC400040	Cando Inc Kevin O'Donnell 1 S Church St Hazleton, PA 18201	UNT to Cranberry Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991
City of Bethlehem Northampton County	PAC480040	EDR Southside Commons PA, LLC Jeffrey Resetco Education Realty Trust, Inc 999 South Shady Grove Ste 600 Memphis, TN 38120	Lehigh River (WWF-MF)	Northampton County Conservation District 610-829-6276
Lemon Twp Wyoming County	PAC660009	Lemon DG, LLC 361 Summit Blvd Birmingham, AL 35243	UNT to Meshoppen Creek (CWF, MF)	Wayne County Conservation District 570-253-0930

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

<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>
Freedom Township Adams County Issued	PAC010052	Sharrah Design Restoration & Construction, LLC 20 Chambersburg Street Gettysburg, PA 17325	UNT Plum Road (CWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Huntington Township Adams County Issued	PAC010046	Dennis Rudolph 910 Wiermans Mill Road York Springs, PA 17372	UNT Bermudian Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Oley Township Berks County Issued	PAC060106	Peter D. Barbey 80 Reifsnnyder Road Oley, PA 19547	UNT Limekiln Creek (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657

<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 Allen Township Cumberland County Issued	PAC210004	Charter Homes at Highpoint, Inc. 1190 Dillerville Road Lancaster, PA 17601	UNT Cedar Run (CWF) UNT Yellow Breeches (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
South Hanover Township Dauphin County Issued	PAC220083	PPL Electric Utilities Corporation 2 North 9th Street Allentown, PA 18101	Beaver Creek (WWF, MF) Trib 09424 and UNT Beaver Creeek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County Issued	PAC220078	Hanuman 3, Inc. 7975 Jonestown Road Harrisburg, PA 17112	Spring Creek (CWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Salisbury Township Lancaster County Issued	PAC360184	Jai Jaliyan LLC 924 Hillcrest Drive Kinzers, PA 17535	UNT Pequea Creek (CWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
East Petersburg Borough Lancaster County Issued	PAC360153	Donald Emich 6089 Parkridge Drive East Petersburg, PA 17520	UNT Little Conestoga Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
East Cocalico Township Lancaster County Issued	PAC360164	Lee Kasun P.O. Box 10 East Petersburg, PA 17520	Little Muddy Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Township Lancaster County Issued	PAC360213	Tom Koch 450A Candlewyck Road Lancaster, PA 17601	Landis Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Ephrata Township Lancaster County Issued	PAC360182	Property Investing and Management Inc. 341 Clay School Road Ephrata, PA 17522	UNT Conestoga River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Brecknock Township Lancaster County Issued	PAC360211	Christopher Witwer 253 East Maple Grove Road Bowmansville, PA 19540	UNT Muddy Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

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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>
Manheim Township Lancaster County Issued	PAC360208	William Briegel 227 Granite Run Suite 100 Lancaster, PA 17601	Landis Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Hempfield Township Lancaster County Issued	PAC360174	Scot Fertich 130 Centerville Road Lancaster, PA 17603	Chickies Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
East Donegal Township Lancaster County Issued	PAC360225	Woodmill LLC 227 Granite Run Drive Suite 100 Lancaster, PA 17601	Donegal Creek (CWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Pequea Township Lancaster County Issued	PAC360220	Nathan Pipitone 3 Whippoorwill Drive Lancaster, PA 17603	Stehman Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Quarryville Borough Lancaster County Issued	PAC360177	Quarry Edge 11 West State Street Quarryville, PA 17566	South Fork Big Beaver (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Penn Township Lancaster County Issued	PAC360198	Art Groff 1043 Mountain Road Manheim, PA 17545	UNT Chiques Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Caernarvon Township Lancaster County Issued	PAC360217	Richard Hoover 6045 Division Highway Narvon, PA 17555	UNT Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

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>
Spring Twp Centre Cnty	PAC140037	Central PA Institute of Science & Technology 540 North Harrison Rd Pleasant Gap, PA 16823	UNT—Logan Branch CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

<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>
City of DuBois Clearfield Cnty	PAC170013	City of DuBois P.O. Box 408 DuBois, PA 15801	Beaver Run CWF Sandy Lick Creek TSF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
Danville Boro Montour Cnty	PAC470007	Geisinger System Services 100 North Academy Ave Danville, PA 17822	Mahoning Creek WWF	Montour County Conservation District 14 E Mahoning St Danville, PA 17821 (570) 271-1140

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Jackson Township	PAC110026	Jackson East Taylor Sewer Authority 2603 William Penn Avenue Johnstown, PA 15909	UNT to Hinckston Run (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Reade Township	PAC110030	PTV IV, LLC 1563 Woodward Drive Extension Greensburg, PA 15601	Clearfield Creek (WWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Daisytown Borough	PAC110037	Mid-Atlantic Interstate Transmission, LLC 800 Cabin Hill Drive Greensburg, PA 15601	UNT to Stoneycreek River (CWF); Stoneycreek River (WWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
North Union Township Menallen Township	PAC260019	J. D. & D. Enterprises 100 Ross Street Pittsburgh, PA 15219	Redstone Creek (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Perryopolis Borough	PAC260022	Perryopolis Auto Auction 3447 Pittsburgh Road Perryopolis, PA 15473	UNT to Washington Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Bullskin Township	PAC260018	Pleasant Valley Water Authority 2320 Moyer Road Connellsville, PA 15425	UNT to Jacobs Creek (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
South Franklin Township	PAC630076	Washington County 701 Courthouse Square Washington, PA 15301	UNTs to Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

Northwest Region: Waterways & Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

*Facility Location:
Municipality &
County*

<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>
Karns City Butler County	PAC100078	PTV XVIII, LLC 1563 Woodward Drive Extension Greensburg, PA 15601	South Branch Bear Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

<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>
Bristol Township Bucks County	PAG030069	Clover Farms Dairy Co. P.O. Box 14627 Reading, PA 19612	Mill Creek 2-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
City of Philadelphia Philadelphia County	PAG030074	Rhoads Industries, Inc. 1900 Kitty Hawk Avenue Philadelphia, PA 19112	Schuylkill River and Unnamed Tributary to Schuylkill River 3-F	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970

General Permit Type—PAG-4

*Facility Location
Municipality &
County*

<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 Merion Township Montgomery County	PAG040223	Daniel & Dell Fascione 1301 Woodmont Road Gladwyne, PA 19035	Schuylkill River 3-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
New Hanover Township Montgomery County	PAG040222	Jason & Rachell Kunsch 325 New Hanover Sq. Road Gilbertsville, PA 19525	Unnamed Tributary to Swamp Creek 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Buckingham Township Bucks County	PAG040035 A-1	Joseph & Karen Difloure 1496 Sugar Bottom Road Furlong, PA 18925	Neshaminy Creek 2-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

General Permit Type—PAG-7

*Facility Location &
County/Municipality*

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Fulton County/ Ayr Twp	PAG073522	McConnellsburg Sewerage Authority P.O. Box 61 McConnellsburg, PA 17233	McConnellsburg Sewerage Authority WWTP 2079 Grear Cove Road McConnellsburg, PA 17233	DEP—SCRO—Clean Water Program 909 Elmerton Ave. Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-8

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Franklin County/ Waynesboro Borough	PAG083579	Waynesboro Borough Authority P.O. Box 310 Waynesboro, PA 17268	Waynesboro WWTP Cementary Avenue Waynesboro, PA 17268	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County/ Metal Township	PAG083580	Metal Township Municipal Authority 17001 Fannettsburg Road East P.O. Box 232 Fannettsburg, PA 17221	Metal Township Municipal Authority WWTP 17001 Fannettsburg Road East P.O. Box 232 Fannettsburg, PA 17221	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-13

<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>
Columbia Borough Lancaster County	PAG133617	Columbia Borough Lancaster County P.O. Box 509 308 Locust Street Columbia, PA 17512-0509	Unnamed Tributary to Shawnee Run, Shawnee Run, Unnamed Tributary to Susquehanna River, and Strickler Run—7-G	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800
Borough of Conway	PAG136209	Borough of Conway 1208 Third Avenue Conway, PA 15027-1598	UNT to Crows Run, Crows Run & Ohio River/WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Hermitage City Mercer County	PAG138333	Hermitage City Mercer County 800 N Hermitage Road Hermitage, PA 16148-3220	Unnamed Tributary to Pine Run, Unnamed Tributary to Pine Hollow Run, Bobby Run, Hogback Run, Thornton Run, Unnamed Tributary to Hogback Run, McCullough Run, Unnamed Tributary to Shenango River, Pine Hollow Run, Shenango River, and Pine Run—20-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942
Seven Fields Borough Butler County	PAG138325	Seven Fields Borough Butler County 2200 Garden Drive, Suite 100 Seven Fields, PA 16046-7869	Unnamed Tributary to Kaufman Run—20-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942
Butler City Butler County	PAG138329	Butler City Butler County 124 West North Street Butler, PA 16001	Sullivan Run, Coal Run, Connoquenessing Creek, and Unnamed Tributary to Sullivan Run—20-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

<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>
Meadville City Crawford County	PAG138312	Meadville City Crawford County 894 Diamond Park Meadville, PA 16335-2603	French Creek, Mill Run, Spring Run, Bennyhoof Creek, Unnamed Tributary to Mill Run, Unnamed Tributary to French Creek, Cemetery Run, and Dick Run—16-D	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942
Wesleyville Borough Erie County	PAG138311	Wesleyville Borough 3421 Buffalo Road Wesleyville, PA 16510	Fourmile Creek—15-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942
Evans City Borough Butler County	PAG138337	Evans City Borough 204 B South Jackson Street Evans City, PA 16033-1138	Breakneck Creek and Unnamed Tributaries to Breakneck Creek—20-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**NUTRIENT MANAGEMENT PLAN
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Aaron Warner 7195 Old Plank Rd. Broad Top, PA 16621	Huntingdon	6	716.05	Swine	Trough Creek (NA)	Approved
Graywood Farms, LLC Byron Graybeal 225 Mason Dixon Rd. Peach Bottom, PA 17563	Lancaster	840.1	1,828.06	Dairy	HQ	A

<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>
Walnut Run Farms 292 Elm Rd. Lititz, PA 17543	Lancaster	1,200	2,490.39	Dairy	NA	A

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. 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. 4617522, Public Water Supply.

Applicant	North Penn Water Authority 300 Forty Foot Road Lansdale, PA 19446
Borough	Telford
County	Montgomery
Type of Facility	PWS
Consulting Engineer	North Penn Water Authority 300 Forty Foot Road Lansdale, PA 19446
Permit to Construct Issued	February 23, 2018

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

Permit No. 2450083, Public Water Supply.

Applicant	Mt. View Village Home Owner's Association RR 1, Box 313 Tannersville, PA 18372
[Township or Borough]	Pocono Township Monroe County
Responsible Official	Alan Angulo, President RR 1, Box 313 Tannersville, PA 18372
Type of Facility	PWS
Consulting Engineer	Kerry D. Tyson, PE Nittany Engineering & Associates, 2836 Earlstown Road Suite 1 Centre Hall, PA 16828
Permit to Construct Issued	01/23/2018

Permit No. 3390024, Public Water Supply.

Applicant	City of Allentown
[Township or Borough]	Allentown City Lehigh County
Responsible Official	Craig W. Messinger Interim Public Works Director 641 South 10th Street, 3rd Floor Allentown, PA 18103
Type of Facility	Public Water Supply
Consulting Engineer	Phil DePoe, PE, City of Allentown 641 South 10th Street 3rd Floor Allentown, PA 18103
Construction Permit Issued Date	01/31/2018

Permit No. 5417503MA, Public Water Supply.

Applicant	Aqua PA, Inc. 1 Aqua Way White Haven, PA 18661
[Township or Borough]	North Union Township Schuylkill County
Responsible Official	Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872
Type of Facility	PWS

Consulting Engineer Jonathan Morris, PE
GHD
326 East Second Street
Bloomsburg, PA 17815
(570) 387- 5283

Permit Issued 02/09/2018

Permit No. 4018501, Public Water Supply.

Applicant **Borough of Freeland Municipal Authority**
711 Birkbeck Street
P.O. Box C
Freeland, PA 18224

[Borough or Township] Freeland Borough
County **Luzerne**
Type of Facility PWS

Consulting Engineer Charles H Niclaus PE
Niclaus Engineering Corporation
804 Sarah St
Suite 201
Stroudsburg, PA 18360

Permit to Construct Issued 2/26/2018

Permit No. 6717515, Public Water Supply.

Applicant **The York Water Company**
Municipality Loganville Borough
County **York**
Responsible Official Mark S. Snyder, Engineering Manager
130 East Market Street
P.O. Box 15089
York, PA 17405-7089

Type of Facility The 1,000,000-gallon Loganville Standpipe will be drained and repainted on the interior and exterior. A temporary 3,000-gallon pressurized water tank will be provided to maintain pressure in the Loganville pressure zone while the standpipe is offline.

Consulting Engineer Mark S. Snyder, PE
The York Water Company
130 East Market Street
P.O. Box 15089
York, PA 17405-7089

Permit to Construct Issued 3/8/2018

Permit No. 3618501, Minor Amendment, Public Water Supply.

Applicant **Gap Brothers Holding, LLC**
Municipality Paradise Township
County **Lancaster**
Responsible Official Matthew Beiler, CFO
3105 Lincoln Hwy E
Paradise, PA 17562

Type of Facility Installation of treatment facilities for treatment of radionuclides.

Consulting Engineer Thomas J. Whitehill, PE
Whitehill Consulting Engineers
763 Conowingo Rd.
Quarryville, PA 17566

Permit to Construct Issued 3/5/2018

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 Installation of facilities for removal of nitrates.

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

Permit to Construct Issued 5/8/2018

Permit No. 2218501 MA, Minor Amendment, Public Water Supply.

Applicant **SUEZ Water Pennsylvania**
Municipality Susquehanna Township
County **Dauphin**
Responsible Official John D. Hollenbach, Vice-President
4211 East Park Circle
Harrisburg, PA 17111-0151

Type of Facility Replacement of the underdrains and media in Filter Nos. 1—7 at the 6th Street WTP.

Consulting Engineer Mark C. Baker, PE
United Water Pennsylvania, Inc
4405 North 6th Street
Harrisburg, PA 17110

Permit to Construct Issued 3/8/2018

Operation Permit No. 6715510 issued to: **The York Water Company (PWS ID No. 7670100)**, Spring Garden Township, **York County** on 3/8/2018 for facilities at Lake Redman Pumping Station and Force Main approved under Construction Permit No. 6715510.

Operation Permit No. 2218503 MA issued to: **Pennsylvania American Water Company (PWS ID No. 7220017)**, South Hanover Township, **Dauphin County** on 3/12/2018 for facilities at Hershey Water System approved under Construction Permit No. 2218503 MA.

Comprehensive Operation Permit No. 7220864 issued to: **Sportsman's Golf Course (PWS ID No. 7220864)**, Lower Paxton Township, **Dauphin County** on 3/2/2018 for the operation of facilities approved under Construction Permit No. 2217513 MA.

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

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID # 5020039) North Strabane Township, **Washington County** on March 13, 2018 for the operation of facilities approved under Construction Permit # 0216537-A1.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5020025) City of McKeesport, **Allegheny County** on March 7, 2018 for the operation of facilities approved under Construction Permit # 0216540.

Operations Permit issued to: **Municipal Authority of the Borough of Edgeworth**, 313 Beaver Road, Edgeworth, PA 15143, (PWSID # 5020015) Ambridge Borough, **Beaver County** on March 12, 2018 for the operation of facilities approved under Construction Permit # 0218503MA.

Operations Permit issued to: **Municipal Authority of the Borough of Edgeworth**, 313 Beaver Road, Edgeworth, PA 15143, (PWSID # 5020015) Bell Acres Borough, **Allegheny County** on March 12, 2018 for the operation of facilities approved under Construction Permit # 0218504MA.

