

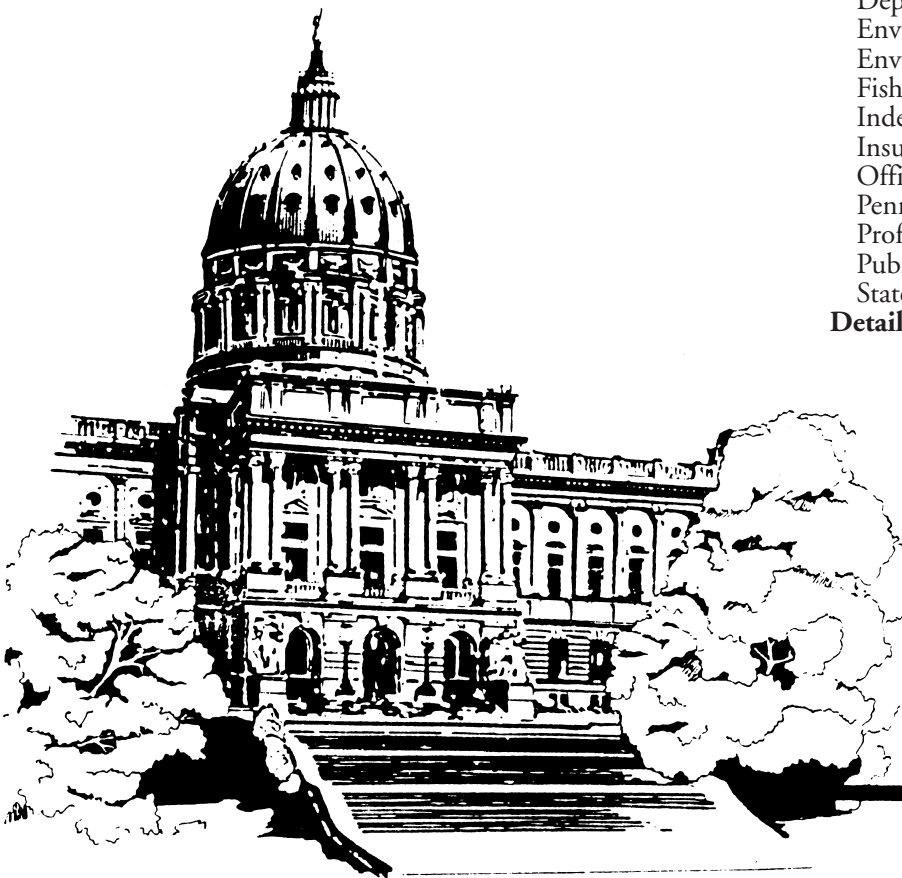
# PENNSYLVANIA BULLETIN

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## **Agencies in this issue**

The General Assembly  
The Courts  
Department of Banking and Securities  
Department of Environmental Protection  
Department of Health  
Department of Revenue  
Department of Transportation  
Environmental Hearing Board  
Environmental Quality Board  
Fish and Boat Commission  
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Pennsylvania Public Utility Commission  
Professional Standards and Practices Commission  
Public School Employees' Retirement Board  
State Horse Racing Commission

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

**No. 525, August 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](http://www.pacode.com).

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

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

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.

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*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**.

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### 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 GENERAL ASSEMBLY

## COMMISSION ON SENTENCING

### Meetings Scheduled

The Commission on Sentencing (Commission) announces the following meetings to be held at the Hyatt Place Hotel State College, 219 West Beaver Avenue, State College, PA:

Wednesday, September 5, 2018	1 p.m.	Annual Planning Session
Thursday, September 6, 2018	9 a.m.	Policy Committee Meeting
	11 a.m.	Quarterly Commission Meeting

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 18-1224. Filed for public inspection August 10, 2018, 9:00 a.m.]

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT

[ 204 PA. CODE CH. 81 ]

#### Amendment of Rule 7.3 of the Pennsylvania Rules of Professional Conduct; No. 166 Disciplinary Rules Doc.

##### Order

*Per Curiam*

And Now, this 30th day of July, 2018, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania, the proposal having been published for comment in the *Pennsylvania Bulletin*, 47 Pa.B. 5927 (September 23, 2017):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 7.3 of the Rules of Professional Conduct is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 60 days.

Justice Donohue files a dissenting statement.

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart A. PROFESSIONAL RESPONSIBILITY

#### CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

##### Subchapter A. RULES OF PROFESSIONAL CONDUCT

#### § 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

##### INFORMATION ABOUT LEGAL SERVICES

#### Rule 7.3. Solicitation of Clients.

\* \* \* \* \*

(b) A lawyer may contact, or send a written communication to, the target of the solicitation for the purpose of obtaining professional employment unless:

(1) the lawyer knows or reasonably should know that the physical, emotional or mental state of the person is such that the person could not exercise reasonable judgment in employing a lawyer;

(2) the person has made known to the lawyer a desire not to receive communications from the lawyer; [ **or** ]

(3) the communication involves coercion, duress, or harassment[ . ]; **or**

**(4) the communication is a solicitation to a party who has been named as a defendant or respondent in a domestic relations action. In such cases, the lawyer shall wait until proof of service appears on the docket before communication with the named defendant or respondent.**

#### Comment:

\* \* \* \* \*

(7) This Rule is not intended to prohibit a lawyer from contacting representatives of organizations or groups that may be interested in establishing a group or prepaid legal plan for their members, insureds, beneficiaries or other third-parties for the purposes informing such entities of the availability of and details concerning the plan or arrangement which the lawyer or lawyer's firm is willing to offer. This form of communication is not directed to people who are seeking legal services for themselves. Rather, it is usually addressed to an individual acting in a fiduciary capacity seeking a supplier of legal services for others who may, if they choose, become prospective clients of the lawyer. Under these circumstances, the activity which the lawyer undertakes in communicating with such representatives and the type of information transmitted to the individual are functionally similar to and serve the same purpose as advertising permitted under Rule 7.2.

**(8) In this instance, the term "domestic relations action" includes the actions governed by the Family Court Rules, see Pa.R.C.P. No. 1931(a), and actions pursuant to the Protection of Victims of Sexual Violence or Intimidation Act, see 42 Pa.C.S. §§ 62A03 et seq. In such cases, a defendant/respondent party's receipt of a lawyer's solicitation prior to being served with the complaint can increase the risk of a violent confrontation between the parties. The prohibition in RPC 7.3(b)(4) against any solicitation prior to proof of service appearing on the docket is intended to reduce any such risk and allow for the plaintiff to take any appropriate steps.**

#### Dissenting Statement Justice Donohue

I respectfully disagree with the decision of the majority of my colleagues to adopt the proposed amendment to Rule of Professional Conduct 7.3. Under both the United States and Pennsylvania Constitutions, commercial speech that is neither misleading nor related to unlawful activity may be regulated only if, inter alia, the commercial speech regulation is narrowly drawn. *Florida Bar v. Went For It, Inc.*, 515 U.S. 618, 624 (1995) (citing *Central Hudson Gas & Elec. Corp. v. Public Serv. Comm'n of N.Y.*, 447 U.S. 557, 564-65 (1980)); *Commonwealth Bureau of Prof. and Occupational Aff. v. State Bd. of Physical Therapy*, 728 A.2d 340, 343 (Pa. 1999). This Court has held that this requires commercial speech regulations to be the least restrictive means of advancing the asserted interest. *Commonwealth Bureau of Prof. and Occupational Aff.*, 728 A.2d at 343.

As proposed, the rule appears to be wildly over inclusive and will curb more speech than is necessary to effectuate the goal of the amendment. The proposed amendment does not differentiate between the vast majority of domestic relations actions and those where there exists the potential that a partner may become violent when learning of the domestic relations action. In my view, there is a less restrictive alternative available, as the Court could require that in cases where domestic violence is a concern, the plaintiff could file a motion to seal the complaint until service upon the defendant is made. It seems to me that such a rule would accomplish the laudable goal of the amendment—reducing domestic

violence—while also ensuring that it does not unconstitutionally infringe upon an attorney’s right to commercial speech.

As the proposed amendment does not pass constitutional scrutiny, I dissent.

[Pa.B. Doc. No. 18-1225. Filed for public inspection August 10, 2018, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Diversified Community Services and Unity in the Community Expungement Clinic Fee Waivers; Administrative Doc. No. 05 of 2018

##### Order

*And Now*, this 24th day of July 2018, upon consideration of the application of Diversified Community Services and Unity in the Community (hereinafter, “the Applicants”) for a waiver of court costs and fees for any petitions for expungement and any petitions for limited access orders that may be filed by the pro bono attorney volunteers working with the Applicants in connection with an expungement clinic that the Applicants expect to hold for low income individuals on August 1, 2018 (hereinafter, “the Expungement Clinic”), it is hereby *Ordered* that the application is *Granted* as follows:

1. The First Judicial District of Pennsylvania shall waive the court costs and fees for any and all petitions for expungement (filed pursuant to Rules 490 or 790 of the Pennsylvania Rules of Criminal Procedure) and petitions for limited access orders (filed pursuant to Rule 790.1 of the Pennsylvania Rules of Criminal Procedure) that may be filed by the Applicants’ attorney volunteers in connection with the Expungement Clinic; provided that each such petition shall be accompanied by a praecipe, signed by an attorney volunteer, in the form substantially set forth under Rule 240 of the Pennsylvania Rules of Civil Procedure.

2. The Applicants and/or their attorney volunteers shall collect financial information from the Expungement Clinic participants regarding their respective incomes and debts. No attorney volunteer shall seek a waiver of court costs and fees under this Order for any Expungement Clinic participant whom the attorney volunteer reasonably determines, based upon the available financial information, is not otherwise eligible to proceed in forma pauperis.

3. Each petition filed under this Order shall include a designation in the caption stating: “DIVERSIFIED COMMUNITY SERVICES AND UNITY IN THE COMMUNITY EXPUNGEMENT CLINIC”.

4. Each petition filed under this Order shall be filed electronically via the Court’s Electronic Filing System.

5. Prior to filing any petitions under this Order, an attorney-representative for the Applicants shall coordinate with the Court’s Criminal Motions Unit to block off a pre-approved day (or days) in which petitions filed under this Order are to be heard by the Court. The Court’s Criminal Motions Unit shall provide the attorney-representative for the Applicants with a Scheduling Notice outlining, inter alia, what day (or days) have been pre-approved for hearing petitions filed under this Order.

6. Prior to filing any petitions under this Order, an attorney-representative for the Applicants shall confer with the Office of the District Attorney to discuss the Expungement Clinic. In connection therewith, the attorney-representative for the Applicants shall serve a copy of this Order on the Office of the District Attorney.

7. An attorney-representative for the Applicants shall provide the Court and the Office of the District Attorney with a list of all petitions filed under this Order.

*By the Court*

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

[Pa.B. Doc. No. 18-1226. Filed for public inspection August 10, 2018, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

### ENVIRONMENTAL QUALITY BOARD [ 25 PA. CODE CHS. 121 AND 129 ]

#### Control of VOC Emissions from Industrial Cleaning Solvents; General Provisions; Aerospace Manufacturing and Rework; Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOCs

The Environmental Quality Board (Board) amends Chapters 121 and 129 (relating to general provisions; and standards for sources) to read as set forth in Annex A. This final-form rulemaking amends Chapter 129 to add § 129.63a (relating to control of VOC emissions from industrial cleaning solvents) to adopt reasonably available control technology (RACT) requirements and RACT emission limitations for stationary sources of volatile organic compound (VOC) emissions from industrial cleaning solvents that are not regulated elsewhere in Chapter 129 or Chapter 130 (relating to standards for products). This final-form rulemaking amends §§ 121.1 and 129.51 (relating to definitions; and general) to support the addition of § 129.63a, § 129.73 (relating to aerospace manufacturing and rework) to correct a numbering error in the table of VOC content limits, and §§ 129.96, 129.97, 129.99 and 129.100, which were recently promulgated for additional RACT requirements for major sources of nitrogen oxides (NO<sub>x</sub>) and VOCs (RACT 2) to update the list of presumptive VOC RACT regulations for which RACT 2 does not apply and to clarify certain requirements.

This final-form rulemaking will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the Commonwealth's State Implementation Plan (SIP) following promulgation of this final-form rulemaking.

This order was adopted by the Board at its meeting of April 17, 2018.

#### A. Effective Date

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

#### B. Contact Persons

For further information, contact Kirit Dalal, Chief, Division of Air Resource Management, Bureau of Air Quality, Rachel Carson State Office Building, P.O. Box 8468, Harrisburg, PA 17105-8468, (717) 772-3436; or Jesse C. Walker, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This final-form rulemaking is available on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Environmental Quality Board (EQB)").

#### C. Statutory Authority

This final-form rulemaking is authorized under section 5(a)(1) of the Air Pollution Control Act (APCA) (35 P.S. § 4005(a)(1)), which grants the Board the authority to adopt rules and regulations for the prevention, control, reduction and abatement of air pollution in this Common-

wealth. Section 5(a)(8) of the APCA also grants the Board the authority to adopt rules and regulations designed to implement the Clean Air Act (CAA) (42 U.S.C.A. §§ 7401—7671q).

#### D. Background and Purpose

The purpose of this final-form rulemaking is to implement control measures to reduce VOC emissions from industrial cleaning solvents used and applied during cleaning unit operations at facilities which are not regulated elsewhere in Chapter 129 or Chapter 130. Industrial cleaning solvents are used or applied in a cleaning activity to remove a contaminant, including an adhesive, ink, paint, dirt, soil, oil or grease, from a cleaning unit operation or work production-related work area or from a part, product, tool, machinery, equipment, vessel, floor or wall. This final-form rulemaking amends §§ 129.96, 129.97, 129.99 and 129.100 to clarify when the presumptive RACT requirements of §§ 129.52d, 129.52e and 129.74 (relating to control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings; control of VOC emissions from automobile and light-duty truck assembly coating operations and heavier vehicle coating operations; and control of VOC emissions from fiberglass boat manufacturing materials) and this final-form rulemaking apply to the owner or operator of a major source of NO<sub>x</sub> emissions or VOC emissions.

VOCs are precursors for ground-level ozone formation. Ground-level ozone, a public health and welfare hazard, is not emitted directly to the atmosphere by industrial cleaning solvents, but forms from a photochemical reaction between VOCs and NO<sub>x</sub> in the presence of sunlight. In accordance with sections 172(c)(1), 182(b)(2)(A) and 184(b)(1)(B) of the CAA (42 U.S.C.A. §§ 7502(c)(1), 7511a(b)(2)(A) and 7511c(b)(1)(B)), this final-form rulemaking establishes VOC emission limitations and other requirements generally consistent with the EPA's recommendations in the Control Techniques Guidelines: Industrial Cleaning Solvents, EPA 453/R-06-001, Office of Air Quality Planning and Standards, EPA, September 2006 (2006 ICS CTG) as RACT for these sources in this Commonwealth. See 71 FR 58745 (October 5, 2006).

The EPA is responsible for establishing National Ambient Air Quality Standards (NAAQS) for six criteria pollutants considered harmful to public health and welfare, including the environment—ground-level ozone, particulate matter, NO<sub>x</sub>, carbon monoxide, sulfur dioxide and lead. Section 109 of the CAA (42 U.S.C.A. § 7409) established two types of NAAQS: primary standards, which are limits set to protect public health; and secondary standards, which are limits set to protect public welfare and the environment, including protection against visibility impairment and from damage to animals, crops, vegetation and buildings. The EPA established primary and secondary ground-level ozone NAAQS to protect public health and welfare.

Ground-level ozone is a highly reactive gas, which at sufficiently high concentrations can produce a wide variety of harmful effects. At elevated concentrations, ground-level ozone can adversely affect human health, animal health, vegetation, materials, economic values, and personal comfort and well-being. It can cause damage to important food crops, forests, livestock and wildlife. Repeated exposure to ground-level ozone pollution may

cause a variety of adverse health effects for healthy people and those with existing conditions, including difficulty in breathing, chest pains, coughing, nausea, throat irritation and congestion. It can worsen bronchitis, heart disease, emphysema and asthma, and reduce lung capacity. Asthma is a significant and growing threat to children and adults. High levels of ground-level ozone affect animals in ways similar to humans. High concentrations of ground-level ozone can also cause damage to buildings and synthetic fibers, including nylon, and reduced visibility on roadways and in natural areas. The implementation of additional measures to address ozone air quality nonattainment in this Commonwealth is necessary to protect the public health and welfare, animal and plant health and welfare, and the environment.

In July 1997, the EPA promulgated primary and secondary ozone standards at a level of 0.08 part per million (ppm) averaged over 8 hours. See 62 FR 38856 (July 18, 1997). In 2004, the EPA designated 37 counties in this Commonwealth as 8-hour ozone nonattainment areas for the 1997 8-hour ozone NAAQS. See 69 FR 23858, 23931 (April 30, 2004). Based on the certified ambient air monitoring data for the 2016 ozone season as well as the preliminary 2017 ozone season data, all monitored areas of this Commonwealth are attaining the 1997 8-hour ozone NAAQS. Maintenance plans have been submitted to the EPA and approved for the 1997 ozone standard. In accordance with section 175A(a) of the CAA (42 U.S.C.A. § 7505a(a)), the maintenance plans include permanent and enforceable control measures that will provide for the maintenance of the ozone NAAQS for at least 10 years following the EPA's redesignation of the areas to attainment.

In March 2008, the EPA lowered the primary and secondary ozone NAAQS to 0.075 ppm (75 parts per billion (ppb)) averaged over 8 hours to provide greater protection for children, other at-risk populations and the environment against the array of ozone-induced adverse health and welfare effects. See 73 FR 16436 (March 27, 2008). In April 2012, the EPA designated five areas in this Commonwealth as nonattainment for the 2008 ozone NAAQS. See 77 FR 30088, 30143 (May 21, 2012). These areas include all or a portion of Allegheny, Armstrong, Beaver, Berks, Bucks, Butler, Carbon, Chester, Delaware, Fayette, Lancaster, Lehigh, Montgomery, Northampton, Philadelphia, Washington and Westmoreland Counties. The certified 2016 ambient air monitoring data indicate that all ozone monitors in this Commonwealth, except for the Bristol and Northeast Airport monitors in Bucks and Philadelphia Counties, respectively, are monitoring attainment of the 2008 ozone NAAQS. The Department's analysis of the preliminary 2017 ambient air monitoring data shows that all ozone monitors in this Commonwealth, except for the Bristol, Northeast Airport and Northwest Waste (Philadelphia County) monitors, are monitoring attainment of the 2008 ozone NAAQS. The Department must ensure that the 2008 ozone NAAQS is attained and maintained by implementing permanent and enforceable control measures.

On October 1, 2015, the EPA lowered the primary and secondary ozone NAAQS to 70 ppb averaged over 8 hours. See 80 FR 65292 (October 26, 2015). As required under section 107(d) of the CAA (42 U.S.C.A. § 7407(d)), the Commonwealth submitted designation recommendations for the 2015 ozone NAAQS to the EPA on October 3, 2016, based on the ambient ozone concentrations from the 2013–2015 ozone seasons following opportunity for public notice and comment. See 46 Pa.B. 5162 (August 20, 2016). The Commonwealth submitted revised designation

recommendations to the EPA on April 22, 2017. See 47 Pa.B. 2387 (April 22, 2017). The EPA issued final designations for the attainment/unclassifiable areas on November 16, 2017. See 82 FR 54232 (November 16, 2017). However, the EPA has not yet issued final nonattainment area designations. The Department submitted a request to the EPA on February 20, 2018, requesting that the EPA not include “exceptional” ambient air monitoring data from the 2016 Canadian forest fires in determining the final nonattainment area designations. Based on certified ambient air monitoring data for the 2014–2016 ozone seasons, eight monitors in seven counties in this Commonwealth have design values that violate the 2015 ozone NAAQS. The monitors are in Berks, Bucks, Chester, Delaware, Lebanon, Montgomery and Philadelphia Counties. If the EPA concurs on the Department's exceptional event analysis with respect to the Fort McMurray wildfires in Alberta, Canada, from May 2016, only five monitors in this Commonwealth will have design values that violate the 2015 ozone NAAQS based on the certified data for the 2014–2016 ozone seasons. The monitors are in Bucks, Chester, Delaware and Philadelphia Counties.

Following the EPA's designation of nonattainment areas, the Department must ensure that the 2015 ozone NAAQS is attained and maintained in these areas by implementing permanent and Federally-enforceable control measures. Reductions in VOC emissions that are achieved following the adoption and implementation of VOC RACT emission control measures for source categories covered by Control Techniques Guidelines (CTG), including the use and application of industrial cleaning solvents during a cleaning activity at a cleaning unit operation, will assist the Commonwealth in making substantial progress in achieving and maintaining the ozone NAAQS.

In this final-form rulemaking, § 129.63a adopts VOC emission limitations and other requirements consistent with the RACT recommendations in the EPA's 2006 ICS CTG to meet the requirements of sections 172(c)(1), 182(b)(2) and 184(b)(1)(B) of the CAA. These VOC emission limitations and other requirements will apply across this Commonwealth as required under section 184(b)(1)(B) of the CAA. The control measures in § 129.63a will reduce VOC emissions from the industrial cleaning solvents source category at those affected sources that are not regulated elsewhere under Chapter 129 or Chapter 130. The VOC emission reduction measures in § 129.63a are reasonably necessary to attain and maintain the health-based and welfare-based ozone NAAQS in this Commonwealth and to satisfy related CAA requirements.

There are no Federal statutory or regulatory RACT limits for VOC emissions from industrial cleaning solvents used or applied during a cleaning activity at a cleaning unit operation. When developing the recommendations for the VOC emission reduction RACT measures included in its 2006 ICS CTG, the EPA took into account the data collected during the development of the 1994 Alternative Control Techniques Document—Industrial Cleaning Solvents. See 2006 ICS CTG, Appendix A (Alternative Control Techniques Document—Industrial Cleaning Solvents, EPA-453/R-94-015, February 1994).

State regulations to control VOC emissions from existing stationary sources of industrial cleaning solvents used or applied during a cleaning activity at a cleaning unit operation are required under Federal law. The Commonwealth regulation will be reviewed and approved by the EPA as a revision to the Commonwealth's SIP if the

provisions meet the RACT requirements of the CAA and its implementing regulations. See 71 FR 58745. The EPA defines RACT as “[t]he lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.” See 44 FR 53761 (September 17, 1979).

Section 110(a) of the CAA (42 U.S.C.A. § 7410(a)) provides that each state shall adopt and submit to the EPA a plan to implement measures (a SIP) to enforce the NAAQS or revision to the NAAQS promulgated under section 109(b) of the CAA. Section 172(c)(1) of the CAA provides that SIPs for nonattainment areas must include “reasonably available control measures,” including RACT, for sources of emissions of VOC and NO<sub>x</sub>. Section 182(b)(2) of the CAA provides that for moderate ozone nonattainment areas, states must revise their SIPs to include RACT for sources of VOC emissions covered by a CTG document issued by the EPA prior to the area’s date of attainment of the applicable ozone NAAQS. More importantly, section 184(b)(1)(B) of the CAA requires that states in the Ozone Transport Region (OTR), including the Commonwealth, submit a SIP revision requiring implementation of RACT for all sources of VOC emissions in the state covered by a specific CTG and not just for those sources that are located in designated nonattainment areas of the state. Consequently, the Commonwealth’s SIP must include regulations applicable State-wide to control VOC emissions from existing stationary sources of industrial cleaning solvents used or applied during cleaning unit operations at facilities that are not regulated elsewhere in Chapter 129 or Chapter 130. The ground-level ozone reduction measures included in proposed § 129.63a should achieve VOC emission reductions and lowered concentrations of ground-level ozone locally and should also reduce the amounts of VOC emissions and ground-level ozone transported to downwind states. Adoption of VOC emission reduction requirements for these sources is part of the Commonwealth’s strategy, in concert with other OTR jurisdictions, to further reduce the transport of VOC ozone precursors and ground-level ozone throughout the OTR to attain and maintain the 8-hour ozone NAAQS.

Section 183(e) of the CAA (42 U.S.C.A. § 7511b(e)) directs the EPA to list for regulation those categories of products that account for at least 80% of the aggregate VOC emissions from consumer and commercial products in ozone nonattainment areas. Section 183(e)(3)(C) of the CAA further provides that the EPA may issue a CTG document in place of a National regulation for a product category on the section 183(e) list when the EPA determines that the recommendations of the CTG, when implemented by the affected states, will be “substantially as effective as regulations” in reducing emissions of VOC in ozone nonattainment areas. In 1995, the EPA listed industrial cleaning solvents on its section 183(e) list and, in 2006, issued a CTG for this product category. See 60 FR 15264, 15267 (March 23, 1995); 71 FR 58745; and Control Techniques Guidelines: Industrial Cleaning Solvents, EPA 453/R-06-001, Office of Air Quality Planning and Standards, EPA, September 2006. The 2006 ICS CTG is available on the EPA web site at <https://www.epa.gov/stationary-sources-air-pollution/clean-air-act-guidelines-and-standards-solvent-use-and-surface>.

In the 2006 notice of final determination and availability of final CTGs, the EPA determined that the recommendations of the 2006 ICS CTG will be “substantially as effective as National regulations” in reducing VOC emissions from the industrial cleaning solvents product cat-

egory in ozone nonattainment areas. See 71 FR 58745. The CTG provides states with the EPA’s recommendation of what constitutes RACT for the covered category. State air pollution control agencies may use the Federal recommendations provided in the CTG to inform their own determination as to what constitutes RACT for VOC emissions from the covered category. State air pollution control agencies may implement other technically-sound approaches that are consistent with the CAA requirements and the EPA’s implementing regulations or guidelines.

The Department’s Bureau of Air Quality reviewed the RACT recommendations regarding VOC emission reduction measures included in the 2006 ICS CTG for their applicability to the ground-level ozone reduction measures necessary for this Commonwealth. The Bureau of Air Quality determined that VOC emission reduction measures and other requirements generally consistent with the recommendations provided in the 2006 ICS CTG are appropriate to be implemented in this Commonwealth as RACT for this source category.

The types of persons, businesses, small businesses and organizations that are affected by § 129.63a vary. The 2006 ICS CTG states that the recommendations apply to industries that have to use organic solvent to conduct cleaning activities in cleaning unit operations such as mixing vessels (tanks), spray booths and parts cleaners. The cleaning activities for the removal of foreign material from the substrate being cleaned include actions (activities) such as wiping, flushing or spraying. Section 129.63a applies to the owner and the operator of a facility at which an industrial cleaning solvent is used or applied in a cleaning activity to remove a contaminant, including an adhesive, ink, paint, dirt, soil, oil or grease, in a cleaning unit operation, a work production-related work area or a part, product, tool, machinery, equipment, vessel, floor or wall, except as specified in § 129.63a(c), which lists exceptions and exemptions. A cleaning unit operation is an operation at a facility that is a source of VOC emissions from a cleaning activity. A cleaning activity is the use or application of an industrial cleaning solvent formulated with one or more regulated VOCs to remove a contaminant from a substrate or from equipment used to apply a material. Cleaning unit operations covered by § 129.63a include cleaning activities such as spray gun cleaning, spray booth cleaning, manufactured components cleaning, parts cleaning, equipment cleaning, line cleaning, floor cleaning and tank cleaning. Cleaning unit operations under § 129.63a do not include operations emitting VOCs from the use or application of consumer products subject to §§ 130.201–130.471 (relating to consumer products), including an institutional product or industrial and institutional product as defined in § 130.202 (relating to definitions) for cleaning offices, bathrooms or other areas that are not part of a cleaning unit operation or production-related work area.

This final-form rulemaking does not apply to the owner or operator of a cleaning unit operation associated with certain categories specified under exceptions and exemptions in § 129.63a(c). Subsection (c)(1) specifies industry sectors and product categories that are exempt from § 129.63a. Subsection (c)(2) specifies that the VOC emission limitations of subsection (e) do not apply to the use or application of an industrial cleaning solvent by the owner or operator of a cleaning unit operation at a facility subject to subsection (a) under certain circumstances: if the use or application of the industrial cleaning solvent is subject to a standard or specification required by the United States Department of Defense, Federal Aviation

Administration or other Federal government entity; or if the use or application of the industrial cleaning solvent is associated with the cleaning of screen printing equipment and the industrial cleaning solvent used or applied has an as applied VOC content that does not exceed 4.2 pounds of VOC per gallon (lb VOC/gal) (500 grams of VOC per liter (g VOC/l)). An owner or operator claiming one of these exemptions is subject to specified recordkeeping and reporting requirements.

Section 129.63a(c)(3) specifies that the VOC emission limitations of subsection (e) and the work practice requirements of subsection (f) do not apply to the owner or operator of a facility subject to subsection (a) if the total combined actual VOC emissions from all subject cleaning unit operations at the facility are less than 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls. An owner or operator claiming this exemption is subject to specified recordkeeping and reporting requirements.