Permit No. 0317509MA, Minor Amendment. Public Water Supply.

Applicant **Kittanning Suburban Joint Water Authority**
710 Tarrtown Road
Adrian, PA 16210

[Borough or Township] East Franklin Township
County **Armstrong**

Type of Facility Adrian Road waterline project

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

Permit to Construct March 12, 2018
Issued

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

Operation Permit issued to **Aqua Pennsylvania, Inc.** PWSID No. 6420018, Mt. Jewett Borough, **McKean County**. Permit Number 4215503-MA1 issued March 7, 2018 for the operation of the existing pre-filter chlorination injection point. This permit is issued in response to the Public Water Supply permit amendment application accepted by the Department on January 8, 2018, and the included photographic evidence depicting the existing pre-filter chlorination injection point.

Permit No. 3717501-MA1, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Township or Borough Shenango Township
County **Lawrence**

Type of Facility Public Water Supply

Consulting Engineer Chad Eric Hanley, PE
200 West Kensing Drive
Suite 400
Cranberry Township, PA 16066

Permit to Construct March 7, 2018
Issued

Permit No. 6117502, Public Water Supply.

Applicant **UPMC Senior Communities, Inc.**

Township or Borough Sugarcreek Borough
County **Venango**

Type of Facility Public Water Supply

Consulting Engineer Karen Brinker
Hatch Chester
Gateway View Plaza
Suite 1
1600 West Carson Street
Pittsburgh, PA 15219

Permit to Construct March 7, 2018
Issued

Permit No. 4317501, Public Water Supply.

Applicant **Borough of Stoneboro**

Township or Borough Stoneboro Borough
County **Mercer**

Type of Facility Public Water Supply

Consulting Engineer John D. Klein, PE
Herbert, Rowland & Grubic, Inc.
200 West Kensing Drive
Suite 400
Cranberry Township, PA 16066

Permit to Construct March 7, 2018
Issued

Permit No. 3316502-MA1, Public Water Supply.

Applicant **PA American**

Township or Borough Young Township
County **Jefferson County**

Type of Facility Public Water Supply

Consulting Engineer Bruce Brubaker, PE
PA American Water
852 Wesley Drive
Mechanicsburg, PA 17055

Permit to Construct March 8, 2018
Issued

Permit No. 4388510-MA4, Public Water Supply.

Applicant **Greenville Municipal Water Authority**

Township or Borough West Salem Township
County **Mercer County**

Type of Facility Public Water Supply

Consulting Engineer Robert Horvat, PE
Entech Engineering
400 Rouser Road
Coraopolis, PA 15108

Permit to Construct March 8, 2018
Issued

WATER ALLOCATIONS

Actions taken on applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

WA-09-959B, Water Allocations, **Warrington Township Water & Sewer Department**, 852 Easton Road, Warrington, PA 18976, Warrington Township, **Bucks County**, granting the right to purchase 2,000,000 gallons per day of water, based peak use, from the North Wales Water Authority in Bucks County.

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.

Martins Creek Steam Electric Station, 6605 Foul Rift Road, Lower Mount Bethel Township, **Northampton County**. JMT Environmental Technologies Inc., P.O. Box 22044, Lehigh Valley, PA 18002, on behalf of Martins Creek LLC, 6605 Foul Rift Road, Bangor, PA 18013, submitted a Final Report concerning remediation of site soils contaminated with # 4 fuel oil. The report is intended to document remediation of the site to meet Statewide Health Standards.

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

Chad Sener Property, 1099 Twin Lakes Drive, Harrisburg, PA 17111, Lower Paxton Township, **Dauphin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, PA Fire Claims, 520 Fellowship Road, Suite E-506, Mt. Laurel, NJ 08054, and Bob Hurford, P.O. Box 106169, Atlanta, GA submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

Penelec-Former Sayre District Office, 238 Spring Street, Sayre Borough, **Bradford County**. SE Technologies, LLC, 96 Vanadium Road, Bridgeville, PA 15017, on behalf of Penelec/First Energy Corp., 1900 Centre Ave., Reading, PA 19601, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead and other organics. The report is intended to document remediation of the site to meet the Background and Site-Specific Standards.

Raimo Unit Well Pad, 5662 Posted Lane, Overton Township, **Bradford County**. Woodard & Curran, 300 Penn Center Boulevard, 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 soil contaminated with produced water. The report is intended to document remediation of the site to meet the Background and Statewide Health Standards.

US Route 15S at MM 142, Old Lycoming Township, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of ALS Trucking Corp., 6986 Rebecca Drive, Niagara Falls, NY 14304, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of site to meet the Statewide Health Standard.

Pilot Thomas Logistics, 120 Choate Circle, Fairfield Township, **Lycoming County**. Juniata Geosciences, LLC, 6972 Willow Brook Road, Alexandria, PA 16611, on behalf of Pilot Thomas Logistics, 200 Viscose Road, Nitro, WV 25143, has submitted a Final Report concerning remediation of site soil contaminated with antifreeze. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

United Brass Works, Inc., 944 West 12th Street, City of Erie, **Erie County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 27317, on behalf of United Brass Works, Inc., 714 South Main Street, Randleman, NC 27317 submitted a Remedial Investigation

Report/Risk Assessment Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with Antimony, Cadmium, Lead, Tetrachloroethylene and site groundwater contaminated with Arsenic, Benzo[a]pyrene, Benzo[g,h,i]perylene, Lead, Tetrachloroethylene, and Vinyl Chloride. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Mellon's Orchard, 5812 Station Street, City of Pittsburgh, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of The Urban Redevelopment Authority of Pittsburgh County, 200 Ross Street, Pittsburgh, PA 15219 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of groundwater contaminated with semi-volatile and volatile organic compounds (SVOC & VOCs) and soil contaminated with VOCs, SVOCs and lead. Public notice was printed in the *Pittsburgh Post-Gazette* on February 21, 2018.

Former McKeesport Tubular, 301 4th Ave., McKeesport, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of RIDC of Southwest PA, 210 Sixth Ave., Suite 3620, Pittsburgh, PA 15222, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with semi-volatile organic compounds (VOCS) and metals. Public notice was printed in the *Pittsburgh Post-Gazette* on January 18, 2018.

Kalp 1 Pad Impoundment, 1185 Route 711, Stahtstown, **Westmoreland County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of WPX Energy Appalachia, LLC, 3500 One Williams Center, Tulsa, Oklahoma 74172 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds and metals. Public notice was printed in the *Pittsburgh Tribune-Review* on January 8, 2018.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department 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: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

PAWC-Lake Montrose Water Treatment Plant, 15286 State Route 29, Bridgewater Township, **Susquehanna County**. Resource Environmental Management, Inc., 50 Maple Street, Montrose, PA 18801, on behalf of PA American Water, 800 West Hersheypark Drive 17033, submitted a final report concerning site soils contaminated with # 2 heating oil. The report was intended to document remediation of the site to meet residential Statewide Health Standards, but was disapproved by the Department on March 12, 2018.

Purtell Property, 14528 State Route 858, Apolaccon Township, **Susquehanna County**, Environmental Alliance, 5341 Limestone Road, Wilmington, DE 19808, on behalf of Leo Purtell, 14528 State Route 858, Little Meadows, PA 18830, submitted a Final Report concerning remediation of site soils and groundwater contaminated with # 2 fuel oil. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on March 12, 2018.

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

Former Yorktowne Cabinets, 100 Redco Avenue, Red Lion, PA 17356, Red Lion Borough and Windsor Township, **York County**. Buchart Horn, Inc., 445 West Philadelphia Street, P.O. Box 15040, York, PA 17405-7040, on behalf of Tri Boro Construction, 465 Locust Street, P.O. Box 8, Dallastown, PA 17313, submitted a Remedial Investigation and Final Report concerning remediation of

site soil and groundwater contaminated with organics and chlorinated solvents. The Final Report demonstrated attainment of the Site-Specific and Nonresidential Statewide Health Standards, and was approved by the Department on March 9, 2018.

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

SGL 12 B Unit Well Pad, 1024 Cherry Top Lane, Overton Township, **Bradford 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 the remediation of site soils contaminated with inorganics and used motor oil. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 9, 2018.

COP Tract 231 Pad D, 130 Tall Man Lane, Snow Shoe Township, **Centre County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19431, on behalf of Alta Resources, 33 West Third Street, Suite 300, Williamsport, PA 17701, has submitted a Final Report concerning remediation of site soil contaminated with organics. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 8, 2018.

US Route 15S at MM 142, Old Lycoming Township, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of ALS Trucking Corp., 6986 Rebecca Drive, Niagara Falls, NY 14304, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 8, 2018.

SWN, LLC T1 04 Lepley Pad, Milk Plant Drive, Liberty Township, **Tioga County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of SWN Production Company, LLC, 917 SR 92 North, Tunkhannock, PA 18657, has submitted a Final Report concerning remediation of site soil contaminated with produced water. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 6, 2018.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

NFG Midstream Clermont West Compressor Station, 12753 Shawmut Grade Road, Jones Township, **Elk County**. Environmental Remediation and Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of National Fuel Gas Midstream Clermont, LLC, P.O. Box 2081, 1100 State Street, Erie, PA 16512, submitted a Final Report concerning the remediation of site soil contaminated with 1,1 biphenyl, 1,3,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2-methylnaphthalene, acenaphthene, aluminum, anthracene, barium, benzene, benzo[a]anthracene, benzo[a]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, boron, chlorides, chrysene, cumene, cyclohexane, ethylbenzene, ethylene glycol, fluoranthene, fluorene, indeno[1,2,3-c,d]pyrene, iron, lithium, manganese, naphthalene, phenanthrene, phenol, pyrene, sec-butyl benzene, selenium, tert-butyl benzene, toluene, vanadium, xylenes, and zinc. The Report was disapproved by the Department on March 7, 2018.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Bridgeport Street (former Levin), Mount Pleasant Borough, Westmoreland County. KU Resources, Inc.; 22 South Linden Street, Duquesne, PA 15110 on behalf of The Redevelopment Authority of Westmoreland County, 5th Floor, 40 North Pennsylvania Avenue, Greensburg, PA 15601 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of groundwater contaminated with semi-volatile and volatile organic compounds (SVOC & VOCs) and SVOC's in soil. Public notice was printed in the Tribune-Review on November 6, 2017. The Reports were approved by the Department on March 1, 2018.

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, P.O. Box 69170, Harrisburg, PA 17106-9170.

Hazardous Waste Transporter License Reissued

Coal City Cob Company, Inc., 4300 North I-35 East, Waxahachie, TX 75165. License No. PA-AH 0589. Effective Mar 09, 2018.

CTR Industries, Inc., 118 Burr Court, Bridgeport, CT 06605. License No. PA-AH 0794. Effective Mar 13, 2018.

Renewal Applications Received

Coal City Cob Company, Inc., 4300 North I-35 East, Waxahachie, TX 75165. License No. PA-AH 0589. Effective Mar 09, 2018.

CTR Industries, Inc., 118 Burr Court, Bridgeport, CT 06605. License No. PA-AH 0794. Effective Mar 13, 2018.

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, P.O. Box 69170, Harrisburg, PA 17106-9170.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

Orchard Hill Memorial Park, Inc., 187 Route 94, Lafayette, NJ 07848. License No. PA-HC 0163. Effective Mar. 12, 2018.

Renewal Applications Received

Orchard Hill Memorial Park, Inc., 187 Route 94, Lafayette, NJ 07848. License No. PA-HC 0163. Effective Mar. 12, 2018.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

General Permit No. WMGR081SE002. Keystone Memory Group, LLC, 2100 Cabot Blvd West, Suite D, Langhorne PA 19047-1850. This application is for the determination of applicability (DOA) to process and store electronic scrap prior to reuse or recycle in accordance with the beneficial use permit No. WMGR081 at the 2100 Cabot Boulevard West Facility, located at 2100 Cabot Boulevard West, Suite 200, in the Borough of Langhorne, **Bucks County**. The application of determination of applicability was issued by the Southeast Regional Office on March 1, 2018.

Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental Protection (“DEP”) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or telephone at 484.250.5960. 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.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

GP15-55-134: Kreamer Feed, Inc. (P.O. Box 38, 215 Kreamer Avenue, Kreamer, PA 17833) on March 6, 2018, to authorize the operation of a feed mill pursuant to the General Plan Approval and General Operating Permit for Feed Mills (BAQ-GPA/GP-15) at their facility in Middlecreek Township, **Snyder County**.

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

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

GP5-43-271C: Range Resources Appalachia LLC, Wallace Station (3000 Town Center Blvd., Canonsburg, PA 15317) on March 9, 2018, for the authority to reauthorize with no modification their permit for a natural gas production equipment (BAQ-GPS/GP5) located at their facility in French Creek Township, **Mercer County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

23-0122: AQUA Pennsylvania, Inc. (762 West Lancaster Avenue, Bryn Mawr, PA 19010) On March 9, 2018 for installation and operation of two diesel-fired emergency generators at their facility, located in Springfield Township, **Delaware County**.

09-0048E: H&K Materials/Chalfont Batch Asphalt Plant (300 Skunk Hollow Road, Chalfont, PA 19474) On March 13, 2018 a plan approval for the modification of an existing VOC emission restriction due to the results of stack testing on their Batch Asphalt Plant located in Hilltown Township, **Bucks County**.

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

Contact: Norman Frederick, PE, Environmental Engineer Manager—Telephone: 570-826-2409.

40-00118B: Valmont Newmark, Inc. (101 Carleton Ave, Hazleton, PA 18201) On February 28, 2018 for the transfer of equipment and operation of its plasma cutting and weld operations with associated control equipment at their facility located in The City of Hazleton, **Luzerne County**.

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

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

AMS IP17-000275: Riverside Materials Inc. (2870 E. Allegheny, Philadelphia, PA 19134) issued March 12, 2018 for the installation of a 770,000 tons per year (tpy) (350 tons per hour (tph)) Drum Hot Mix Asphalt (DHMA) plant in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources includes one (1) 108 MMBtu/hr Counter Flow Drum firing natural gas a primary fuel and No. 2 Oil as backup fuel, one (1) 54,000 ACFM Square Knockout Box (Cyclone), one (1) 54,000 ACFM Reverse Bag Pulse Baghouse, one (1) 2 MMBtu/hr Heater that burns natural gas as primary fuel and No. 2 Oil as backup fuel, Screen Decks, Cold Feed Bins, Aggregate Weigh Conveyor, Recycled Asphalt Material Weigh Conveyor, Aggregate Collecting Conveyor, Recycle Asphalt Bin, Cold Feed Bin Collecting Conveyor, three (3) 29,000 gallon Asphalt Cement Tanks, one (1) 20,000 gallon No. 2 Oil Storage Tank, three (3) 200 ton Hot Mix Asphalt Storage Silos, and one (1) 82 ton Dust Silo. The facility will be limited to 2,200 operating hours per year. There will be potential Nitrogen Oxides (NO_x) emissions of 11.95 tpy, Total Particulate Matter (PM) emissions of 14.01 tpy, Total PM less than 10 microns (PM₁₀) emissions of 10.69 tpy, Volatile Organic Compound (VOC) emissions of 12.3 tpy, Carbon Monoxide (CO) emissions of 50.1 tpy, and Sulfur Dioxide (SO₂) emissions of 1.3 tpy. The plan approval contains operating, monitoring, recordkeeping, testing, and reporting requirements to ensure operation within all applicable requirements.

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.

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

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

08-00003J: JELD-WEN, Inc. (825 Shiner Road, P.O. Box 311, Towanda, PA 18848-0311) on March 11, 2018 to extend the authorization to operate the Die Form surface coating operation at their facility located in Wysox Township, **Bradford County** on a temporary basis to September 7, 2018. The plan approval has been extended.

Operating Permits for Non-Title V Facilities Issued 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.

46-00054: Abington Memorial Hospital (1200 Old York Road, Abington, PA 19001-3720) on February 27, 2018 for the renewal of a State Only Operating Permit for boilers and emergency generators that operate at this facility in Abington Township, **Montgomery County**.

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

Contact: Norman Frederick, PE, Environmental Engineer Manager—Telephone: 570-826-2409.

40-00047: Geisinger Wyoming Valley (1000 East Mountain Blvd, Wilkes-Barre, PA 18711) The Department issued on 3/8/218, a State-Only (Natural Minor) Operating Permit for operation of a hospital located in Plains Township, **Luzerne County**. The sources include two (2) natural gas and no 2 oil-fired boilers. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

59-00023: Buckheit Funeral Chapel, PC (637 South Main Street, Mansfield, PA 16933) was issued a State Only operating permit on March 6, 2018, for operation of its facility located in Richmond Township, **Tioga County**. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal NMOP 59-00023.

49-00058: Central Builders Supply Company (P.O. Box 152, Sunbury, PA 17801-0152) was issued a State Only operating permit on March 6, 2018, for operation of their Montandon sand and gravel plant located in West Chillisquaque Township, **Northumberland County**. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting,

and work practice conditions to assure compliance with the applicable requirements have been included in the renewal NMOP 49-00058.

41-00046: Pennsylvania College of Technology (1 College Avenue, Williamsport, PA 17701) was issued a renewal State Only operating permit on March 5, 2018, for operation of the air contamination sources at their college campus located in the City of Williamsport, **Lycoming County**. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal operating permit 41-00046.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

25-00958: Ridg-U-Rak Storage Systems/State Line Pkt. (12340 Gay Rd, North East, PA 16428). On March 8, 2018, the Department issued a State Only Natural Minor Operating Permit for the facility located in North East Township, **Erie County**. The facility's primary emission sources include natural gas-fueled space heaters, a 3-stage surface preparation system, a dry-off oven, a powder cure oven, a fluidized cleaning system, and an emergency generator. The potential emissions of the primary pollutants from the facility are as follows: 12.21 TPY NO_x, 7.60 TPY CO, 0.05 TPY SO_x, 0.29 TPY VOC, and 0.17 TPY PM₁₀ and PM_{2.5}; thus, the facility is a natural minor. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.

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

OP18-000004: Mutual Pharmaceutical Co., Inc. (1100 Orthodox Street, Philadelphia, PA 19124) administratively amended on March 8, 2018 to incorporate a change of ownership and a name change to Frontida BioPharm, Inc. for the operation of a pharmaceutical manufacturing facility in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor Operating Permit was originally issued on August 19, 2013 with permit number S13-006.

OP17-000070: HCP Inc. (833 Chestnut Street, Philadelphia, PA 19107) for a real estate office in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three natural gas or No. 2 oil fired boilers each rated at 6 MMBtu/hr or less, three (3) diesel fired emergency generators each rated at 2,000 kW, and one (1) diesel fired emergency generator rated at 750 kW.

OP17-000037: Verizon Pennsylvania LLC (1631 Arch Street, Philadelphia, PA 19103) for an office in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) diesel fired Caterpillar emergency generators each rated at 2,168 hp.

OP17-000043: SEPTA Wayne Junction Car House (4500 Germantown Avenue, Philadelphia, PA 19141) for a car house in the City of Philadelphia, **Philadelphia**

County. The facility's air emission sources include six (6) natural gas fired boilers, each rated at 2.52 MMBtu/hr or less, one (1) kerosene fired space heater rated at 0.60 MMBtu/hr, one (1) No. 2 oil fired pressure washer rated at 0.585 MMBtu/hr, one (1) spray booth for miscellaneous metal parts, and one (1) diesel fired emergency generator rated at 464 BHP.

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.

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

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

46-00172: Gemalto Inc. (101 Park Drive, Montgomeryville, PA 18963-9618), On March 13, 2018 for an administrative amendment to correct an omission from the last renewal of the facility's State Only Operating Permit to add a 6-color Heidelberg Printing Press to and remove five printing presses from the State Only Operating Permit for this facility for which the installation or removal of equipment was performed prior to the issuance of the last renewal of the State Only Operating Permit. This facility is located in Montgomery Township, **Montgomery County**.

23-00220: Eddystone Marine & Rail Terminal Co., LLC (# 5 Industrial Highway, Eddystone, PA 19022) located in Eddystone Borough, **Delaware County**. On March 13, 2018, the permit has been amended and issued under the Air Pollution Control Act (35 P.S. §§ 4001—

4015) and 25 Pa. Code § 127.450 to address a Change of Ownership from Eddystone Rail Co., Inc. to Eddystone Marine & Rail Terminal Co., LLC. Additionally, the Federal tax ID number has been changed to 82-2066222.

09-00196: Abington Reldan Metals, LLC (550 Old Bordentown Road, Fairless Hills, PA 19030) on March 13, 2018, has been amended to incorporate plan approval No. 09-0196I requirements in accordance with 25 Pa. Code § 127.450. The amended State-Only Operating Permit contains all of the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits in Falls Township, **Bucks County**.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Dave Balog, New Source Review Chief or Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6340.

42-00178: Villager Construction for Glenn O. Hawbaker, Inc. (SR1002 Champlain Hill Road, Turtlepoint, PA 16750) facility located in Annin Township, **McKean County**. The De minimis emission increases are for the operation of a Pegson 320 Portable Crusher. This source is exempt from plan approval as it complies with 25 Pa. Code § 127.449.

The Department hereby approves the De minimis emission increases. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This is the first De minimis emission increases since the facility current Operating Permit issuance on November 29, 2017.

Date	Source	PM10 (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
3-12-18	Pegson 320 Portable Crusher	0.18	0.26	0.83	-	0.72
Total Reported Increases		0.18	0.26	0.83	-	0.72
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

42-00194: Villager Construction for Glenn O. Hawbaker, Inc. (497 Horse Run Road, Shinglehouse, PA 16748) facility located in Ceres Township, **McKean County**. The De minimis emission increases are for the operation of a Pegson 320 Portable Crusher. This source is exempt from plan approval as it complies with 25 Pa. Code § 127.449.

The Department hereby approves the De minimis emission increases. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This is the first De minimis emission increases since the facility current Operating Permit issuance on October 31, 2017.

Date	Source	PM10 (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
3-12-18	Pegson 320 Portable Crusher	0.02	0.04	0.12	-	0.14
Total Reported Increases		0.02	0.04	0.12	-	0.14
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

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.

11040701 and NPDES No. PA0235717. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Refuse Area No. 1 in Portage Township, **Cambria County** and related NPDES Permit for additional disposal area to ensure future processing and disposal capacity and add NPDES Point 007. Coal Refuse Disposal Support Acres Proposed 178.6, Coal Refuse Disposal Acres Proposed 178.6. In conjunction with this approval, the Department is granting 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of sections 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. Receiving Stream: Unnamed Tributary of Spring Run, classified for the following use: CWF. The application was considered administratively complete on April 4, 2017. Application received: August 31, 2016. Permit issued March 1, 2018.

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 Township, **Greene County** and related NPDES Permit for full extraction mining and stream restoration in Panels 4L and 5L. No additional discharges. The application was considered administratively complete on May 11, 2017. Application received: April 27, 2017. Permit issued: March 7, 2018.

56910701 and NPDES No. PA0213560. PBS Coals, Inc., (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To renew the permit for the Job 10 Refuse Disposal Area in Somerset Township, **Somerset County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on August 29, 2017. Application received: March 3, 2017. Permit issued: March 9, 2018.

56910701 and NPDES No. PA0213560. PBS Coals, Inc., (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To revise the permit for the Job 10 Refuse Disposal Area in Somerset and Brothersvalley Townships,

Somerset County and related NPDES Permit to add NPDES Outfall 002. Surface Acre Proposed 1.6. Receiving Stream: Unnamed Tributary to Kimberly Run, classified for the following use: CWF. The application was considered administratively complete on August 24, 2017. Application received: June 27, 2017. Permit issued: March 9, 2018.

56841605 and NPDES No. PA0214761. Croner, Inc., (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To renew the permit for the Goodtown Preparation Plant in Brothersvalley Township, **Somerset County**. No additional discharges. The application was considered administratively complete on June 24, 2011. Application received: February 8, 2011. Permit issued: February 27, 2018.

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

12040102 and NPDES PA0256145. Allegheny Enterprises, Inc. (3885 Roller Coaster Road, Corsica, PA 15829). Permit renewal for reclamation only of a bituminous surface mine located in Shippen Township, **Cameron County** affecting 206.0 acres. Receiving stream(s): Unnamed Tributary to Finley Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 3, 2017. Permit issued: March 6, 2018.

17970112 and NPDES PA0220680. Cory L Shawver dba Hilltop Coal Company (12 Dutchtown Road, Houtzdale, PA 16651). Permit renewal for reclamation only of a bituminous surface coal and auger mine located in Bigler Township, **Clearfield County** affecting 212.4 acres. Receiving stream(s): Unnamed Tributary to Muddy Run and Muddy Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: August 30, 2017. Permit issued: March 5, 2018.

17140101 and NPDES PA0269701. RES Coal LLC (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Commencement, operation, and restoration of a bituminous surface and auger mine located in Bradford Township, **Clearfield County** affecting 261.7 acres. Receiving stream(s): Unnamed Tributaries to West Branch Susquehanna River classified for the following use(s): CWF, MF and West Branch Susquehanna River classified for the following use(s): WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: January 15, 2016. Permit issued: March 2, 2018.

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

3378BC21 and NPDES Permit No. PA0251348. Milrock Mining, Inc. (960 Penn Avenue, Suite 400, Pittsburgh, PA 15222). Permit renewal issued for continued treatment to an existing bituminous surface mine, located in Wharton and Henry Clay Townships, **Fayette County**, affecting 11.4 acres. Receiving streams: unnamed tributary to Fike Run. Application received: May 16, 2013. Renewal permit issued: March 5, 2018.

Noncoal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

PAM418008-GP104. Elwood Helsel, 544 Munster Road, Portage, PA 15946 General NPDES Permit for stormwater discharges associated with mining activities on Non-Coal Permit No. 11880801 located in Portage Township, **Cambria County**. Receiving stream: Un-

named Tributary to Little Conemaugh River classified for the following uses: Cold Water Fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: January 1, 2018. Coverage Approved: March 6, 2018.

PAM411004-GP104. Hosler Excavating, 4728 Groninger Valley Road, Port Royal, PA 17082. Renewal of General NPDES Permit for stormwater discharges associated with mining activities on Non-Coal Permit No. 34110801 located in Milford Township, **Juniata County**. Receiving stream: Unnamed Tributary to Tuscarora Creek classified for the following uses: Cold Water Fishes, Migratory Fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: February 22, 2018. Coverage Approved: March 6, 2018.

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

PAM618011. Waterford Sand & Gravel Co. (15871 Sturgis Road, Union City, PA 16438) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20940302 in Bloomfield Township, **Crawford County**. Receiving streams: Oil Creek. Application received: February 5, 2018. Permit Issued: March 6, 2018.

PAM613012. Slippery Rock Materials, Inc. (704 Golf Course Road, Volant, PA 16156-5518) Renewal of the General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 37800303 in Plain Grove Township, **Lawrence County**. Receiving streams: Unnamed tributary to Taylor Run. Application received: February 14, 2018. Permit Issued: March 6, 2018.

PAM618012. Slippery Rock Materials, Inc. (704 Golf Course Road, Volant, PA 16156-5518) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37950301 in Plain Grove Township, **Lawrence County**. Receiving streams: Unnamed tributary to Taylor Run. Application received: February 5, 2018. Permit Issued: March 6, 2018.

PAM618013. Allegheny Aggregate, Inc. (P.O. Box 38, Pittsfield, PA 6340) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 62990303 in Pittsfield Township, **Warren County**. Receiving streams: Little Brokenstraw Creek. Application received: February 15, 2018. Permit Issued: March 6, 2018.

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

Permit No. 8275SM2C8 and NPDES Permit No. PA0593885. New Enterprise Stone & Lime Company, Inc. dba Martin Limestone, Inc., (3580 Division Highway, East Earl, PA 17519), Renewal of NPDES permit for discharge of treated mine drainage in Earl and Ephrata Townships, **Lancaster County**. Receiving stream: Conestoga River. Application received: May 30, 2017. Renewal Issued: March 8, 2018.

Permit No. PAM112074R. Meshoppen Stone, Inc., (P.O. Box 127, Meshoppen, PA 18630), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58120302 in Middletown Township, **Susquehanna County**. Receiving stream: unnamed tributary of North Branch Wyalusing Creek. Application received: December 26, 2017. Renewal issued: March 12, 2018.

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.

08184101. M & J Explosives (P.O. Box 1248, Carlisle, PA 17013). Blasting for well pad in Leroy Township, **Bradford County** with an expiration date of March 1, 2019. Permit issued: March 7, 2018.

14184101. Douglas Explosives, Inc. (2052 Philipsburg-Bigler Highway, Philipsburg, PA 16866). Blasting for residential development at Kaywood Subdivision in Harris Township, **Centre County** with an expiration date of February 1, 2019. Permit issued: March 9, 2018.

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

02184004. Senex Explosives (710 Millers Run Road, Cuddy, PA 15031). Blasting activity permit for construction, located in South Fayette Township, **Allegheny County** with an expiration date of March 1, 2019. Blasting permit issued: March 12, 2018.

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

Permit No. 35184103. John H. Brainard, (P.O. Box 66, Clifford, PA 18413), construction blasting for Glenmaura Parcel 3C rough grading in Moosic Borough, **Lackawanna County** with an expiration date of December 31, 2018. Permit issued: March 6, 2018.

Permit No. 38184107. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Matt Nolt Chicken House in Millcreek Township, **Lebanon County** with an expiration date of June 30, 2018. Permit issued: March 6, 2018.

Permit No. 40184102. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for South Cross Valley Expressway PennDOT ECMS 9234 in Hanover Township, **Luzerne County** with an expiration date of February 22, 2019. Permit issued: March 6, 2018.

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 sec-

tion 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. 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.

E09-1015. Warrington Township, 852 Easton Road, Warrington, PA 18976-1413, Warrington Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 2.5-mile 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 seven stream crossings at different locations in and along the 100-year flood plain of Mill Creek and its tributaries. The trail begins at the intersections of Stump Road and Billingsly Drive and terminates at Street Road and Morning Wall Drive (Doylestown, PA, USGS Map; Latitude: 40.2621; Longitude: -75.179428).

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)).

E46-1155: Hatfield Township, 1950 School Road, Hatfield, PA 19440-1992, Hatfield Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain an 8-foot wide by 45-foot long Pedestrian Boardwalk crossing, and two culvert crossings over wetland (PFO), and small tributaries to the Unionville Tributary (WWF, MF) associated with the final Frick's Trail System in the township. Trail is partially

located within the 100-year floodway/floodplain. The site is located between Orvilla Road and Sterling Drive (USGS Telford, PA, Quadrangle Latitude: 40.286924; Longitude: -75.275161).

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)).

E15-888. West Bradford Township, 1385 Campus Drive, Downingtown, PA 19335-3690, West Bradford Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain an 18-inch stormwater outfall along UNT to Broad Run (EV-MF) associated with the improvement of public health and safety by reducing the stormwater flow through the roadside swale.

The site is located along north side of Chestnut Lane (Unionville, PA USGS Quadrangle, Latitude: 39.967856; Longitude: -75.748325).

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)).

E15-886. APG The Valley, L.P., 606 Gordon Drive, Exton, PA 19341, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain an 8-inch sanitary sewer main extension utility line crossing the UNT to Valley Creek (EV-MF) associated with the 43-lot single family subdivision.

The site is located at 99 Church Road (Malvern, PA USGS Quadrangle, Latitude: 40.049086; Longitude: -75.560822).

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)).

E46-1157. Wissahickon Valley Watershed Association, 12 Morris Road, Ambler, PA 19426, Lower Gwynedd Township, **Montgomery County**, ACOE Philadelphia District.