The EPA estimated that there were as many as 166 facility owners and operators in this Commonwealth that would be subject to the recommended 2006 ICS CTG control measures. The Department expects that the universe of potentially affected facility owners and operators could be larger than the group of 166 facility owners and operators identified by the EPA due to the threshold of 2.7 tons (2,455 kilograms) of VOC emissions per 12-month rolling period, before consideration of controls, for implementing the VOC emission control measures. This threshold is equivalent to an average daily emission rate of 15 pounds (6.8 kilograms) of VOC emissions per day, which is equivalent to the evaporation of approximately 2 gallons of VOC-containing industrial cleaning solvent per day. The Department therefore requested the assistance of the Commonwealth's Small Business Development Center's Environmental Management Assistance Program (EMAP) in generating a list of potentially affected businesses in this Commonwealth. The Department's assessment of the number of owners and operators of facilities potentially subject to § 129.63a resulted from reviewing information obtained from the EMAP as well as information from databases maintained by the Department. The Department also reviewed the methodology of an analysis prepared in 2010 by E.H. Pechan & Associates, Inc. (Pechan) for the State of Texas. The Pechan analysis was used by Texas Department of Environmental Quality staff to assess the impact of their industrial cleaning solvents proposed rulemaking. The Department applied a process similar to the one used by Pechan in Texas to delineate the number of businesses in this Commonwealth that may be impacted by proposed § 129.63a. The results apply equally to this final-form rulemaking.

The EPA listed 469 North American Industry Classification System (NAICS) codes for identifying businesses potentially covered by the 2006 ICS CTG recommendations. The complete list is found in the 2006 ICS CTG in Appendix C (relating to Summary of NAICS Codes for nonattainment facilities estimated to meet the applicability criteria recommended in the CTG). As noted by Pechan for the Texas Department of Environmental Quality, this list of NAICS codes provided by the EPA includes cleaning unit operations at source categories for which VOC emission control regulations already exist in Chapters 129 and 130. Further, it is important to note that a business owner or operator may select and report the NAICS code of its own choosing. Prior experience by Department staff has shown that this self-reporting of

NAICS codes is problematic when trying to accurately identify potentially affected facility owners and operators in this Commonwealth.

The EMAP provided the Department with a list of potentially affected businesses in this Commonwealth using the 469 NAICS codes included in the 2006 ICS CTG. The initial list identified 144,222 facilities of all sizes. It is likely that many of the facility owners and operators identified by the EMAP solely through the use of the EPA list of NAICS codes may be subject to other regulations in Chapters 129 and 130 and therefore not subject to § 129.63a. The Department cross-referenced the NAICS codes from the EMAP list of 144,222 facilities with the list of NAICS codes generated by Pechan as likely being subject to the Texas industrial cleaning solvents rulemaking. Ten NAICS codes from the Pechan report list were identified in the EMAP list. This cross-referencing reduced the number of potentially affected facility owners and operators in this Commonwealth to 45,718. From Pechan's analysis, it was further determined that only about 1.26% of identified facilities in Texas would be subject to the Texas industrial cleaning solvents rulemaking. Applying the same percentage to this Commonwealth's "universe" of 45,718, it is estimated that as many as 576 ( $45,718 \times 1.26\%$ ) facility owners and operators in this Commonwealth may potentially be subject to § 129.63a. Also from the Pechan analysis, it was determined that 44% of the potentially subject facilities in Texas were likely small businesses. Applying this percentage to the potentially subject group of 576 facility owners and operators identified by the EMAP, the Department estimated that 253 ( $576 \times 44\%$ ) facility owners and operators may be small businesses.

The Department also gathered information about potentially affected facility owners and operators from the Environmental Facility Application Compliance Tracking System (eFACTS) database and the Air Information Management System (AIMS) database. These are Department permitting and air emissions databases that share data and interface with each other. The eFACTS database contains facility-specific information, including the NAICS code, for permitted facilities and for some previously inspected facilities for which permits are not required. The AIMS database contains site-specific source and air pollutant emissions data, as well as NAICS codes, to maintain the air pollutant emissions inventory. The eFACTS and AIMS database systems do not provide an exhaustive list of all facility owners and operators that conduct industrial cleaning solvent activities in this Commonwealth. The databases include only those facility owners and operators with which the Department has had contact and for which the Department has a reason to input data; these are usually the largest emitters of air pollutants, which may or may not meet the definition of "small business" in accordance with section 3 of the Regulatory Review Act (71 P.S. § 745.3). This database analysis revealed that the owners or operators of approximately 3,154 facilities in this Commonwealth have a permit issued by the Department that includes provisions for the control of VOC emissions from industrial cleaning solvent processes. Using the factor of 1.26% developed by Pechan for the Texas analysis, the Department estimates that approximately 40 ( $1.26\% \times 3,154$ ) of these permitted facility owners and operators would be subject to § 129.63a. The remaining 3,114 permitted facility owners and operators are likely subject to cleaning solvent requirements elsewhere in Chapter 129 or Chapter 130 and therefore reflected in the exceptions listed in § 129.63a(c). Of the potentially affected 40 permitted

facility owners and operators, the Department applied the 44% factor developed by Pechan to calculate that as many as 18 (40 × 44%) facility owners and operators identified from the Department's databases may be small businesses.

On January 24, 2018, the Department briefed the Small Business Compliance Advisory Committee (SBCAC) on this final-form rulemaking and on the comments received on the proposed rulemaking. The SBCAC recommended the Department conduct education and outreach for the regulated community on this final-form rulemaking. The Department initially added language to § 129.96 (relating to applicability) in the draft final-form rulemaking to address comments from the EPA and the Independent Regulatory Review Commission (IRRC) regarding retroactive applicability of § 129.63a(a); this language was in the draft final-form rulemaking provided to the SBCAC, denoted in bolded capitals as § 129.63a(e), (f) and (g). However, in further considering the comments provided by the EPA and IRRC prior to the SBCAC meeting, the Department concluded that this additional language created unnecessary complexity and determined that the language would be deleted. The Department advised the SBCAC during the January 2018 meeting of its intent to delete draft § 129.63a(e), (f) and (g) from the draft final-form rulemaking. The SBCAC voted unanimously (6-0-0) to concur with the Department's recommendation to move this final-form rulemaking forward to the Board for consideration. On February 8, 2018, the Department briefed the Air Quality Technical Advisory Committee (AQTAC) on this final-form rulemaking and on the comments received on the proposed rulemaking. The AQTAC members did not have concerns and voted unanimously (14-0-0) to concur with the Department's recommendation to move this final-form rulemaking forward to the Board for consideration. The Department discussed this final-form rulemaking with the Citizens Advisory Council's (CAC) Policy and Regulatory Oversight Committee on February 9, 2018. On the recommendation of the Policy and Regulatory Oversight Committee, on February 20, 2018, the CAC concurred with the Department's recommendation to move this final-form rulemaking to the Board. Advisory committee meetings are advertised and open to the public.

#### *E. Summary of Final-Form Rulemaking and Changes from Proposed to Final-Form Rulemaking*

##### *§ 121.1. Definitions*

An error in the definition of "cleaning solvent" is corrected by adding a comma.

##### *§ 129.51. General*

Subsection (a) is amended to establish that compliance with § 129.63a may be achieved by alternative methods.

Subsection (a)(3) is amended to establish that compliance with the applicable emission limitation in § 129.63a by a method other than the use of compliant materials shall be determined on the basis of equal volumes of solids.

Subsection (a)(6) is amended to establish that the alternative compliance method must be incorporated into a plan approval or operating permit, or both, reviewed by the EPA, including the use of an air cleaning device to comply with § 129.63a.

Revisions were not made to this section in this final-form rulemaking.

##### *§ 129.63a. Control of VOC emissions from industrial cleaning solvents*

Under subsection (a), this section applies to the owner and the operator of a facility at which an industrial cleaning solvent is used or applied in a cleaning activity to remove a contaminant, including an adhesive, ink, paint, dirt, soil, oil or grease, from a cleaning unit operation or production-related work area or from a part, product, tool, machinery, equipment, vessel, floor or wall.

Subsection (b) defines four terms used in this section—"cleaning activity," "cleaning unit operation," "industrial cleaning solvent" and "regulated VOC." Proposed subparagraph (ii)(A)–(H) of the definition of "cleaning unit operation" is revised in response to a comment from the EPA and IRRC. Descriptive and clarifying language was added to each of the cleaning activity categories in this subparagraph. Proposed subparagraph (ii)(I) is deleted. The definition of "industrial cleaning solvent" is revised in response to a comment from the EPA and IRRC. The revised definition specifies that an industrial cleaning solvent is a product formulated with one or more regulated VOCs that is used in a cleaning activity for a cleaning unit operation.

Subsection (c) establishes exceptions and exemptions for specific circumstances. The exceptions in subsection (c)(1) include cleaning unit operations subject to § 129.63 (relating to degreasing operations) or 40 CFR Part 63, Subpart T (relating to National emission standards for halogenated solvent cleaning), cleaning unit operations associated with a source category covered by a regulation elsewhere in Chapter 129 or Chapter 130 and cleaning unit operations associated with certain other specified source categories. Subsection (c)(1)(ii)(A) is revised to clarify the exception for aerospace coatings. The category is revised to "aerospace manufacturing and rework operations" as recommended by industry commentators and IRRC.

Subsection (c)(2) establishes that the VOC emission limitations of subsection (e) do not apply to the use or application of an industrial cleaning solvent by the owner or operator of a cleaning unit operation at a facility subject to subsection (a) that uses or applies an industrial cleaning solvent subject to a standard or specification required by a Federal government entity or that uses or applies an industrial cleaning solvent associated with the cleaning of screen printing equipment when the as applied industrial cleaning solvent VOC content is 4.2 lb VOC/gal (500 g VOC/l) of industrial cleaning solvent or less. This subsection is amended so as not to identify the industrial cleaning solvents as "noncomplying" in response to comments from the EPA and IRRC.

Subsection (c)(3) establishes that the VOC emission limitations of subsection (e) and the work practice requirements of subsection (f) do not apply to the owner or operator of a facility subject to subsection (a) if the total combined actual VOC emissions from all subject cleaning unit operations at the facility are less than 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls. These owners and operators are subject to the recordkeeping and reporting requirements of subsection (h). Revisions were not made in this final-form rulemaking to subsection (c)(3).

With regard to the exceptions and exemptions of subsection (c), the Board requested comment in the proposed preamble on the need to establish an exemption for the use and application of an industrial cleaning solvent subject to a standard or specification required by a plastic



recycling operation. Comments were not received and revisions were not made to this final-form rulemaking.

Subsection (d) establishes that the requirements of this section supersede the requirements of a RACT permit issued to the owner or operator of a cleaning unit operation subject to this section prior to August 11, 2018, under §§ 129.91—129.95 (relating to stationary sources of NO<sub>x</sub> and VOCs) to control, reduce or minimize VOCs from cleaning unit operation cleaning activities at the facility, except to the extent the RACT permit contains more stringent requirements.

Subsection (e) establishes that, beginning August 11, 2018, the owner or operator of a facility at which the total combined actual VOC emissions from all subject cleaning unit operations at the facility are equal to or greater than 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls, may not cause or permit the emission into the outdoor atmosphere of VOCs from an industrial cleaning solvent used or applied in a cleaning unit operation subject to this section at the facility, unless the industrial cleaning solvent meets one of the two specified emissions limitation options. The first emissions limitation option is to use an industrial cleaning solvent with either a VOC content less than or equal to 0.42 lb VOC/gal (50 g VOC/l) as applied or a VOC composite vapor pressure less than or equal to 8 millimeters mercury (mmHg) at 68°F (20°C) as applied. The second emissions limitation option is to use a VOC emissions capture system and an add-on air pollution control device that is acceptable under § 129.51(a) to reduce the weight of VOCs emitted to the atmosphere from cleaning unit operation cleaning activities. The overall emission reduction of a control system, as determined by the test methods and procedures specified in Chapter 139 (relating to sampling and testing), may not be less than 85% or may not be less than the equivalent efficiency as calculated by the specified equation, whichever is less stringent. As with all RACT regulations, an owner or operator with VOC emissions at or above the threshold to implement the VOC emission control measures remains subject to the VOC emission control requirements of § 129.63a even if the VOC emissions from the affected sources fall below the emissions threshold for implementation of the VOC emission control measures.

Subsection (e) establishes the emissions threshold of 2.7 tons (2,455 kilograms) of VOC per 12-month rolling period, before consideration of controls, for consistency with other SIP-approved regulations in Chapter 129 and with SIP-approved requirements in other states. Emission levels at, above and below this threshold will determine with which other specified requirements a subject facility owner or operator shall comply, including VOC emission limitations, work practice requirements, and recordkeeping and reporting requirements. The emission of 2.7 tons (2,455 kilograms) of VOCs per 12-month rolling period is equivalent to an average daily emission rate of 15 pounds (6.8 kilograms) per day, which is equivalent to the evaporation of approximately 2 gallons of industrial cleaning solvent per day. The Board requested comment on whether the emissions threshold should be established at 15 pounds (6.8 kilograms) of VOC per day as recommended by the 2006 ICS CTG. Comments were not received regarding the 15 pounds (6.8 kilograms) of VOC per day threshold. The Board received a comment supporting the proposed 2.7 tons of VOC per 12-month rolling period. The emissions threshold of 2.7 tons (2,455 kilograms) per 12-month rolling period provides greater flexibility for small businesses by providing the opportunity to average subject emissions over 12 months by

adding the most recent month of data to the 12-month rolling period and dropping the oldest month of data. An affected owner or operator with 1 day or more of VOC emissions higher than 15 pounds (6.8 kilograms) may average those emissions over the month and the 12-month rolling period to maintain an emission rate below the 2.7 tons (2,455 kilograms) per 12-month rolling period and thereby not be required to implement the VOC emission control measures. If the threshold for implementing the VOC emission controls were 15 pounds (6.8 kilograms) per day, an affected owner or operator with just 1 day of 15 pounds (6.8 kilograms) or more of emissions would be required to implement the VOC emission control measures, regardless of whether the level of emissions on the other days of operation was consistently below the 15 pounds (6.8 kilograms) per day.

Subsection (f) establishes work practice requirements for industrial cleaning solvents, used shop towels and waste materials.

Subsection (g) establishes requirements for affected owners and operators to demonstrate compliance.

Subsection (h) establishes recordkeeping and reporting requirements.

Subsection (i) establishes procedures for determining the composite vapor pressure of organic compounds in cleaning unit operation industrial cleaning solvents.

Subsection (j) establishes procedures for determining the vapor pressure of each single component compound in a cleaning unit operation industrial cleaning solvent.

Subsection (k) establishes ASTM method references.

Revisions were not made in this final-form rulemaking to subsections (a) and (d)—(k).

#### § 129.73. *Aerospace manufacturing and rework*

Table II (relating to allowable content of VOCs in aerospace coatings) is amended to correct a numbering error as published at 29 Pa.B. 1879 (April 10, 1999). The coating type “high-temperature coating” was incorrectly numbered as (20)(a) and is renumbered as (21). The succeeding coating types are renumbered accordingly. The redundant phrase “allowable VOC content” is deleted from the heading of Table II. Revisions were not made in this final-form rulemaking to Table II.

#### § 129.96. *Applicability*

Subsections (a) and (b) are revised to address comments from the EPA and IRRC that the proposed amendments to this section created an issue with respect to retroactive applicability. Subsection (a) is revised to clarify that the owner or operator of a major NO<sub>x</sub> emitting facility or a major VOC emitting facility that was in existence on or before July 20, 2012, that is subject to a presumptive RACT requirement or presumptive RACT emission limitation under § 129.52d, § 129.52e or § 129.63a is also subject to §§ 129.96—129.100 and had to comply with the applicable provisions by January 1, 2017.

Subsection (b) is revised to clarify that §§ 129.96—129.100 do not apply to the owner or operator of a NO<sub>x</sub> emitting facility or a VOC emitting facility when the installation of a new source or a modification or change in operation of an existing source after July 20, 2012, results in the source or facility meeting the definition of a major NO<sub>x</sub> emitting facility or a major VOC emitting facility and for which a presumptive RACT requirement or a presumptive RACT emission limitation has been established under § 129.52d, § 129.52e, § 129.63a or § 129.74.

§ 129.97. *Presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule*

§ 129.99. *Alternative RACT proposal and petition for alternative compliance schedule*

§ 129.100. *Compliance demonstration and recordkeeping requirements*

Sections 129.97(k)(1)(ii) and 129.99(i)(1)(ii) (relating to presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule; and alternative RACT proposal and petition for alternative compliance schedule) are amended to add “or major VOC emitting facility” for clarity. An owner or operator of a source that meets the definition of a major NO<sub>x</sub> emitting facility, who seeks an alternative compliance schedule under either of these sections, shall submit a petition requesting an alternative compliance schedule by the later of October 24, 2016, or 6 months after the date that the source meets the definition of a major NO<sub>x</sub> emitting facility. The same applies to an owner or operator of a major VOC emitting facility.

Section 129.100(a) (relating to compliance demonstration and recordkeeping requirements) is amended to add “RACT” in two places for clarity.

Revisions were not made in this final-form rulemaking to §§ 129.97, 129.99 and 129.100.

#### *F. Summary of Major Comments and Responses*

The Board approved publication of the proposed rulemaking at its meeting on March 21, 2017. The proposed rulemaking was published at 47 Pa.B. 3356 (June 17, 2017). Three public hearings were held on July 18, 19 and 20, 2017, in Norristown, Pittsburgh and Harrisburg, respectively. A 66-day public comment period closed on August 21, 2017. Public comments were received from seven public commentators, including the EPA. IRRC separately provided comments on the proposed rulemaking. The comments received on the proposed rulemaking are summarized as follows and are addressed in a comment and response document which is available from the Department.

#### *IRRC criteria*

IRRC commented that EPA Region III cited several concerns in its comments regarding § 129.63a and the proposed amendments to § 129.96. IRRC explained that, because the EPA’s comments relate to IRRC’s criteria regarding implementation, ambiguity, reasonableness and clarity, IRRC shared the EPA’s concerns and incorporated them into IRRC’s comments on the proposed rulemaking. IRRC commented that the Board should carefully review the EPA’s comments and work closely with the EPA to make the necessary revisions to bring this regulation into compliance with Federal requirements. IRRC indicated that it will consider the Board’s response to the EPA in making a final determination as to whether the final-form rulemaking is in the public interest. After the Department carefully considered the comments from IRRC and the EPA, as well as all other comments, and held discussions with EPA Region III, the Department revised this final-form rulemaking, as appropriate. The most significant EPA comments incorporated by IRRC are discussed as follows.

#### *Applicability*

The EPA commented that the emissions threshold at which a facility owner or operator becomes subject to the emissions limitations and work practice standards under

proposed § 129.63a(e) and (f), 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls, should be included in the general applicability provision, § 129.63a(a), for clarity and ease of implementation. After careful consideration, the Board decided not to move the emissions threshold to § 129.63a(a) because including it under the general applicability subsection could cause confusion. For instance, owners and operators of facilities with total VOC emissions below the 2.7 tons per 12-month rolling period emissions threshold, before consideration of controls, might only read § 129.63a(a) and incorrectly assume that no portion of § 129.63a applies to them. The Board retained the general applicability of § 129.63a(a) without revision.

#### *Exemptions and alternatives to § 129.63a*

Two commentators expressed concern that the exemption for “aerospace coatings” in § 129.63a(c)(1)(ii)(A) could be interpreted to limit the exemption to aerospace solvent cleaning activities associated with coatings only. The commentators asserted that the interpretation would be contrary to the EPA’s Aerospace CTG, the 2006 ICS CTG and the Pennsylvania aerospace regulation in § 129.73, and that it is not feasible to use low VOC or aqueous industrial cleaning solvents for all operations at their aerospace manufacturing and rework facilities. The commentators suggested that § 129.63a(c)(1)(ii)(A) be revised by changing the exemption category name from “aerospace coatings” to “aerospace manufacturing and rework operations.” IRRC also asked the Board to clarify and explain the reasonableness of exemptions and compliance options in the final-form rulemaking. Upon consideration of the commentators’ concerns, the Board revised the category name to “aerospace manufacturing and rework operations.” This revision clarifies that noncoating applications conducted during aerospace manufacturing and rework operations are exempt from this final-form rulemaking.

A commentator noted that § 129.63a(c) should include a specific categorical exemption to exclude emission sources that have previously proposed or established RACT in accordance with the alternative RACT requirements of §§ 129.96—129.100. IRRC also asked the Board to clarify and explain the reasonableness of exemptions and compliance options in the final-form rulemaking. The EPA 2006 ICS CTG does not provide for a categorical exemption or alternative RACT approach in a state’s regulations for control of VOC emissions from industrial cleaning solvents. For this reason, this final-form rulemaking was not revised. Further, the commentator’s battery cleaning operations fit under the exempted category of electrical and electronic components in § 129.63a(c)(1)(ii)(Z).

A commentator noted that it is technically infeasible to use an alternative non-VOC or low-VOC content industrial cleaning solvent as a wiping solution for battery cleaning operations. IRRC asked the Board to clarify and explain the reasonableness of exemptions and compliance options in the final-form rulemaking. Upon consideration of the commentators’ concerns, the Board did not revise this final-form rulemaking. The assertion of technical infeasibility of using alternative solvent wiping solutions in battery cleaning operations is already addressed by the exemption of electrical and electronic components, which includes battery manufacturing, in § 129.63a(c)(1)(ii)(Z).

A commentator noted that an alternative compliance option should be included under § 129.63a(e) to allow facilities to propose alternative RACT conditions to the Department in accordance with §§ 129.96—129.100. The

commentator further noted that it is technically infeasible to use alternative non-VOC or low-VOC content industrial cleaning solvent as solvent wiping solutions in battery cleaning operations and that the installation of a VOC emissions capture system and add-on pollution control device is not cost effective. The commentator noted that a “case-by-case” compliance option should be allowed for facilities that cannot meet the available compliance options due to the technical infeasibility of alternative materials or the cost infeasibility of add-on capture and control systems. IRRC also asked the Board to clarify and explain the reasonableness of exemptions and compliance options in the final-form rulemaking.

RACT requirements and RACT emissions limitations in the proposed rulemaking were consistent with the recommendations in the 2006 ICS CTG, which includes an Alternative Composite Vapor Pressure Limit compliance option, in which the EPA recommends inclusion of a composite vapor pressure limit of 8 mmHg at 68°F (20°C) either as a replacement for the recommended 50 grams per liter (g/l) VOC content limit entirely, or as an alternative limit that may be used in place of the recommended 50 g/l VOC content limit for specific operations as determined by the state or local agency. The 2006 ICS CTG does not provide for other alternative compliance options and therefore revisions were not made in this final-form rulemaking.

The EPA commented that the Department must further justify the exceptions in § 129.63a(c)(2) because the exceptions did not follow the EPA’s recommendations in the 2006 ICS CTG. In response, the Board clarified § 129.63a(c)(2) by deleting “noncomplying.” The EPA also requested “further justification” for the exceptions.

The exceptions in this final-form rulemaking are consistent with the EPA’s 2006 ICS CTG. The requested further justification is as follows:

*Federal agency requirements.* Major sources of VOC falling under the exception in § 129.63a(c)(2)(i) for the use or application of industrial cleaning solvent subject to a standard or specification required by the United States Department of Defense, the Federal Aviation Administration or other Federal government entity, are still required to meet RACT under §§ 129.96—129.100. The Board created the exception pertaining to Federal agency requirements because it determined that meeting the VOC requirements in this final-form rulemaking may not be technically feasible or reasonable when operations shall use a particular solvent specified by Federal agencies that are acting to protect public health or safety. The EPA approved exceptions for industrial cleaning solvent operations in New Hampshire and Connecticut based on similar reasoning. Consequently, the Board retained this exception in this final-form rulemaking.

*Screen printing.* Screen printing technology in this Commonwealth is not different from screen printing technology in other states. The Department reviewed Connecticut’s screen printing industrial cleaning solvents rule because the EPA previously advised other states to review Connecticut’s industrial cleaning solvent standards regarding RACT for screen printing operations. The EPA approved SIP revisions for other states, including Ohio and Indiana, which also incorporated the Connecticut industrial cleaning solvent standards for screen printing operations. The EPA approved the same RACT standard for New Jersey in 2017. During the public comment period, Specialty Graphic Imaging Association agreed that the Board’s exception and alternate VOC content of 4.2 lb/gallon as applied constitutes RACT for the industry.

Based on recommendations and approvals made by the EPA, and the comments provided by the Specialty Graphic Imaging Association, the Board finalized the exception for the use or application of industrial cleaning solvent associated with the cleaning of screen printing equipment. The Board did not revise the exception in this final-form rulemaking.

#### *Definitions*

The EPA expressed concern that the definition of “industrial cleaning solvent” in § 129.63a(b) is poorly worded and should be revised to be consistent with the 2006 ICS CTG. The EPA recommended that the Department consider Georgia’s definition of “industrial cleaning solvent” and page 3-1 of the 2006 ICS CTG that includes a more detailed discussion for each activity. Upon consideration of the commentator’s concern, the Department reviewed Georgia’s definition as well as other states’ definitions. As a result, the final-form definition is revised as follows: “[a] product formulated with one or more regulated VOCs that is used in a cleaning activity for a cleaning unit operation.”

The EPA recommended adding a description or definition for each of the cleaning activities that is listed in the definition of “cleaning unit operation,” consistent with Appendix C of the 2006 ICS CTG. This final-form rulemaking adds a description for each of the cleaning activities. Descriptions of cleaning activities are consistent with the descriptions of those cleaning activities in Appendix C of the 2006 ICS CTG. The cleaning activities “large manufactured components cleaning” and “small manufactured components cleaning” have been combined in this final-form rulemaking as one cleaning activity—“manufactured components cleaning.” This revision is made to streamline the compliance and enforcement of the activity “manufactured components cleaning” because “large” and “small” may be subjective and ambiguous to the regulated community. The EPA did not provide a precise measure in the 2006 ICS CTG to differentiate between a large manufactured component and a small manufactured component. See page C-8 of the 2006 ICS CTG.

#### *Recordkeeping and monitoring*

The EPA recommended moving the provisions in § 129.63a(h), regarding the method to estimate the composite vapor pressure, from the recordkeeping requirements portion of this section to the compliance demonstration requirements in § 129.63a(g) to have all the compliance requirements together.

The methods to estimate composite vapor pressure were specified in proposed § 129.63a(i) and (j). They are not compliance demonstration requirements; rather, they are methods to follow to meet the compliance demonstration requirements of subsection (g). For this reason, proposed subsections (i) and (j) were incorporated into the compliance demonstration requirements of subsection (g) by cross-reference in subsection (g)(3). Consequently, revisions were not made in this final-form rulemaking.

The EPA commented that the Department should provide specific monitoring requirements for the operation of a capture system and add-on air pollution control device to ensure adequate compliance with the control requirements in § 129.63a(e)(2). This final-form rulemaking was not revised to provide specific monitoring requirements for the operation of a capture system and add-on air pollution control device because the monitoring requirements are determined on a case-by-case basis during the permitting process. Adequate standards already exist in the Department’s regulations to guide this determination.

*Retroactive applicability issues of § 129.96*

The EPA commented that the proposed amendments to § 129.96(a) to add §§ 129.52d, 129.52e and 129.74 would not retroactively relieve affected VOC sources subject to § 129.52d, § 129.52e or § 129.74 from the requirements of the RACT 2 regulations, which required sources subject to § 129.96(a) to comply with any applicable provisions by January 1, 2017. The Board deletes the proposed amendment to add §§ 129.52d and 129.52e in § 129.96(a). However, the Board notes that there is not a retroactive applicability issue with respect to existing sources subject to § 129.74, because the compliance deadline for that regulation was December 19, 2015. See § 129.74(e). Moreover, the EPA approved § 129.74 as a revision to the Commonwealth's SIP on August 17, 2016, and the regulation meets RACT requirements for sources covered by the EPA's CTG for fiberglass boat manufacturing materials. See 81 FR 54742 (August 17, 2016). Therefore, existing sources under § 129.74 were not subject to §§ 129.96—129.100. As a result, the Board amended § 129.96(a) to add § 129.74.

The EPA commented that the proposed amendments to § 129.96(b) are appropriate for VOC sources subject to §§ 129.52d, 129.52e and 129.74 that become subject to §§ 129.96—129.100 in the future. Section 129.96(b) is amended to add cross-references to §§ 129.52d, 129.52e and 129.74.

The EPA commented that the Department must clarify the RACT level of control that would apply to VOC sources subject to these different sets of RACT requirements, specifying one set of requirements as RACT. Because the Department is required under § 129.99 to act on each RACT proposal received under the RACT 2 regulations, the Department should determine RACT on a case-by-case basis for these affected sources when acting on the individual proposals. The Department should make source-specific RACT determinations for each affected source in light of all applicable control requirements, including CTG RACT requirements such as those in §§ 129.52d, 129.52e and 129.74. Further, the Department must require RACT controls for these sources that are no less stringent than the EPA's corresponding CTG RACT requirements for these source-specific RACT determinations to be approvable into the SIP. To clarify as requested, the RACT level of control that would apply to VOC sources subject to either the RACT 2 regulations or any CTG regulation would be the more stringent set of requirements.

The EPA commented that in describing the amendments to § 129.96, the preamble of the proposed rulemaking did not list § 129.63a as a regulation to be excluded. If the Department's intention is to exclude CTG RACT sources from the RACT 2 regulations, then the Department should clearly state that in the preamble to the final-form rulemaking and include § 129.63a. Proposed § 129.96(a) included § 129.63a in the range of §§ 129.54—129.69. To address the concern raised by the EPA of retroactively relieving affected sources subject to § 129.63a from the applicability of §§ 129.96—129.100, final-form § 129.96(a) is revised to exclude § 129.63a. Further, § 129.96(b) includes § 129.63a in the range of §§ 129.54—129.69 for affected sources that become subject to §§ 129.96—129.100 in the future.

*G. Benefits, Costs and Compliance**Benefits*

The Board estimates that the owners and operators of as many as 576 facilities across this Commonwealth may

potentially be subject to § 129.63a, of which as many as 253 may meet the definition of "small business" as defined in section 3 of the Regulatory Review Act. It is possible that far fewer than 576 facility owners and operators will be subject to this section, depending on whether the VOC emissions are from a cleaning unit operation subject to an existing regulation in Chapter 129 or Chapter 130, or qualify for an exemption under § 129.63a(c).

Using data from the 2002 National Emissions Inventory database, the EPA provides in the 2006 ICS CTG that of the total VOC emissions from solvent cleaning operations Nationally (64,000 megagrams per year (Mg/yr) 71,000 tons per year (tpy)), approximately 4,000 Mg/yr (4,400 tpy), were from degreasing operations that use industrial cleaning solvents. The Department regulates the VOC emissions from degreasing operations under § 129.63. The remaining 60,000 Mg/yr (66,600 tpy) were from the other solvent cleaning activities that are the subject of § 129.63a. Therefore, of the total VOC emissions from solvent cleaning operations of 71,000 tpy, approximately 6% of those emissions were from degreasing operations and approximately 94% were from other industrial cleaning solvent cleaning activities.

The EPA estimated that there are 166 facilities in this Commonwealth that will be affected by the recommended 2006 ICS CTG control measures, with baseline total emissions of VOC of 3,660 Mg/yr. The 3,660 Mg/yr converts to 4,034 tpy. Prorating this amount of emissions to the Board's estimated group of 576 potentially affected facility owners and operators projects total VOC emissions of as much as 13,997 tpy (576 facilities/X tpy = 166 facilities/4,034 tpy) if the VOC emissions from subject cleaning activities are not already controlled. Of the total projected VOC emissions of 13,997 tpy from the potentially affected group of 576 facility owners and operators, as much as 13,157 tpy (13,997 tpy × 94%) may be from the other solvent cleaning activities addressed by § 129.63a.

The EPA assumed that the average solvent density of uncontrolled solvent is 900 g/l of solvent. The EPA-recommended control limit is 50 g/l. Solvent is considered to be 100% VOC. Reducing the VOC content of industrial cleaning solvent allowed to be used in subject cleaning activities from 900 g/l to 50 g/l would be a reduction of approximately 95% or 95% control efficiency ( $((900 \text{ g/l} - 50 \text{ g/l}) / 900 \text{ g/l}) \times 100 = 95\%$ ).

The Department estimated the maximum amount of potential VOC emission reductions that may be generated through implementation of the control measures in § 129.63a by using the EPA's control efficiency of 95% times the estimated projected amount of total VOC emissions of 13,157 tpy. The estimated amount of VOC emission reductions from the potentially affected 576 facility owners and operators, including small businesses, could be as much as 12,499 tpy (13,157 tpy × 95%). The estimated average amount of potential VOC emission reductions per affected owner and operator could be approximately 22 tpy per affected facility (12,499 tpy/576 facilities). The amount of VOC emission reductions achieved by implementing these control measures could be less depending on the level of compliance already demonstrated by the affected facility owners and operators.

The Statewide implementation of the VOC emission control measures in § 129.63a will benefit the health and welfare of the approximately 12.77 million residents and the numerous animals, crops, ecosystems and natural

areas of this Commonwealth by reducing emissions of VOCs, which are precursors to the formation of ground-level ozone air pollution. Exposure to high concentrations of ground-level ozone is a serious human and animal health and welfare threat, causing respiratory illnesses and decreased lung function as well as other adverse health effects leading to a lower quality of life. Reduced ambient concentrations of ground-level ozone will reduce the incidences of hospital admissions for respiratory ailments including asthma and improve the quality of life for citizens overall. While children, the elderly and those with respiratory problems are most at risk, even healthy individuals may experience increased respiratory ailments and other symptoms when they are exposed to high levels of ambient ground-level ozone while engaged in activities that involve physical exertion. High levels of ground-level ozone affect animals, including pets, livestock and wildlife, in ways similar to humans.

In addition to causing adverse human and animal health effects, the EPA has concluded that high levels of ground-level ozone affect vegetation and ecosystems leading to: reductions in agricultural crop and commercial forest yields by destroying chlorophyll; reduced growth and survivability of tree seedlings; and increased plant susceptibility to disease, pests and other environmental stresses, including harsh weather. In long-lived species, these effects may become evident only after several years or even decades and have the potential for long-term adverse impacts on forest ecosystems. Ozone damage to the foliage of trees and other plants can decrease the aesthetic value of ornamental species used in residential landscaping, as well as the natural beauty of parks and recreation areas.

The economic value of some welfare losses due to high concentrations of ground-level ozone can be calculated, such as crop yield loss from soybeans due to decreased seed production and reduced size and quality of seeds and from visible injury to some leaf crops, including lettuce, spinach and tobacco, as well as visible injury to ornamental plants, including grass, flowers and shrubs. Other types of welfare loss may not be quantifiable, such as the reduced aesthetic value of trees growing in heavily visited parks. This Commonwealth's 59,000 farm families are the stewards of more than 7.7 million acres of farmland, with \$7.5 billion in cash receipts annually from production agriculture. In addition to production agriculture, the industry also raises revenue and supplies jobs through support services such as food processing, marketing, transportation and farm equipment. In total, production agriculture and agribusiness contributes nearly \$75 billion to the economy in this Commonwealth. Source: Department of Agriculture.

The Department of Conservation and Natural Resources (DCNR) is the steward of State-owned forests and parks. DCNR awards millions of dollars in construction contracts each year to build and maintain the facilities in State parks and forests. Timber sales on State forest lands contribute to the \$5 billion-a-year timber industry. Hundreds of concessions throughout the State park system help complete the park experience for visitors from this Commonwealth and outside of this Commonwealth. Source: DCNR. Further, this Commonwealth leads the Nation in growing volume of hardwood species, with 17 million acres in forest land. As the leading producer of hardwood lumber in the United States, this Commonwealth also leads in the export of hardwood lumber, exporting nearly \$800 million annually in lumber, logs, furniture products and paper products to more than 70 countries around the world. Recent United States Forest

Service data show that the forest growth-to-harvest rate in this Commonwealth is better than 2 to 1. This vast renewable resource puts the hardwoods industry at the forefront of manufacturing in this Commonwealth. Through 2006, the total annual direct economic impact generated by the wood industry in this Commonwealth was \$18.4 billion. The industry employed 128,000 people, with \$4.7 billion in wages and salaries earned. Production was 1.1 billion board feet of lumber annually. Source: Strauss, Lord, Powell; Pennsylvania State University, June 2007, cited in Pennsylvania Hardwoods Development Council Biennial Report, 2009-2010.

Through deposition, ground-level ozone also contributes to pollution in the Chesapeake Bay. These effects can have adverse impacts including loss of species diversity and changes to habitat quality and water and nutrient cycles. High levels of ground-level ozone can also cause damage to buildings and synthetic fibers, including nylon, and reduced visibility on roadways and in natural areas. The reduction of ground-level ozone air pollution concentrations directly benefits the human and animal populations in this Commonwealth with improved ambient air quality and healthier environments. The agriculture and timber industries and related businesses benefit directly from reduced economic losses that result from damage to crops and timber. Likewise, the natural areas and infrastructure in this Commonwealth and downwind benefit directly from reduced environmental damage and economic losses.

The Statewide implementation of the control measures in § 129.63a will assist the Department in reducing VOC emissions from the specified industrial cleaning solvents activities locally and reducing the resultant local formation of ground-level ozone and transport of VOC emissions and ground-level ozone to downwind states. Statewide implementation will also facilitate enforcement of § 129.63a in this Commonwealth. The measures in § 129.63a are reasonably necessary to attain and maintain the health-based and welfare-based 8-hour ozone NAAQS and to satisfy related CAA requirements in this Commonwealth.

Section 129.63a may create economic opportunities for VOC emission control technology innovators, manufacturers and distributors through an increased demand for new or improved equipment. In addition, the owners and operators of regulated facilities may elect to install and operate an emissions monitoring system or equipment necessary for an emissions monitoring method to comply with § 129.63a, thereby creating an economic opportunity for the emissions monitoring industry.

The amendments to §§ 121.1, 129.51, 129.73, 129.96, 129.97, 129.99 and 129.100 are clarifying amendments only. These amendments do not change the social or environmental impact of these sections on the health and welfare of the residents and the ecosystems and natural areas of this Commonwealth or the regulated community. The benefit of these amendments is improved clarity.

#### *Compliance costs*

Using the EPA cost number of \$1,453 as the baseline for annual operating costs and the cost range of \$1,171 to \$1,480 to implement the recommended control measures in § 129.63a, the estimated combined total economic impact for the owners and operators of the estimated 576 potentially affected facilities, including small businesses, ranges from annual costs of as low as \$15,552 to total annual savings of \$162,432. The annual financial impact on potentially affected facility owners and operators could

range from an average savings of \$282 per affected facility owner and operator to an average cost of \$27 per affected facility owner and operator. The cost effectiveness could range from a savings of approximately \$12.99 per ton of VOC emissions reduced per year (\$162,432 total savings/12,499 tons of total VOC emissions reduced per year) to a cost of approximately \$1.24 per ton of VOC emissions reduced per year (\$15,552 costs/12,499).

The monetized health benefits to residents in this Commonwealth and the economic benefits to agricultural, hardwoods and tourism industries in this Commonwealth as a result of attaining and maintaining the ground-level 8-hour ozone NAAQS, achieved in part through reduced emissions of ozone precursors from the use of compliant industrial cleaning solvents in this Commonwealth, are considerable in comparison to the costs that may be incurred by the owners and operators of potentially subject facilities to comply with § 129.63a. The EPA estimated the monetized health benefits of attaining the 2008 and 2015 ozone NAAQS. The EPA estimated that the monetized health benefits of attaining the 2008 8-hour ozone NAAQS range from \$8.3 billion to \$18 billion on a National basis by 2020. See Regulatory Impact Analysis; Final National Ambient Air Quality Standard for Ozone (EPA, July 2011). Prorating that benefit to this Commonwealth, based on population, results in a public health benefit of \$337 million to \$732 million. Similarly, the EPA estimated that the monetized health benefits of attaining the 2015 8-hour ozone NAAQS range from \$1.5 billion to \$4.5 billion on a National basis by 2025. See Regulatory Impact Analysis of the Final Revisions to the National Ambient Air Quality Standards for Ground-Level Ozone (EPA-452/R-15-007, September 2015). Prorating that benefit to this Commonwealth, based on population, results in a public health benefit of \$63 million to \$189 million. The Board is not stating that these estimated monetized health benefits will all be the result of implementing the RACT measures in § 129.63a, but the EPA estimates are indicative of the benefits to residents in this Commonwealth of attaining and maintaining the 2008 and 2015 8-hour ozone NAAQS through the implementation of a variety of measures to control VOC emissions in the aggregate from different source categories.

The estimated combined total economic impact for the owners and operators of the 576 potentially affected facilities ranges from annual costs of \$15,552 to total annual savings of \$162,432. The worst-case scenario of annual costs of \$15,552 for the affected owners and operators is very small in comparison to the potential economic gains in public health and welfare to residents in this Commonwealth of attaining and maintaining the 8-hour ozone NAAQS. The estimated annual financial impact on potentially affected facility owners and operators, including small businesses, could range from an average annual savings of \$282 per affected facility owner and operator to an average annual cost of \$27 per affected facility owner and operator, again a very small financial impact on the regulated community in comparison to the potential economic gains in public health and welfare.

The Board expects that negative impacts on individuals, small businesses, labor communities and the regulated community will be minimal to none. The owner and operator of an affected facility will likely incur savings or, in the worst-case scenario, little-to-no cost to implement the requirements of § 129.63a. Common industrial cleaning solvents, such as Stoddard solvent, mineral spirits and other common solvents provided by suppliers, have

vapor pressures well below the 8 mmHg limit in § 129.63a. The owners and operators of potentially affected facilities, such as automobile repair garages and metal parts manufacturing facilities, as well as other common manufacturing facilities already using these materials, will likely not need to make any changes to their industrial cleaning solvent materials.

Because of the wide availability and lower cost (compared to the installation and operation of a VOC emissions capture system and an add-on air pollution control device) of compliant VOC content industrial cleaning solvent materials, these are generally used to reduce VOC emissions from industrial cleaning solvent activities. The Board expects the regulated industry in this Commonwealth to realize cost savings because low-VOC content industrial cleaning solvent materials are readily available at a cost that is lower than the high-VOC content industrial cleaning solvent materials they replace as a result of similar requirements already in effect in neighboring states.

The VOC emission limitations established by § 129.63a will not require the submission of applications for amendments to existing operating permits. These requirements will be incorporated as applicable requirements at the time of permit renewal, if less than 3 years remain in the permit term, as specified under § 127.463(c) (relating to operating permit revisions to incorporate applicable standards). If 3 years or more remain in the permit term, the requirements will be incorporated as applicable requirements in the permit within 18 months of the promulgation of the standards or regulations, as required under § 127.463(b). Most importantly, § 127.463(e) specifies that “[r]egardless of whether a revision is required under this section, the permittee shall meet the applicable standards or regulations promulgated under the Clean Air Act within the time frame required by standards or regulations.” Consequently, upon adoption, § 129.63a will apply to affected owners and operators irrespective of a modification to the operating permit.

The amendments to §§ 121.1, 129.51, 129.73, 129.96, 129.97, 129.99 and 129.100 are clarifying amendments only. These amendments will not change the financial impact of these sections on affected persons or the regulated community. The benefit of these amendments is improved clarity.

New legal, accounting or consulting procedures would not be required to comply with this final-form rule-making.

#### *Compliance assistance plan*

The Department plans to educate and assist the public and regulated community in understanding the requirements and how to comply with them. This will be accomplished through the Department's ongoing compliance assistance program. The Department will also work with the Small Business Assistance Program to aid the owners and operators of facilities less able to handle permitting matters with in-house staff.

#### *Paperwork requirements*

The owner and operator of a cleaning unit operation subject to § 129.63a is required to keep records of specified information for industrial cleaning solvent materials, as applicable, sufficient to demonstrate compliance with the applicable requirements of this section for the emission levels at, above and below the threshold of 2.7 tons (2,455 kilograms) of VOC emissions per 12-month rolling period, before consideration of controls. Demonstration of VOC emission levels at, above and below this

threshold determine with which other specified requirements a subject facility owner or operator needs to comply, including work practice requirements, compliance demonstration requirements and recordkeeping and reporting requirements. Section 129.63a establishes monthly recordkeeping requirements of specified parameters of industrial cleaning solvents, including VOC content and composite vapor pressure, for the owner and operator of an affected facility, regardless of the total amount of combined actual VOC emissions from subject industrial cleaning solvent unit operations at the facility. Records of operating parameters are required of the owner and operator of an affected facility if a VOC emissions capture system and an add-on air pollution control device are used to ensure compliance. Recordkeeping requirements are expected to be minimal for the affected facility owners and operators; the recordkeeping requirements for many affected facility owners and operators will likely be met by using the monthly purchase records and material safety data sheets that most facility owners and operators already keep for other purposes. Records shall be maintained onsite for 2 years, unless a longer period is required under Chapter 127 (relating to construction, modification, reactivation and operation of sources) or a plan approval, operating permit, consent decree or order issued by the Department. Records shall be submitted to the Department in an acceptable format upon receipt of a written request from the Department.

The amendments to §§ 121.1, 129.51, 129.73, 129.96, 129.97, 129.99 and 129.100 are clarifying amendments only. These amendments would likely not change the legal, accounting, consulting or recordkeeping and reporting impact of these sections on the regulated entities.

#### H. Pollution Prevention

The Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) established a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facility owners and operators that permanently achieve or move beyond compliance.

Statewide implementation of the VOC emission control measures in § 129.63a could generate reductions of as much as 12,499 tons of VOC emissions per 12-month rolling period from the potentially affected 576 facilities, depending on the level of compliance already demonstrated by the owners and operators of these facilities. These projected estimated reductions in VOC emissions and the subsequent reduced formation of ozone will help ensure that the owners and operators of regulated facilities, farms and agricultural enterprises, hardwoods and timber industries, and tourism-related businesses, and residents of labor communities and citizens and the environment of this Commonwealth experience the benefits of improved ground-level ozone air quality.

Commonwealth residents would also potentially benefit from improved groundwater quality through reduced quantities of VOCs and hazardous air pollutants (HAP) from low-VOC content and low-HAP content industrial cleaning solvent materials. Although § 129.63a is designed primarily to address ozone air quality, the reformulation of high-VOC content cleaning solvent materials

to low-VOC content cleaning solvent materials or substitution of low-VOC content cleaning solvent materials to meet the VOC content limits applicable to users may also result in reduction of HAP emissions, which are also a serious health threat. The reduced levels of high-VOC content and high-HAP content cleaning solvents will benefit groundwater quality through reduced loading on water treatment plants and in reduced quantities of high-VOC content and high-HAP content cleaning solvents leaching into the ground, streams and rivers.

Section 129.63a(e)(1) provides as one compliance option the use of compliant industrial cleaning solvent materials. Industrial cleaning solvent materials that are compliant with the proposed VOC content limit and composite vapor pressure limit are readily available to the owners and operators of all sizes of subject facilities. Section 129.63a(e)(2) provides flexibility in compliance through the second option of installing and operating a VOC emissions capture system and an add-on air pollution control device with an overall control efficiency of at least 85% or no less than the equivalent efficiency calculated using the specified equation.

This final-form rulemaking also provides flexibility to the owners and operators potentially affected by § 129.63a by amending § 129.51(a) to extend its applicability to the owner and operator of a coating operation subject to § 129.63a. Section 129.51(a) authorizes the owner or operator to achieve compliance through an alternative method, which would achieve VOC emission reductions equal to or greater than those achieved by compliance with the proposed control measures, by submitting the alternative method to the Department for review and approval in an applicable plan approval or operating permit, or both.

However, because of the wide availability and lower cost (compared to installation and operation of VOC emissions capture systems and add-on air pollution control devices) of compliant VOC content and composite vapor pressure cleaning solvent materials, compliant cleaning solvent materials are generally expected to be used by affected owners and operators to reduce VOC emissions from industrial cleaning solvent activities subject to § 129.63a.

The implementation of the work practices for the use and application of industrial cleaning solvent materials is expected to result in a net cost savings. The recommended work practices for industrial cleaning solvent activities should reduce the amounts of industrial cleaning solvent materials used by reducing the amounts that are lost to evaporation, spillage and waste.

The amendments to §§ 121.1, 129.51, 129.73, 129.96, 129.97, 129.99 and 129.100 are clarifying amendments only. These amendments would not change the pollution prevention impact of these sections.

#### I. Sunset Review

The Board is not establishing a sunset date for this final-form rulemaking, since it is needed for the Department to carry out its statutory authority. The Department will continue to closely monitor this final-form rulemaking for effectiveness and recommend updates to the Board as necessary.

#### J. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 31, 2017, the Department submitted a copy of the notice of proposed rulemaking, published at 47 Pa.B. 3356, to IRRC and the Chairper-

sons of the House and Senate Environmental Resources and Energy Committees for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on June 27, 2018, this final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on June 28, 2018, and approved this final-form rulemaking.

#### K. Findings

The Board finds that:

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

(2) At least a 60-day public comment period was provided as required by law and all comments were considered.

(3) This final-form rulemaking does not enlarge the purpose of the proposed rulemaking published at 47 Pa.B. 3356.

(4) These regulations are necessary and appropriate for administration and enforcement of the authorizing acts identified in Section C of this preamble.

(5) These regulations are reasonably necessary to attain and maintain the ozone NAAQS and to satisfy related CAA requirements.

#### L. Order

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

(a) The regulations of the Department, 25 Pa. Code Chapters 121 and 129, are amended by adding § 129.63a and amending §§ 121.1, 129.51, 129.73, 129.96, 129.97, 129.99 and 129.100 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

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

(c) The Chairperson of the Board shall submit this order and Annex A to IRRC and the House and Senate Committees as required by the Regulatory Review Act (71 P.S. §§ 745.1—745.14).

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

(e) This final-form rulemaking will be submitted to the EPA as an amendment to the Pennsylvania SIP.

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

PATRICK McDONNELL,  
Chairperson

(Editor's Note: See 48 Pa.B. 4189 (July 14, 2018) for IRRC's approval order.)

**Fiscal Note:** Fiscal Note 7-492 remains valid for the final adoption of the subject regulations.

### Annex A

## TITLE 25. ENVIRONMENTAL PROTECTION PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Subpart C. PROTECTION OF NATURAL RESOURCES

#### ARTICLE III. AIR RESOURCES

#### CHAPTER 121. GENERAL PROVISIONS

##### § 121.1. Definitions.

The definitions in section 3 of the act (35 P.S. § 4003) apply to this article. In addition, the following words and terms, when used in this article, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

*Cleaning solvent*—A liquid material used for hand-wipe, spray gun or flush cleaning. The term includes solutions that contain VOCs.

\* \* \* \* \*

#### CHAPTER 129. STANDARDS FOR SOURCES

##### SOURCES OF VOCs

##### § 129.51. General.

(a) *Equivalency.* Compliance with §§ 129.52, 129.52a, 129.52b, 129.52c, 129.52d, 129.52e, 129.54—129.63, 129.63a, 129.64—129.67, 129.67a, 129.67b, 129.68, 129.69, 129.71—129.73 and 129.77 may be achieved by alternative methods if all of the following exist:

(1) The alternative method is approved by the Department in an applicable plan approval or operating permit, or both.

(2) The resulting emissions are equal to or less than the emissions that would have been discharged by complying with the applicable emission limitation.

(3) Compliance by a method other than the use of a low VOC coating, adhesive, sealant, adhesive primer, sealant primer, surface preparation solvent, cleanup solvent, cleaning solution, fountain solution or ink which meets the applicable emission limitation in §§ 129.52, 129.52a, 129.52b, 129.52c, 129.52d, 129.52e, 129.63a, 129.67, 129.67a, 129.67b, 129.73 and 129.77 shall be determined on the basis of equal volumes of solids.

(4) Capture efficiency testing and emissions testing are conducted in accordance with methods approved by the EPA.

(5) Adequate records are maintained to ensure enforceability.

(6) The alternative compliance method is incorporated into a plan approval or operating permit, or both, reviewed by the EPA, including the use of an air cleaning device to comply with § 129.52, § 129.52a, § 129.52b, § 129.52c, § 129.52d, § 129.52e, § 129.63a, § 129.67, § 129.67a, § 129.67b, § 129.68(b)(2) and (c)(2), § 129.73 or § 129.77.

(b) *New source performance standards.* Sources covered by new source performance standards which are more stringent than those contained in this chapter shall comply with those standards in lieu of the standards in this chapter.



(c) *Demonstration of compliance.* Unless otherwise set forth in this chapter, test methods and procedures used to monitor compliance with the emission requirements of this section are those specified in Chapter 139 (relating to sampling and testing).

(d) *Records.* The owner or operator of a facility or source subject to one or more of the VOC emission limitations and control requirements in this chapter shall keep records to demonstrate compliance with the applicable limitation or control requirement.

(1) The records shall provide sufficient data and calculations to clearly demonstrate that the applicable emission limitation or control requirement is met. Data or information required to determine compliance with an applicable limitation shall be recorded and maintained in a time frame consistent with the averaging period of the standard.

(2) The records shall be maintained onsite for 2 years, unless a longer period is required by a plan approval or operating permit issued under Chapter 127 (relating to construction, modification, reactivation and operation of sources). The records shall be made available to the Department on request.

(e) *Demonstration of exempt status.* The owner or operator of a facility or source claiming that the facility or source is exempt from the VOC control provisions of this chapter shall maintain records that clearly demonstrate to the Department that the facility or source is not subject to the VOC emission limitations or control requirements of this chapter.

**§ 129.63a. Control of VOC emissions from industrial cleaning solvents.**

(a) *Applicability.* This section applies to the owner and the operator of a facility at which an industrial cleaning solvent is used or applied in a cleaning activity at a cleaning unit operation, a work production-related work area or a part, product, tool, machinery, equipment, vessel, floor or wall.

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

*Cleaning activity*—The use or application of an industrial cleaning solvent to remove a contaminant, such as an adhesive, ink, paint, dirt, soil, oil or grease, by wiping, flushing, brushing, soaking, dipping, spraying or a similar effort.

*Cleaning unit operation*—

(i) An operation at a facility that is a source of VOC emissions from a cleaning activity.

(ii) The term includes the following cleaning activities:

(A) Spray gun cleaning, including the spray gun, attached paint lines and other spray gun equipment used to apply a coating.

(B) Spray booth cleaning, including the interior surfaces of the booth and the equipment contained within the booth.

(C) Manufactured components cleaning as a step in a manufacturing process, including automobile bodies, furniture, sheet metal, glass windows, engine components, subassemblies, sheet metal panels, molded parts, electrical contacts, steel and copper components, tin-plated or silver-plated terminals, plastic parts, upholstered parts, circuit breaker cases, switch covers, threads and bolts.

(D) Parts cleaning, including applicator tips, brushes, machine parts, pumps, circuit boards, truck parts, engine blocks, gauges, cutoff steel, machined parts, tool dies, motors and assemblies, screws, oil guns, welded parts, bearings and filters.

(E) Equipment cleaning of a piece of production equipment in place to prevent cross-contamination or for maintenance purposes, including punch presses, electrical contacts on equipment, pump parts, packaging equipment, rollers, ink pans, carts, press frames and table tops.

(F) Line cleaning, including a pipe, hose or other line that conveys material like paint or resin, that is cleaned separately from a spray gun, tank or other process equipment.

(G) Floor cleaning in a production area of the facility.

(H) Tank cleaning, including a tank, mixing pot or process vessel and the attached lines.

(iii) The term does not include VOC emissions from the use or application of consumer products subject to Chapter 130, Subchapter B (relating to consumer products), including an institutional product or industrial and institutional product as defined in § 130.202 (relating to definitions) for cleaning offices, bathrooms or other areas that are not part of a cleaning unit operation or work production-related work area.

*Industrial cleaning solvent*—A product formulated with one or more regulated VOCs that is used in a cleaning activity for a cleaning unit operation.

*Regulated VOC*—An organic compound which participates in atmospheric photochemical reactions, that is, an organic compound other than those which the Administrator of the EPA designates in 40 CFR 51.100 (relating to definitions) as having negligible photochemical reactivity.

(c) *Exceptions and exemptions.*

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

(i) An owner or operator of a cleaning unit operation subject to § 129.63 (relating to degreasing operations) or 40 CFR Part 63, Subpart T (relating to National emission standards for halogenated solvent cleaning).

(ii) An owner or operator of a cleaning unit operation associated with a following category:

- (A) Aerospace manufacturing and rework operations.
- (B) Architectural coatings.
- (C) Automobile and light-duty truck assembly coatings.
- (D) Fabric coating.
- (E) Fiberglass boat manufacturing materials.
- (F) Flat wood paneling coatings.
- (G) Flexible packaging printing materials.
- (H) Graphic arts printing and coating operations.
- (I) Large appliance coatings.
- (J) Letterpress printing materials.
- (K) Lithographic printing materials.
- (L) Magnet wire coating operations.
- (M) Marine vessel coating.
- (N) Metal container, closure and coil coating.
- (O) Metal furniture coatings.
- (P) Miscellaneous metal parts coatings.