To perform the below listed water obstruction and encroachment activities associated with the Green Ribbon Trail/Wissahickon Creek Stepping Stone Crossing Project. To construct 13 poured in place concrete stepping stones in Wissahickon Creek.

The site is approximately at the intersection of SR 73 (Skippack Pike) and SR 202, along the Wissahickon Creek just upstream of the creek flowing under Route 202, approximately 0.44 mile northeast of Township Line Road. (Lansdale Lat. 40° 11' 15"; Long. 75° 16' 10").

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.

E40-797. Villas at Waterwood, LLC, 400 Third Ave. Kingston, PA 18704. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 1,750 sq. ft. pile-supported dock/lakehouse within the basin of Harveys Lake (HQ-CWF). The project is located approximately at Pole 147, Lakeside Drive (Harveys Lake, PA Quadrangle, Latitude: 41° 22' 26"; Longitude: -76° 2' 38") Harveys Lake Borough, Luzerne County.

E48-445. IPT Brodhead DC, LLC, 301 Route 17 North, Suite 206, Rutherford, NJ 07070, in Bethlehem Township, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Brodhead Road Distribution Center development:

1. A 20-foot wide, 60-LF vegetated trapezoidal stormwater outfall channel within the floodway of the Monocacy Creek (HQ-CWF, MF).

2. A stream monitoring well in the floodway of the Monocacy Creek (HQ-CWF, MF) consisting of a 2-inch diameter PVC pipe extending 3-foot above existing ground elevation.

The project is located directly northwest of the intersection of S.R. 191 (Linden Street) and U.S. Route 22 (Nazareth, PA Quadrangle Latitude: 41° 40' 46.25", Longitude: -75° 20' 43.15") in Bethlehem Township, Northampton County.

E66-164. Mehoopany Creek Watershed Association, P.O. Box 73, Forkstown and Mehoopany Township, **Wyoming County**, Army Corps of Engineers Baltimore District.

To construct and maintain a stream and floodplain restoration project in 2,766-foot reach of Mehoopany Creek (CWF, MF) with work consisting of installation of boulder bank revetments, installation of boulder bank grade reinforcements, and the installation of five (5) truncated rock vanes. Furthermore, the restoration of the floodplain is proposed resulting in grading along the floodway of Mehoopany Creek that also extends into three (3) Tributaries to Mehoopany Creek (CWF, MF). The project is near an area locally known as Rogers Hollow and begins approximately 4,000 feet downstream of SR 87 Bridge over Mehoopany Creek. (Jenningsville and Meshoppen, PA Quadrangle Latitude: 41°32'17.5"; Longitude: -76°6'38.4") in Forkston and Mehoopany Township, Wyoming County.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E06-725: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, West Two, 3rd Floor, Pittsburgh, PA 15275 in Cumru Township, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 74 feet 2 inch long, 26.0 foot wide concrete box culvert depressed 1.0 foot with baffles and place R-6 riprap scour protection choked with native stream bed material and channel alignments at the inlet and outlet of the proposed structure located in and permanently impacting 133 linear feet with 327 linear feet of temporary impacts of Wyomissing Creek (HQ-CWF, MF) and permanently impact 0.12 acre of floodway of Wyomissing Creek (Latitude 40°16'55.6", Longitude -75°59'31.2") for the purpose of replacing a structurally deficient bridge as part of the Public Private Partnership (P3) Rapid Bridge Replacement Program. The project is located along S.R. 3009 (Wyomissing Road) in Cumru Township, **Berks County**. The permit was issued on March 8, 2018.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E30-256, Southwestern Pennsylvania Water Authority, 1442 Jefferson Road, P.O. Box 187, Jefferson, PA 15344, Center Township, **Greene County**, Pittsburgh ACOE District.

Has been given consent to:

Construct, operate, and maintain a utility line crossing of an Unnamed Tributary of McCourtney Run (Existing use is EV; Designated use is HQ-WWF), impacting 20 linear feet of stream, and 2,000 square feet of floodway, for the purpose of constructing an approximately 12,100 linear foot, 12-inch diameter water line. This project will also include three (3) additional utility line stream crossings, to be constructed in accordance with the terms and conditions of General Permit No. 5 (GP-5), regarding utility line stream crossings. The impacts will be mitigated through restoration. The project is located approximately 1.2 mile southwest of the intersection of Route 21 and Route 18 (Holbrook, PA USGS topographic quadrangle; North: 21.0 inches; West: 6.3 inches; Latitude: 39° 51' 58"; Longitude: -80° 17' 40"; Sub-basin 19B; Pittsburgh District Corps) in Center Township, Greene County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. 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.

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESG18-019-0001—Bicker Compressor Station
Applicant Pine Run Midstream, LLC
Contact Mr. Scott Sweder
Address 1000 Commerce Dr Park Place One Ste 400
City Pittsburgh State PA Zip Code 15272
County Butler Township(s) Winfield

Receiving Stream(s) and Classification(s) UNTs to Rough Run, UNTs to Little Buffalo Creek HQ, TSF, Rough Run & Little Buffalo Creek HQ-TSF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX29-015-18-0004

Applicant Name Chief Oil & Gas LLC

Contact Person Jeffrey Deegan

Address 1720 Sycamore Rd

City, State, Zip Montoursville, PA 17754

County Bradford

Township(s) Burlington

Receiving Stream(s) and Classification(s) Preacher Brook (CWF, MF)

Secondary—Towanda Ck

ESCGP-2 # ESX29-115-18-0009

Applicant Name Cabot Oil & Gas Corp

Contact Person Kenneth Marcum

Address 2000 Park Lane, Suite 300

City, State, Zip Pittsburgh, PA 15275

County Susquehanna & Wyoming

Township(s) Springville & Washington

Receiving Stream(s) and Classification(s) UNTs to Meshoppen Ck (CWF, MF)

ESCGP-2 # ESG29-081-17-0053

Applicant Name NFG Midstream Trout Run LLC

Contact Person Michael Kasprzak

Address 6363 Main St

City, State, Zip Williamsville, NY 14221

County Lycoming

Township(s) Hepburn & Eldred

Receiving Stream(s) and Classification(s) UNTs to Mill Ck (WWF)

Secondary—Mill Ck (WWF)

ESCGP-2 # ESX13-131-0005 (Renewal)

Applicant Name Chief Oil & Gas LLC

Contact Person Jeffrey Deegan

Address 1720 Sycamore Rd

City, State, Zip Montoursville, PA 17754-9306

County Wyoming

Township(s) Nicholson

Receiving Stream(s) and Classification(s) Field Brook (CWF, MF)

Secondary—Tunkhannock Ck (CWF, MF)

ESCGP-2 # ESX29-115-16-0015(02)

Applicant Name Williams Field Services Co LLC

Contact Person Adam Weightman

Address 400 1st Center, Suite 404

City, State, Zip Horseheads, NY 14845

County Susquehanna

Township(s) Brooklyn

Receiving Stream(s) and Classification(s) Dry Ck (CWF, MF) and UNTs thereto; Hop Bottom Ck (CWF, MF) and UNTs thereto

SPECIAL NOTICES

Public Hearing on Draft NPDES Permit Issued to Brunner Island, LLC

The Department of Environmental Protection (Department) will hold a public hearing on Wednesday, April 25, 2018, to collect comments from citizens on the draft NPDES permit issued to Brunner Island, LLC which operates a 1,490-Megawatt coal- and natural gas-fired power plant located in East Manchester Township, York County. The facility discharges treated industrial wastewater and cooling water to Susquehanna River. The draft

permit was issued on January 5, 2018, and was published in the *Pennsylvania Bulletin* on January 20, 2018.

The hearing will be held at the Union Fire Company, 201 York Street, Manchester, PA 17345. It will begin at 6.30 p.m. and end at 8.30 p.m. Doors will open at 6 p.m. The hearing may conclude earlier if all testifiers in attendance have spoken prior to the designated end time.

During the hearing, each speaker will have the opportunity to present up to 3 minutes of verbal testimony. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time to other speakers will be prohibited, and groups are asked to designate one speaker. All presenters should bring at least one copy of their comments and exhibits for submission to the Department.

Those who wish to present testimony are asked to register in advance by contacting John Repetz in the South-Central Regional Office at (717) 705-4904 or jrepetz@pa.gov. Advanced registration will be taken through the close of business on April 24. Individuals will be called to testify in the order they registered. Time permitting, those who did not register in advance will be given the opportunity to testify.

The Department received written comments on the draft permit during a 30-day comment period after the draft permit was published in the *Pennsylvania Bulletin*. The comment period ended on February 20, 2018 and the Department is compiling all comments received.

Public Hearing on Intent to Issue NPDES Permit to NRG Power Midwest LP

Notice is hereby given under 25 Pa. Code § 92a.83 that the Department of Environmental Protection (Department) will hold a public hearing on Wednesday, April 25, 2018, starting at 6 p.m. at Springdale Jr./Sr. High School Marshall Auditorium, 501 Butler Road, Springdale, PA 15144.

The purpose of the public hearing is to take testimony concerning the Department's intent to issue NPDES Permit No. PA0001627 to NRG Power Midwest LP, 151 Porter Street, Springdale, PA 15144-1452 for the discharges from the Cheswick Generating Station. There are two existing discharges of industrial wastewater to the Allegheny River, approximately 15 miles from the confluence with the Ohio River. In addition, there is one existing discharge of industrial wastewater and three existing discharges of stormwater to Little Deer Creek, approximately 5 miles from the confluence with the Allegheny River. The requestor of the public hearing has raised concerns over the nature and characteristics of the facility's discharges.

In accordance with 25 Pa. Code § 92a.82, the Department published notice of the draft NPDES permit in the *Pennsylvania Bulletin* at 48 Pa.B. 311 (January 13, 2018) to allow for public comment regarding this proposal. Appointments may be made to review the Department files on this case by calling the File Review Coordinator at (717) 787-8184.

The Department will accept and record testimony concerning the NPDES application and draft NPDES permit. Persons wishing to present testimony at the hearing should contact the Department's Community Relations Coordinator at Lauren Fraley before 12 p.m. on April 24, 2018, at (412) 442-4203 or lfraley@pa.gov. Organizations are encouraged to designate one witness to present testimony on behalf of the organization. Persons unable to attend the hearing may submit three copies of a

written statement and exhibits within 10 days thereafter to the Department of Environmental Protection, Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA, 17105-8774. Written submittals must contain the name, address and telephone number of the person submitting the comments, identification of the proposed draft NPDES Permit No. (PA0001627) and concise statements regarding the relevancy of the information or objections to issuance of the NPDES Permit.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 should contact the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 18-455. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Air Quality Technical Advisory Committee Meeting Cancellation

The April 5, 2018, Air Quality Technical Advisory Committee (Committee) meeting is cancelled. The next Committee meeting is scheduled for Thursday, June 14, 2018, at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning the June 14, 2018, meeting should be directed to Kirit Dalal, Bureau of Air Quality, at (717) 772-3436 or kdalal@pa.gov. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Kirit Dalal at (717) 772-3436 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-456. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Extension of General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251–1388), The Clean Streams Law (35 P.S. §§ 691.1–691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904), the Department of Environmental Protection (Department) is, by

this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08).

The existing PAG-08 General Permit in effect at this time will expire on April 2, 2018. By this notice, the Department is administratively extending the PAG-08 General Permit to April 2, 2019, or the date of final renewal as published, whichever is earlier. Persons that are operating under the PAG-08 General Permit may continue to operate under its terms until the date final renewal is published. Persons that have coverage beyond the final renewal publication date as identified on their coverage approval page may continue to operate until that later date under the terms of the renewed PAG-08. Persons whose coverage expires or persons seeking new coverage during the extension period may submit a Notice of Intent for the Department's review in accordance with the procedures set forth in PAG-08 to obtain renewed or new coverage under the permit.

To access the General Permit and related documents, visit www.dep.greenport.state.pa.us/elibrary (select "Permit and Authorization Packages," then "Point and Non-Point Source Management").

Questions regarding the PAG-08 General Permit should be directed to Jay Patel at jaypatel@pa.gov or (717) 705-4090.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-457. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Extension of General Permit for the Beneficial Use of Exceptional Quality Biosolids by Land Appli- cation (PAG-07)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251–1388), The Clean Streams Law (35 P.S. §§ 691.1–691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Exceptional Quality Biosolids by Land Application (PAG-07).

The existing PAG-07 General Permit in effect at this time will expire on April 2, 2018. By this notice, the Department is administratively extending the PAG-07 General Permit to April 2, 2019, or the date of final renewal as published, whichever is earlier. Persons that are operating under the existing PAG-07 General Permit may continue to operate under its terms until the date final renewal is published. Persons that have coverage beyond the final renewal publication date as identified on their coverage approval page may continue to operate until that later date under the terms of the renewed PAG-07. Persons whose coverage expires or persons seeking new coverage during the extension period may submit a Notice of Intent for the Department's review in accord-

ance with the procedures set forth in PAG-07 to obtain renewed or new coverage under the permit.

To access the General Permit and related documents, visit www.depgreenport.state.pa.us/elibrary (select "Permit and Authorization Packages," then "Point and Non-Point Source Management").

Questions regarding the PAG-07 General Permit should be directed to Jay Patel at jaypatel@pa.gov or (717) 705-4090.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-458. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Extension of General Permit for the Beneficial Use of Residential Septage by Land Application (PAG-09)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Residential Septage by Land Application (PAG-09).

The existing PAG-09 General Permit in effect at this time will expire on April 2, 2018. By this notice, the Department is administratively extending the PAG-09 General Permit to April 2, 2019, or the date of final renewal as published, whichever is earlier. Persons that are operating under the PAG-09 General Permit may continue to operate under its terms until the date final renewal is published. Persons that have coverage beyond the final renewal publication date as identified on their coverage approval page may continue to operate until that later date under the terms of the renewed PAG-09. Persons whose coverage expires or persons seeking new coverage during the extension period may submit a Notice of Intent for the Department's review in accordance with the procedures set forth in PAG-09 to obtain renewed or new coverage under the permit.

To access the General Permit and related documents, visit www.depgreenport.state.pa.us/elibrary (select "Permit and Authorization Packages," then "Point and Non-Point Source Management").

Questions regarding the PAG-09 General Permit should be directed to Jay Patel at jaypatel@pa.gov or (717) 705-4090.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-459. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(a) (relating to resident bedrooms):

ManorCare Health Services—Elizabethtown
320 South Market Street
Elizabethtown, PA 17022
FAC ID # 023202

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, 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,
Secretary

[Pa.B. Doc. No. 18-460. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Medical Marijuana Program; Availability of Academic Clinical Research Center and Clinical Registrant Applications; Time Period to Submit Applications

The purpose of this notice is to announce implementation of Chapter 20 of the Medical Marijuana Act (35 P.S. §§ 10231.2001—10231.2003), to give information regarding the availability of applications to be completed to become a certified academic clinical research center (ACRC) or a clinical registrant (CR) as described under 28 Pa. Code §§ 1210.25(b) and 1210.27(a) (relating to certifying ACRCs; and application for approval of a clinical registrant), respectively, and to establish the time period during which applications will be accepted by the Department of Health (Department).

Availability of Applications to be Approved as a Certified ACRC and Submission Deadline

Notice is hereby given, as required by 28 Pa. Code § 1210.25(b), that on April 5, 2018, the Department intends to make available, on its web site, the form of the

application to be completed and submitted to the Department to be approved as a certified ACRC. The Department will accept applications until May 3, 2018. The Department will consider any application sent by mail to have been received on the date it is deposited in the mail as long as the postmark on the outside of the package is clear and legible. The Department will not consider and will return an application that is postmarked after the May 3, 2018, deadline. An applicant must submit an application by mail in an electronic format that is listed in the instructions portion of the application to the Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Availability of Applications for Approval of a CR and Submission Deadline

Notice is hereby given, as required by 28 Pa. Code § 1210.27(a), that on May 24, 2018, the Department intends to make available, on its web site, the form of the application required to be submitted to be approved as a CR. The Department will accept applications until July 12, 2018. The Department will consider any application sent by mail to have been received on the date it is deposited in the mail as long as the postmark on the outside of the package is clear and legible. The Department will return an application that is postmarked after the July 12, 2018, deadline. An applicant must submit an application by mail in an electronic format that is listed in the instructions of the application to the Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Interested persons are invited to submit written comments, suggestions or objections regarding this notice to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, RA-DHMedMarijuana@pa.gov.

Persons with a disability who wish to submit comments, suggestions or objections regarding this notice or who require an alternative format of this notice (for example, large print, audiotape or Braille) may do so by using the previously listed contact information. Speech and/or hearing impaired persons may call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-461. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Medical Marijuana Program; Availability of Permit Applications, Number and Locations of Permits to be Issued in Phase II

In the notice published at 47 Pa.B. 73 (January 7, 2017), the Department of Health (Department) announced implementation of Phase I of the Medical Marijuana Program (Program), which resulted, ultimately, in the issuance of 12 permits for growers/processors and 27 permits for dispensaries. The purpose of this notice is to announce that the Department intends to implement Phase II of the Program in the manner outlined in this

notice. Accordingly, this notice addresses the availability of permit applications for growers/processors and dispensaries, the time frame during which permit applications will be accepted by the Department, the total number of permits that may be issued in Phase II, and number and location of permits in each medical marijuana region that may be issued in Phase II. The number and geographical boundaries of the medical marijuana regions have not changed and were published at 47 Pa.B. 74 (January 7, 2017).

Availability of Permit Applications and Submission Deadline

Notice is hereby given, as required by 28 Pa. Code § 1141.29(a) (relating to initial permit application), that on April 5, 2018, the Department intends to make available, on its web site, grower/processor and dispensary permit applications to implement Phase II of the Program. The Department will accept grower/processor and dispensary permit applications that are complete and include the required fees until May 17, 2018. The Department will consider any application sent by mail to have been received on the date it is deposited in the mail as long as the postmark on the outside of the package is clear and legible. The Department will return a permit application that is postmarked after the May 17, 2018, deadline. An applicant must submit a permit application by mail in an electronic format that is listed in the instructions portion of the permit application to the Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Total Number of Permits to be Issued in Phase II

Under section 616 of the Medical Marijuana Act (act) (35 P.S. § 10231.616), the Department may not initially issue permits to more than 25 growers/processors and more than 50 dispensaries. In addition, no more than five growers/processors may be issued permits as dispensaries (see section 616(5) of the act). A person who is issued both a grower/processor permit and a dispensary permit by the Department has permits that are vertically integrated. Currently, four permittees hold permits that are vertically integrated. Therefore, in Phase II, only one grower/processor may be issued a dispensary permit.

Because, in Phase I of the implementation of the Program, the Department has already issued 12 grower/processor permits and 27 dispensary permits, the Department, in Phase II of the implementation of the Program, intends to issue:

1. Up to 13 grower/processor permits.
2. Up to 23 dispensary permits.

The Department may not issue more than one individual grower/processor permit to one person (see section 616(4) of the act). In addition, the Department may not issue more than five individual dispensary permits to one person (see section 616(3) of the act).

Number and Locations of Permits in Each Medical Marijuana Region

Notice is hereby given, as required by 28 Pa. Code § 1141.33(b) (relating to review of initial permit applications), that the Department intends to issue, in Phase II, the following number of permits in the following targeted locations:

1. The Department intends to issue one grower/processor permit to the highest-scoring, most-qualified and eligible applicant without regard to location. For the

remaining 12 grower/processor permits, the Department intends to issue up to 2 grower/processor permits in each of the 6 medical marijuana regions listed as follows.

2. The Department intends to issue up to 23 dispensary permits in the following medical marijuana regions:

Medical Marijuana Region 1—The Southeast Region
Number of Dispensary Permits—9

Medical Marijuana Region 2—The Northeast Region
Number of Dispensary Permits—3

Medical Marijuana Region 3—The Southcentral Region
Number of Dispensary Permits—3

Medical Marijuana Region 4—The Northcentral Region
Number of Dispensary Permits—2

Medical Marijuana Region 5—The Southwest Region
Number of Dispensary Permits—4

Medical Marijuana Region 6—The Northwest Region
Number of Dispensary Permits—2

The primary dispensary location may be in any county within the medical marijuana region. Each dispensary permit that is issued will list the primary dispensary location. An applicant has the option of listing two additional dispensary locations on the permit application for approval by the Department. The second and third dispensary locations must be within the same medical marijuana region as the primary dispensary location listed in the dispensary permit. The second and third dispensary locations are not permitted to be in the same county as the primary dispensary location listed in the dispensary permit. In addition, the second and third dispensary locations are not permitted to be in the same county.

Interested persons are invited to submit written comments, suggestions or objections regarding this notice to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, RA-DHMedMarijuana@pa.gov.

Persons with a disability who wish to submit comments, suggestions or objections regarding this notice or who require an alternative format of this notice (for example, large print, audiotope or Braille) may do so by using the previously listed contact information. Speech and/or hearing impaired persons may call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-462. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P.L. 419, No. 140) (35 P.S. § 6204), will hold its quarterly public meeting on Friday, April 20, 2018, from 10 a.m. to 1 p.m. in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Tara Trego, Director, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for a speech and/or hearing impaired persons, call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-463. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Hospital Payments

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2017-2018 disproportionate share hospital (DSH) payments for qualifying Medical Assistance (MA) enrolled acute care general hospitals that have a low commercial-payer ratio, a negative trend in their net patient revenue and are located in an area of this Commonwealth with a disproportionate need for MA services. The payment is intended to promote continued access to care for the MA population. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$0.623 million (\$0.300 million in State general funds and \$0.323 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review

and consider comments received within 30 days in determining the final payment methodology for these payments.

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,
Secretary

Fiscal Note: 14-NOT-1222. (1) General Fund; (2) Implementing Year 2017-18 is \$300,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-464. Filed for public inspection March 3, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2017-2018 disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolled acute care general hospitals which provide a high volume of inpatient services to MA eligible and low income populations. These payments are intended to promote access to medically necessary inpatient services for MA eligible and low income persons. The Department does not intend to otherwise change the qualifying criteria or payment methodology for this payment.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$0.724 million (\$0.349 million in State general funds and \$0.375 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

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,
Secretary

Fiscal Note: 14-NOT-1216. (1) General Fund; (2) Implementing Year 2017-18 is \$349,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-465. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2017-2018 disproportionate share hospital (DSH) payments to qualifying Medical Assistance enrolled acute care general hospitals that participate in an academic medical program. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2017-2018 impact, as a result of these payments, is \$7.265 million (\$3.500 million in State general funds and \$3.765 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or services 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,
Secretary

Fiscal Note: 14-NOT-1213. (1) General Fund; (2) Implementing Year 2017-18 is \$3,500,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$21,181,000; 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; (7) Medical Assistance—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-466. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Hospital Payments

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2017-2018 disproportionate share hospital (DSH) payments to qualifying acute care general hospitals that serve the indigent population of cities in this Commonwealth with an average per capita income significantly below the Statewide average. These payments are intended to provide additional financial support to hospitals that serve an inordinate amount of low-income individuals and Medical Assistance beneficiaries in impoverished areas of this Commonwealth. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$14.506 million (\$6.989 million in State general funds and \$7.517 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

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,
Secretary

Fiscal Note: 14-NOT-1215. (1) General Fund; (2) Implementing Year 2017-18 is \$6,989,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-467. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2017-2018 disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolled acute care general hospitals that provide a high volume of services to MA and low-income populations. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$1.645 million (\$0.792 million in State general funds and \$0.853 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review and consider all comments received within 30 days in determining the final payment methodology for these payments.

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,
Secretary

Fiscal Note: 14-NOT-1224. (1) General Fund; (2) Implementing Year 2017-18 is \$792,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-468. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2017-2018 disproportionate share hospital (DSH) payments to qualifying Medical Assistance (MA) enrolled acute care general hospitals. These payments are intended to provide additional support for the operation of academic medical programs through the medical education of health care professionals needed to treat the MA population. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$5.210 million (\$2.510 million in State general funds and \$2.700 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

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,
Secretary

Fiscal Note: 14-NOT-1214. (1) General Fund;

(7) MA—Academic Medical Centers; (2) Implementing Year 2017-18 is \$1,500,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$21,181,000; 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000;

(7) MA—Physician Practice Plans; (2) Implementing Year 2017-18 is \$500,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$10,071,000; 2015-16 Program—\$9,571,000; 2014-15 Program—\$9,071,000;

(7) MA—Fee-for-Service; (2) Implementing Year 2017-18 is \$460,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000;

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

[Pa.B. Doc. No. 18-469. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments to Qualifying Disproportionate Share Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2017-2018 disproportionate share hospital (DSH) payments to qualifying acute care Medical Assistance (MA) hospitals. These payments are intended to promote the availability of professional medical services to MA populations in less urbanized areas of this Commonwealth by supporting medical education and academic medical programs. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$5.812 million (\$2.800 million in State general funds and \$3.012 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

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,
Secretary

Fiscal Note: 14-NOT-1218. (1) General Fund; (2) Implementing Year 2017-18 is \$2,800,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$21,181,000; 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; (7) MA—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-470. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments to Qualifying Teaching Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2017-2018 disproportionate share hospital (DSH) payments to qualifying teaching hospitals that provide psychiatric services to Medical Assistance (MA) beneficiaries. These payments are intended to help offset medical education costs of psychiatrists which are incurred by hospitals providing assistance to MA beneficiaries and uninsured persons. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$0.500 million (\$0.241 million in State general funds and \$0.259 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review and consider all comments received within 30 days in determining the final payment methodology for these payments.

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,
Secretary

Fiscal Note: 14-NOT-1223. (1) General Fund; (2) Implementing Year 2017-18 is \$241,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-471. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Medical Assistance Supplemental Payment

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2017-2018 supplemental payments to qualifying acute care general hospitals (hospitals) that provide a high volume of services to Medical Assistance (MA) and low-income populations in medically underserved areas. These payments are intended to promote the hospitals' continued participation in the MA Program. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$3.114 million (\$1.500 million in State general funds and \$1.614 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

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,
Secretary

Fiscal Note: 14-NOT-1217. (1) General Fund; (2) Implementing Year 2017-18 is \$1,500,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$10,071,000; 2015-16 Program—\$9,571,000; 2014-15 Program—\$9,071,000; (7) Physician Practice Plans; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-472. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Range of Fees Charged by Utilization Review Organizations and Peer Review Organizations for Services Performed under the Workers' Compensation Act

Under 34 Pa. Code § 127.667(b) (relating to compensation policy), the Department of Labor and Industry, Bureau of Workers' Compensation (Bureau) gives notice of the range of fees charged by Utilization Review Organizations (URO) and Peer Review Organizations (PRO) for services performed under the Workers' Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2625) during 2017.

2017 URO Minimum—Maximum Fees

<i>URO/PRO</i>	<i>Minimum Fee</i>	<i>Maximum Fee</i>
Alico Services LTD	\$213.18	\$5,124.92
American Review Systems, Inc.	\$400.00	\$6,297.39
CAB Medical Consultants	\$350.00	\$6,569.35
Caduceus Lex Medical Auditing	\$270.17	\$3,830.89
CEC, Inc.	\$410.00	\$5,223.20
Chiro Med Review Co.	\$176.55	\$5,140.32
Denovo Management	\$200.00	\$7,895.33
DMC, LLC	\$950.00	\$4,671.01
DLB Services	\$111.84	\$4,318.23
Hajduk & Assoc. URO/PRO Ser.	\$305.36	\$4,077.18
Industrial Rehabilitation Assoc.	\$460.00	\$4,265.00
KVS Consulting Services	\$439.00	\$8,089.38
Laurel Reviews	\$128.88	\$3,997.30
Margroff Review Services	\$288.10	\$4,811.81
McBride & McBride Associates	\$521.54	\$7,002.92
Quality Assurance Reviews, Inc.	\$631.00	\$5,289.50
Rachels Reviews	\$244.68	\$4,131.69
T & G Reviews	\$400.00	\$5,800.00
Uniontown MRPC	\$215.88	\$4,369.15
Watson Review Services	\$299.99	\$5,330.10
West Penn IME, Inc.	\$420.94	\$5,065.27
Total Averages (2017)	\$354.15	\$5,300.00

34 Pa. Code § 127.667(b): The Bureau will publish in the *Pennsylvania Bulletin*, on an annual basis, the range of fees charged by each URO and PRO for services performed under the act and this chapter during the preceding year.

W. GERARD OLEKSIK,
Secretary

[Pa.B. Doc. No. 18-473. Filed for public inspection March 23, 2018, 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 March 2, 2018, 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. () 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>
T-600 Taylorsville Road	From PA-901 to T-515 Airport Road	Schuylkill	0.60

Schuylkill County and Barry Township 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. 18-474. Filed for public inspection March 23, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Commission Meeting

The State Transportation Commission will hold a meeting to approve the Fiscal Year 2017 recommended rail freight projects on Tuesday, March 27, 2018, from 1 p.m. to 2 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. 18-475. Filed for public inspection March 23, 2018, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Special Reports and Requests for Data

The Health Care Cost Containment Council (Council), according to the act of July 8, 1986 (P.L. 408, No. 89), as re-enacted and amended by the act of July 17, 2003 (P.L. 31, No. 14) and the act of June 10, 2009 (P.L. 10, No. 3), is required to publish a list of all special reports and data that have been prepared during the previous calendar year. The following represents a summary of the reports and requests for data generated by the Council in calendar year 2017. The list of data fields that are included in the standard public use files are located in PDF files posted on the Council's web site at www.phc4.org (select "Services," then "Data Requests"). Questions about procedures for obtaining access to Council data should be addressed to JoAnne Z. Nelson, Supervisor of Special Requests, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, (717) 232-6787, jnelson@phc4.org.

Applicant and Project Description

Agency for Healthcare Research & Quality—Jenny Schnaier

Statewide second quarter 2016 through first quarter 2017 inpatient discharge and inpatient revenue detail datasets and 2016 ambulatory/outpatient procedure and outpatient revenue code detail datasets with derived fields (number of days from admission to procedure, days to admission and age) to be used in the Healthcare Cost and Utilization Project (HCUP), which uses the data for multiple databases, reports, and tools and products. The HCUP databases enable research on a broad range of health policy issues, including cost and quality of health

services, medical practice patterns, access to health care programs, and outcomes of treatments at the National, regional, State and local levels.

Allegheny County Health Department—LuAnn Brink, PhD, MPH

Standard regional 2016 inpatient discharge dataset for Region 1 to be used for public health surveillance, research and targeted intervention purposes to help determine areas of Allegheny County with a higher risk of nonfatal outcomes including falls, asthma, unintentional injuries and acute cardiovascular events.

Beebe Healthcare—Diane Taylor

A custom 2013 and 2015 inpatient discharge dataset of cases who reside in Delaware to be used for market analysis regarding outmigration of patients from Beebe Healthcare's service area to hospitals in this Commonwealth.

Berkeley Research Group—David Campbell, PhD

Standard Statewide 2001 and 2011 financial data reports to be used for creating financial benchmarks for hospitals in this Commonwealth. Specifically, they will compare net patient revenue per patient encounter for hospitals in different regions of this Commonwealth focusing on a single reference market. Hospitals in a test market will be matched to other areas based on the Mahalanobis distance function, using covariate data gathered from Centers for Medicare & Medicaid Services (CMS) and other publicly available sources.

Capital BlueCross—Nicole Graci

Standard facility first and second quarter 2016 inpatient discharge dataset for Geisinger Medical Center in Danville to be used with Agency for Healthcare Research and Quality (AHRQ) Quality Indicators Windows Software to calculate Patient Safety Indicators as a component of their hospital quality program. The program is available to Capital BlueCross (CBC) contracted hospitals in their 21-county service area. For audit purposes, CBC plans to warehouse the data to support the hospital quality program since part of the program provides financial incentives to participating hospitals that meet or exceed quality criteria defined in the program.