- (Q) Miscellaneous industrial adhesives.
- (R) Motor vehicle and mobile equipment coating operations.
- (S) Paper, film and foil coating.
- (T) Plastic parts coatings.
- (U) Polyester resin operations.
- (V) Semiconductor wafer fabrication operations.
- (W) Shipbuilding and repair coatings.
- (X) Wood furniture coatings.
- (Y) Wood products coating.
- (Z) Electrical and electronic components.
- (AA) Precision optics.
- (BB) Numismatic dies.
- (CC) Stripping of cured inks, coatings and adhesives.
- (DD) Cleaning of resin, coating, ink or adhesive mixing, molding and application equipment.
- (EE) Resin, coating, ink and adhesive manufacturing.
- (FF) Performance or quality assurance testing of coatings, inks or adhesives.
- (GG) Flexible and rigid disc manufacturing.
- (HH) Research and development laboratories.
- (II) Medical device manufacturing.
- (JJ) Pharmaceutical manufacturing.
- (KK) Janitorial cleaning.
- (LL) Digital printing.

(2) The VOC emission limitations in subsection (e) do not apply to the use or application of an industrial cleaning solvent by the owner or operator of a cleaning unit operation at a facility subject to subsection (a) under either of the following circumstances:

(i) The use or application of the industrial cleaning solvent is subject to a standard or specification required by the United States Department of Defense, Federal Aviation Administration or other Federal government entity. An owner or operator claiming this exemption shall maintain records in accordance with subsection (h)(2).

(ii) The use or application of the industrial cleaning solvent is associated with the cleaning of screen printing equipment and the industrial cleaning solvent used or applied has an as applied VOC content that does not exceed 4.2 pounds of VOC per gallon (lb VOC/gal) (500 grams of VOC per liter (g VOC/l)) of industrial cleaning solvent. An owner or operator claiming this exemption shall maintain records in accordance with subsection (h)(3).

(3) The VOC emission limitations in subsection (e) and the work practice requirements in subsection (f) do not apply to the owner or operator of a facility subject to subsection (a) if the total combined actual VOC emissions from all subject cleaning unit operations at the facility are less than 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls. An owner or operator claiming this exemption shall maintain records in accordance with subsection (h)(4).

(d) *Existing RACT permit.* The requirements of this section supersede the requirements of a RACT permit issued to the owner or operator of a cleaning unit operation subject to this section prior to August 11, 2018,

under §§ 129.91—129.95 (relating to stationary sources of NO<sub>x</sub> and VOCs) to control, reduce or minimize VOCs from cleaning unit operation cleaning activities at the facility, except to the extent the RACT permit contains more stringent requirements.

(e) *Emissions limitations.* Beginning August 11, 2018, the owner or operator of a facility at which the total combined actual VOC emissions from all subject cleaning unit operations at the facility are equal to or greater than 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls, may not cause or permit the emission into the outdoor atmosphere of VOCs from an industrial cleaning solvent used or applied in a cleaning unit operation subject to this section at the facility, unless one of the following limitations is met:

(1) *Compliant solvents.* The industrial cleaning solvent meets one of the following VOC limits:

(i) A VOC content less than or equal to 0.42 lb VOC/gal (50 g VOC/l) as applied.

(ii) A VOC composite vapor pressure less than or equal to 8 mm mercury at 68°F (20°C) as applied.

(2) *VOC emissions capture system and add-on air pollution control device.* The weight of VOCs emitted to the atmosphere from cleaning unit operation cleaning activities is reduced through the use of vapor recovery or incineration or another method that is acceptable under § 129.51(a) (relating to general). The overall emission reduction of a control system, as determined by the test methods and procedures specified in Chapter 139 (relating to sampling and testing), may be no less than 85% or may be no less than the equivalent efficiency as calculated by the following equation, whichever is less stringent:

$$O = (1 - E/V) \times 100$$

Where:

O = The overall required control efficiency.

E = 0.42 lb VOC/gal or 50 g VOC/l.

V = The VOC content of the industrial cleaning solvent in lb VOC/gal or g VOC/l.

(f) *Work practice requirements for industrial cleaning solvents, used shop towels and waste materials.* The owner or operator of a facility subject to subsection (e) shall comply with all of the following work practices for industrial cleaning solvents and shop towels used in the cleaning unit operation cleaning activity:

(1) Store all VOC-containing industrial cleaning solvents, used shop towels and related waste materials in closed containers.

(2) Ensure that mixing and storage containers used for VOC-containing industrial cleaning solvents and related waste materials are kept closed at all times except when depositing or removing these materials.

(3) Minimize spills of VOC-containing industrial cleaning solvents and related waste materials and clean up spills immediately.

(4) Convey VOC-containing industrial cleaning solvents and related waste materials from one location to another in closed containers or pipes.

(5) Minimize VOC emissions from cleaning of storage, mixing and conveying equipment.

(6) Minimize air circulation around cleaning unit operations.

(g) *Compliance demonstration.* The owner or operator of a cleaning unit operation subject to this section shall demonstrate compliance as follows:

(1) The owner or operator of a facility at which the total combined actual VOC emissions from all subject cleaning unit operations at the facility are equal to or greater than 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls, shall do either of the following:

(i) Ensure that industrial cleaning solvents used or applied in the subject cleaning unit operations at the facility meet the applicable emissions limitation in subsection (e)(1) and maintain records in accordance with subsection (h)(1)(i).

(ii) Use a VOC emissions capture system and an add-on air pollution control device that meets the VOC emission reduction requirement under subsection (e)(2), equip the add-on air pollution control device with the applicable monitoring equipment and maintain records in accordance with subsection (h)(1)(ii). All of the following apply:

(A) The monitoring equipment shall be installed, calibrated, operated and maintained according to manufacturer's specifications at all times when the add-on air pollution control device is operating.

(B) The add-on air pollution control device must be operating when the cleaning activity is occurring.

(2) The owner or operator of a cleaning unit operation subject to this section claiming exemption under:

(i) Subsection (c)(2)(i) shall maintain records in accordance with subsection (h)(2).

(ii) Subsection (c)(2)(ii) shall maintain records in accordance with subsection (h)(3).

(iii) Subsection (c)(3) shall maintain records in accordance with subsection (h)(4).

(3) The owner or operator of a cleaning unit operation subject to this section shall determine the VOC content of the industrial cleaning solvent as applied by conducting sampling and testing of the industrial cleaning solvent in accordance with the procedures and test methods specified in subsections (i) and (j) and Chapter 139.

(4) The owner or operator of a cleaning unit operation subject to paragraph (3) may use other test methods or documentation to demonstrate compliance with this section if approved in advance in writing by the Department and the EPA.

(h) *Recordkeeping and reporting requirements.* The owner or operator of a cleaning unit operation subject to this section shall comply with all of the following applicable recordkeeping and reporting requirements:

(1) The owner or operator of a facility at which the total combined actual VOC emissions from all subject cleaning unit operations at the facility are equal to or greater than 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls, shall maintain all of the applicable records:

(i) For an owner or operator that complies with this section by using a complying industrial cleaning solvent under subsection (e)(1), records of all of the following parameters for each cleaning unit operation industrial cleaning solvent:

(A) The name and identification number.

(B) The weight percent of total volatiles, water and exempt solvents, as supplied.

(C) The VOC content or composite vapor pressure, as supplied. The composite vapor pressure as supplied shall be determined in accordance with subsections (i) and (j).

(D) The VOC content or composite vapor pressure, as applied. The composite vapor pressure as applied shall be determined in accordance with subsections (i) and (j).

(E) The volume used or applied on a monthly basis.

(ii) For an owner or operator that complies with this section through the use of a VOC emissions capture system and an add-on air pollution control device under subsection (e)(2), records sufficient to demonstrate all of the following:

(A) Sampling and testing conducted in accordance with Chapter 139 as required under subsection (e)(2).

(B) Calibration, operation and maintenance of the monitoring equipment installed under subsection (g)(1)(ii) in accordance with manufacturer's specifications.

(2) The owner or operator of a cleaning unit operation claiming exemption under subsection (c)(2)(i) shall maintain records of all of the following information for the exempt industrial cleaning solvent:

(i) A copy of the applicable standard or specification.

(ii) The VOC content or composite vapor pressure, as applied. The composite vapor pressure as applied shall be determined in accordance with subsections (i) and (j).

(iii) The volume used or applied monthly.

(3) The owner or operator of a screen printing equipment cleaning unit operation claiming exemption under subsection (c)(2)(ii) shall maintain records of all of the following information for the screen printing equipment industrial cleaning solvent:

(i) The name and identification number.

(ii) The VOC content or composite vapor pressure, as applied. The composite vapor pressure as applied shall be determined in accordance with subsections (i) and (j).

(iii) The volume used or applied monthly.

(4) The owner or operator of a facility claiming exemption under subsection (c)(3) shall maintain monthly records of the industrial cleaning solvents used or applied at the subject cleaning unit operations sufficient to demonstrate that the total combined actual VOC emissions from all subject cleaning unit operations at the facility are less than 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls.

(5) Records shall be maintained onsite for 2 years, unless a longer period is required under Chapter 127 (relating to construction, modification, reactivation and operation of sources) or a plan approval, operating permit, consent decree or order issued by the Department.

(6) Records shall be submitted to the Department in an acceptable format upon receipt of a written request from the Department.

(i) *Composite vapor pressure.* The composite vapor pressure of organic compounds in cleaning unit operation industrial cleaning solvents shall be determined by one or more of the following procedures:

(1) Quantifying the amount of each compound in the blend using gas chromatographic analysis, using one or more of the following methods:

(i) An appropriate and current ASTM test method with prior written approval from the Department and the EPA.

(ii) Another test method demonstrated to provide results that are acceptable for purposes of determining compliance with this section if prior approval is obtained in writing from the Department and the EPA.

(2) Calculating the composite vapor pressure using the following equation:

$$Pp_c = \frac{\sum_{i=1}^n (W_i) (VP_i)/Mw_i}{W_w/Mw_w + \sum_{e=1}^k W_e/Mw_e + \sum_{i=1}^n W_i/Mw_i}$$

Where:

$Pp_c$  = VOC composite partial pressure at 20°C, in mm mercury.

$W_i$  = Weight of the "i"th VOC compound, in grams, as determined by ASTM E260.

$W_w$  = Weight of water, in grams, as determined by ASTM D3792.

$W_e$  = Weight of the "e"th exempt compound, in grams, as determined by ASTM E260.

$Mw_i$  = Molecular weight of the "i"th VOC compound, in grams per g-mole, as given in chemical reference literature.

$Mw_w$  = Molecular weight of water, 18 grams per g-mole.

$Mw_e$  = Molecular weight of the "e"th exempt compound, in grams per g-mole, as given in chemical reference literature.

$VP_i$  = Vapor pressure of the "i"th VOC compound at 20°C, in mm mercury, as determined by subsection (j).

(3) Providing documentation from the manufacturer of the industrial cleaning solvent that indicates the composite vapor pressure. The documentation may include an MSDS, CPDS or other data certified by the manufacturer.

(j) *Vapor pressure of single component compound.* The vapor pressure of each single component compound in a cleaning unit operation industrial cleaning solvent shall be determined from one or more of the following:

(1) An appropriate and current ASTM test method with prior written approval from the Department and the EPA.

(2) The most recent edition of one or more of the following sources:

(i) *Vapour Pressures of Pure Substances*, Boublik, Elsevier Scientific Publishing Company.

(ii) *Perry's Chemical Engineers' Handbook*, Green and Perry, McGraw-Hill Book Company.

(iii) *CRC Handbook of Chemistry and Physics*, CRC Press.

(iv) *Lange's Handbook of Chemistry*, McGraw-Hill Book Company.

(3) Documentation provided by the manufacturer of the single component compound that indicates the vapor pressure of the single component compound. The documentation may include an MSDS, CPDS or other data certified by the manufacturer.

(k) *ASTM method references.* References to ASTM methods in this section pertain to test methods developed by ASTM International, 100 Barr Harbor Drive, Post Office Box C700, West Conshohocken, Pennsylvania 19428-2959, www.astm.org.

#### § 129.73. Aerospace manufacturing and rework.

Except as provided in paragraph (1), this section applies to the manufacture or rework of commercial, civil or military aerospace vehicles or components at any facility which has the potential to emit 25 tons per year of VOCs or more.

(1) This section does not apply to cleaning and coating of aerospace components and vehicles as follows:

(i) At any source conducting research and development for the research and development activities.

(ii) For quality control and laboratory testing.

(iii) For production of electronic parts and assemblies (except for cleaning and coating of completed assemblies).

(iv) For rework operations performed on antique aerospace vehicles or components.

(2) Paragraph (3) does not apply to cleaning and coating of aerospace components and vehicles in the following circumstances:

(i) The use of touchup, aerosol and Department of Defense "classified" coatings.

(ii) The coating of space vehicles.

(iii) At facilities that use separate formulations in volumes less than 50 gallons per year to a maximum exemption of 200 gallons per year of all the coatings in aggregate for these formulations.

(3) Beginning April 10, 1999, a person may not apply to aerospace vehicles or components, aerospace specialty coatings, primers, topcoats and chemical milling maskants including VOC-containing materials added to the original coating supplied by the manufacturer, that contain VOCs in excess of the limits specified in Table II.

(i) Aerospace coatings that meet the definitions of the specific coatings in Table II shall meet those allowable coating VOC limits.

(ii) All other aerospace primers, aerospace topcoats and chemical milling maskants are subject to the general coating VOC limits for aerospace primers, aerospace topcoats and aerospace chemical milling maskants.

**TABLE II**  
**Allowable Content of VOCs in Aerospace Coatings**  
**Weight of VOC Per Volume of Coating (Minus Water and Exempt Solvents)**

<i>COATING TYPE</i>	<i>LIMIT</i>	
	<i>POUNDS PER GALLON</i>	<i>GRAMS PER LITER</i>
Specialty Coatings		
(1) Ablative Coating	5.0	600
(2) Adhesion Promoter	7.4	890
(3) Adhesive Bonding Primers:		
(a) Cured at 250°F or below	7.1	850
(b) Cured above 250°F	8.6	1,030
(4) Adhesives:		
(a) Commercial Interior Adhesive	6.3	760
(b) Cyanoacrylate Adhesive	8.5	1,020
(c) Fuel Tank Adhesive	5.2	620
(d) Nonstructural Adhesive	3.0	360
(e) Rocket Motor Bonding Adhesive	7.4	890
(f) Rubber-Based Adhesive	7.1	850
(g) Structural Autoclavable Adhesive	0.5	60
(h) Structural Nonautoclavable Adhesive	7.1	850
(5) Antichafe Coating	5.5	660
(6) Chemical Agent-Resistant Coating	4.6	550
(7) Clear Coating	6.0	720
(8) Commercial Exterior Aerodynamic Structure Primer	5.4	650
(9) Compatible Substrate Primer	6.5	780
(10) Corrosion Prevention Compound	5.9	710
(11) Cryogenic Flexible Primer	5.4	645
(12) Cryoprotective Coating	5.0	600
(13) Electric or Radiation-Effect Coating	6.7	800
(14) Electrostatic Discharge and Electromagnetic Interference (EMI) Coating	6.7	800
(15) Elevated Temperature Skydrol Resistant Commercial Primer	6.2	740
(16) Epoxy Polyamide Topcoat	5.5	660
(17) Fire-Resistant (Interior) Coating	6.7	800
(18) Flexible Primer	5.4	640
(19) Flight-Test Coatings:		
(a) Missile or Single Use Aircraft	3.5	420
(b) All Other	7.0	840
(20) Fuel-Tank Coating	6.0	720
(21) High-Temperature Coating	7.1	850
(22) Insulation Covering	6.2	740
(23) Intermediate Release Coating	6.2	750
(24) Lacquer	6.9	830
(25) Maskants:		
(a) Bonding Maskant	10.2	1,230
(b) Critical Use and Line Sealer Maskant	8.6	1,020
(c) Seal Coat Maskant	10.2	1,230
(26) Metallized Epoxy Coating	6.2	740
(27) Mold Release	6.5	780
(28) Optical Anti-Reflective Coating	6.2	750

COATING TYPE	LIMIT	
	POUNDS PER GALLON	GRAMS PER LITER
(29) Part Marking Coating	7.1	850
(30) Pretreatment Coating	6.5	780
(31) Rain Erosion-Resistant Coating	7.1	850
(32) Rocket Motor Nozzle Coating	5.5	660
(33) Scale Inhibitor	7.3	880
(34) Screen Print Ink	7.0	840
(35) Sealants:		
(a) Extrudable/Rollable/Brushable Sealant	2.0	240
(b) Sprayable Sealant	5.0	600
(36) Self-Priming Topcoat	3.5	420
(37) Silicone Insulation Material	7.1	850
(38) Solid Film Lubricant	7.3	880
(39) Specialized Function Coating	7.4	890
(40) Temporary Protective Coating	2.7	320
(41) Thermal Control Coating	6.7	800
(42) Wet Fastener Installation Coating	5.6	675
(43) Wing Coating	7.1	850
Aerospace Primers, Aerospace Topcoats and Aerospace Chemical Milling Maskants		
(1) Primers	2.9	350
(2) Topcoats	3.5	420
(3) Chemical Milling Maskants (Type I/II)	1.3	160

(4) The mass of VOC per combined volume of VOC and coating solids, less water and exempt compounds shall be calculated for each coating by the following equation:

\* \* \* \* \*

**ADDITIONAL RACT REQUIREMENTS FOR MAJOR SOURCES OF NO<sub>x</sub> AND VOCs**

**§ 129.96. Applicability.**

(a) The NO<sub>x</sub> requirements of this section and §§ 129.97—129.100 apply Statewide to the owner and operator of a major NO<sub>x</sub> emitting facility and the VOC requirements of this section and §§ 129.97—129.100 apply Statewide to the owner and operator of a major VOC emitting facility that were in existence on or before July 20, 2012, for which a requirement or emission limitation, or both, has not been established in §§ 129.51—129.52c, 129.54—129.63, 129.64—129.69, 129.71—129.75, 129.77, 129.101—129.107 and 129.301—129.310.

(b) The NO<sub>x</sub> requirements of this section and §§ 129.97—129.100 apply Statewide to the owner and operator of a NO<sub>x</sub> emitting facility and the VOC requirements of this section and §§ 129.97—129.100 apply Statewide to the owner and operator of a VOC emitting facility when the installation of a new source or a modification or change in operation of an existing source after July 20, 2012, results in the source or facility meeting the definition of a major NO<sub>x</sub> emitting facility or a major VOC emitting facility and for which a requirement or an emission limitation, or both, has not been established in §§ 129.51—129.52e, 129.54—129.69, 129.71—129.75, 129.77, 129.101—129.107 and 129.301—129.310.

(c) This section and §§ 129.97—129.100 do not apply to the owner and operator of a NO<sub>x</sub> air contamination source located at a major NO<sub>x</sub> emitting facility that has the

potential to emit less than 1 TPY of NO<sub>x</sub> or a VOC air contamination source located at a major VOC emitting facility that has the potential to emit less than 1 TPY of VOC.

(d) This section and §§ 129.97—129.100 do not apply to the owner and operator of a facility which is not a major NO<sub>x</sub> emitting facility or a major VOC emitting facility on or before January 1, 2017.

**§ 129.97. Presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule.**

\* \* \* \* \*

(k) The owner or operator of a major NO<sub>x</sub> emitting facility or a major VOC emitting facility subject to § 129.96 that includes an air contamination source subject to one or more of subsections (b)—(h) that cannot meet the applicable presumptive RACT requirement or RACT emission limitation without installation of an air cleaning device may submit a petition, in writing, requesting an alternative compliance schedule in accordance with the following:

(1) The written petition shall be submitted to the Department or appropriate approved local air pollution control agency as soon as possible but not later than:

(i) October 24, 2016, for a source subject to § 129.96(a).

(ii) October 24, 2016, or 6 months after the date that the source meets the definition of a major NO<sub>x</sub> emitting

facility or major VOC emitting facility, whichever is later, for a source subject to § 129.96(b).

\* \* \* \* \*

**§ 129.99. Alternative RACT proposal and petition for alternative compliance schedule.**

\* \* \* \* \*

(i) The owner and operator of a facility proposing to comply with the applicable RACT requirement or RACT emission limitation under subsection (a), (b) or (c) through the installation of an air cleaning device may submit a petition, in writing, requesting an alternative compliance schedule in accordance with the following:

(1) The written petition requesting an alternative compliance schedule shall be submitted to the Department or appropriate approved local air pollution control agency as soon as possible but not later than:

(i) October 24, 2016, for a source subject to § 129.96(a).

(ii) October 24, 2016, or 6 months after the date that the source meets the definition of a major NO<sub>x</sub> emitting

facility or major VOC emitting facility, whichever is later, for a source subject to § 129.96(b).

\* \* \* \* \*

**§ 129.100. Compliance demonstration and record-keeping requirements.**

(a) Except as provided in subsection (c), the owner and operator of an air contamination source subject to a NO<sub>x</sub> RACT requirement or RACT emission limitation or VOC RACT requirement or RACT emission limitation, or both, listed in § 129.97 (relating to presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule) shall demonstrate compliance with the applicable RACT requirement or RACT emission limitation by performing the following monitoring or testing procedures:

\* \* \* \* \*

[Pa.B. Doc. No. 18-1227. Filed for public inspection August 10, 2018, 9:00 a.m.]

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# PROPOSED RULEMAKING

## OFFICE OF ATTORNEY GENERAL

[ 37 PA. CODE CHS. 301 AND 311 ]

### Unfair Market Trade Practices; Automotive Industry Trade Practices; Advanced Notice of Proposed Rulemaking; Public Hearing

The Office of Attorney General (OAG) may promulgate regulations under the authority of section 3.1 of the Unfair Trade Practices and Consumer Protection Law (act) (73 P.S. § 201-3.1), regarding the statutory rulemaking authority of the OAG, and section 506 of The Administrative Code of 1929 (71 P.S. § 186), regarding general rulemaking authority. The OAG intends to amend Chapter 301 (relating to automotive industry trade practices) and add Chapter 311 (relating to unfair market trade practices).

The OAG enforces and administers the act. The OAG has long taken the policy position that unfair market trade practices, inclusive of anticompetitive conduct, constitute unfair methods of competition and unfair or deceptive acts or practices in violation of the act. Federal jurisprudence interpreting section 5 of the Federal Trade Commission Act (FTCA) (15 U.S.C.A. § 45), on which the act is based, has also held that unfair methods of competition and unfair or deceptive acts or practices include anticompetitive conduct. The United States Supreme Court has held that section 5 of the FTCA protects consumers from unfair competitive practices. *FTC v. Sperry & Hutchinson Co.*, 405 U.S. 233, 239 (1972). Rulings under the FTCA have held antitrust violations to constitute an unfair and deceptive practice. *FTC v. Indiana Fed'n of Dentists*, 476 U.S. 447, 454, 106 S. Ct. 2009, 2016, 90 L. Ed. 2d 445 (1986); *FTC v. National Lead Co.*, 352 U.S. 419, 428—30 (1957); *FTC v. Cement Inst.*, 333 U.S. 683, 688, 68 S. Ct. 793, 797, 92 L. Ed. 1010 (1948); and *Ciardi v. F. Hoffman-La Roche, Ltd.*, 762 N.E.2d 303 (Mass. 2002).

During and following a public hearing on Senate Bill 848 from the 2013-14 session before the Senate Judiciary Committee on June 25, 2013, members and bill opponents suggested that the proposed legislation would be redundant to the act and that the OAG should use the act to address the unfair market trade practices.

Under section 3.1 of the act, the OAG is scheduling a public hearing to receive comments on a proposed rulemaking under the act, so that comments may be considered as the OAG prepares the proposed rulemaking. The OAG will hold a public hearing for the purpose of accepting comments on the proposed rulemaking at 10 a.m. on September 11, 2018, in the Training Conference Room, 16th Floor, Strawberry Square, Harrisburg, PA 17120.

Individuals wishing to present testimony at the hearing shall, at least 1 week in advance of the hearing, notify Lisa Long, Office of Attorney General, 14th Floor, Strawberry Square, Harrisburg, PA 17120, (717) 787-4530. Oral testimony will be limited to 10 minutes for each witness. Witnesses shall submit three written copies of testimony at the hearing. Each organization shall designate one witness to present testimony on its behalf. A draft proposed rulemaking follows. Hard copies of the draft proposed rulemaking are also available by contacting Lisa Long, Office of Attorney General, 14th Floor, Strawberry Square, Harrisburg, PA 17120, (717) 787-4530.

Interested persons are also invited to submit written comments, objections or suggestions about this draft proposed rulemaking to the Antitrust Section, Office of Attorney General, Strawberry Square, 14th Floor, Harrisburg, PA 17120 within 30 days after publication of this notice of hearing in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted by e-mail to [antitrust@attorneygeneral.gov](mailto:antitrust@attorneygeneral.gov). If an acknowledgement of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate should contact Lisa Long at (717) 787-4530 to discuss how their needs may be accommodated.

JOSH SHAPIRO,  
*Attorney General*

#### Title 37—Law Office of Attorney General 37 Pa. Code Chs. 301 and 311

The Office of Attorney General (OAG), through its Public Protection Division, proposes to amend 37 Pa. Code by amending Chapter 301 (relating to automotive industry trade practices) and by adding a new Chapter 311 (relating to unfair market trade practices) to read as set forth in Annex A.

##### A. *Effective Date*

This draft proposed rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

##### B. *Contact Person*

For further information on the draft proposed rulemaking, the primary contact is Tracy W. Wertz, Chief Deputy Attorney General, Antitrust Section and the secondary contact is Joseph S. Betsko, Senior Deputy Attorney General, Antitrust Section, Pennsylvania Office of Attorney General, Strawberry Square, 14th Floor, Harrisburg, PA 17120, (717) 787-4530. This draft proposed rulemaking is available on the OAG website at [www.attorneygeneral.gov](http://www.attorneygeneral.gov).

##### C. *Statutory Authority*

This draft rulemaking is proposed under the authority of section 3.1 of the Unfair Trade Practices and Consumer Protection Law (act) (73 P.S. § 201-3.1), regarding the statutory rulemaking authority of the OAG, section 506 of The Administrative Code of 1929 (71 P.S. § 186), regarding general rulemaking authority.

##### D. *Purpose and Background*

The draft proposed rulemaking is designed to improve, enhance and update the OAG's unfair methods of competition and unfair or deceptive acts or practices regulations. The specific purpose of the draft proposed rulemaking is described in more detail under the summary of proposal.

##### E. *Summary of Draft Proposed Rulemaking*

###### 1. *Introduction*

The OAG enforces and administers the act. The OAG has determined that it is necessary for the enforcement



and the administration of the act to amend the existing automotive industry trade practices regulations to provide adequate protections to consumers regarding the inspection of motor vehicles and the written disclosure of certain attributes of a motor vehicle's roadworthiness. The OAG has also determined that it is necessary for the enforcement and the administration of the act to add regulations concerning unfair market trade practices.

## 2. Policy and Determination

The OAG has long taken the policy position that unfair market trade practices constitute unfair methods of competition and unfair or deceptive acts or practices in violation of the act in line with federal jurisprudence interpreting Section 5 of the Federal Trade Commission Act (FTCA) (15 U.S.C.A. § 45). During and following a public hearing on SB 848 from the 2013-14 session before the Senate Judiciary Committee on June 25, 2013, the OAG heard comments from committee members and bill opponents that the proposed legislation would be redundant to the act and that the OAG should use the act to address the unfair market trade practices. After conducting extensive legal research, the OAG agrees with the comments.

Through the experience of investigation and litigation, the OAG has identified that Pennsylvanians have been disadvantaged by the lack of a clear articulation of state law that makes it easy to understand that Pennsylvanians can recover regardless of whether they have dealt directly or indirectly with the defendant or defendants for injury resulting from anti-competitive conduct. The OAG has determined that this draft proposed rulemaking under the act will remedy this unfair vacuum under the state law.

## 3. Unfair Market Trade Practices

The OAG has determined that the following general provisions in the Draft Proposed Rulemaking clarifies operative terms of the act consistent with the basic policy choice expressed in Section 3 of the act (73 P.S. § 201-3). Section 311.3(a) (relating to general provisions—unfair market trade practices) prohibits all contracts, combinations and conspiracies intended to impose resale price maintenance restraints. Section 311.3(b) prohibits all contracts, combinations and conspiracies between competitors for the purpose of price-fixing. Section 311.3(c) prohibits all contracts, combinations and conspiracies between competitors to allocate markets, reduce output or allocate customers. Section 311.3(d) prohibits all contracts, combinations and conspiracies intended to tie the sale of any commodity or service upon the purchase of another commodity or service. Section 311.3(e) prohibits all contracts, combinations and conspiracies for the purpose of reciprocal dealings.