Capital Health—Jeremy Cohen

Standard regional first and second quarter 2016 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 8 and 9 to be used for Capital Health's planning purposes for their health system to assist in determining public demand.

Community Health Systems—Tomi Galin

Standard Statewide 2016 inpatient discharge and ambulatory/outpatient procedure datasets to be used to understand Community Health Systems' communities' specific health care needs, areas of underservice and with high risk for specific disease, defining health care demand

to support planning, illustrate access issues to develop outreach programs or eliminate service. The data will be used to determine whether primary care services and appropriate access are satisfied within a defined market area.

Coordinated Health—Amy Nyberg

Standard Statewide 2016 inpatient discharge and ambulatory/outpatient procedure datasets to be used for analysis of service areas and market share within the defined service areas.

DataBay Resources—Mary Ann Augustine/Bernice Murano

Standard Statewide third quarter 2016 through first quarter 2017 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue detail datasets will be combined with other all-payer health care data to be used to produce various aggregate report files distributed by DataBay's Navigate system (PC-based) and NavigateNet system (Internet-based) that are offered as health care software products to its customers. The reports can be by product line, service area, hospital or health system, physician or physician group, or both, which can include market share, patient origin, use rates, charges, surgery detail, payer mix, patient demographics, diagnosis/procedure distribution, refinement, and the like.

DLP Memorial Medical Center—Carrie Arcurio

Standard Statewide second quarter 2016 through first quarter 2017 inpatient discharge and ambulatory/outpatient procedure datasets to be used to internally evaluate DLP Memorial Medical Center's current performance, competitor's performance and future opportunities. They will be able to illustrate current market share and to enhance various other planning tools such as budgets and 5-year plans.

Evangelical Community Hospital—Nicole Lohr

Standard regional third quarter 2013 through first quarter 2017 Region 5 and second quarter 2016 through first quarter 2017 Region 4 inpatient discharge and ambulatory/outpatient procedure datasets to be used to conduct an internal study of Evangelical Community Hospital's market share and gain a better understanding of the population it serves.

Excelsa Health—Allison Lutz

Standard Statewide second quarter 2016 through first quarter 2017 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets to be used to compute quarterly inpatient and outpatient market share reports developed by Excelsa Health's consultant DataBay Resources and Quantros.

Geisinger Commonwealth School of Medicine—Ida Castro, JD

A custom fourth quarter 2013 and third quarter 2016 inpatient discharge dataset of patients who reside in Lackawanna, Luzerne, Monroe or Pike County to be used to analyze population health indicators to understand the current paradigm of patient presentation into the hospital, subsequent diagnosis and resulting health outcomes for vulnerable populations.

Good Shepherd Rehab Network—John Grencer

Standard regional 2016 inpatient discharge datasets for Regions 4—9 to be used for internal analysis for Good Shepherd Rehab Network's services.

HCR ManorCare—Kenneth Kang

Standard Statewide 2016 through first quarter 2017 inpatient discharge datasets to be used to assess the needs of residents in HCR ManorCare's skilled nursing facilities across this Commonwealth.

Healthcare Council of Western Pennsylvania—AJ Harper

Standard Statewide third quarter 2013 through second quarter 2014 and third quarter 2015 through second quarter 2016 ambulatory/outpatient procedure and outpatient revenue code detail datasets to be used to analyze hospital trends; specifically, the data will be used to compare trends in outpatient utilization and charges across hospitals and hospital regions in this Commonwealth.

HealthSouth—Steve Adams

Standard Statewide 2015 inpatient discharge dataset to be used to understand market trends and utilization.

Highmark Health—Brian Lindner

Standard Statewide 2006 through third quarter 2016 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets to be used for ongoing operational analysis and planning purposes. Highmark Health and their consultants will perform analyses of hospitals and surgery centers in western and central Pennsylvania with respect to issues including service offerings, payer mix, patient travel patterns, facility service areas, provider market shares and trends; and analyses of hospital capacity and utilization, bed counts, revenues and costs, and trends. The analyses will relate to regulatory compliance and integrated health care delivery network and financing system efforts to evaluate hospital competition, further develop Allegheny Health Network and offer high-value insurance products.

Hospital & Healthsystem Association of Pennsylvania—Martin Ciccocioppo/Peter Nguyen/Phillip Burrell

Standard Statewide second quarter 2016 through first quarter 2017 inpatient discharge and inpatient revenue code detail datasets, 2015 financial data report and 2014 restated financial data report. The Hospital & Healthsystem Association of Pennsylvania (HAP) will use the data to conduct ongoing monitoring of Statewide, regional and hospital-specific quality outcomes, primarily utilizing AHRQ quality indicators. HAP may, from time to time, release the aggregate results of its quality monitoring research. HAP intends to host MONAHRQ for member-only use on its private web site. HAP also intends to host a more limited version of MONAHRQ as a public consumer quality and cost transparency web site known as Care in PA. The data will also be used by HAP's consultant Applied Medical Software to develop best practice financial norms analysis for HAP to use to determine the viability of inviting hospitals in this Commonwealth to participate in performance-based gainsharing program.

A modified custom second quarter 2016 through first quarter 2017 inpatient discharge readmission analysis data report of hospitals' 7-day and 30-day readmission rates for any reason on all discharges and for discharges with sepsis conditions to be used to provide CMS with Hospital Innovation Improvement Network rates of readmissions.

Standard Statewide 2016 financial data report and 2015 restated financial data report to be used to conduct

ongoing monitoring of Statewide, regional and hospital-specific finances and policy impact analysis. The data will also be shared with the American Hospital Association (AHA) for AHA to better understand hospital financial and utilization data by payer for hospitals that do not respond to the AHA Annual Hospital Survey. HAP and AHA will only use the financial data for internal policy analysis.

Jian Strategic Marketing—Heidi Orie

Standard regional third quarter 2014 through first quarter 2017 ambulatory/outpatient procedure datasets for Regions 1–3 to be used to analyze ambulatory surgery trends in the market for nonprofit health care providers. The data will be used for consulting purposes to help guide marketing and communication tactic to providers and consumers.

Kaufman, Hall & Associates—Erin Coppersmith

Standard Statewide 2015 inpatient discharge and inpatient revenue code detail datasets to be used with other states' data to help health care providers increase the quality of care they provide to their patients by effectively benchmarking their quality, safety, satisfaction, cost and utilization to their peers. The data will be used for creating benchmarks at the APR-DRG and MS-DRG level accessible through files in conjunction with hospital client decision support systems and a web-based tool (PEAK).

Lancaster General Health—Joshua Campos

Standard Statewide 2016 through first quarter 2017 ambulatory/outpatient procedure datasets to be used to understand demand and utilization for ambulatory surgery in this Commonwealth.

Lehigh Valley Health Network—Stephen L. Christopoulos

Standard Statewide second quarter 2016 through first quarter 2017 inpatient discharge datasets to be used for service area analyses, competitive analyses, product line trends and analyses, and incidence rate comparisons and trends for program development. The data will also be used for research population based health issues, to promote health and well-being of targeted vulnerable populations; internal quality control research; internal resource utilization research; support development of continuum of care research; and community based health needs that target chronic illnesses.

Los Angeles Biomedical Institute—Rie Sakai Bizmark, MD, MPH, PhD

A custom second quarter 2010 through third quarter 2012 and third quarter 2014 through fourth quarter 2015 inpatient discharge dataset for all hospitalization records of infants who died with critical congenital heart disease (CCHD) as the cause of death within 1 year of birth linked with the Department of Health's (Department) mortality data files (2010–2012 and 2014–2015) with derived fields (number of days to death) and a custom second quarter 2010 through third quarter 2012 and third quarter 2014 through fourth quarter 2015 inpatient discharge dataset of infant records who were hospitalized for CCHD within 1 year of birth with derived fields (pre- and post-screening indicator). The data will be used for a study, Impact of Pulse Oximetry Screening, which will study the cardiac care for pediatric patients and the impact of CCHD screening, which was implemented in September 2014 in this Commonwealth.

A modification to previous requests for additional derived flags and data. The request is for second quarter

2010 through fourth quarter 2012 and third quarter 2013 through first quarter 2017 inpatient discharge dataset for all hospitalization records of infants who died with CCHD as the cause of death within 1 year of birth linked with the Department's mortality data files (2010–2016) and of infants who were hospitalized for CCHD within 1 year of birth with derived fields (number of days to readmission, cohort indicator, pre- and post-screening indicator, and number of days to death). The data will be used for a study, Impact of Pulse Oximetry Screening, which will study the cardiac care for pediatric patients and the impact of CCHD screening, which was implemented in September 2014 in this Commonwealth.

Maryland Health Care Commission—Eileen Fleck

Standard Statewide 2015 ambulatory/outpatient procedure dataset to be used for operational public health practice and policy formulation. The ratio of outpatient surgeries performed in hospitals will be compared to ambulatory surgery centers. The findings from the analysis will be used to determine if differences in regulatory processes significantly impact outpatient surgery case distribution.

Milliman, Inc.—Anders Larson

Standard Statewide 2015 financial data report to be used to understand the average commercial reimbursement levels across hospitals in this Commonwealth; an overall variation analysis in commercial reimbursement at the hospital level. The information will be used for consulting purposes to help Milliman's clients understand how their commercial reimbursement compares, at a high level, to other hospitals in the market. Discharge and ambulatory/outpatient data, which Milliman's clients have, will be summarized and used in the analysis.

Monongahela Valley Hospital—Patrick J. Alberts

Standard 2013 through first quarter 2017 regional inpatient discharge and ambulatory/outpatient procedure datasets for Region 1 and Statewide inpatient and ambulatory/outpatient revenue code detail datasets to be used to analyze clinical data to identify gaps in services to offer new services to Monongahela Valley Hospital's community.

Mount Nittany Health—Alicia Shearer

A custom third quarter 2015 through first quarter 2017 inpatient discharge dataset of patients who reside in Blair, Centre, Clearfield, Clinton, Huntingdon or Mifflin County and fourth quarter 2015 through third quarter 2016 inpatient discharge dataset of patients who reside in Adams, Cumberland, Dauphin, Franklin, Fulton, Juniata, Lancaster, Lebanon, Perry or York County to be used for specific internal market data analysis.

National Bureau of Economic Research—Adam Sacarny

Standard Statewide 1999 through 2016 inpatient discharge datasets to be used with other public data (Hospital Cost and Reporting Information System revenues and costs data, CMS Hospital Compare clinical quality and patient satisfaction data, AHA survey data and CMS Medicare MEDPAR data) to study how consolidation affected patient care and costs. The study, Hospital Mergers: What Are the Benefits?, will assess how mergers affect costs, quality, management practices and patient outcomes, how long it takes the impact of mergers to be realized and what factors are key in determining the impacts of mergers.

**Nemours/Alfred I. duPont Hospital for Children—
Stacey Milunsky**

A custom second through fourth quarter 2016 inpatient discharge and ambulatory/outpatient procedure data report of cases for patients less than 18 years of age (reported by age group, primary payer, medical/surgical DRG and hospital) to be used to understand the competitive composition of the inpatient and ambulatory/outpatient market. The data will assist in decision making and considerations for Nemours strategic vision over the next several years.

New Solutions, Inc.—Nancy Erickson

A custom 2016 inpatient discharge dataset of patients who reside in New Jersey or Bucks, Lehigh, Monroe, Northampton, Philadelphia, Pike or Wayne County to be risk adjusted and produced into reports used by New Solutions for consulting and providing market share analysis to their hospital clients.

OptumInsight—Holli Boetcher

Standard Statewide 2015 inpatient discharge dataset to be used to provide consumers with hospital quality and efficiency information to help them make more informed decisions about where to seek care and to provide health care professionals with comparison reports. The data will be summarized by hospital and medical procedure/condition to provide information such as cost, length of stay, mortality, complications and volume. The aggregated information will be provided in a reporting tool to health plans for use by their members.

Penn Highlands Healthcare—Gregory P. Bauer

Standard Statewide second quarter 2016 through first quarter 2017 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets. Penn Highlands Healthcare's consultant DataBay Resources will use the data to develop market share reports for Penn Highlands Healthcare to use the information in preparation of Strategic Plans as well as in the development of Physician Recruitment plans for Penn Highlands Healthcare.

**Penn State Hershey Health System—Julie
Eisenhauer**

Standard 2016 and first quarter 2017 Statewide inpatient discharge datasets and 2011 through first quarter 2017 regional ambulatory/outpatient procedure datasets for Regions 4–9. The data will be loaded into the Advisory Board Market Innovation Center to provide Penn State Hershey Health System with analysis of utilization, disease and procedure incidence, market analysis and strategic planning for the improvement of health care services provided by Penn State Health. Reports created from the data may be shared with outside counsel/consultants as part of the strategic planning process.

**Pennsylvania Department of Health—Anil Nair,
PhD**

A custom 2006 through first quarter 2016 inpatient discharge dataset of admissions during 2006–2015 with asthma or chronic obstructive pulmonary disease conditions to be used to assess the respiratory disease rates by counties in this Commonwealth as part of a baseline health assessment. The results of the information will be shared with concerned citizens in Lackawanna County in response to their request to the Department to investigate if specific zip codes in their county have higher respiratory disease rates in this Commonwealth.

**Pennsylvania Department of Health—Arlene G.
Seid, MD**

A modification to previous data requests for additional data of a custom fourth quarter 2015-2016 ambulatory/outpatient procedure data report on the number of procedures performed at ambulatory surgery centers to inform decision for requests for exception to ambulatory surgical regulations that the Department receives.

Pennsylvania Department of Health—Brian Wright

Standard 2016 inpatient discharge dataset and reuse of 2000–2015 data to be used for the Violence and Injury Prevention Program (VIIP) and Prescription Drug Monitoring Program (PDMP). VIIP will: analyze the data to help identify groups at high risk for injury, specific types and causes of injury, and effective injury prevention, planning and evaluation strategies; produce various injury reports; respond to requests for aggregate injury data; and disseminate in aggregate on the Department's EDDIE system. PDMP will: analyze the data to help create statistical reports, fulfill grant requirements, monitor program progress, identify needs, evaluate the impact of drug overdose prevention activities and respond to requests for aggregate data; develop opioid-related indicators required by Centers for Disease Control and Prevention's (CDC) Prevention for States grant, which is intended to help combat the ongoing prescription drug overdose epidemic; report morbidity indicators required by CDC Enhanced State Surveillance of Opioid-Involved Morbidity and Mortality grant, which is to prevent opioid-involved overdoses and improve multi-state surveillance of and response to opioid-involved overdoses; and validate and identify health care facilities to integrate their electronic health records with the PDMP system, for the CDC Prescription Drug Overdose Prevention Supplemental grant.

Standard 2014–2016 inpatient discharge datasets to be used for the Department of Drug and Alcohol Program (DDAP). The DDAP will analyze the data to produce aggregate drug-related reports, identify problems or successes, prepare fact sheets or profiles of geographical areas to present to congress or the public, monitor program progress by tracking changes in health outcomes over time, and create data-related maps and graphics. The DDAP will also report the number of opioid overdose-related hospital admissions for the Strategic Prevention Framework for Prescription Drugs grant; and complete a needs assessment using epidemiological data to identify prevalence of opioid misuse for the State Targeted Response to the Opioid Crisis grant, and address opioid use prevention services, treatment and recovery, to address the gaps identified in the needs assessment, help identify geographical areas with higher opioid overdose rates, help inform the treatment and prevention services, and combine the data with overdose deaths, PDMP data, treatment admissions and survey data, such as NSDUH and PAYS on prescription drug misuse, for the 21st Century Cures Act grant.

**Pennsylvania Department of Health—Carolyn
Byrnes**

A custom 2012–2016 inpatient discharge data report of cases with a sepsis diagnosis (reported by diagnosis, in-hospital death, age group, region and year) to be used to evaluate the impact of sepsis initiatives at the Department and hospitals; and to provide data for sepsis surveillance in this Commonwealth.

Pennsylvania Department of Health—Jackie Williams

Standard Statewide 2015 through first quarter 2017 inpatient discharge datasets to be used to support the Department's CDC grant, State Public Health Actions to Prevent and Control Diabetes, Heart Disease, Obesity and Associated Risk Factors and Promote School Health program. The program supports the Department's diabetes prevention and control strategies and annual age-adjusted hospital rates for diabetes will be reported.

Pennsylvania Department of Health—Sameh Boktor

Standard Statewide third quarter 2002 through second quarter 2016 inpatient discharge and inpatient revenue code detail datasets, and 2003—2016 financial data reports to be used to study influenza associated hospitalizations and understand the aspect of the public health burden of influenza and pneumonia. The Department will estimate the burden of influenza among age groups and risk factors, length of stay and related cost.

Pennsylvania Department of Health—Zhen-qiang Ma

A modification to previous requests for a custom 2010—2014 Statewide inpatient discharge and ambulatory/outpatient procedure dataset linked to the Department's mortality data files with derived fields (number of days to death) to be used for program initiation and evaluation in the Bureau of Epidemiology and Bureau of Health Promotion and Risk Reduction. Specific projects using these data are to update the Chronic Disease Burden Report, monitoring PA Healthy People 2020 objectives to National goals, PA Pediatric Cancer Report, program evaluation in chronic disease program effectiveness and publication studies.

A custom 2000 through second quarter 2016 inpatient discharge dataset for mother's delivery and newborn births during 2000—2015 linked with the Department's 2000—2015 birth certificate data files to be used to establish baselines for birth defects and neonatal abstinence syndrome on live born births in this Commonwealth and to study factors associated with those conditions, as well as analyze breastfeeding initiation rate with associated factors.

Pennsylvania Department of Human Services—Allen Fisher

A custom third quarter 2014 through second quarter 2015 inpatient discharge dataset from the corrected self-pay database and 2013—2015 financial data of the 3-year average percent of uncompensated care to be used to compute payments to hospitals for the Hospital Uncompensated Care and Extraordinary Expense programs established under the Tobacco Settlement Act of 2001.

A custom third quarter 2014 through second quarter 2015 inpatient discharge dataset of records with a major diagnostic category 14 or 15 from general acute care hospitals to be used to calculate payments to hospitals for obstetrical and neonate services.

Pennsylvania Department of Human Services—Nicholas Platt

A custom 2015 financial data report by ambulatory surgery center of business entity information, visits and net patient revenue distribution by payer, and statement of operations information to be used to provide a baseline payer mix data for ambulatory surgery centers as a means to complement data they have or will be requesting for several other provider types. The Department of

Human Services (DHS) will use the data to evaluate potential Medical Assistance program initiatives.

Pennsylvania Department of the Auditor General—Jo Anne Walchak

A custom third quarter 2013 through second quarter 2014 inpatient discharge dataset from the corrected self-pay database and 2012—2014 financial data of the 3-year average percent of uncompensated care to be used for auditing hospitals that received tobacco funds in 2016 from DHS, which used Council data to compute payments to hospitals for the Uncompensated Care and Extraordinary Expense Programs established under the Tobacco Settlement Act of 2001.

Standard Statewide third quarter 2016 through second quarter 2017 inpatient discharge datasets to be used to review data that will be used to calculate Tobacco Settlement entitlements to hospitals in this Commonwealth prior to DHS's calculation of the payment amounts. The Department of the Auditor General will review data that will be provided to DHS for use in making Uncompensated Care Tobacco Fund payments in 2019.

Pennsylvania eHealth Partnership Authority—David Grinberg/Kelly Thompson

A custom first quarter 2016 Statewide inpatient discharge and ambulatory/outpatient procedure custom dataset with derived data fields (number of days to next admission or visit, or both) to be used to establish baseline measurements of health care delivery quality in an effort to better identify and measure any future impact various health information exchange based interventions have on the quality of health care delivery.

Pennsylvania Insurance Department—Gwendolyn Hauck, Esq.

A 2012—2016 custom inpatient discharge and ambulatory/outpatient procedure dataset of patients or facilities from specified counties and standard Statewide inpatient and outpatient revenue code detail datasets, and 2012—2015 standard financial data reports to be used to assist the Insurance Department's oversight of Highmark including requirements for approval of certain transactions, such as changes in corporate structure that involve changes of control, and approval of some financial commitments under and order issued by the Insurance Department in 2013. The data will also be used to assist the Insurance Department in ensuring that Pennsylvanians have access to health services and health insurance under its statutory authority as well as a consent decree entered into with the Commonwealth by Highmark and the University of Pennsylvania Medical Center.

Pennsylvania Office of Attorney General—Tracy W. Wertz

Standard Statewide 2016 and first quarter 2017 inpatient discharge, ambulatory/outpatient procedure, inpatient and ambulatory/outpatient revenue code detail datasets, and 2016 financial data report to be used for review of hospital mergers to ensure that the mergers are in compliance with antitrust laws. These data will also be shared with the Federal Trade Commission (FTC) to be used for hospital merger investigations that are conducted jointly with the FTC.

Pennsylvania Patient Safety Authority—Ellen Deutsch

A custom third quarter 2011—2016 inpatient and ambulatory/outpatient data report on the number of procedures performed in an operating room by facility

and quarter/year to be used to normalize as it relates to surgeries to establish an estimated rate for errors involved in surgeries in this Commonwealth. This information will be used in an article to be published in the Pennsylvania Patient Safety Advisory.

Pennsylvania Patient Safety Authority—Howard Newstadt

A custom 2016 and first quarter 2017 hospital data report to be used by the Patient Safety Authority (PSA) in combination with the PSA's PA-PSRS (medical error report) to produce facility specific and aggregate medical error rate data to improve PSA's analytic capabilities, thereby supporting PSA's overall mission.

Pennsylvania Patient Safety Authority—Michelle Bell

A custom 2011 through 2016 ambulatory/outpatient procedure data report on the number of surgical procedures performed at ambulatory surgery centers to be used by the PSA in combination with the PSA's PA-PSRS (medical error report) to calculate the number of error reports by each facility.

Pennsylvania Physical Medicine & Pratter—Bill Hennessey, MD

Standard Statewide second through fourth quarter 2016 ambulatory/outpatient revenue code detail datasets to be used to educate health care consumers and consult with businesses in need of affordable health care options. The information will be displayed by the facility as an average charge per procedure on Pratter's web site available to their members.

Philadelphia Department of Public Health—Cheryl Bettigole, MD/Raynard Washington, PhD, MPH

Standard regional 2015 through first quarter 2017 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 8 and 9 to be used for a variety of analyses that allow tracking of diseases requiring hospitalization and descriptions of the hospitalized patient population. Data are used for the evaluation of trends in services and estimated cost for HIV, diabetes, asthma, hypertension, cancer screening, violence-related injuries, and the like, for research and policy planning. The data will be used to examine high-risk pregnancies and ongoing research into birth outcomes for needs assessment activities for Health Start and Title V.

Philadelphia Inquirer—Tom Avril

Standard regional 2015-2016 inpatient discharge datasets for Regions 8 and 9 to be used for general use in reporting on trends in health care usage in this Commonwealth.

Reading Hospital and Medical Center—Daniel Ahern

Standard Statewide 2016 and first quarter 2017 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets to be used to track historic volumes and market shares in Reading Hospital's system area and other areas will be examined for potential expansion of services. The data will be utilized through DataBay's user-friendly tool to identify trends and analyze market activity by payer mix, patient age mix and service line distribution.

Renzi Podiatry/Save Your Soles Campaign—Ronald M. Renzi, DPM

A custom 1996 and 1997 and second quarter 2016 inpatient discharge dataset of patients who reside in

Bucks, Chester, Delaware, Montgomery or Philadelphia County to be used for the Save Your Soles Campaign program sponsored by Abington Memorial Hospital Innovators Foundation, which is to reduce amputations in the Philadelphia area. The number of amputations will be measured/counted to locate areas with high numbers of amputations and to evaluate prevention strategies.

A custom 1995, 1999 and 2016 inpatient discharge dataset of patients with an amputation procedure performed and who reside in Bucks, Chester, Delaware, Montgomery or Philadelphia County to be used for the Save Your Soles Campaign program, which is to reduce amputations. The number of amputations will be measured to locate areas with high numbers of amputations and to evaluate prevention strategies.

Safety-Net Association of Pennsylvania—James A. Tomkins

A custom 2016 inpatient discharge data report of the number of days and discharges by hospital, patient zip code and payer to be used for calculating a weighted average Community Needs Index for each hospital to be used for internal analysis on behalf of Safety-Net Association of Pennsylvania hospitals.

SG-2, LLC—AJ Fadel/Tanya Chin Fatt

Standard Statewide 2016 and first quarter 2017 inpatient discharge and ambulatory/outpatient procedure datasets to be used in SG-2's online platform applications and desktop tools and summary reports. The data will be used in their Market Forecast Tool and State Data Analysis Tool software that was developed to support their client hospitals' long and short term operational and strategic planning efforts. These tools enable their clients to develop 10-year health services demand forecasts by clinical area and geography, to provide them with the ability to project and meet future demands by determining the appropriate allocation of resources and to improve both the quality and availability of health care in the communities they serve.

St. Luke's University Health Network—Amanda Mazza

Standard Statewide fourth quarter 2016 inpatient discharge dataset to be used to better understand St. Luke's University Health Network's (SLUHN) current position in the market and identify opportunities to grow by analyzing product lines utilized in their markets. The information will help them identify how to better serve their community and identify areas of their population that are underserved. SLUHN's consultant, Stratason, will load the data in an analytics platform tool to provide SLUHN the ability to view reports with aggregated data customized to the needs of specific service areas.

Summit Health—Stephanie Foote

Standard Statewide second through fourth quarter 2016 inpatient discharge and ambulatory/outpatient procedure datasets to be used to look at trends and monitor their market share and analyze their service lines.

Tenet HealthSystem Medical, Inc.—Aksh Patel

Standard Statewide 2013—2016 inpatient discharge and ambulatory/outpatient procedure datasets to be used to identify community health needs and for strategic planning regarding utilization of health services. Utilization services will be investigated by demographics and geographic locations, a Statewide comparison will help determine variations in health status and access to care

and will aid in the development of appropriate programs and services to improve health care services in the communities in these areas.

The Pulmonary Institute of Redstone—Nicholas Kozinko

Standard regional first and second quarter 2016 inpatient discharge datasets for Regions 1–6 to be used for a Ventilator Nursing Facility Feasibility Analysis project that will explore the potential for “ventilator-specific” nursing homes in areas of this Commonwealth that do not have this dedicated specialty. The information garnered in the reports will be used for outlining and assessing the need for these facilities in various areas.

Truven Health Analytics—Katherine Blumhardt

Standard Statewide second quarter 2016 through first quarter 2017 inpatient discharge and ambulatory/outpatient procedure datasets to be used to process, standardize, and distribute different types of data and statistical analyses to its clients (hospitals, health networks, government agencies, health care providers, payers, consultants and vendors) through proprietary decision tools, benchmark databases, research, custom studies and other associated products by Internet or PC/CD based, which provide utilization market share, service demand, outcome indicators, assistance in resource allocation and in evaluating benefit plans.

University of Illinois at Chicago—Jon Oliver

A custom 1991–2014 inpatient discharge data report for the number of cases by year, county, age group and condition to be used for a dissertation research study, *The Impact of Smoke-Free Air Legislation*. The study will examine the impact of smoke-free air legislation by using the data combined with other county-level data such as population, unemployment rates, cigarette excise taxes, and the like.

University of Pennsylvania—Brian Bayes

A modification to a previous data request for updated data of a custom 2013 through third quarter 2016 inpatient discharge dataset of patients enrolled in a random controlled trial linked with the Department’s 2014–2016 mortality data with derived fields (ICU indicator, number of days in an ICU stay, number of days to admission and number of days to death) to be used for a study, *Default Options in Advance Directives*. The study is a prospective randomized controlled trial to examine whether structuring advance directives to request comfort-oriented goals of care by default improves patients’ quality of life and reduces resource utilization without reducing the number of days that patients are alive and living outside of an acute-care hospital.

University of Pennsylvania—Linda H. Aiken, PhD

A modification to a previous request for additional data of a custom fourth quarter 2015–2016 inpatient discharge dataset of all hospitalizations linked with the Department’s 2016 mortality data with derived fields (number of days to admission and number of days to death) to be combined with Census socioeconomic status data, nurse survey data and CMS Hospital Compare to be used for a study, *Panel Study of Effects of Changes in Nursing on Patient Outcomes*. The study will examine the impact of the change in nursing factors over time on nursing and patient outcomes in hospitals and to determine the effect of nursing resources on patient outcomes in nursing homes and home care using new cross sectional data.

University of Pennsylvania—Said A. Ibrahim, MD, MPH

A modification to previous requests for a 2012–2016 standard Statewide inpatient revenue code detail dataset and custom inpatient discharge dataset of cases with a hip and knee replacement performed with readmission records linked with the Department’s 2012–2016 mortality data with derived fields (number of days to death and number of days to admission) to be used for a pilot project, *Race and Rehabilitation Services After Joint Replacement*, which will examine racial variations in access to post-acute care and rehab services after an elective joint replacement and to examine the association between the receipt of these services and important surgical outcomes. The long-term objective of the research is to mitigate racial disparity in access and use of elective knee/hip replacement by identifying and intervening on key factors in the clinical care pathway, one of which may be differential access to post-acute care and rehab services.

University of Pennsylvania—Shreya Kangovi, MD

Custom 2015 through first quarter 2017 inpatient discharge records of patients who enrolled in a randomized controlled trial study with derived fields (number of days from enrollment) to be used to support analyses of an intervention study, *IMPACT Multi-Site Primary Care*, which is to compare the effectiveness of clinician versus community health worker support for helping chronically-ill, low socioeconomic status patients to improve control of chronic conditions. The primary outcome of interest is mean change in standardized score for specific chronic disease outcomes as measured at 6 months after enrollment and the secondary outcomes of interest is a reduction in hospitalizations measured at 30 days, 6 months and 12 months after enrollment.

University of Pennsylvania School of Medicine—Mitesh Patel, MD

A custom 2011 through second quarter 2015 inpatient discharge dataset of a specified cohort of patients who were hospitalized at any of the University of Pennsylvania Health System hospitals, with derived fields (number of days to admission) to be used for a retrospective study, *Developing Prediction Models to Identify Patients at Risk for Hospital Readmission*. The researchers will analyze associations between levels and changes in levels of patient generated health data and health care utilization.

University of Pennsylvania School of Medicine—Phyllis Gimotty, PhD

Standard Statewide 2012 through 2015 inpatient discharge datasets and a custom 2007–2015 inpatient discharge dataset with derived fields of all hospitalization records for male patients discharged from hospitals that treated hemophilia to be used to examine different comorbidities among persons with congenital bleeding disorders and compare hospital 30-day readmission rates of hemophilia A/B patients and of non-Hemophilia A/B patients undergoing surgical procedures. The insights drawn from the data analysis will assist clinicians in counseling their patients with congenital disorders of hemostasis, provide a basis for prospective studies and advance preventative health care efforts.

University of Pennsylvania School of Nursing—Rachel Kelz, MD

Standard Statewide 2014 and 2015 inpatient discharge datasets and re-use 2012 and 2013 inpatient discharge datasets to be used for a study on evaluating the impact

of the Affordable Care Act on access to bariatric surgery for all patients with particular attention to those affected by Medicaid expansion or Essential Health Benefits.

University of Pittsburgh—Christina Mair

Standard Statewide third quarter 2015 through 2016 inpatient discharge datasets will be combined with Pennsylvania crime data, United States Census data with pharmacy density and density of manual labor industries information to examine contextually and temporally specific patterns of the opioid epidemic in this Commonwealth. The data will be used to measure the growth and spread of opioid abuse, dependence and overdose in this Commonwealth over the past 20 years and to assess the relative contribution and temporal patterning of ecological factors to the growth.