Section 311.3(f) prohibits all contracts, combinations and conspiracies to effectuate a group boycott. Section 311.3(g) prohibits actual monopolization. Section 311.3(h) prohibits attempted monopolization. Section 311.3(i) prohibits joint monopolization. Section 311.3(j) prohibits incipient conspiracies to monopolize. For purposes of regulatory intent, an agreement among two or more persons to engage in collective bargaining does not come within the scope of this draft proposed rulemaking.

The OAG has adopted the following legal discussion of the staff which provides a reasonable basis that § 311.3 of the Draft Proposed Rulemaking is consistent with the basic policy choice expressed in Section 3 of the act. Pennsylvania courts have held that Section 5 of the FTCA is virtually the same as Section 3 of the act and that

Pennsylvania courts may look to decisions under the FTCA for guidance in interpreting the act. *Com., by Creamer v. Monumental Properties, Inc.*, 459 Pa. 450, 462, 329 A.2d 812, 818 (1974); *Pirozzi v. Penske Olds-Cadillac-GMC, Inc.*, 605 A.2d 373, 376 (Pa. Super. 1992). Pennsylvania courts have interpreted that a violation of federal or state statutes aligned with the purpose of the FTCA and the act constitutes a violation of the act since the act is "broad enough to encompass all claims of unfair and deceptive acts or practices in the conduct of any trade or commerce." *Ash v. Continental Ins. Co.*, 593 Pa. 523, 530 (2007). Section 5(a)(1) of the FTCA provides that "[u]nfair methods of competition in or affecting commerce, and unfair or deceptive acts or practices in or affecting commerce, are hereby declared unlawful." The OAG determines that it logically follows that a violation of Section 5 of the FTCA constitutes a violation of the act because such a conclusion incontrovertibly falls within the scope of the Legislature's basic policy choice in the act that "[u]nfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce. . . are hereby declared unlawful."

In holding that the broad prohibition of section 3 and the catchall is broad and flexible, the Pennsylvania Supreme Court denied the application of the doctrine of *ejusdem generis* on the enumerated definitions of unfair methods, acts or practices to circumscribe the statutory construction of the catchall and Section 3 of the act. The Pennsylvania Supreme Court held "[s]uch a holding would negative the Legislature's understanding that 'Fraud is infinite' and would allow the broad prohibition of section 3 to be 'eluded by new schemes which the fertility of man's invention would contrive.' See note 42 supra. This we will not do." *Com., by Creamer v. Monumental Properties, Inc.*, 459 Pa. 450, 480, 329 A.2d 812, 827 (1974). In Note 42 incorporated by reference in the holding, the Pennsylvania Supreme Court cites with approval a federal case which held "[f]raud, indeed, in the sense of a court of equity properly includes all acts, omissions and concealments which involve a breach of legal or equitable duty, trust, or confidence, justly reposed, and are injurious to another, or by which an undue and unconscientious advantage is taken of another." *Sec. & Exch. Comm'n v. Capital Gains Research Bureau, Inc.*, 375 U.S. 180, 193-94, 84 S.Ct. 275, 284, 11 L.Ed.2d 237 (1963). This is in accord with the FTC's standard of unfairness. *FTC v. Sperry and Hutchinson Co.*, 405 U.S. 233, 244-45 n. 5 (1972). This standard was applied in *Com. ex rel. Zimmerman v. Nickel*, 26 Pa. D & C 3d 115, 120 (Mercer County C.P. 1983).

The United States Supreme Court has held that Section 5 of the FTCA protects consumers from unfair competitive practices regardless of the effect on competition unlike the federal antitrust laws. *FTC v. Sperry & Hutchinson Co.*, 405 U.S. 233, 239 (1972). Rulings under the FTCA have held antitrust violations to constitute an unfair and deceptive practice. *FTC v. Indiana Fed'n of Dentists*, 476 U.S. 447, 454, 106 S. Ct. 2009, 2016, 90 L. Ed. 2d 445 (1986); *FTC v. National Lead Co.*, 352 U.S. 419, 428-30 (1957); *FTC v. Cement Inst.*, 333 U.S. 683, 688, 68 S. Ct. 793, 797, 92 L. Ed. 1010 (1948); and *Ciardi v. F. Hoffman-La Roche, Ltd.*, 762 N.E.2d 303 (Mass. 2002).

In *Lisa Hunt v. Bayer AG*, Feb. Term 2005, No. 1038 (Phila. Comm. Pl.), the court recognized price-fixing to be a violation of the act. *In re Suboxone*, 64 F.Supp.3d 665 (E.D. Pa. 2014), the court held that anticompetitive schemes are redressable under the act. Through cases such as *Lisa Hunt* and *In re Suboxone*, the OAG has

identified in section 311.3 of the draft proposed rulemaking certain unfair market trade practices which are deemed to be unfair methods of competition and unfair or deceptive acts or practices under the act which are necessary for the enforcement and administration of the act.

#### 4. Catchall and Non-exhaustivity

The OAG has determined that it is reasonable and necessary to codify certain holdings of Pennsylvania courts to clarify the general prohibition of the act and the catchall. Section 311.4 (relating to catchall) codifies the holdings in *Ash v. Continental Ins. Co.*, 593 Pa. 523, 530 (2007), and *Com., by Creamer v. Monumental Properties, Inc.*, 459 Pa. 450, 478 (1974), that the Catchall is to cover generally all unfair and deceptive acts or practices in the conduct of trade or commerce. Section 311.5 (relating to nonexhaustivity) codifies the holdings in *Ash v. Continental Ins. Co.*, 593 Pa. 523, 530 (2007), and *Com., by Creamer v. Monumental Properties, Inc.*, 459 Pa. 450, 478 (1974), that the general prohibition provision is intended to cover generally all unfair and deceptive acts or practices in the conduct of trade or commerce and that the per se violations, however enumerated, do not limit or otherwise circumscribe the basic policy choice set forth in the general prohibition provision.

The OAG has adopted the following legal discussion of the staff which provides a reasonable basis that §§ 311.4 and 311.5 of the Draft Proposed Rulemaking is consistent with the basic policy choice expressed in Section 3 of the act. In *Com. ex rel. Zimmerman v. Nickel*, 26 Pa. D & C 3d 115, 120 (Mercer County C.P. 1983), the court held that “[a]n act or practice need not be deceptive to be declared ‘unfair.’” The court in *Nickel* looked to *FTC v. Sperry and Hutchinson Co.*, 405 U.S. 233, 244-45 n. 5 (1972) for guidance on what constitutes unfairness. The *Nickel* court adopted the unfairness standard: (1) whether the practice, without necessarily having been previously considered unlawful, offends public policy as it has been established by statutes, the common law, or otherwise—whether, in other words, it is within at least the penumbra of some common-law, statutory, or other established concept of unfairness; (2) whether it is immoral, unethical, oppressive, or unscrupulous; (3) whether it causes substantial injury to consumers (or competitors or other businessmen). *Com. ex rel. Zimmerman v. Nickel*, 26 Pa. D & C 3d 115, 120 (Mercer County C.P. 1983). Likewise in federal court construing the act, “an act or practice need not be proven to be deceptive in order to be declared ‘unfair’—which necessarily involves consideration of a variety of factors including whether the practice causes substantial injury to consumers or others. *Com. ex rel. Zimmerman v. Nickel*, 26 Pa. D & C 3d 115, 120 (Mercer County C.P. 1983) (citing *FTC v. Sperry and Hutchinson Co.*, 405 U.S. 233, 244-45 n. 5, 92 S.Ct. 898, 31 L.Ed.2d 170 (1972)).” *Westfield Grp. v. Campisi*, 2006 WL 328415, at \*18 (W.D. Pa. Feb. 10, 2006).

Thus, the OAG finds it necessary for the administration and enforcement of the act to define “fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding,” “deceptive conduct,” and “unfair conduct” in line with the OAG’s original arguments to the Supreme Court that the catchall “was designed to cover generally all unfair and deceptive acts or practices in the conduct of trade or commerce” to which the Supreme Court unambiguously stated, “we agree.” *Com., by Creamer v. Monumental Properties, Inc.*, 459 Pa. 450, 478, 329 A.2d 812, 826 (1974). Moreover, the definitions are in line with the original legislative intent from 1968 “that

this package gives Pennsylvania the strongest consumer-protection laws in the States,” *Legislative Journal: House of Representatives*, 1968 Sess. vol. 1, no. 40, at 1231 (July 8, 1968). The Supreme Court has consistently mandated that the act is to be liberally construed to effect its object of preventing unfair or deceptive practices. *Com., by Creamer v. Monumental Properties, Inc.*, 459 Pa. 450, 460 (Pa. 1974). Because the act is a statute that must be liberally construed to effectuate its objective to prevent unfair or deceptive business practices, the definition of “unfair methods of competition and unfair or deceptive acts or practices” as provided in section 2(4) of the act should not be considered exhaustive. See *Blizzard v. Floyd*, 149 Pa. Commw. 503, 505-06, 613 A.2d 619, 621 (Pa. Commw. Ct. 1992). In other words, for an act that must be liberally construed, a definition of a term and any enumeration therein should not be considered exhaustive. See *Blizzard v. Floyd*, 149 Pa. Commw. 503, 505-06, 613 A.2d 619, 621 (Pa. Commw. Ct. 1992).

#### 5. Trade and Commerce

The OAG has determined that it is reasonable and necessary to codify certain holdings of Pennsylvania courts to clarify Trade and Commerce within the meaning of the act. Section 311.6 (relating to trade and commerce) codifies the holding of the Supreme Court in *Danganan v. Guardian Prot. Servs.*, 179 A.3d 9, 16 (Pa. Feb. 21, 2018), that the second definition of Trade and Commerce is “an inclusive and broader view of trade and commerce than expressed by the antecedent language.” Section 311.6 codifies the holding in *Com. v. Percudani*, 844 A.2d 35, 48 (Pa. Commw. Ct. 2004), as amended (Apr. 7, 2004), opinion amended on reconsideration, 851 A.2d 987 (Pa. Commw. Ct. 2004), that a buyer-seller relationship is not relevant in the context of the definition for trade and commerce.

The OAG has adopted the following legal discussion of the staff which provides a reasonable basis that § 311.6 of the Draft Proposed Rulemaking is consistent with the basic policy choice expressed in Section 3 of the act. The Draft Proposed Rulemaking resolves the longstanding tactic of defendants to confuse and conflate the limited standing provision of the private action with the broad standing provision of the OAG. Such dilatory and vexatious strategy only serves to unnecessarily tax the resources of the OAG at the expense of the public. The Supreme Court instructs “[t]here is no indication of an intent to exclude a class or classes of transactions from the ambit of the Consumer Protection Law. When the Legislature deemed it necessary to make an exception from the Law’s scope, it did so in clear language.” *Com., by Creamer v. Monumental Properties, Inc.*, 459 Pa. 450, 457 n.5, 329 A.2d 812, 815 n.5 (1974); *Culbreth v. Lawrence J. Miller, Inc.*, 328 Pa. Super. 374, 382, 477 A.2d 491, 496 (1984) (The Legislature expressly excluded certain businesses from regulation under the act). In *Percudani*, a defendant argued that the Commonwealth failed to allege a buyer-seller relationship. The Commonwealth Court overruled the preliminary objection by illustrating the distinction between an action brought under section 9.2 of the act (73 P.S. § 201-9.2), which allows for private actions by any person “who purchases or leases goods or services primarily for personal, family or household purposes” and an action pursued by the Commonwealth under section 4 of the act (73 P.S. § 201-4), “which allows it to proceed when it has reason to believe that the Law is being or was violated.” *Com. v. Percudani*, 844 A.2d 35, 48 (Pa. Commw. Ct. 2004).

#### 6. *Rebate and Payment of Costs and Restitution*

The OAG has adopted the staff recommendation to clarify certain terms in or affecting Section 4.1 of the act. Section 311.7 (relating to payment of costs and restitution) reflects the economic reality that the payment of rebates do not reduce the amount to be restored to a person in interest under Section 4.1 of the act. The OAG also finds it necessary for the administration and enforcement of the act to define “moneys or property, real or personal” as used in section 4.1 of the act (73 P.S. § 201-4.1) and “rebate.” Based on practical experience, the OAG has observed that the payment of rebates do not negate the harm; and, as such, rebates do not constitute a defense to the award of a permanent injunction, payment of costs and restitution, and a civil penalty.

#### 7. *Direct or Indirect Recovery*

The OAG has determined that it is reasonable and necessary to codify certain holdings of Pennsylvania courts and holdings of other jurisdictions construing law that is similar to the act to clarify Trade and Commerce further and monetary recovery under the act. Section 311.8 (relating to direct or indirect recovery) is designed to be in accord with and based on the definition of trade and commerce under the act and codify the holding of *Commonwealth v. TAP Pharmaceutical Products, Inc.*, 885 A.2d 1127 (Pa. Commw. Ct. 2005) and *Valley Forge Towers South Condominium v. Ron-Ike Foam Insulators*, 574 A.2d 641, 645 (Pa. Super. Ct. 1990), affirmed, 605 A.2d 798 (Pa. 1992).

The OAG has adopted the following legal discussion of the staff which provides a reasonable basis that § 311.8 of the Draft Proposed Rulemaking is consistent with the basic policy choice expressed in Sections 3 and 9.2 of the act. In *Commonwealth v. TAP Pharmaceutical Products, Inc.*, 885 A.2d 1127 (Pa. Commw. Ct. 2005), the court recognized that purchasers may recover monetarily regardless of whether the defendant or defendants were dealt with directly or indirectly. The Massachusetts Supreme Court relied on their statute’s similarly worded trade and commerce definition to find that indirect recovery is provided by the language: “directly or indirectly affecting the people of this commonwealth.” *Ciardi v. F. Hoffmann-La Roche, Ltd.*, 436 Mass. 53, 58, 762 N.E.2d 303, 308 (2002). New Hampshire and Washington likewise allow for indirect recovery based on the same construction. *LaChance v. U.S. Smokeless Tobacco Co.*, 156 N.H. 88, 96, 931 A.2d 571, 578 (2007); *Blewett v. Abbott Laboratories*, 86 Wash.App. 782, 938 P.2d 842, 846 (1997), rev. denied, 133 Wash.2d 1029, 950 P.2d 475 (1998). Consequently, the draft proposed rulemaking clarifies that indirect recovery is so provided under the act.

The draft proposed rulemaking clarifies the meaning of the term, ascertainable loss, under section 9.2 of the act to comport with the plain language of the provision, the 1996 amendment and the liberal construction mandate. Under the similarly worded New Jersey private action provision at N.J. Stat. Ann. § 56:8-19, an “ascertainable loss under the CFA is one that is ‘quantifiable or measurable,’ not ‘hypothetical or illusory.’” *D’Agostino v. Maldonado*, 216 N.J. 168, 185, 78 A.3d 527, 537 (2013). There is Supreme Court precedent under *Toy v. Metro. Life Ins. Co.*, 593 Pa. 20, 928 A.2d 186 (2007) and *Weinberg v. Sun Co., Inc.*, 565 Pa. 612, 777 A.2d 442 (2001) which construed the term, ascertainable loss, to mean or require justifiable reliance. However, these opinions apply to causes of action which accrued prior to the 1996 amendment of the act. See 1996, Dec. 4, P.L. 906

No. 146, § 1, effective in 60 days. This draft proposed rulemaking clarifies and recognizes the abrogation of these holdings.

#### 8. *Civil Penalty*

The OAG has adopted the staff recommendation to clarify certain terms in or affecting Section 8 of the act. Section 311.9 recognizes that a payment of a rebate to a victim of the willful use of a method, act or practice declared unlawful by section 3 of this act does not bar an award of a civil penalty. Further, the payment of a rebate does not negate the finding of a willful use of an unlawful method, act or practice.

#### 9. *Private Actions*

The OAG has adopted the staff recommendation to clarify certain terms in or affecting Section 9.2 of the act. Section 311.10 provides for the coordination of claims brought by the OAG which are also brought by a private class action to avoid protracted disputes over representation which would unnecessarily tax limited public resources and frustrate the public interest.

The OAG has adopted the following legal discussion of the staff which provides a reasonable basis that § 311.10 of the Draft Proposed Rulemaking is consistent with the basic policy choice expressed in Section 9.2 of the act. The OAG has adopted the following legal discussion of the staff which provides a reasonable basis that § 311.10 of the Draft Proposed Rulemaking is consistent with the basic policy choice expressed in Section 9.2 of the act. In ascertaining legislative intent, the “General Assembly intends to favor the public interest as against any private interest.” 1 Pa.C.S. § 1922 (relating to presumptions in ascertaining legislative intent). “It is axiomatic that a statute is never presumed to deprive the state of any prerogative, right or property unless the intention to do so is clearly manifest, either by express terms or necessary implication.” *Hoffman v. City of Pittsburgh*, 365 Pa. 386, 398, 75 A.2d 649, 654 (1950). The OAG determines that the limited right of private action does not empower persons to act as private attorneys general in any class action which would frustrate or otherwise undermine a parens patriae action by the OAG. A federal court has held that “in the situation where a state attorney general and a private class representative seek to represent the same class members, the parens patriae action is superior to that of a private class action.” *Com. of Pa. v. Budget Fuel Co., Inc.*, 122 F.R.D. 184, 186 (E.D. Pa. 1988).

#### 10. *Administrative*

The OAG has adopted the staff recommendation to make certain delegations and clarifications. Section 311.11 (relating to administrative) delegates certain powers and duties set forth in The Administrative Code of 1929 as supplemented by section 204(d) of the Commonwealth Attorneys Act (CAA) (71 P.S. § 732—204(d)). Regarding section 311.11, the powers and duties in section 918 of The Administrative Code of 1929 are the powers and duties of the Attorney General under section 204(d) of the CAA. It logically follows that the Attorney General is authorized to investigate practices occurring in trade or commerce under section 918(1) of The Administrative Code of 1929 and to issue subpoenas under section 919(a) of The Administrative Code of 1929, once The Administrative Code of 1929 and the CAA are read together.

#### 11. *Enforcement*

The OAG has determined that it is reasonable to make certain clarifications introduced by the enactment of the

CAA concerning the permissibility of the direct use of documents obtained by an administrative subpoena in the enforcement of the act. Section 311.12 (relating to enforcement) implements the inherent investigative function of enforcement to gather Documentary Material, as defined by the act, and made necessary to satisfy the “reason to believe” standing requirement under Section 4 of the act.

The OAG has adopted the following legal discussion of the staff which provides a reasonable basis that § 311.12 of the Draft Proposed Rulemaking is consistent with the basic policy choice expressed in Sections 2 and 3.1 of the act. The OAG takes notice of the 1976 amendments to the act which deleted the very restrictive civil investigative demand authority and retained the definition of documentary material while granting the OAG rulemaking authority. A principle of statutory construction is to ascertain legislative intent and to give effect to all provisions of a statute. 1 Pa.C.S. § 1921 (relating to legislative intent controls); *Com., Dept. of Environmental Resources v. Butler County Mushroom Farm*, 499 Pa. at 513; *Hospital Association of Pennsylvania v. MacLeod*, 487 Pa. 516, 524 (1980).

Sections 918 and 919 of The Administrative Code of 1929, as supplemented by section 204(d) of the CAA, authorize the OAG to issue subpoenas to investigate commercial and trade practices and to require the production of documentary material related to those practices. By reading The Administrative Code of 1929 and the act as one since both relate to protecting consumers from detrimental practices in the conduct of trade and commerce and through the application of the two sources of rulemaking authority invoked in this draft proposed rulemaking, the draft proposed rulemaking gives effect to the retained definition which is used nowhere else within the act. 1 Pa.C.S. § 1932 (relating to statutes in pari materia); *Com., Dept. of Environmental Resources v. Butler County Mushroom Farm*, 499 Pa. 509, 517-20 (1982); *Girard School District v. Pittenger*, 481 Pa. 91, 100 (1978).

#### 12. Interpretation

The OAG has determined that it is reasonable and necessary to codify certain holdings of Pennsylvania courts. Section 311.13 (relating to interpretation) provides that the act is to be liberally construed and that the new definitions of what constitutes unlawful conduct enlarges upon existing definitions. The draft proposed rulemaking codifies the Supreme Court mandate that the act is to be liberally construed to effect its object of preventing unfair or deceptive practices. *Com., by Creamer v. Monumental Properties, Inc.*, 459 Pa. 450, 460 (Pa. 1974). Because the intent of the draft proposed rulemaking is to enlarge the definition of what constitutes a method, act or practice in violation of the act, the draft proposed rulemaking is not to be interpreted to limit what methods, acts or practices may be considered to violate the act.

#### 13. Automotive Industry Trade Practices

The OAG has adopted the staff recommendation to make certain amendments to the Automotive Industry Trade Practices regulations. Section 301.2(5.1) (relating to advertising and sales presentation requirements) requires a motor vehicle dealer to inspect a motor vehicle not more than 30 days prior to the sale of the motor vehicle. Section 301.4(9.1) (relating to general provisions—motor vehicle dealer) clarifies that compliance with section 301.2(5) (relating to written disclosures) is still required notwithstanding any use of the term, AS IS, under section 301.4(9) (relating to disclaiming warranty).

#### 14. Basic Policy Choice

“The operative provision of the Unfair Trade Practices and Consumer Protection Law provides: ‘Unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce...are hereby declared unlawful.’” 73 P.S. § 201-3 (emphasis added). *Gabriel v. O’Hara*, 368 Pa. Super. 383, 391, 534 A.2d 488, 492 (1987). The operative provision of the act provides the Legislature’s basic policy choice which guides the OAG’s draft proposed rulemaking. The OAG proposes that Chapter 301 be amended and Chapter 311 be added to read as set forth in Annex A.

#### F. Paperwork

Generally, the draft proposed rulemaking will not increase paperwork and will not create new paperwork requirements. The draft proposed rulemaking will have a de minimus impact on paperwork for class action representatives purporting to settle and release OAG claims under the act.

#### G. Benefits, Costs and Compliance

Through this draft proposed rulemaking, consumers will be further protected from unfair methods of competition and unfair or deceptive acts or practices in the conduct of trade or commerce by unscrupulous businesses. The clear articulation of this unfair trade practices regulation will make the regulation easier to understand by the public and will facilitate compliance.

The draft proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The draft proposed rulemaking will impose no new costs on the private sector or the general public.

#### H. Sunset Review

The OAG is not establishing a sunset date for these draft regulations because they are needed for the OAG to carry out its statutory authority and because the OAG will periodically review these regulations for their effectiveness.

#### I. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 45.5(a)), on \_\_\_\_\_, the OAG 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 and Senate Judiciary Committees. A copy of this material is available to the public upon request.

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

#### J. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this draft proposed rulemaking to the Antitrust Section, Office of Attorney General, Strawberry Square, 14th Floor, Harrisburg, PA 17120 within 30 days after publication of this draft proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. A public hearing occurred on \_\_\_\_\_.

Comments also may be submitted by e-mail to [antitrust@attorneygeneral.gov](mailto:antitrust@attorneygeneral.gov). If an acknowledgement of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

Josh Shapiro  
*Attorney General*

**Annex A**

**TITLE 37. LAW**

**PART V. [ BUREAU OF CONSUMER PROTECTION ]  
UNFAIR TRADE PRACTICES**

**CHAPTER 301. AUTOMOTIVE INDUSTRY TRADE  
PRACTICES**

**§ 301.1. Definitions.**

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

*Advertisement*—An oral, written or graphic statement which offers for sale a particular motor vehicle or motor vehicle goods and services or which indicates the availability of a motor vehicle or motor vehicle goods and services, including a statement or representations made in a newspaper, periodical, pamphlet, circular, other publication or on radio or television; contained in a notice, handbill, sign, billboard, poster, bill, catalog or letter; **placed on a website, in a mobile application, on a social media outlet, or on any other electronic platform;** or printed on or contained in a tag or label which is attached to merchandise.

\* \* \* \* \*

**§ 301.2. Advertising and sales presentation requirements.**

With respect to an advertisement or sales presentation offering or making available for sale a new or used motor vehicle or maintenance service or repair on a new or used motor vehicle, the following will be considered unfair methods of competition and unfair or deceptive acts or practices:

\* \* \* \* \*

(5) The representation in an advertisement or sales presentation that a motor vehicle or motor vehicle goods or services are of a particular style, model, standard, quality or grade if they are of another or if the representation conflicts with a written notice or disclosure required under this chapter. For the purposes of this chapter, a motor vehicle which is offered for sale is represented to be roadworthy, and the advertiser or seller shall disclose **in writing** prior to sale the following conditions if the advertiser or seller knows or should know that the conditions exist in the motor vehicle:

- (i) Frame bent, cracked or twisted.
- (ii) Engine block or head cracked.
- (iii) Vehicle unable to pass State inspection.
- (iv) Transmission damaged, defective or so deteriorated as to require replacement.
- (v) Vehicle flood damaged.
- (vi) Differential damaged, defective or so deteriorated as to require replacement.

**(5.1) No motor vehicle dealer or advertiser shall offer a motor vehicle for lease or sale unless a**

**certified inspection mechanic designated by the motor vehicle dealer has inspected the motor vehicle in accordance with 67 Pa. Code § 175, but in no case shall such inspection occur more than thirty days prior to the lease or sale of the motor vehicle by the motor vehicle dealer.**

(6) The making of a representation or statement of a fact in an advertisement or sales presentation if the advertiser or salesperson knows or should know that the representation or statement is false and misleading or if the advertiser or salesperson does not have sufficient information upon which a reasonable belief in the truth of the representation could be based.

\* \* \* \* \*

**§ 301.4. General provisions—motor vehicle dealer.**

(a) With regard to a motor vehicle dealer, the following will be considered unfair methods of competition and unfair or deceptive acts or practices:

\* \* \* \* \*

AS IS

THIS MOTOR VEHICLE IS SOLD AS IS *WITHOUT ANY WARRANTY* EITHER EXPRESSED OR IMPLIED. THE PURCHASER WILL BEAR THE *ENTIRE EXPENSE* OF REPAIRING OR CORRECTING ANY DEFECTS THAT PRESENTLY EXIST OR THAT MAY OCCUR IN THE VEHICLE.

**(9.1) In any instance where a motor vehicle is not roadworthy at the time the motor vehicle is offered for sale, using the term “AS IS” as set forth in this section does not satisfy the written disclosure requirement in Section 301.2(5) of this chapter.**

**§ 301.5. General provisions—repair shop.**

\* \* \* \* \*

**CHAPTER 311. UNFAIR MARKET TRADE PRACTICES**

**§ 311.1. Scope.**

This chapter establishes what are determined to be unfair methods of competition and unfair or deceptive acts or practices by any person engaged in trade or commerce, but may not be interpreted to limit the power of the Attorney General to determine that another practice is unlawful under the Unfair Trade Practices and Consumer Protection Law (73 P.S. §§ 201-1—201-9.3).

**§ 311.2. Definitions.**

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

*Act*—Unfair Trade Practices and Consumer Protection Law (73 P.S. § 201-1—201-9.3).

*Commodity*—Real or personal property or any other thing of value that is bought, leased or sold.

*Deceptive conduct*—A method, act or practice which has the capacity or tendency to deceive.

*Documentary material*—The term as defined in section 2 of the act (relating to definitions) including any tangible document or recording.

*Market structure*—Of or relating to the interrelationship of sellers and buyers at all levels of distribution of a commodity or service including, but not limited to, manufacturers, suppliers, distributors, wholesalers and retailers.

*Person*—The term as defined in section 2 of the act (relating to definitions).

*Rebate*—Partial refund of the cost of a commodity or service to incentivize the sale of that commodity or service.

*Representative*—An authorized deputy attorney general of the Office of Attorney General.

*Service*—An activity, not covered by the definition of “commodity” which is performed in whole or in part for the purpose of financial gain.

*Tangible document or recording*—The original or any copy of any designated documents, including, but not limited to, writings, drawings, graphs, charts, photographs, electronically created data and other compilations of data.

*Trade and commerce*—The term as defined in section 2 of the act (relating to definitions).

*Transaction*—Exchange or transfer of any commodity or service.

*Unfair conduct*—A method, act or practice, without necessarily having been previously considered unlawful, which violates public policy as established by any statute, the common law, or otherwise within at least the penumbra of any common law, statutory, or other established concept of unfairness; which is unscrupulous, oppressive or unconscionable; or which causes substantial injury to a victim.

**§ 311.3. General provisions—unfair market trade practices.**

Under section 2(4) of the act (relating to definitions), the term, *unfair methods of competition and unfair or deceptive acts or practices*, includes the following unfair market trade practices:

(a) A contract, combination or conspiracy between two or more persons at different levels of market structure to fix minimum prices for any commodity or service at one or more levels of market structure;

(b) A contract, combination or conspiracy between two or more persons at the same level of market structure to fix or otherwise stabilize prices for any commodity or service;

(c) A contract, combination or conspiracy between two or more persons at the same level of market structure to allocate marketing territories, to reduce output of commodities and services or to allocate customers to whom commodities and services are, has been or will be marketed;

(d) A contract, combination or conspiracy between two or more persons to condition or to have the effect of conditioning the sale of one commodity or service upon the purchase of another commodity or service;

(e) A contract, combination or conspiracy between two or more persons where the sale of a commodity or service is conditioned upon the seller’s purchase of commodities or services produced or performed by the buyer;

(f) A contract, combination or conspiracy between two or more persons at the same level of market structure to persuade or to coerce suppliers or customers to refuse to deal with another person;

(g) Actual monopolization, in which a person acquires or retains actual monopoly power through competitively unreasonable practices;

(h) Attempted monopolization, in which a person not yet in possession of actual monopoly power, purposefully engages in competitively unreasonable practices that create a dangerous probability of monopoly power being achieved;

(i) Joint monopolization, in which two or more persons conspire to jointly retain or acquire monopoly power, where actual monopoly power is achieved through competitively unreasonable practices; and

(j) Incipient conspiracies to monopolize, in which two or more persons not yet in possession of monopoly power, conspire to seize monopoly control of a market but where monopoly power has not yet actually been achieved.

**§ 311.4. Catchall.**

Under section 2(4) of the act, the term, *fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding*, includes unfair or deceptive conduct.

**§ 311.5. Non-exhaustivity.**

Under section 2(4) of the act, the definition of the term, *unfair methods of competition and unfair or deceptive acts or practices*, and any enumeration therein is not exhaustive.

**§ 311.6. Trade and commerce.**

(a) Under section 2(3) of the act (relating to definitions):

(1) The term, *sale*, includes the act of selling or buying; and

(2) The term, *any trade or commerce directly or indirectly affecting the people of this Commonwealth*, means any transaction proposed, initiated or engaged by any person regardless of privity.

**§ 311.7. Rebates and payment of costs and restitution.**

(a) The payment of a rebate by any person to a person in interest may not bar the imposition of a permanent injunction under section 4 of the act (relating to restraining prohibited acts) or the award of any form of monetary relief under the act.

(b) Under section 4.1 of the act (relating to payment of costs and restitution):

(1) The term, *moneys or property, real or personal*, includes something of value including, but not limited to, restitution, disgorgement, attorneys’ fees, expert fees, investigation and litigation costs, and court costs.

**§ 311.8. Direct or indirect recovery.**

(a) The fact that any person found to have violated any provision of the act dealt directly or indirectly with any person in interest may not bar the award of any form of monetary relief under the act.

(b) Under section 9.2 of the act (relating to private actions):

(1) The term, *ascertainable loss*, means any loss which is quantifiable but not speculative.

(2) The term, *as a result of*, means cause-in-fact or but-for theory of causation, excluding any requirement under any reliance theory under common law fraud.

**§ 311.9. Civil Penalty.**

A payment of a rebate to a victim of the willful use of a method, act or practice declared unlawful by section 3 of

this act (relating to unlawful acts or practices; exclusions) may not bar an award of a civil penalty.

**§ 311.10. Private actions.**

(a) A person may not settle and release any claim under the act as part of a class action in any court of competent jurisdiction without first providing notice to and receiving written consent from the Office of Attorney General.

(b) Except as provided by 71 P.S. § 732-103 (relating to standing to question legal representation), no person has standing to question the authority of the legal representation of the Commonwealth and its citizens where the Office of Attorney General has not granted consent or has transmitted a written revocation of such consent under Section 311.10(a) of this chapter.

**§ 311.11. Administrative.**

(a) The powers and duties set forth in 71 P.S. § 307-2 (relating to powers and duties) are the powers and duties of the Attorney General pursuant to 71 P.S. § 732-204(d) (relating to administration of consumer affairs program).

(b) The Attorney General may delegate in whole or in part the powers and duties set forth in 71 P.S. § 307-2 (relating to powers and duties) to any representative including, but not limited to, the director of the Bureau of Consumer Protection pursuant to 71 P.S. § 732-201(c) (relating to bureaus, divisions and personnel).

(c) The Attorney General is authorized to enforce and to bring civil actions or other proceedings, under statute or common law, including, but not limited to the Unfair Trade Practices and Consumer Protection Law, state antitrust law, the federal antitrust laws, Pennsylvania Steel Products Procurement Act, and Institutions of Purely Public Charity Act which are among such other acts as may be incidental to the exercise of the powers and functions of the Attorney General pursuant to 71 P.S. § 307-2(3) (relating to powers and duties).

(d) The Attorney General is authorized to investigate practices occurring in trade or commerce pursuant to 71 P.S. § 307-2(1) (relating to powers and duties) and to issue subpoenas pursuant to 71 P.S. § 307-3(a) (relating to authority of the Attorney General).

(e) The Attorney General may share documentary material with any state or federal agency or with any person or entity that may be assisting in the investigation or prosecution of the subject matter of the subpoena and

may present documentary material before any court as the Attorney General or the representative of the Attorney General determines necessary for the enforcement of laws under which the Attorney General has standing pursuant to 71 P.S. § 307-3(b) (relating to authority of the Attorney General) and 71 P.S. § 307-2(3) (relating to powers and duties).

**§ 311.12. Enforcement.**

(a) Under 71 P.S. § 307-3 (relating to the authority of the Attorney General), a representative may:

(1) Issue subpoenas, examine witnesses and receive evidence necessary for all actions within the authority of the Attorney General under the act;

(2) Use such documentary material or copies thereof as the representative determines necessary in the enforcement of the act, including, but not limited to:

(i) Sharing such documentary material with any state or federal agency or with any person or entity that may be assisting in the investigation or prosecution of the subject matter of the subpoena; and

(ii) Presenting such documentary material before any court; and

(3) Invoke the aid of the Commonwealth Court or a court of record of this Commonwealth, in case of disobedience of a subpoena or the contumacy of a witness appearing before the Attorney General or a representative, to require the person subpoenaed to obey the subpoena or to give evidence or to produce documentary material relative to the matter in question.

**§ 311.13. Interpretation—act.**

(a) The act shall be liberally construed.

(b) No provision of this chapter may be interpreted to limit another method, act or practice which may be considered unlawful under the act.

**§ 311.14. Waiver of rights.**

A waiver of this chapter by any person prior to or at the time of a commission of a violation of Section 311.3 or any other section of this chapter is contrary to public policy and is void. An attempt by any person to have another waive his rights under this chapter shall be deemed to be a violation of the Act.

[Pa.B. Doc. No. 18-1228. Filed for public inspection August 10, 2018, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending July 31, 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>
6-26-2018	George A. Parmer Barbara J. Parmer The Parmer Family Partnership, LP Parmer 2016 Family Continuity Trust Parmer 2016 Descendants Trust  Application for approval to acquire more than 5% of the common stock of LINKBANCORP, Inc., Camp Hill.	Filed
6-27-2018	Strategic Value Private Investors, LP Cleveland Cuyahoga County, OH  Application for approval to acquire more than 5% of the common stock of LINKBANCORP, Inc., Camp Hill.	Filed

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-31-2018	Mid Penn Bancorp, Inc. Millersburg Dauphin County  Application for approval to acquire 100% of First Priority Financial Corp, Malvern, and thereby indirectly acquire 100% of First Priority Bank, Malvern.	Effective

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-31-2018	Mid Penn Bank Millersburg Dauphin County  Merger of First Priority Bank, Malvern, with and into Mid Penn Bank, Millersburg. All branch offices of First Priority Bank will become branch offices of Mid Penn Bank including the former main office of First Priority Bank located at: 2 West Liberty Boulevard Malvern Chester County	Effective



**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-30-2018	First Citizens Community Bank Mansfield Tioga County	1011 Dry Tavern Road Denver Lancaster County	Approved
7-31-2018	S&T Bank Indiana Indiana County	2251 Front Street Cuyahoga Falls Summit County, OH	Approved

**CREDIT UNIONS**

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 18-1229. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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### 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.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0034428 (Sewage)	Cove Haven Resort WWTP Route 590 Lakeville, PA 18438	Wayne County Paupack Township	Unnamed Tributary to Lake Wallenpaupack (1-C)	No

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0085723 (Sewage)	Southern York STP 130 E Market Street York, PA 17401-1219	York County Springfield Township	Seaks Run (7-H)	Yes
PA0086894 (Sewage)	Country View Manor Park LLC PO Box 66 East Berlin, PA 17316-0066	York County Washington Township	Unnamed Tributary to Red Run (7-F)	Yes
PA0247103 (Sewage)	Northeastern York County STP Saginaw PO Box 516 200 Main Street Mount Wolf, PA 17347-0516	York County East Manchester Township	Unnamed Tributary to Hartman Run (7-H)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0222216 (Sewage)	Edinboro Conference Grounds 12940 Fry Road Edinboro, PA 16412-1825	Erie County Washington Township	Unnamed Tributary to Boles Run (16-A)	Yes

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

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

**PA0082015**, Sewage, SIC Code 6515, **Meadows Sewer Co.**, PO Box 604, Exton, PA 19341-0604. Facility Name: Country Manor West MHP. This existing facility is located in Middlesex Township, **Cumberland 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), Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.17 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of 0.17 MGD.—Limits.

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

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

The EPA Waiver is in effect.

**PA0080454**, Industrial, SIC Code 4941, **Carlisle Borough**, 53 W South Street, Carlisle, PA 17013-3458. Facility Name: Carlisle Water Treatment Plant. This existing facility is located in North Middleton Township, **Cumberland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.256 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
			Daily Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Aluminum, Total	Report	Report	XXX	4.0	8.0	10
Iron, Total	Report	Report	XXX	2.0	4.0	5
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5

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.

**PA0261947**, Sewage, SIC Code 8811, **Kelly A. Horlacher**, 147 Sieger Road, Kutztown, PA 19530-8857. Facility Name: Horlacher Residence. This existing facility is located in Richmond Township, **Berks County**.

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

The receiving stream(s), Unnamed Tributary to Maiden Creek, is located in State Water Plan watershed 3-B and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		Instant. Maximum
	Annual Average	Average Weekly		Annual Average	Daily Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

Sludge use and disposal description and location(s):

Collected sludges and solids shall be handled and disposed in compliance with 25 Pa. Code Chapters 75, 271, 273, 275, 283 and 285, Federal regulation 40 CFR 257, Pa Clean Streams Law, Federal Clean Water Act, and Pa Solid Waste Management Act of 1980 and amendments.

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

- Annual Maintenance Report due each year
- Septic tanks must be pumped out and documentation of such submitted with next permit renewal application

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.

**PA0081264**, Sewage, SIC Code 7999, **Glp Capital LP**, PO Box 32, Grantville, PA 17028-0032. Facility Name: Penn National Horse Race Track and Hollywood Casino. This existing facility is located in East Hanover Township, **Dauphin County**.

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

The receiving stream(s), Unnamed Tributary to Swatara Creek, is located in State Water Plan watershed 7-D 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 0.23 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.22	XXX	0.73
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	5.1	XXX	10.2
May 1 - Oct 31	XXX	XXX	XXX	1.7	XXX	3.4
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	2
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	0.004	0.006	0.01

The proposed Chesapeake Bay effluent limits for Outfall 001.

Parameter	Mass Units (lbs)		Effluent Limitations		
	Monthly	Annual	Minimum	Concentrations (mg/L) Monthly Average	Maximum
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	5,601	XXX	XXX	XXX
Net Total Phosphorus	Report	700	XXX	XXX	XXX

Sludge use and disposal description and location(s): Sludge is hauled out by certified hauler to either Annville Township STP or Derry Township STP or Lemoyne STP for further processing and disposal.

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

- Requirement for stormwater management
- Chesapeake Bay requirements
- Approval Contingencies
- Chlorine Minimization
- Collected screenings, slurries, sludges, and other solids management
- Conditions to implement Best Management Practices

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)						
Beneficial Reuse (Flushing)	Report	Report	XXX	XXX	XXX	XXX
Prior to Reuse (Track Watering)	Report	Daily Max Report Daily Max	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)						
Prior to Reuse	XXX	XXX	Report Inst Min >0.02 Inst Min	Report	Report	XXX
Beneficial Reuse	XXX	XXX		XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Prior to Reuse	XXX	XXX	XXX	<10	20	XXX
Turbidity (NTU)						
Prior to Reuse	XXX	XXX	XXX	<10	XXX	15
Fecal Coliform (No./100 ml)						
Beneficial Reuse	XXX	XXX	XXX	<2.2 Geo Mean	XXX	23

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.

**PA0041220**, Sewage, SIC Code 7011, **Hershey Rv Park & Lodging LLC**, PO Box 544, Glenmoore, PA 19343. Facility Name: Hershey Rv Park & Lodging. This existing facility is located in Conewago Township, **Dauphin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.048 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.4	XXX	1.4
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	15.0	XXX	30
May 1 - Oct 31	XXX	XXX	XXX	5.0	XXX	10
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus (lbs/year)	XXX	292.1	XXX	XXX	XXX	XXX
		Total Annual				

Sludge use and disposal description and location(s): Digested sludge is periodically hauled out by a license hauler.

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.

**PA0082244**, Industrial, SIC Code 4581, **Susquehanna Area Region Airport Authority**, 1 Terminal Drive, Suite 300, Middletown, PA 17057-5048. Facility Name: Harrisburg International Airport. This existing facility is located in Lower Swatara Township, **Dauphin County**.

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

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

The proposed effluent limits for Outfall 004 are based on a design flow of 0.046 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily 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	Daily Min XXX	30	60	75
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

**PA0086622**, Sewage, SIC Code 4952, **Newport Plaza Associates, LP**, 44 S Bayles Avenue, Port Washington, NY 11050-3765. Facility Name: Newport Plaza Mall. This existing facility is located in Howe Township, **Perry County**.

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

The receiving stream(s), Unnamed Tributary to Juniata River, is located in State Water Plan watershed 12-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 0.015 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.1	XXX	0.35
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5

Sludge use and disposal description and location(s): Sludge is hauled off site via a local septage hauler to another WWTP for ultimate treatment and disposal.

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.

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

**PA0027481**, Industrial, SIC Code 4911, **FirstEnergy Generation LLC**, PO Box 128, Shippingport, PA 15077-0128. Facility Name: Bruce Mansfield Plant and Little Blue Run Disposal Impoundment. This existing facility is located in Shippingport Borough, **Beaver County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of industrial waste, groundwater, and storm water.

The receiving streams, Little Blue Run, Haden Run, Mill Creek, Ohio River, and unnamed tributaries to Mill Creek, are located in State Water Plan watershed 20-B and 20-D and are classified for Warm Water Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</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
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 002 and 008 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	<i>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
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 003, 004, and 005 are for variable storm water discharges.—Limits.

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

The proposed effluent limits for Outfall 006 are for variable storm water discharges.—Limits.

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

The proposed effluent limits for Internal Monitoring Point 107 are based on a design flow of 3.9 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	<i>Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Points 307, 407, and 507 are based on design flows of 3.6387 MGD, 3.8574 MGD, and 5.263 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	<i>Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX



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

The proposed effluent limits for Internal Monitoring Point 607 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	<i>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
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 707 are based on a design flow of 5.534 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	<i>Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 13.03 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	<i>Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 13.03 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	<i>Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	0.266	0.415	0.665
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 009 are based on a design flow of 0.047 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.047	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	25	XXX	XXX	50
Total Suspended Solids	XXX	XXX	30	XXX	XXX	60
Fecal Coliform (No./100 ml)						
Nov 1 - Mar 31	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Apr 1 - Oct 31	XXX	XXX	XXX	200 Geo Mean	XXX	400
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 010 are for variable storm water discharges.—Limits.

<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>Instant. 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
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 011, 012, and 013 are for variable storm water discharges.—Limits.

<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>Instant. 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 Outfall 014 are for variable storm water discharges.—Limits.

<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>Instant. 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
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 021 are based on a design flow of 0.059 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 021 are based on a design flow of 0.059 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	50.0	50.0	XXX
Boron, Total	XXX	XXX	XXX	1.6	3.2	XXX
Lead, Total	XXX	XXX	XXX	0.0032	0.0064	XXX
Selenium, Total	XXX	XXX	XXX	0.005	0.010	XXX
Thallium, Total (ug/L)	XXX	XXX	XXX	0.24	0.48	XXX

The proposed effluent limits for Outfall 021 are based on a design flow of 0.059 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 022 are based on a design flow of 3.52 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	98.5	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 022 are based on a design flow of 3.52 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	14.5	19.3	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 022 are based on a design flow of 3.61 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	98.5	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 022 are based on a design flow of 3.61 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Oil and Grease	XXX	XXX	XXX	14.5	19.3	XXX

The proposed effluent limits for Outfalls 023, 024, 026, 028, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, and 041 are for variable-flow groundwater seeps.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 025 are for a variable-flow groundwater seep.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 025 are for a variable-flow groundwater seep.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	6.9	10.8	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 027 are for a variable-flow groundwater seep.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Thallium, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 027 are for a variable-flow groundwater seep.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	0.010	0.016	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	1.65	2.58	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	0.31	0.48	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Mercury, Total (ug/L)	XXX	XXX	XXX	0.051	0.08	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	0.005	0.008	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total (ug/L)	XXX	XXX	XXX	0.243	0.379	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 029 are for a variable-flow groundwater seep.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 029 are for a variable-flow groundwater seep.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	8.5	13.2	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX



The proposed effluent limits for Outfall 042 are for a variable-flow groundwater seep.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 042 are for a variable-flow groundwater seep.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	50.0	50.0	XXX
Boron, Total	XXX	XXX	XXX	1.6	3.2	XXX
Lead, Total	XXX	XXX	XXX	0.0032	0.0064	XXX
Selenium, Total	XXX	XXX	XXX	0.005	0.010	XXX
Thallium, Total (ug/L)	XXX	XXX	XXX	0.24	0.48	XXX

The proposed effluent limits for Outfall 042 are for a variable-flow groundwater seep.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Quarterly</i>	<i>Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 043 are for a variable-flow groundwater seep.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX

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

The proposed effluent limits for Outfall 043 are for a variable-flow groundwater seep.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	50.0	50.0	XXX
Boron, Total	XXX	XXX	XXX	1.6	3.2	XXX
Lead, Total	XXX	XXX	XXX	0.0032	0.0064	XXX
Selenium, Total	XXX	XXX	XXX	0.005	0.010	XXX
Thallium, Total (ug/L)	XXX	XXX	XXX	0.24	0.48	XXX

The proposed effluent limits for Outfall 043 are for a variable-flow groundwater seep.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

Sludge use and disposal description and location(s): Sewage sludge is removed by a vacuum truck and disposed at the Midland Borough Municipal Authority Publicly Owned Treatment Works (NPDES PA0023701) or the Monaca Borough Publicly Owned Treatment Works (NPDES PA0020125).

In addition, the permit contains the following major special conditions: a schedule for the relocation of Outfall 022 and re-direction of Outfalls 021, 042, and 043 to Outfall 022; a schedule of compliance for the re-routing of Outfalls 030, 031, 032, 033, and 034 to Outfall 022; a schedule of compliance for water quality limits at Outfalls 025 and 029; a Toxics Reduction Evaluation for new water quality limits at Outfall 007; compliance reporting requirements for water quality limits below quantitation limits; requirements for chemical additives; requirements applicable to storm water; and requirements pertaining to the facility's Cooling Water Intake Structure pursuant to Section 316(b) of the Clean Water Act including interim Best Technology Available.

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.

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

**PA0271551**, Sewage, SIC Code 8800, **John R Tully**, 1860 Old Grade Road, Falls Creek, PA 15840. Facility Name: John Tully SRSTP. This proposed facility is located in Washington Township, **Jefferson County**.

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

The receiving stream, Harveys Run, is located in State Water Plan watershed 17-C and is classified for cold water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

Sludge use and disposal description and location: Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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

- Requirement to submit an Annual Maintenance Report
- No stormwater admitted to the treatment system
- Aerobic tank pumping requirement
- Solids handling
- Abandonment of the treatment system (for public sewage)

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 4818403**, Sewage, **Bath Borough Authority**, 160 Mill Street, Bath, PA 18014.

This existing facility is located in Bath Borough, **Northampton County**.

Description of Proposed Action/Activity: The project consists of constructing an entirely new sewage treatment system at the existing facility. Major aspects of the project include: construction of a new headworks building and control building, replacement of comminutor with automated mechanical screening system, construction of grit removal system, construction of a wet well with a triplex submersible pumping station, conversion of existing equalization/contact stabilization/clarifier basin to a larger equalization basin, construction of triplex submersible pumping station within equalization basin, construction of two ICEAS pre-cast concrete tanks and two aerobic digester pre-cast concrete tanks, replacement of exiting chlorine disinfection system with ultraviolet light disinfection system, replacement of existing sludge belt filter press with a rotary press dewatering system and the demolition of two contact stabilization/clarifier/digester basins. The facility will remain sized for a hydraulic capacity of 0.51 MGD.

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

**WQM Permit No. 6218405**, Sewage, **Kenneth & Joan Larsen**, 9 Carroll Street, Frewsburg, NY 14738.

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

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

**WQM Permit No. 3397405 A-1**, Sewage, **Clearfield Jefferson County Region Airport Authority**, 377 Aviation Way, Reynoldsville, PA 15851-8143.

This existing facility is located in Washington Township, **Jefferson County**.

Description of Proposed Action/Activity: Installation of dechlorination system.

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


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

*Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450059	Tobyhanna DG LLC 361 Summit Blvd Suite 110 Birmingham, AL 35243	Monroe	Coolbaugh Twp	Lake Carobeth (HQ-CWF, MF) Buck Hill Creek (EV, MF)

*Northampton County Conservation District, 14 Gracedale Ave.—Greystone Building, Nazareth, PA 18064-9211.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480067	Joao Tavares Realty Partners LLC 4211 Tracy Ln Bethlehem, PA 18020	Northampton	Bethlehem Twp	Monocacy Creek (HQ-CWF, MF)
PAD480070	Brent Stringfellow Lehigh University 461 Webster St, 3A Bethlehem, PA 18015	Northampton	City of Bethlehem	Lehigh River (WWF, MF) Saucon Creek (HQ-CWF, MF)

*Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD540005	NP New Castle LLC 4825 NW 41st St Suite 500 Riverside, MO 64150	Schuylkill	New Castle Twp	Mud Run (CWF, MF) UNT to Mud Run (CWF, MF)

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


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PAG-12      CAFOs

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**CAFO Notices of Intent Received.**


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

**NPDES Permit No. PAG123877, CAFO, Sunset Family Farms LLC, 261 Sunset Drive, Fredericksburg, PA 17026.**

This proposed facility is located in Bethel Township, **Lebanon County**.

Description of size and scope of proposed operation/activity: Poultry (Broilers): 378.16.

The receiving stream, Oil Creek, is in watershed 7-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.

**NPDES Permit No. PAG123875, CAFO, Weaver Melvin, 359 Timber Road, Beavertown, PA 17813.**

This proposed facility is located in Adams Township, **Snyder County**.

Description of size and scope of proposed operation/activity: Swine (Sows with Litter, Gilts, Wean—Finish, Boars), Beef (Finishing): 334.98 AEU's.

The receiving stream, Unnamed Tributary of North Branch 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 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. PAG123876, CAFO, Brendon Zimmerman, 2490 Mill Rd, Elizabethtown, PA 17022.**

This proposed facility is located in Conewago, **Dauphin County**.

Description of size and scope of proposed operation/activity: Poultry (Broilers): 359.86 AEU's.

The receiving stream, Conewago Creek, is in watershed 7-G and classified for: Trout Stocking Fisheries 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.

## 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>
Jason Saylor 261 State Route 235 Liverpool, PA 17045	Perry	495.4	319.35	Pullets Beef	N/A	Renewal
Jeffrey Zuck 135 Fox Road Lebanon, PA 17042	Lebanon	174.2	580.41	Broilers and Dairy Cattle	NA	New
Weiler Farms # 1 350 East Mill Avenue Myerstown, PA 17067	Lebanon	126.7	605.75	Swine	NA	Renewal
Rohrer Farms, LLC 750 Doe Run Road Lititz, PA 17543	Lancaster	285.8	2,304.29	Swine/Poultry	NA	R
Dr. Joe Jurgielewicz & Son, Ltd. Hegins Farm 886 E Mountain Road Hegins, PA 17938	Schuylkill	1	45.31	Ducks	N/A	Renewal
Paul Ebersol 4970 Sunset Pike Chambersburg, PA 17201	Franklin	209.6	128.15	Poultry	None	Renewal

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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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.*

**Green Acres Mobile Home Park**, 8700 Turkey Ridge Road, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Morning Call* on June 1, 2018.

**Diaz Manufacturing Company LLC, formerly Donald Dean and Sons Property**, 747 Grow Avenue, Bridgewater Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of Diaz Manufacturing, 747 Grow Avenue, Montrose, PA 18801, submitted a Notice of Intent to Remediate. Groundwater was contaminated by a release of heating oil. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in *The Susquehanna County Transcript* on May 23, 2018.

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

**Newman Development Group of Muhlenberg LLC**, 4225 North Fifth Street Highway, Muhlenberg, PA 19560, Muhlenberg Township, **Berks County**. Liberty Environmental, 505 Penn Street, Reading, PA 19601, on behalf of Newman Development Group of Muhlenberg LLC, 300 Plaza Drive, P.O. Box 678, Vestal, NY 13851-0678, and Teresa Friedman, Trustee, 603 Trent Avenue, Wyomissing, PA 19610 submitted a Notice of Intent to Remediate site soil contaminated with semi-volatile organic compounds. The site will be remediated to the Nonresidential Statewide Health Standard. Future use of the site is unknown. The Notice of Intent to Remediate was published in the *Reading Eagle* on June 21, 2018.

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

**Clark Property**, 292 Bridge Avenue, Allenwood, Gregg Township, **Union County**. Molesevich Environmental, LLC, P.O. Box 654, Lewisburg, PA 17837, on behalf of James Clark, P.O. Box 237, Lewisburg, PA 17837, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with petroleum. The applicant proposes to remediate the site to meet the Site-Specific Standard.

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#### **HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

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#### **Applications received, withdrawn, denied or returned under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

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*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**RCRA Post-Closure Permit Renewal Application No. PAD980550545**. Chester County Solid Waste Authority (CCSWA), 7224 Division Highway, Narvon, PA 17555. CCSWA has submitted a post-closure permit renewal application for its Stabilized Disposal Site located in

Caernarvon Township, **Lancaster County**. The application was determined to be administratively complete on July 26, 2018.

Persons interested in obtaining more information about this 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. A copy of the permit application is available for review at Honey Brook Community Library, 687 Compass Road, Honey Brook, PA 19344. In addition, the public is invited to review the application at the Department's Southcentral Regional Office. File reviews may be scheduled by calling 717-705-4732.

### RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGR096-NE003. Phase III Environmental LLC**, 1120 Mauch Chunk Road, Palmerton, PA 18071. A permit renewal application for continued coverage under General Permit WMGR096 for the beneficial use of regulated fill at the Former NJ Zinc Co. West Plant located in the Borough of Palmerton, **Carbon County**. The application was received by the Department on July 9, 2018 and deemed administratively complete by the Regional Office on July 27, 2018.

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

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

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**General Permit Application No. WMGR029SC002. Safety-Kleen Systems, Inc.** has submitted a general permit renewal application for its facility located at 10 Eleanor Drive, New Kingstown, PA 17072 in Silver Spring Township, **Cumberland County**. This general permit authorizes the operation of a transfer facility for the processing of waste oil (including waste oil mixed with hazardous waste), spent antifreeze, used oil filters and waste oil/water mixture. The application for renewal was determined to be complete on July 25, 2018.

Persons interested in obtaining more information about the general permit renewal applications may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral

Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

### AIR QUALITY

### 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.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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

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

**46-0301: PECO** (263 Flint Hill Road, King of Prussia, PA 19406) for installation of a new portable non-metallic processing plant and supporting engine located in Upper Merion Township, **Montgomery County**. Fugitive particulate matter emissions are controlled by a wet suppression system. The potential to emit all criteria pollutants, including Volatile Organic Compound (VOC), Nitrogen Oxide (NO<sub>x</sub>), Carbon Monoxide (CO), Particulate Matter (PM), and Hazardous Air Pollutant (HAP) emissions is less than major source thresholds; the facility is classified as a Natural Minor Facility. The requirements of 40 CFR Part 60 Subpart OOO (NSPS) apply to the new unit. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-0241: Richard E. Pierson Materials Corp.** (P.O. Box 714, Bridgeport, NJ 08014) for the construction of a 1,000-ton per hour non-metallic mineral processing plant equipped with a wet suppression system at the existing Hanson Quarry in East Rockhill Township, **Bucks County**.

The proposed plant will be powered by electricity; as a result, the potential emissions of NO<sub>x</sub> and VOCs will be less than the threshold for a major Title V facility (that is 25 tpy NO<sub>x</sub> or VOCs). Additionally, the potential uncontrolled emissions of particulate matter are less than the major source threshold (that is 100 tons per year). The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

**43-348B: American Cap Company, LLC** (15 Church Street, Wheatland, PA 16161), for the construction of a Conveyor Paint System (CPS) in Wheatland Borough, **Mercer County**. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the State Only operating permit at a later date.

Plan approval No 43-348B is for the proposed construction of a Conveyor Paint System (CPS) which includes Source 103 (Conveyor Paint System) which consists of a Paint Booth (Conveyor Paint System) (Filter C103) (Stack S103) and Source 104 (Convection Bake Oven) which

consists of an Electric Flashoff Panel (Stack S103), a Natural Gas Convection Bake Oven (0.5 MMBtu/hr) (Stack S103), and an Electric Forced Air Cooling Tunnel. The potential VOC emissions from these sources are 9.7 tpy. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 103:
  - o Subject to 25 Pa. Code § 123.13
  - o Subject to 25 Pa. Code § 129.52d
  - o The permittee shall maintain a record of certification of the VOC content of each coating used. A certification will be required when there is a new supplier, a reformulation of an existing coating, or the addition of a new coating not previously certified. The certification must demonstrate that the VOC content was determined in accordance with 40 CFR 60, Appendix A—Reference Method 24.
  - o The permittee shall maintain a record of all scheduled preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects, and any routine maintenance performed.
  - o The permittee shall maintain a record of the following parameter from the operational inspections:
    - o Pressure drop across the control device
    - o The permittee shall perform a weekly operational inspection of the control device.
    - o The permittee shall maintain a manometer or similar device to measure the pressure drop across the control device.
    - o The permittee shall operate the control device at all times that the source is in operation.
    - o The source and control device shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices or good engineering practices.
- Source 104:
  - o Subject to 25 Pa. Code §§ 123.13 and 123.21
  - o The source shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices or good engineering practices.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available 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(f)(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 [43-348B] 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 Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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 Air Quality Program Manager.

If a plan approval has not undergone the previously described public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in §§ 127.421 to 127.431 for State only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

#### OPERATING PERMITS

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

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

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

**46-00198: Blommer Chocolate Co.** (1101 Blommer Drive, East Greenville, PA 18041) for renewal of the Title V Operating Permit for its East Greenville Plant, a chocolate and cocoa products manufacturing facility located in Upper Hanover Township, **Montgomery County**. Emissions sources at the facility include bean cleaning and storage, drying, winnowing, roasting and grinding operations and ancillary equipment.

The Blommer facility is a major source of volatile organic compounds. Actual emissions from the facility of the following pollutants averaged over the past two years in tons per year were as follows: volatile organic compounds (VOC) 68; nitrogen oxides (NO<sub>x</sub>) 7.5; carbon monoxide (CO) 8.6; and particulate matter less than 10 microns (PM<sub>10</sub>) 74. The proposed renewed Title V Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. Upon final approval, the permit will be renewed for a period of five (5) years.

The facility is subject to the following Federal standards: 40 CFR Part 60 Subpart Dc, applicable to 2 boilers, and 40 CFR Part 63 Subpart ZZZZ, applicable to an emergency generator engine. The facility includes sources subject to Commonwealth regulations on fugitive emissions, opacity, restrictions on particulate matter and sulfur dioxide emissions, best available technology and degreasing operations. None of the applicable regulations

were updated since the last renewal in a way that would affect conditions in the operating permit. With the renewal, propane was removed as a secondary fuel.

The renewal will also include the incorporation of Requests of Determination (RFD) No. 907 and 6921 for a scale hopper and a railcar sugar unloading system respectively.

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

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

**54-00074: UGI Development Co** (1 Meridian Blvd, Wyomissing, PA 19610-3325) The Department intends to issue a Title V Operating Permit renewal for operation of a landfill gas-to-energy facility in Foster Township, **Schuylkill County**. The sources on site include two landfill gas-fired turbines utilizing treated landfill gas from Commonwealth Environmental Systems Landfill. The proposed Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**48-00021: Northampton Generating Co LP/Northampton Facility (NGC)**, (1 Horwith Drive, Northampton, PA 18067-9728). The Department intends to issue a renewal Title V Operating Permit for the electric generation facility located in Northampton Borough, **Northampton County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The main sources at this facility consist of one fluidized bed boiler, ash handling systems, ash storage and loadout, an emergency generator, a diesel boiler emergency feed pump, and a diesel fire pump. The sources are controlled by baghouses and collectors. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds.

On April 23, 2016, the Pennsylvania Department of Environmental Protection (PADEP) published 25 Pa. Code §§ 129.96—129.100, Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOC, also known as Reasonably Available Control Technology (RACT) 2. Gilberton Power Co./John B. Rich Memorial Power Station qualifies as a major source of NO<sub>x</sub> emissions because facility-wide potential NO<sub>x</sub> emissions are above the RACT 2 major source threshold (i.e., 100 tons per year). As a result, the NO<sub>x</sub>-emitting operations at the facility will be subject to the provisions of the RACT 2 rule. The NO<sub>x</sub> emitting sources at the facility are Source ID # 031 and # 032, the Circulating Fluidized Bed (CFB) Boilers, and Source ID # 033, Auxiliary Boiler. The Presumptive RACT 2 requirements are included in the TV operating permit.

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

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

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

**22-05010: Texas Eastern Transmission, L.P.** (429 Station Road, Grantville, PA 17028) to renew a Title V Operating Permit for the natural gas transmission station located in East Hanover Township, **Dauphin County**. The actual emissions from the facility in 2017 year are estimated at 278.4 tpy of NO<sub>x</sub>, 43.2 tpy of CO, 1.5 tpy of PM<sub>10</sub>, 2.7 tpy of SO<sub>x</sub> and 26.2 tpy of VOC, 3.7 tpy of Formaldehyde and 5.0 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart GG—Standards of Performance for Stationary Gas Turbines and 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

**65-00837 Dominion Energy Transmission, Inc.** (5000 Dominion Blvd, Glen Allen, VA 23060), In accordance with 25 Pa. Code 25 §§ 127.441, 127.425, and 127.521, the Department is providing notice that they intend to issue a renewed Title V Operating Permit for the continued operation of a natural gas compressor station, known as the Oakford Compressor Station, located in Salem Township, **Westmoreland County**. The proposed renewed TVOP also incorporates a Minor Permit Modification to include the applicable requirements of RACT II in the permit.

Oakford Compressor Station is a pipeline and storage natural gas compressor station. The main sources at this facility are twelve, NG-fired 2,500-bhp, compressor engines, two, NG-fired, 1,445-bhp, emergency generator engines, and two, NG-fired, 16.74 MMBtu/hr boilers. Because of the proximity of the Rock Springs Compressor Station (Also located in Salem Township) to the Oakford Station and the common control by Dominion Energy Transmission, these two stations comprise a single Title V facility. However, because ownership of the two stations is organized differently, each station is permitted separately. Permit requirements for the equipment at each station are based on the combined emissions of the facility.

Annual potential emissions for the Oakford Station are 904 tons of NO<sub>x</sub>, 205 tons of CO, 107 tons of VOC, 53 tons of PM<sub>10</sub>, and 53 tons of PM<sub>2.5</sub>. Oakford also has potential annual emissions of 62 tons of formaldehyde, 9 tons of acrolein, 9 tons of acetaldehyde, 89 tons of the sum of all HAPs combined, and 217,681 tons of CO<sub>2</sub>e. Emissions from the entire Title V facility are 937 tons of NO<sub>x</sub>, 215 tons of CO, 115 tons of VOC, 55 tons of PM<sub>10</sub>, and 55 tons of PM<sub>2.5</sub>. The entire facility also has potential annual emissions of 66 tons of formaldehyde, 10 tons of acetaldehyde, 10 tons of acrolein, 97 tons of the sum of all HAPs combined, and 253,260 tons of CO<sub>2</sub>e. Sources at the Oakford Station are subject to 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters and 25 Pa. Code Chapters 121—145, including 25 Pa. Code §§ 129.96—129.100 RACT II requirements. The permit includes emission limitations and operational, monitoring, testing, recordkeeping, workpractice, and reporting requirements for the station.

Dominion Transmission, Inc.'s Title V Operating Permit renewal application, the Department's Air Quality Review

Memorandum, and the proposed Air Quality Title V Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Title V Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Title V Operating Permit for this project, a person may contact Thomas Kaminski at thkaminski@pa.gov or 412.442.4000.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit TVOP-65-00837) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

**65-00983 Dominion Energy Transmission, Inc** (5000 Dominion Blvd, Glen Allen, VA 23060), In accordance with 25 Pa. Code §§ 127.441, 127.425, and 127.521, the Department is providing notice that they intend to issue an initial Title V Operating Permit for the continued operation of a natural gas compressor station, known as the Rock Springs Compressor Station, located in Salem Township, **Westmoreland County**. The proposed initial TVOP also includes the applicable requirements of RACT II in the permit.

Rock Springs Compressor Station is a pipeline and storage natural gas compressor station. The main sources at Rock Springs are two, NG-fired 2,370-bhp, compressor engines, one, NG-fired, 690-bhp emergency generator engine, and one, NG-fired, 2.1 MMBtu/hr boiler. Because of the proximity of the Oakford Compressor Station (Also located in Salem Township) to the Rock Springs Station and the common control by Dominion Energy Transmission, these two stations comprise a single Title V facility. However, because ownership of the two stations is organized differently, each station is permitted separately. Permit requirements for the equipment at each station are based on the combined emissions of the facility.

Annual potential emissions for the Rock Springs Station are 34 tons of NO<sub>x</sub>, 10 tons of CO, 8 tons of VOC, 3 tons of PM<sub>10</sub>, and 3 tons of PM<sub>2.5</sub>. Rock Springs also has potential annual emissions of 4 tons of formaldehyde, 2 tons of acetaldehyde, 1 ton of acrolein, 9 tons of the sum of all HAPs combined, and 35,579 tons of CO<sub>2</sub>e. Emissions from the entire Title V facility are 937 tons of NO<sub>x</sub>, 215 tons of CO, 115 tons of VOC, 55 tons of PM<sub>10</sub>, and 55

tons of PM<sub>2.5</sub>. The entire facility also has potential annual emissions of 66 tons of formaldehyde, 10 tons of acetaldehyde, 10 tons of acrolein, 97 tons of the sum of all HAPs combined, and 253,260 tons of CO<sub>2</sub>e. Sources at the Rock Springs Station are subject to 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, and 25 Pa. Code Chapters 121—145, including 25 Pa. Code §§ 129.96—129.100 RACT II requirements. The permit includes emission limitations and operational, monitoring, testing, recordkeeping, workpractice, and reporting requirements for the station.

Dominion Transmission, Inc's Title V Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality Title V Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Title V Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Title V Operating Permit for this project, a person may contact Thomas Kaminski at [thkaminski@pa.gov](mailto:thkaminski@pa.gov) or 412.442.4000.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit TVOP-65-00983) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

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

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

**OP17-000076: Veolia Energy Philadelphia Inc.—Edison Station** (908 Sansom Street, Philadelphia, PA 19107) for the operation of a steam generating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include two 283 MMBtu/hr boilers firing No. 6 fuel oil, two 335 MMBtu/hr boilers firing No. 6 fuel oil and firing propane for ignition, one 350 KW emergency diesel generator, cold cleaner degreasing station, and cooling tower. The facility is a major source of NO<sub>x</sub> and SO<sub>x</sub>.

The following new conditions are being added: NO<sub>x</sub> emissions from the four boilers are limited to 0.39 lb/MMBtu or 110.37 lbs/hr for Boiler # 1 and # 2, and 0.38 lb/MMBtu or 127.3 lbs/hr for Boilers # 3 and # 4. NO<sub>x</sub> emissions per rolling 12-month period from Boilers # 1 and # 2 shall not exceed 24.17 tons per year (TPY) and Boilers # 3 and # 4 shall not exceed 27.89 TPY. The boilers are now limited to an annual capacity factor of 5%. These are new limits being added as part of this Title V/State Operating Permit renewal.

The emergency generator shall operate for a maximum of 100 hours per calendar year for testing, engine tuning, maintenance checks, and readiness testing. The 100-hour limit language is an updated condition being added as part of this Title V/State Operating Permit renewal that combines previously separated tuning, testing and other use cases with individual hour limits.

The operating permit will be renewed under 25 Pennsylvania Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Copies of all documents and information concerning this operating permit are available for review in the offices of Air Management Services, 321 University Ave., Philadelphia, PA 19104-4543 during normal business hours. Persons wishing to review these documents should contact Debra Williams (215-685-7572) at the previously listed address.

Persons wishing to file protest or comments on the previously listed operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

#### **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.*

**09-00089: American Cremation Services, Inc.** (1859 Stout Drive, Warminster, PA 18974) for operation of two units of propane-fired human crematories located in Warwick Township, **Bucks County**. The permit is for a non-Title V (State only) facility. The renewal contains conditions including monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00239: Aqua Pennsylvania, Inc.** (762 West Lancaster Avenue, Bryn Mawr, PA 19010) for operation of three diesel-fired generators which provide power to their Neshaminy Water Treatment Plant in Middletown Township, **Bucks County**. The proposed Operating Permit is for a non-Title V (State-only) facility and will contain record keeping requirements, monitoring requirements, operating conditions and performance testing requirements designed to keep the facility operating within the allowable emission limitations and all applicable air quality requirements.

**09-00112: Superior Woodcraft, Inc.** (160 North Hamilton Road, Doylestown, PA 18901) for a non-Title V,

Synthetic Minor facility located in Doylestown Borough, **Bucks County**. Superior Woodcraft, Inc. manufactures high quality wood cabinets at this facility. There are three coating booths and a staining operation that have the potential to emit 23 tons of volatile organic compounds and 10 tons of a single hazardous air pollutant and 25 tons of a combination of hazardous air pollutants. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

**46-00254: Campania International, Inc.** (2452 Quakertown Rd., Pennsburg, PA 18073) for renewal of a State Only Operating Permit to operate a concrete products manufacturing facility in Upper Hanover Township, **Montgomery County**. The facility has previously taken restriction to remain a synthetic minor for VOC and HAP emissions. There have been no changes to the operating permit since it was last issued in September 2013. This Operating Permit renewal includes emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

**15-00108: Refractory Minerals Co., Inc.** (150 South Jennersville Road, West Grove, PA 19390-9430) for a non-Title V, State-Only, Natural Minor Operating Permit located in Penn Township, **Chester County**. This action is for the renewal of the State-Only Operating Permit. The permit was initially issued on 10-24-2002 and was subsequently renewed on 11-27-2007 and again on 12-3-2012. The facility operates an alumina (crushing and milling) processing facility. The source of air emissions is the process and particulate matter emissions are controlled by a settling chamber and a dust collector. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating 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.*

**45-00018: Haines and Kibblehouse, Inc.** (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196). The Department intends to issue a renewal State-Only Synthetic Minor Permit for Haines & Kibblehouse Locust Ridge Quarry located in Tobyhanna Township, **Monroe County**. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and 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 Elmerston Avenue, Harrisburg, PA 17110.*

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

**22-03044: Mack Trucks, Inc.** (2800 Commerce Drive, Middletown, PA 17057) for the operation of an engine manufacturing plant in Lower Swatara Township, **Dauphin County**. This is for the renewal of the existing State-only operating permit. Potential emissions from the facility is 22.1 tpy of VOCs, 7.4 tpy of NO<sub>x</sub>, and 6.1 tpy of CO. 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.

**06-03097A: Kore Mart, Ltd.** (7 Hill Drive, Hamburg, PA 19526) for operation of their foundry mold and core manufacturing facility in Tilden Township, **Berks County**. The facility's potential emissions are estimated at 17.69 tons per year (tpy) of particulate matter, 0.55 tpy of NO<sub>x</sub>, 0.33 tpy of VOC, 0.47 tpy of CO, and 0.03 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**67-05098: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405) for the operation of a construction aggregate production facility at the Ensminger and Williams Quarry in West Manchester Township, **York County**. This is for renewal of the existing state-only permit. Potential air emissions from the facility are estimated at 96.7 tpy PM and 44.8 tpy PM<sub>10</sub>. 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.

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

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

**60-00017: New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc.** (3716 Crescent Court West, Whitehall, PA 18052) to issue a renewal State Only Operating Permit for their Lewisburg Quarry located in Buffalo Township, **Union County**. The facility's main sources include a stone crushing operation, a natural gas/# 2 fuel oil /recycled reprocessed oil-fired drum mix asphalt plant. The facility has taken synthetic minor restrictions to limit its carbon monoxide, sulfur oxides, and volatile organic compounds emissions below the major emission thresholds. The facility has potential to emit under 48.42 tons per year (tpy) of particulate matter/particulate matter with an effective aerodynamic diameter of less than or equal to 10 micrometer, 34.25 tpy of nitrogen oxides, 79.95 tpy of carbon monoxide, 29.82 tpy of volatile organic compounds including hazardous air pollutants and 77.88 tpy of sulfur oxides. The potential emissions for all criteria pollutants remained same at the facility. No emission or equipment changes are being proposed by this action. The drum mix plant is subject to Federal Standards of Performance for New Stationary Sources, 40 CFR Part 60, Subpart I. The permittee shall comply with all applicable requirements of 40 CFR 60.90—60.93. The stone crushing operation is subject to Federal Standards of Performance for New Stationary Sources, 40 CFR Part 60, Subpart OOO, 60.670—60.676 for non-metallic mineral processing plant. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101,

Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

**17-00070: Baronick Funeral Home & Crematorium, Inc.** (211 South Main Street, DuBois, PA 15801) an initial State Only permit for their Human Crematory facility located in the City of DuBois, **Clearfield County**. The air contaminant source currently in operation at this facility is a Matthews Model IE43-PPI human cremation unit (Source ID 001) equipped with a secondary. Other sources include a boiler, space and water heaters that are fired on natural gas. The crematory source is subject Best Available Technology (BAT) pursuant to 25 Pa. Code §§ 127.1 and 127.12 pursuant to Plan Approval 17-00070A. The State Only permit contains these requirements in addition to all other applicable Air Quality requirements pertaining to the facility wide sources, based on the application provided by the permittee. Potential to Emit calculations for the facility were provided, as follows: 0.03 ton per year (tpy) for carbon monoxide, 0.33 tpy for NO<sub>2</sub>, 0 tpy for sulfur oxides (expressed as SO<sub>2</sub>), 0.03 tpy for PM<sub>10</sub>, 0.03 tpy for PM<sub>2.5</sub>, 0.02 tpy for volatile organic compounds (expressed as propane), 0.01 tpy for hazardous air pollutants. The applicable requirements in the initial State Only operating permit were derived from 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.

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

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

**04-00445: VEKA, Inc.** (100 Veka Drive, Fombell, PA 16123) Natural Minor Operating Permit is for a facility that manufactures residential and commercial PVC window and door system profiles and is located in Marion Township, **Beaver County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the above-mentioned facility. Sources of emissions consist of a lamination line process, mixing operations, a PVC extruder process, and minimal emissions from a lab hood and storage silos. Emissions at the facility are primarily hazardous air pollutants (HAP). Operational limitations and recordkeeping requirements are in place to keep HAP emissions below Title V thresholds. The facility is required to conduct regular surveys of the site to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. No fuel-fired air contamination sources exist at this site. Emissions are projected to be 8.90 tons per year (TPY) HAP, 0.58 TPY VOC, 0.88 TPY PM<sub>10</sub>, and 0.88 TPY PM<sub>2.5</sub>. The air quality permit includes operation requirements, monitoring requirements, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Bradley Spayd, Air Quality Engineering Trainee, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of

the person submitting the comments, identification of the proposed Operating Permit (04-00445) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Bradley Spayd, Air Quality Engineering Trainee, at the previously listed address. For additional information concerning the permit or the issuance procedure, contact Bradley Spayd at the previously listed address or phone (412) 442-5227.

All comments must be received prior to the close of business 30 days after the date of this publication.

## 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*

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

**03130102 and NPDES Permit No. PA0278084. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242). Revision application to add 4.6 acres and to revise the permit boundary to an existing bituminous surface mine, located in Boggs and Wayne Townships, **Armstrong County**, affecting 112 acres. Receiving streams: Scrubgrass Creek and unnamed tributaries

to Scrubgrass Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: July 26, 2018.

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

**Permit No. 54180202. Rausch Creek Fuel, LLC**, (978 Gap Street, Valley View, PA 1983), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Frailey Township, Schuylkill County affecting 11.8 acres, receiving stream: Good Spring Creek, classified for the following uses: cold water and migratory fishes. Application received: June 29, 2018.

#### *Noncoal Applications Received*

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

Table 2

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

\* The parameter is applicable at all times.

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

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

**08110305 and NPDES PA0257681. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16803). Revision to change post-mining land use of forestland to unmanaged natural habitat on a large noncoal surface mine site located in Windham and Rome Townships, **Bradford County** affecting 150.8 acres. Receiving streams: Trout Brook and Wysox Creek, classified for following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: July 11, 2018.

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

**65950401 R & L Development Company, Inc.** (153 Swan Lake Lane, New Alexandria, PA 15670). Transfer application of an existing large noncoal surface mine permitted by Derry International, Ltd., located in Loyalhanna and Derry Townships, **Westmoreland County**, affecting 52 acres. Receiving streams: unnamed tributary to Loyalhanna Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Transfer application received: July 5, 2018.

**63130401. Boord, Benchek & Associates, Inc.** (345 Southpointe Blvd., Suite 202, Canonsburg, PA 15317). Revision application to add blasting to an existing noncoal surface mine, located in Smith Township, **Washington County**, affecting 42.2 acres. Receiving streams: Unnamed tributaries to Raccoon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: July 25, 2018.

**03182801. Lopa Mining, Inc.** (P.O. Box 621, Clarion, PA 16214). Application for commencement, operation and restoration of small noncoal surface mine, located in Rayburn Township, **Armstrong County**, affecting 16.15 acres. Receiving streams: unnamed tributary to Allegheny River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: July 16, 2018.

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

**Permit No. 48750304T and NPDES Permit No. PA0225916. Holcim (US), Inc.**, (5160 Main Street, Whitehall, PA 18052), transfer of an existing quarry operation from Lafarge North America, Inc. and the addition of NPDES Permit for discharge of treated mine drainage in Allen Township, **Northampton County** affecting 292.7 acres (from 342.0 acres), receiving stream: Hokendauqua Creek, classified for the following uses: cold water and migratory fishes. Application received: July 11, 2018.

**Permit No. 8073SM5A1C15 and NPDES No. PA0013731. Gill Quarries, Inc.**, (P.O. Box 187, Fairview Village, PA 19409), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in East Norriton Township, **Montgomery County** affecting 38.31 acres, receiving stream: Stony Creek, classified for the following uses: trout stocking and migratory fishes. Application received: July 24, 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. PA0013790 (Mining Permit No. 30841312), The Monongalia County Coal Company**, (46226 National Road, St. Clairsville, OH 43950). A revised and renewed NPDES and mining activity permit for the Monongalia County Mine in Gilmore Township, **Greene County**. Surface Acres Affected: 545; Underground Acres Affected 23,513.29. Receiving stream: Pennsylvania Fork of Dunkard Creek, classified for the following use: WWF. Receiving stream: Unnamed Tributary to Toms Run, classified for the following use: WWF. Receiving stream: Unnamed Tributary 41835 to Toms Run, classified for the following use: WWF. Receiving stream: Clawson Run, classified for the following use: WWF. Receiving stream: Toms Run, classified for the following use: WWF. Receiving stream: Unnamed Tributary to 41731 to Hoover's Run, classified for the following use: WWF. Receiving stream: Unnamed Tributary 41738 to Hoover's Run, classified for the following use: WWF. Receiving stream: Unnamed Tributary 41817 to Blockhouse Run, classified for the following use: WWF. Receiving stream: Unnamed Tributary 41824 to Blockhouse Run, classified for the following use: WWF. Receiving stream: Morris Run, classified for the following use: WWF. Receiving stream: Unnamed Tributary 41630 to Rush Run, classified for the following use: WWF. Receiving stream: Roberts Run, classified for the following use: WWF. Receiving stream: Unnamed Tributary to Bloody Run, classified for the following use: WWF. Receiving stream: Garrison Fork, classified for the following use: WWF. The application was considered administratively complete on March 29, 2016. Application received: August 27, 2015.

The proposed effluent limits for all outfalls in this permit are described as follows.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

*Outfall 001* discharges to: Pennsylvania Fork of Dunkard Creek

The proposed effluent limits for *Outfall 001* (Lat: 39° 43' 45" Long: 80° 17' 18") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron <sup>2</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	1.21	2.42	2.42
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 003* discharges to: Unnamed Tributary 41808 to Toms Run

The proposed effluent limits for *Outfall 003* (Lat: 39° 44' 57" Long: 80° 17' 08") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Total Suspended Solids	(mg/l)	-	35	70	90
Sulfate	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	50	100	100
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-



Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 005* discharges to: Clawson Run

The proposed effluent limits for *Outfall 005* (Lat: 39° 44' 25" Long: 80° 18' 41") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	1.0	1.3
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 006* discharges to: Unnamed Tributary 41808 to Toms Run

The proposed effluent limits for *Outfall 006* (Lat: 39° 44' 58" Long: 80° 17' 09") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 008* discharges to: Toms Run

The proposed effluent limits for *Outfall 008* (Lat: 39° 45' 58" Long: 80° 18' 44") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron <sup>2</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 010* discharges to: Tributary 41731 to Hoovers Run

The proposed effluent limits for *Outfall 010* (Lat: 39° 45' 51" Long: 80° 17' 00") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Total Suspended Solids	(mg/l)	-	35	70	90
Sulfate	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	50	100	100
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	230	230	230
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 013* discharges to: Unnamed Tributary 41817 to Blockhouse Run

The proposed effluent limits for *Outfall 013* (Lat: 39° 46' 24" Long: 80° 19' 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
Manganese	(mg/l)	-	1.29	2.72	3.23
Aluminum	(mg/l)	-	0.75	0.86	0.86
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 014* discharges to: Unnamed Tributary 41738 to Hoovers Run

The proposed effluent limits for *Outfall 014* (Lat: 39° 46' 27" Long: 80° 16' 51") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	1.46	2.92	2.92
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 015* discharges to: Morris Run

The proposed effluent limits for *Outfall 015* (Lat: 39° 44' 09" Long: 80° 14' 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 <sup>2</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 016* discharges to: Unnamed Tributary to Rush Run

The proposed effluent limits for *Outfall 016* (Lat: 39° 45' 29" Long: 80° 14' 34") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	1.35	2.7	2.7
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 018* discharges to: Unnamed Tributary to Toms Run

The proposed effluent limits for *Outfall 018* (Lat: 39° 47' 25" Long: 80° 19' 12") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	0.75
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 019* discharges to: Unnamed Tributary to Blockhouse Run

The proposed effluent limits for *Outfall 019* (Lat: 39° 46' 25" Long: 80° 19' 34") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.29	2.72	3.23
Aluminum	(mg/l)	-	0.75	0.86	0.86
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	63.6	127.2	127.2
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 020* discharges to: Unnamed Tributary 41824 to Blockhouse Run

The proposed effluent limits for *Outfall 020* (Lat: 39° 46' 50" Long: 80° 21' 53") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron <sup>2</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 021* discharges to: Unnamed Tributary to Blockhouse Run

The proposed effluent limits for *Outfall 021* (Lat: 39° 46' 51" Long: 80° 21' 56") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron <sup>2</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to 36 months after permit effective date:

*Outfall 022* discharges to: Roberts Run

The proposed effluent limits for *Outfall 022* (Lat: 39° 45' 26" Long: 80° 19' 47") 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)	-	2.0	4.1	5.1
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.9	1.1
Total Suspended Solids	(mg/l)	-	35	70	90
Sulfate	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	53	106	106
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from 37 months after permit effective date to permit expiration date:

*Outfall 022* discharges to: Roberts Run

The proposed effluent limits for *Outfall 022* (Lat: 39° 45' 26" Long: 80° 19' 47") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Total Suspended Solids	(mg/l)	-	35	70	90
Sulfate	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	53	106	106
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to 36 months after permit effective date:

*Outfall 023* discharges to: Unnamed Tributary of Bloody Run

The proposed effluent limits for *Outfall 023* (Lat: 39° 46' 03" Long: 80° 22' 32") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	1.0	1.0
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from 37 months after permit effective date to permit expiration date:

*Outfall 023* discharges to: Unnamed Tributary of Bloody Run

The proposed effluent limits for *Outfall 023* (Lat: 39° 46' 03" Long: 80° 22' 32") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	0.75
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

*Outfall 024* discharges to: Garrison Fork

The proposed effluent limits for *Outfall 024* (Lat: 39° 44' 05" Long: 80° 20' 14.5") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron <sup>2</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>2</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Total Suspended Solids <sup>2</sup>	(mg/l)	-	35	70	90
Osmotic Pressure	(mos/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Acidity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net as CaCO <sub>3</sub>	(mg/l)	0.0	-	-	-

The EPA Waiver is not in effect.

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

**NPDES No. PA0243205 (Mining permit no. 17020101), Junior Coal Contracting, Inc.**, 2330 Six Mile Road, Philipsburg, PA 16866, renew NPDES permit for coal surface mining in Decatur Township, **Clearfield County** affecting 61.0 acres. Receiving stream(s): Big Run classified for the following use(s): CWF and MF. The receiving streams are in the West Branch Susquehanna River TMDL. Application received: April 17, 2018.

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

The following treated mine drainage outfall discharges to unnamed tributary to Wolf Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
003	N

The proposed effluent limits for the previously listed outfall is as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity <sup>1</sup> (mg/l)				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				
<sup>1</sup> The parameter is applicable at all times.				NA

The following stormwater outfalls discharge to the unnamed tributary to Wolf Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity <sup>1</sup> (mg/l)				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				
<sup>1</sup> The parameter is applicable at all times.				NA

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

Alkalinity must exceed acidity at all times.

Effluent limits for treated mine drainage apply if flow occurs during dry conditions.

*Noncoal NPDES Draft Permits*

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

**NPDES Permit No. PA0595845 on Surface Mining Permit No. 58920301. H & K Group, Inc.,** (P.O. Box 196, Skippack, PA 19474), renewal of an NPDES Permit for a sandstone quarry operation in New Milford Township, **Susquehanna County**, affecting 131.8 acres. Receiving stream: Beaver Creek, classified for the following use: HQ—cold water fishes. Application received: January 19, 2018.

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 Beaver Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	N	Stormwater
002	N	Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids		35.0	70.0	90.0
pH <sup>1</sup> (S.U.): Must be between 6.0 and 9.0 at all times.				
Alkalinity must exceed acidity at all times.				

**FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.**

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E39-560. Department of Transportation, Engineering District 5-0**, 1002 Hamilton Street, Allentown, PA 18101, Whitehall and Hanover Townships, **Lehigh County**, Army Corps of Engineers, Philadelphia District.

To remove an existing 6-span twin girder bridge and an existing 4-span twin girder bridge and to construct and maintain a 6-lane 640-foot wide, 5-span PA bulb tee beam bridge, having spans of 100-feet, 140-feet, 160-feet, 140-feet and 100-feet respectively, and having a minimum underclearance of approximately 39-feet, across the Lehigh River (TSF, MF) and to construction and maintain a 530-foot wide, 4-span PA bulb tee beam bridge, having spans of 120-feet, 160-feet, 145-feet and 105-feet respectively, and having a minimum underclearance of approximately 47-feet across the Lehigh Canal (TSF, MF). The project will be temporarily impacting approximately 0.05 acre of PEM wetlands. The activities are associated with the Phase II of a limited access highway, known as the Lehigh Valley Thruway.

The project is located at S.R. 0022, Segment 0200 and 0201 (Catasauqua, PA Quadrangle Latitude: 40° 38' 13.1"; Longitude: -75° 27' 26.5"), in Whitehall and Hanover Townships, Lehigh County.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E34-140: PennDOT Engineering District 2-0**, 70 PennDOT Drive, Clearfield, PA 16830 in Fermanagh Township, **Juniata County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to construct and maintain a 53.0-foot × 44.4-foot bridge over Horning Run (CWF, MF) with associated wingwalls and riprap for the purpose of improving roadway safety along SR 3002 in Fermanagh Township, Juniata County (Latitude: 40.59681N, Longitude: 77.41534W)

**E21-466: Upper Allen Partners, L.P.**, P.O. Box 719, Mechanicsburg, PA 17055 in Upper Allen Township, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to:

1) install and maintain a 57 foot long 54-inch by 32.25-inch bottomless plate box culvert in a UNT to Yellow Breeches Creek (CWF-MF), and associated electric, cable & telephone conduit, 6.0-inch gas line, and 8.0-inch PVC water utility line, all temporarily impacting 0.02 acre of Palustrine Scrub-Shrub (PSS) wetlands and permanently impacting 0.03 acre of PSS wetlands (Latitude: 40° 11' 12", Longitude: -76° 57' 34");

2) install and maintain a 71 foot long 68-inch by 38.17-inch bottomless plate box culvert in a UNT to Yellow Breeches Creek (CWF-MF), and associated electric, cable & telephone conduit, 6.0-inch gas line, 8.0-inch PVC water utility line, and three 24.0-inch HDPE stormwater conveyance pipes, all temporarily impacting 0.02 acre of Palustrine Scrub-Shrub (PSS) wetlands and permanently impacting 0.06 acre of PSS wetlands (Latitude: 40° 11' 07", Longitude: -76° 57' 27");

3) install and maintain an 8-inch PVC sanitary sewerline in and across a UNT to Yellow Breeches Creek

(CWF-MF), impacting 10 linear feet of channel (Latitude: 40° 11' 07", Longitude: -76° 57' 25"); and

4) relocate and maintain a 75-foot long stream section of a UNT to Yellow Breeches Creek (CWF-MF) (Latitude: 40° 11' 07", Longitude: -76° 57' 27");

All impacts are associated with Winding Hills Development in Upper Allen Township, Cumberland County. The applicant proposes 0.36 acre of PSS wetland as compensatory mitigation for wetland impacts and the removal of a 225 linear foot 40-inch by 60-inch CMP Arch culvert as mitigation for stream impacts.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.*

**E11-360, Century Development Ebensburg, LLC**, 1233 Main Street, Suite 1500, Wheeling, WV 26003, Cambria Township, **Cambria County**; Pittsburgh ACOE District.

The applicant proposes to:

1. Maintain fill that was previously placed in 2.35 acres of wetlands (PEM), which were located in the headwaters of an unnamed tributary to South Branch Blacklick Creek (CWF), between SR 22 and SR 3034. Authorization for this wetland fill was previously granted by Permit No. E02-262, which was issued on November 5, 1998.

2. Maintain fill in an additional 0.13 acre of wetland (PEM) in the headwaters of an unnamed tributary to South Branch Blacklick Creek (CWF), and to temporarily place and maintain fill in an additional 0.09 acre of wetlands (PEM),

For the purpose of constructing a commercial development. The project site is located approximately 850 feet west of the intersection of Admiral Peary Highway (SR 22) and Beulah Road (SR 3034) (Nanty Glo, PA USGS topographic quadrangle; N: 40° 28' 13.73"; W: -78° 45' 18.17"; Sub-basin 18D; USACE Pittsburgh District), in Cambria Township, Cambria County. If favorable consideration is given to this application, Permit No. E11-262 will become null and void.

**ENVIRONMENTAL ASSESSMENTS**

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**EA36-051: West Earl Township**, PO Box 725, Brownstown, PA 17508, in West Earl Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To regrade and maintain 1,250 feet of an unnamed tributary to the Conestoga River for the purpose of meeting sediment load reductions outlined in the Township's Pollutant Reduction Plan. The project is located at 186 West Metzler Road (Latitude: 40° 08' 8.70" N; Longitude: 76° 12' 03.80" W) in West Earl Township, Lancaster County. No wetlands will be impacted by this project.

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.*

**D15-360. Janet L. Bowers**, Executive Director, Chester County Water Resources Authority, 601 Westtown



Road, Suite 260, West Chester, PA 19380, West Caln Township, **Chester County**, USACOE Philadelphia District.

Project proposes to repair/rehabilitate Hibernia Dam including construction of a concrete cutoff wall at the auxiliary spillway, a rock toe berm, and re-grading the

downstream embankment bench to improve drainage. The project will impact a de minimus area (0.032 acre) of wetland (PEM). The dam is located across the Birch Run (TSF, MF) (Wagontown, PA Quadrangle; Latitude: 40.0276, Longitude: -75.8496).

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## ACTIONS

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### 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—691.1001) 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 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.

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#### I. NPDES Renewal Permit Actions.

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0036081 (Sewage)	Wynnewood Terrace P.O. Box 3348 1053 Spruce Street Allentown, PA 18106-0348	Lehigh County North Whitehall Township	Lehigh River (2-C)	Yes
PA0063606-A1 (Industrial)	Closed Bangor Ash Disposal Site 5027 River Road Mount Bethel, PA 18343-5610	Northampton County Bangor Borough	Brushy Meadow Creek (01F)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0008281 (IW)	Brunner Island LLC 835 Hamilton Street Suite 150 Allentown, PA 18101	Manchester Township, York County	to Hartman Run, Susquehanna River, Conewago Creek, in Watershed(s) 7-G, 7-H, and 7-F	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0028657 (Sewage)	Nanty Glo Borough 879 Wood Street Nanty Glo, PA 15943-1371	Cambria County Nanty Glo Borough	South Branch Blacklick Creek (18-D)	Yes
PA0217603 (Sewage)	Cumberland Mine Bathhouse No 6 Portal STP P.O. Box 1020 158 Portal Road Waynesburg, PA 15370-3020	Greene County Whiteley Township	Unnamed Tributary to Patterson Run (19-G)	Yes
PA0254614 (Sewage)	Cumberland Contura No 9 Portal 158 Portal Road P.O. Box 1020 Waynesburg, PA 15370	Greene County Center Township	Maple Run (Tributary to Pursley Creek) (19-B)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0239348 (Sewage)	698 Roadhouse P.O. Box 318 9107 Main Street McKean, PA 16426-0318	Erie County Elk Creek Township	Unnamed Tributary to Cussewago Creek (16-D)	Yes

## **II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.**

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

**NPDES Permit No. PA0028711**, Sewage, SIC Code 4952, **Peters Township Sanitary Authority**, 111 Bell Drive, McMurray, PA 15317-3415.

This existing facility is located in Peters Township, **Washington County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

**NPDES Permit No. PA0216941**, Sewage, SIC Code 4952, **Forest Hills Municipal Authority**, P.O. Box 337, Saint Michael, PA 15951-0337.

This existing facility is located in Conemaugh Township, **Cambria County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

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

**NPDES Permit No. PA0027138**, Sewage, SIC Code 4952, **Sharon City Sanitary Authority**, 155 W Connolly Boulevard, Suite 5, Sharon, PA 16146-1774.

This existing facility is located in Sharon City, **Mercer County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

**NPDES Permit No. PA0025569**, Sewage, SIC Code 4952, **Slippery Rock Municipal Authority**, P.O. Box 157, Slippery Rock, PA 16057-0157.

This existing facility is located in Slippery Rock Borough, **Butler County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

**NPDES Permit No. PA0271438**, Sewage, SIC Code 8800, **Raymond Cowan**, 5200 Henderson Road, Apt 402, Erie, PA 16509-4051.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

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


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

**WQM Permit No. 6690402A-1**, Sewage, SIC Code 4952, **Saddleview Sewer, LLC**, 301 Shore Drive, Tunkhannock, PA 18657.

This existing facility is located in Tunkhannock Township, **Wyoming County**.

Description of Proposed Action/Activity: The new permittee submitted WQM permit amendment and transfer applications for the purpose of correctly identifying the current owner and documenting changes made to the WWTP. New upgrades will also be made to the WWTP.

The WWTP was permitted to have a capacity of 78,750 gpd and was designed to be constructed in two phases using two separate treatment trains, with each treatment train having a rated capacity of 39,375 gpd. To date, only one treatment train has been installed.

The proposed project is to upgrade the disinfection process to ultraviolet radiation. The facility currently utilizes Sodium Hypochlorite for disinfection and then Sodium Bisulfate to remove excess chlorine. Chemical disinfection would remain on site to serve as a backup in the event the UV system is off-line.

**WQM Permit No. 5418402**, Sewage, SIC Code 4939, 4952, **Aqua Pennsylvania Wastewater Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402.

This proposed facility is located in North Union Township, **Schuylkill County**.

Description of Proposed Action/Activity: For improvements to Eagle Rock's existing Bellacoola Pump Station and to upsize and relocate its Force Main.

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

**WQM Permit No. WQG02111801**, Sewage, SIC Code 4952, **Middle Taylor Township Sewer Authority**, 504 Waterfall Drive, Johnstown, PA 15906.

This proposed facility is located in Middle Taylor & West Taylor Townships, **Cambria County**.

Description of Proposed Action/Activity: The Authority proposes to construct sewer extension to serve the existing residences and businesses along Benshoff Hill Road and its side streets.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

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

**WQM Permit No. 2518408**, Sewage, **Raymond Cowan**, 5200 Henderson Road, Apt 402, Erie, PA 16509-4051.

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

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

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**IV. NPDES Stormwater Discharges from MS4 Permit Actions.**


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

<i>NPDES Permit No.</i>	<i>Permittee Name &amp; 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>
PAI132271	Blakely Borough 1439 Main Street Peckville, PA 18452	Blakely Borough, Lackawanna	Lackawanna River (HQ-CWF/MF), Wildcat Creek (CWF/MF), and Hull Creek (CWF/MF)	N	Y

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**V. NPDES Waiver Stormwater Discharges from MS4 Actions.**


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

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 &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG132319	Laplume Township 2080 Hickory Ridge Road Factoryville, PA 18419	La Plume Township, Lackawanna	Unnamed Tributary to Ackerly Creek/South Branch of Tunkhannock Creek; TSF, CWF and MF

**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.*

**NPDES**

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150089	JPO Spring Oak, L.P. 1819 JFK Boulevard Suite 360 Philadelphia, PA 19103-1940	Chester	Charlestown Township	Pickering Creek HQ-TSF Valley Creek EV
PAD150090	Devon Road Partners, LP 950 West Valley Forge Road King of Prussia, PA 19406	Chester	Willistown Township	Crum Creek HQ-CWF
PAD150092	Main Line Associates I, LP & Main Line Associates II, LP 201 King of Prussia Road Radnor, PA 19087-5147	Chester	East Whiteland Township	Little Valley Creek EV
PAD510001	Delaware River Waterfront Corporation 121 North Columbus Boulevard Philadelphia, PA 19106	Philadelphia	City of Philadelphia	Delaware River WWF-MF
PAD510030	Philadelphia Regional Port Authority (a.k.a. PhilaPort) 3460 North Delaware Avenue Philadelphia, PA 19134	Philadelphia	City of Philadelphia	Delaware River WWF-MF
PAD510028	Philadelphia Energy Solutions Refining & Marketing, LLC 3144 West Passyunk Avenue Philadelphia, PA 19145-5299	Philadelphia	City of Philadelphia	Lower Tidal Schuylkill River WWF-MF
PAD090028	Robert Fox 221 Derwen Road Merion Station, PA 19066	Bucks	Springfield Township	Tributary to Hollow Run EV-MF
PAD150019	North Coventry Township 845 South Hanover Street Pottstown, PA 19465	Chester	North Coventry Township	POI 1 Unnamed Tributary to Schuylkill River HQ-TSF-MF POI 2 Unnamed Tributary to Pigeon Creek HQ-TSF-MF
PAD150089	JPO Spring Oak, L.P. 1819 JFK Boulevard Suite 360 Philadelphia, PA 19103-1940	Chester	Charlestown Township	Pickering Creek HQ-TSF Valley Creek via N.S. Waters EV
PAD150090	Devon Road Partners, LP 950 West Valley Forge Road King of Prussia, PA 19406	Chester	Willistown Township	Tributaries to Crum Creek HQ-CWF
PAD230027	Sentinel Ridge Development, LLC 110 North Phoenixville Pike Malvern, PA 19355	Delaware	Marple Township	Crum Creek/Hollow Run WWF-MF
PAD230023	Sunoco Partners Marketing and Terminals, L.P. 100 Green Street Marcus Hook, PA 19061	Delaware	Marcus Hook Borough	Delaware River WWF-MF
PAD230002	Stoney Creek Developers, Inc. 576 South Heilbron Drive Media, PA 19063	Delaware	Middletown Township	Ridley Creek HQ-TSF-MF
PAD460011	Lidl US Operations, LLC 2005 Market Street Suite 1010 Philadelphia, PA 19103	Montgomery	Lower Providence Township	Unnamed Tributary to Indian Creek WWF-MF

*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD460025	Horsham Water & Sewer Authority 617 Horsham Road Horsham, PA 19044	Montgomery	Horsham Township	Park Creek and Little Neshaminy Creek WWF-MF Unnamed Tributary to Pennypack Creek TSF-MF

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

*Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.*

*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390080	Jaindl Land Company 3150 Coffeetown Road Orefield, PA 18069	Lehigh	Upper Macungie Township	Schaefer Run (HQ-CWF, MF) Tributary to Schaefer Run (HQ-CWF, MF)

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.*

*NPDES*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD0200110	Oxford Redevelopment Company 301 Grant Street Suite 4500 Pittsburgh, PA 15219	Allegheny County	City of Pittsburgh	Allegheny River (WWF)
PAD630022	Running Brooke II Associates, LP 3555 Washington Road McMurray, PA 15317	Washington County	Canton Township	Chartiers Creek (WWF)

**VII. Approvals to Use NPDES and/or Other General Permits.**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

**List of NPDES and/or Other General Permit Types.**

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02**Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Warminster Township Bucks County	PAC090173	JAMP Development Company, LLC 217 Delmont Avenue Warminster, PA 18974-3749	Unnamed Tributary to Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAC090168	Zaveta Custom Homes 4030 Skyron Drive Suite G Doylestown, PA 18902-1132	Unnamed Tributary to Jericho Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Bucks County	PAC090141	Community Welfare Council of Newtown, Inc. 226 North Lincoln Avenue Newtown, PA 18940-2216	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAC090158	G.D.L. Farms Corporation 3501 Masons Mill Rd. Suite 403 Huntingdon Valley, PA 19006	Unnamed Tributary to Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAC460189	Lower Perkiomen Valley Regional Sewer Authority 101 Station Avenue Oaks, PA 19456	Perkiomen Creek WWF/MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Abington Township Montgomery County	PAC460192	Abington School District 970 Highland Avenue Abington, PA 19001	Baeder Run WWF/MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bryn Athyn Borough Montgomery County	PAC460216	Bryn Athyn College P.O. Box 462 2945 College Drive Bryn Athyn, PA 19009	Huntingdon Valley Creek TSF/MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAC230051	Dr. Matthew Cherian 625 Winchester Road Huntington Valley, PA 19006	West Branch Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Delaware County	PAC230042	Newtown Township, Delaware County, Municipal Authority 209 Bishop Hollow Road Newtown Square, PA 19073-3219	Crum Creek, Reeses Run, Preston Run and Hunter Run CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bethel Township Delaware County	PAC230072	Foulk Developers, L.P. 1 Raymond Drive Havertown, PA 19083	Green Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510075	PNC Realty Services 300 Fifth Avenue PT-PTWR-22-1 Pittsburgh, PA 15222	Lower Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510067	School District of Philadelphia 440 North Broad Street Philadelphia, PA 19130-4015	Unnamed Tributary to Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Moosic Boro Lackawanna County	PAC350043	M5 Hotels LLC 89 S Washington St Wilkes-Barre, PA 18701	UNT to Spring Brook (CWF, MF)	Lackawanna County Conservation District 570-382-3086
South Abington Twp Lackawanna County	PAC350041	Grasselli USA Inc 410 Charles St Throop, PA 18512	Unnamed Tributary to Summit Lake Creek (TSF, MF)	Lackawanna County Conservation District 570-382-3086
Upper Saucon Twp Lehigh Twp	PAC390052	US Home Corp dba Lennar Corp 2465 Kuser Rd, Fl 3 Hamilton, NJ 08690	UNT to the Laurel Run (CWF, MF)	Lehigh County Conservation District 610-391-9583
Salem Twp Luzerne County	PAC400065	MS/GIV LLC Greg Fisher 1305 Trinity Ave P.O. Box 2044 High Point, NC 27261	Susquehanna River (WWF, MF)	Luzerne County Conservation District 570-674-7991
Jenkins Twp Luzerne County	PAC400076	United Methodist Homes Danielle Janeski 209 Roberts Rd Pittston, PA 18640	UNT to Susquehanna River (CWF, MF)	Luzerne County Conservation District 570-674-7991
Pittston Twp Luzerne County	PAC400061	Dupont Terminals DE-LLC Steve Carten 900 Eisenhower Blvd Middleton, PA 17057	Collins Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991
Nanticoke City Hanover Twp Luzerne County	PAC400066	North Point Development Hanover LLC Eric Watts 4825 NW 41st St Ste 500 Riverside, MO 64150	Espy Run And Nanticoke Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991
Lower Saucon Twp Northampton City	PAC480058	Kruger Construction Inc James Marzolino 7 Oakwood Dr Scranton, PA 18504 BT Stonewood Longridge LP 116 Union Ave Altoona, PA 16602	UNT East Brance Saucon Creek (CWF, MF)	Northampton County Conservation District 610-829-6276
Tunkhannock Twp Lemon Twp Wyoming County	PAC660011	Northeast Marcellus Aqua Midstream LLC 4000 4th St Moosic, PA 18507	Susquehanna River (WWF, MF) Tunkhannock Creek (TSF, MF) Swale Brook (CWF, MF) Kern Glen Creek (CWF, MF) Billings Mill Brook (CWF, MF) Tributary to Meshoppen Creek (CWF, MF) Meshoppen Creek (CWF, MF)	Wyoming County Conservation District 570-836-2589

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Phillips, Section Chief, 717.705.4802.*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Liberty Township Adams County Issued	PAC010064	Kevin Upson, Chief of Staff Raven Rock Mountain Complex 1155 Defense Pentagon Washington, DC 20301-1155	Miney Branch (CWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Muhlenberg Township, Berks County Issued	PAC060108	Maurice Zekaria Paramount Realty, Inc. 1195 Route 70 Suite 2000 Lakewood, NJ 08701	UNT Laurel Run (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Wyomissing Borough, Berks County Issued	PAC060139	George Haines Reading Redevelopment Straw Party 301 Oxford Valley Road Suite 1203A Yardley, PA 19067-7705	Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Maxatawny Township, Berks County Issued	PAC060136	Lisa Condos Advantage Point, LP 328 Buttonwood Street Reading, PA 19601	Sacony Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Lower Frankford Township Cumberland County Issued	PAC210073	Jonathan Z. Martin 924 Horseshoe Pike Lebanon, PA 17042	Conodoguinet Creek (WWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Middletown Borough & Lower Swatara Township Dauphin County Issued	PAC220037	H-T Partners, LLC P.O. Box 277 Landisville, PA 17539	UNTs Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Swatara Township Dauphin County Issued	PAC220013	SARAA 1 Terminal Drive Suite 300 Middletown, PA 17057	UNT Susquehanna River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County Issued	PAC220111	DD Development 1349 Worthington Drive Mt Joy, PA 17552	Paxton Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Greene Township Franklin County Issued	PAC280065	Saddle Ridge Estates Matt Stare Dan Ryan Builders Mid Atlantic LLC 10212 Governor Lane Boulevard Suite 1006 Williamsport, MD 21795	UNT Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499



## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Guilford Township Franklin County Issued	PAC280093	Guilford Water Authority Gary Yeager 115 Spring Valley Road Chambersburg, PA 17202	UNT Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Township Franklin County Issued	PAC280084	Martin's Famous Pastry Shope Kevin Franzoni 1000 Potato Roll Lane Chambersburg, PA 17202	UNT Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Township Franklin County Issued	PAC280054	Northpointe Lot 15 Eric Watts Northpointe, Greencastle, LLC 4825 Northwest 41st Street Suite 500 Riverside, MO 64150	UNT Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Chambersburg Borough Franklin County Issued	PAC280075	Chambers Pointe Hugh Davis Menno Haven 1211 Scotland Ave Chambersburg, PA 17201	Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280081	Franklin Logistics Colby Nitterhouse WCN Properties 900 Kriner Road Suite 1 Chambersburg, PA 17202	UNT Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Township Franklin County Issued	PAC290088	FCADC Lot 10 Mike Ross 1900 Wayne Ave Chambersburg, PA 17202	West Branch Antietam Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Bart Township Lancaster County Issued	PAC360252	John Smucker 1670 Georgetown Road Christiana, PA 17509	UNT Ball Run (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Pequea Township Lancaster County Issued	PAC360192	Ian Shannon P.O. Box 326 Willow Street, PA 17584	UNT Pequea Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Township Lancaster County Issued	PAC360293	Dale Weaver 3001 Lititz Pike Lititz, PA 17543	Bachman Run UNT Little Conestoga Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Cornwall Borough Lebanon County Issued	PAC380077	Jonathan L. Byler 201 Iron Valley Drive Lebanon, PA 17042	UNT Snitz Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Windsor Township York County Issued	PAC670181	Gemcraft Homes Forest Hill, LLC Brian Fromme 2205-A Commerce Road Forest Hill, MD 21050	Kreutz Creek (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Manchester Township York County Issued	PAC670168	York City Sewer Authority Stacey MacNeal 345 East Market Street York, PA 17401	Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Penn Township York County Issued	PAC670170	Joseph A. Myers 160 Ram Drive Hanover, PA 17331	Plum Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Dover Township York County Issued	PAC670169	Dover Area School District Dave Nelson 101 Edgeway Road Dover, PA 17315	Fox Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

*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>
Mahoning Township	PAC030012	Mahoning Township Municipal Authority Box 60 Distant, PA 16023	UNTs to Redbank Creek (CWF)	Armstrong County Conservation District 120 South Grant Avenue Suite 2 Kittanning, PA 16201 (724) 548-3425
Brighton Township; Potter Township; Vanport Township	PAC040026	Duquesne Light Company 2825 New Beaver Avenue Pittsburgh, PA 15233-1003	Ohio River (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Potter Township	PAC040045	Linde, LLC, 200 Somerset Corporate Boulevard Bridgewater, NJ 08807-2843	Ohio River (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
East Finley Township	PAC630081	CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317	UNTs to Enlow Fork (WWF); Enlow Fork (TSF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Canonsburg Borough	PAC630092	T2 Capital Management, LLC 120 North Hale Street Suite 300 Wheaton, IL 60187	Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

## NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Cecil Township	PAC630093	US Department of Veterans Affairs 425 Eye Street, NW Suite 6W.417C Washington DC 20001-4343	Chartiers Run Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
North Strabane Township	PAC630094	Pennsylvania American Water 300 Galley Road McMurray, PA 15317	UNT to Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Chartiers Township	PAC630100	Richard L. Diesel 35 White Tail Drive Washington, PA 15301	UNT to Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Union Township	PAC630102	Finleyville Airport, Inc. 196 Airport Road P.O. Box 231 Finleyville, PA 15332	UNTs to Peters Creek (TSF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
California Borough	PAC630103	California University of Pennsylvania 250 University Avenue California, PA 15419	Pike Run (TSF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
<i>General Permit Type—PAG-3</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Peters Township, Franklin County	PAG033584	Epiroc Drilling Tools LLC 13278 Lincoln Way West Fort Loudon, PA 17224-9702	Unnamed Tributary of West Branch Conococheague Creek in Watershed(s) 13-C	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Mount Pleasant Township Westmoreland County	PAG036217	Keane Frac LP 1245 Old Route 119 Mount Pleasant, PA 15666	Belson Run—19-D WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Saint Marys City Elk County	PAG038365	Bingaman & Son Lumber Inc. P.O. Box 247 Kreamer, PA 17833-0247	Unnamed Tributary to Hellfire Run—8-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-8*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Forks Township Northampton County	PAG 08-3504 PAG-08-0002 PAG-08-2203 PAG-08-9903 PAG-08-3522 PAG-08-2224 PAG-08-3547 PAG-08-0016 PAG-08-3518 PAG-08-3825 PAG-08-0007 PAG-08-3515 PAG-08-2219 PAG-08-3565/07-3508 PAG-08-3610 PAG-08-9904 PAG-08-3540 PAG-08-0022 PAG-08-3568 PAG-08-3596 PAG-08-3597 PAG-08-3556 PAG-08-3605 WMGR-099 PAG-08-3535 PAG-08-9905 PAG-08-3510 PAG-08-0011 PAG-08-2211 PAG-08-3551 PAG-08-3573 PAG-08-3600 PAG-08-3611 PAG-08-3506 PAG-07-0003 PAG-08-0004 PAG-08-0003 PAG-08-0005 PAG-08-3615 PAG-08-3581 PAG-08-2223 PAG-08-3567 PAG-08-9909 PAG-08-0021 PABIG-9903 PAG-08-0006 PAG-08-0008 PAG-07-0005 PAG-08-0023 PAG-08-0018 PAG-08-9601 PAG-08-3514 PAG-08-3501	Synagro P.O. Box B 1605 Dooley Road Whiteford, MD 21160	Yautz Farm 240 Uhler Road	Northeast Region: Clean Water Program 2 Public Square Wilkes-Barre, PA 18701 570-826-2511
Adamstown Borough Wastewater Treatment Plant 235 East Swartzville Road Denver, PA 17517	PAG083521	Borough of Adamstown P.O. Box 546 Adamstown, PA 19501	Same as Facility	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707
Lancaster County/ East Cocalico