University of Pittsburgh Medical Center—Matthew W. Michaels

Standard Statewide third quarter 2016 through first quarter 2017 inpatient discharge and ambulatory/outpatient procedure datasets to be used to produce various research reports including: patient origin for University of Pittsburgh Medical Center (UPMC) hospitals, UPMC market share in various geographies and for various service lines, utilization trends in volume and market share over different time periods, and physician volumes at UPMC and other hospitals.

University of Virginia Medical Center—Joel Spring

Standard facility second quarter 2016 through first quarter 2017 inpatient discharge datasets for the Children’s Hospital of Philadelphia and Children’s Hospital of Pittsburgh of UPMC to be used to monitor volume and description of Virginia pediatric residents receiving care at these two hospitals to help determine where there may be gaps in services provided in Virginia.

UPMC Susquehanna Health—Brian Engel

Standard regional second quarter 2016 through first quarter 2017 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 2 and 4–6 to be loaded into a Customer Relationship Management

database that Healthgrades hosts and maintains on behalf of UPMC Susquehanna Health. Healthgrades will use this information for the purpose of reporting market share and trend analysis to UPMC Susquehanna Health.

VMG Health—Kevin McDonough

Standard regional second quarter 2015 through first quarter 2017 ambulatory/outpatient procedure datasets for Region 1 to be used for commercial purposes as part of a broader market study and feasibility analysis for a Pittsburgh area health care client.

WellSpan Health—David Kimpel

Standard 2016 regional and facility inpatient discharge datasets for Region 5 and 7 and two hospitals, Hospital of the University of Pennsylvania and Pennsylvania Hospital of the University of Pennsylvania Health System, and regional ambulatory/outpatient procedure dataset for Region 5 and 7 to be used for an internal assessment of the delivery of health care services within their region and the local impact of large (out of region) academic health systems. Service area utilization and analysis are the primary purpose for them to obtain the data.

Whitecap Health Advisors—Rob Langheim

A custom 2014 through second quarter 2016 inpatient discharge dataset of cases who reside in Region 8 or 9 to be used to assist in planning for Jefferson University Hospital in marketing and capacity analysis.

WRC Senior Services—Gene Miller

A custom second quarter 2013 through first quarter 2016 inpatient discharge dataset of patients 65 years of age and older who reside from a specific county to be used to analyze WRC Senior Services service area by service line to determine the percent of discharges going to nursing homes by hospital to determine market need and the best potential continuum of care partners.

JOE MARTIN,
Executive Director

[Pa.B. Doc. No. 18-476. Filed for public inspection March 23, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at www.irrc.state.pa.us.

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-6517	State Board of Physical Therapy Post-Act 38 Revisions	3/08/18	4/19/18

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-477. Filed for public inspection March 23, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of American Sentinel Insurance Company

Patrick J. Kilkenny has filed an application for approval to acquire control of American Sentinel Insurance Company, a domestic stock casualty insurance company. The filing was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-478. Filed for public inspection March 23, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Health Maintenance Organization Certificate of Authority Application Filed by Amerigroup Pennsylvania, Inc.

On January 22, 2018, Amerigroup Pennsylvania, Inc. filed an application with the Department of Health and the Insurance Department for a certificate of authority to establish, operate and maintain a health maintenance organization (HMO) under the Health Maintenance Organization Act (40 P.S. §§ 1551—1567), Department of Health HMO regulations (28 Pa. Code §§ 9.631—9.654) and the Insurance Department HMO regulations (31 Pa. Code §§ 301.1—301.204).

The proposed service areas of the applicant are Berks, Chester and Philadelphia Counties.

A copy of the application is available for public inspection, by appointment only, at the following locations:

Department of Health
Bureau of Managed Care
Room 912, Health and Welfare Building
Harrisburg, PA 17109-0900
(717) 787-5193

Insurance Department
Company Licensing Division
1345 Strawberry Square
Harrisburg, PA 17120
(717) 787-2735

Interested parties are invited to submit written comments to William Wiegmann, Department of Health or Karen Feather, Insurance Department at the previously listed addresses. Persons who wish to submit written comments regarding the application may do so within 30 days of publication of this notice in the *Pennsylvania*

Bulletin. Persons with disabilities may submit information and comments through alternative formats, such as audio tape, Braille or using the Department of Health TDD, (717) 783-6514. Persons with a disability requesting alternative forms may contact William Wiegmann to make the necessary arrangements.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-479. Filed for public inspection March 23, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Qualified Jurisdictions for Certified Reinsurers

Under 31 Pa. Code § 161.3a(a)(1)(i) (relating to requirements for certified reinsurers), the Insurance Commissioner lists those jurisdictions deemed qualified jurisdictions for purposes of certified reinsurer status. The qualified jurisdiction status is as of March 1, 2018.

Qualified Jurisdictions

- Bermuda: Bermuda Monetary Authority (BMA)
- Ireland: Central Bank of Ireland (Central Bank)
- Japan: Financial Services Agency of Japan (FSA)
- France: Autorité Contrôle Prudentiel et de Résolution (ACPR)
- Germany: Federal Financial Supervisory Authority (BaFin)
- Switzerland: Financial Market Supervisory Authority (FINMA)
- United Kingdom: Prudential Regulation Authority of the Bank of England (PRA)
- All United States jurisdictions that meet the requirement for accreditation under the National Association of Insurance Commissioners (NAIC) financial standards and accreditation program. See the most recent Accredited United States Jurisdictions list maintained by the NAIC.

Questions should be directed to Kimberly A. Rankin, Director, Company Licensing and Financial Analysis Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-6409, krankin@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-480. Filed for public inspection March 23, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Certificates of Public Convenience

A-2018-3000381, A-2018-3000382 and A-2018-3000383. UGI Utilities, Inc., UGI Penn Natural Gas, Inc. and UGI Central Penn Gas, Inc. Joint application of UGI Utilities, Inc., UGI Penn Natural Gas, Inc. and UGI Central Penn Gas, Inc. for all of the necessary authority, approvals and certificates of public convenience for: (1) an agreement and plan of merger; (2) the merger of UGI Penn Natural Gas, Inc. and UGI Central Penn

Gas, Inc. into UGI Utilities, Inc.; (3) the initiation by UGI Utilities, Inc. of natural gas service in all territories in this Commonwealth where UGI Penn Natural Gas, Inc. and UGI Central Penn Gas, Inc. do or may provide natural gas service; (4) the abandonment by UGI Penn Natural Gas, Inc. of all natural gas service in this Commonwealth; (5) the abandonment by UGI Central Penn Gas, Inc. of all natural gas service in this Commonwealth; (6) the adoption by UGI Utilities, Inc. of UGI Penn Natural Gas, Inc.'s and UGI Central Penn Gas, Inc.'s existing tariffs and their application within new service and rate districts of UGI Utilities, Inc. corresponding to their existing service territories as UGI North and UGI Central, respectively; (7) the adoption by UGI Utilities of its existing tariff to be applied to a new UGI South Service and Rate District; (8) where necessary, associated affiliated interest agreements; and (9) any other approvals necessary to complete the contemplated transaction.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 9, 2018. 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 applicants. 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: UGI Utilities, Inc.; UGI Penn Natural Gas, Inc.; UGI Central Penn Gas, Inc.

Through and By Counsel: David B. MacGregor, Esquire, Garrett P. Lent, Esquire, Post & Schell, PC, 12th Floor, 17 North Second Street, Harrisburg, PA 17101-1601; Kent D. Murphy, Esquire, Mark C. Morrow, Esquire, UGI Corporation, 460 North Gulf Road, King of Prussia, PA 19406

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-481. Filed for public inspection March 23, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Indirect Transfer of Control

A-2018-3000406, A-2018-3000407, G-2018-3000417 and G-2018-3000418. NRG Energy Center Harrisburg, LLC and NRG Energy Center Pittsburgh, LLC. Joint application of NRG Energy Center Harrisburg, LLC and NRG Energy Center Pittsburgh, LLC for approval of indirect transfer of control of NRG Energy Center Harrisburg, LLC and NRG Energy Center Pittsburgh, LLC from NRG Energy, Inc. to GIP III Zephyr Acquisition Partners, LP, and assignment of related affiliated interest agreements.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 9, 2018. 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 applicants. 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: NRG Energy Center Harrisburg, LLC; NRG Energy Center Pittsburgh, LLC

Through and By Counsel: David P. Zambito, Esquire, Jonathan P. Nase, Esquire, Cozen O'Connor, Suite 1410, 17 North Second Street, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-482. Filed for public inspection March 23, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. 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. Protests may only be filed in the event that there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. 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 April 9, 2018. 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-2018-3000025. Pocono Mountain Transportation, Inc. (431 North Cortland Street, East Stroudsburg, Monroe County, PA 18301) persons upon call or demand, from points in the Counties of Monroe, Pike and Carbon, the Boroughs of Wind Gap, Pen Argyl and Bangor, and the Townships of Plainsfield, Washington and Upper Bethel, all in Northampton County, to points in Pennsylvania, and return. *Attorney:* Craig A. Doll, Esquire, P.O. Box 403, 25 West Second Street, Hummelstown, PA 17036.

A-2018-3000179. Ronald Heffley (3442 Harvest Drive, Gordonville, Lancaster County, PA 17529) persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2018-3000214. Mofeth & Noel, LLC, t/a First Transportation (539 Partridge Court, Blue Bell, Montgomery County, PA 19422) persons in paratransit service, from points in Delaware County, and the City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David Temple, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

A-2018-3000395. All the Way Transportation, LLC (6809 Clubhouse Drive, Apartment E3, Harrisburg, Dauphin County, PA 17111) persons in paratransit service for medical appointments from points in the Counties of Adams, Allegheny, Berks, Bucks, Carbon, Cumberland, Dauphin, Franklin, Huntingdon, Juniata, Lancaster, Lebanon, Lehigh, Luzerne, Mifflin, Montour, Northumberland, Perry, Schuylkill, Snyder and York to points in Pennsylvania, and return.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-2018-3000152. Community Life Team, Inc. (1000 Paxton Street, Harrisburg, Dauphin County, PA 17104-1644) in paratransit service, from points in York and Adams Counties, to points in Pennsylvania, and return, which is to be a transfer of all rights authorized under the certificate issued at A-6412884, to Armar, Inc., t/a White Rose Ambulance and Quality Care Ambulance, subject to the same limitations and conditions. *Attorney:* Kenneth R. Stark and Barbara Darkes, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.

A-2018-2647297. Brody Moving Services, LLC (626 Columbia Avenue, Apartment 4B, Lancaster, Lancaster County, PA 17603) between points in Pennsylvania.

A-2018-3000157. Milestone Relocation Solutions, Inc. (600 1st Avenue North, Suite 203, Saint Petersburg, FL 33701) between points in Pennsylvania. *Attorney:* Andrew J. Horowitz, 500 Grant Street, Suite 5240, Pittsburgh, PA 15219.

Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2018-3000375. Shawn Paul Madrid (6007 Colebrook Road, Palmyra, Lebanon County, PA 17078) to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-483. Filed for public inspection March 23, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities).

Answers are due April 9, 2018, 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. Clyde Gardner, t/a Gardner Trucking; Docket No. C-2018-2643446

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 Clyde Gardner, t/a Gardner Trucking, (respondent) is under suspension effective January 02, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 861 Hurley Road, Canton, PA 17724.

3. That respondent was issued a Certificate of Public Convenience by this Commission on September 07, 2016, at A-00114831.

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-00114831 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: 1/23/2018

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. Integrated Medical Transport, LLC; Docket No. C-2018-2601225
COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Integrated Medical Transport, LLC, Respondent, maintains a principal place of business at 322C East Allen Street, Mechanicsburg, Pennsylvania, 17055.

2. That Respondent was issued a certificate by this Commission on December 27, 2016, at Application Docket No. A-2016-2567318, authorizing transportation of persons in paratransit service.

3. That Respondent's operating rights were suspended on April 19, 2017, for failure to maintain evidence of insurance on file with this Commission. Evidence of insurance was filed April 27, 2017, which indicated insurance coverage was effective April 22, 2017. Therefore, there was a lapse of insurance coverage from April 19, 2017 through April 21, 2017, inclusive.

4. That on December 19, 2017, PUC Enforcement Officer Zachary Taylor contacted Matthew Rohman, manager, and requested trip sheets for the time period from April 19, 2017 through April 22, 2017, inclusive. The logs revealed that Respondent permitted its vehicles to be operated all three days during the time period while under suspension.

5. That Respondent, by permitting its vehicles to be operated while under suspension, violated 52 Pa. Code § 32.2 and § 32.11 and 66 Pa.C.S. § 501(c), in that it failed to observe, obey and comply with a Commission regulation or order, and the terms and conditions thereof. The penalty for this violation is \$1,000 for each day

Respondent operated during the suspension, with a maximum fine amount of \$10,000, and cancellation of the certificate of public convenience.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Integrated Medical Transport, LLC the sum of three thousand dollars (\$3,000) for the illegal activity described in this Complaint and cancellation of the certificates of public convenience at A-2016-2567318.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1/23/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified

check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Children's Choice, Inc.; Docket No. C-2018-2643415

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 Children's Choice, Inc., (respondent) is under suspension effective December 22, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 3000 Market Street, Suite 200, Philadelphia, PA 19104.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 12, 2015, at A-6916441.

4. That respondent has failed to maintain evidence of Bond 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-6916441 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: 1/23/2018

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 regula-

tions 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. 18-484. Filed for public inspection March 23, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer by Sale

A-2018-3000351. PPL Electric Utilities Corporation. Application of PPL Electric Utilities Corporation for approval to transfer by sale of real property and facilities at 1237 Susqui Street, Allentown, PA to 2270 South 12th Street Holdings, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 3, 2018. 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.

Applicant: PPL Electric Utilities Corporation

Through and By Counsel: David B. MacGregor, Esquire, Devin T. Ryan, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601; Kimberly A. Klock, Senior Counsel, Amy E. Hirakis, Esquire, PPL Services Corporation, Two North Ninth Street, Allentown, PA 18101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-485. Filed for public inspection March 23, 2018, 9:00 a.m.]

STATE BOARD OF MEDICINE

Bureau of Professional and Occupational Affairs v. Mikhail Strutsovskiy, MD; Doc. No. 0268-49-18; File No. 18-49-00545

On February 6, 2018, Mikhail Strutsovskiy, MD, Pennsylvania license No. MD429485, last known of Williamsville, NY, was sent a final order reinstating license to nonprobationary, unrestricted, expired status based on meeting the terms of a prior State Board of Medicine (Board) order.

Individuals may obtain a copy of the final order by writing to Wesley J. Rish, Board Counsel, State Board of Medicine, P.O. Box 69523, Harrisburg, PA 17106-9523.

This final order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

BRUCE A. BROD, MD,
Chairperson

[Pa.B. Doc. No. 18-486. Filed for public inspection March 23, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Pamela Lyn Smith, LPN; File No. 16-51-12443; Doc. No. 0934-51-2017

On January 31, 2018, Pamela Lyn Smith, LPN, license No. PN266199, last known of Washington, Washington County, was indefinitely suspended retroactive to July 17, 2017, based on being addicted to alcohol, hallucinogenic, narcotic drugs or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the adjudication by writing to Ariel E. O'Malley, Board Counsel, State Board

of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-487. Filed for public inspection March 23, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Blythe Fatimah Crawley, LPN, Respondent; File No. 16-51-03300; Doc. No. 0917-51-17

Notice to Blythe Fatimah Crawley, LPN:

On May 18, 2017, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Practical Nurse Law, Act of March 2, 1956, P.L. (1955) 1211, ("Act"). Pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, which provide for service of process by publication.

Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send

an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-488. Filed for public inspection March 23, 2018, 9:00 a.m.]
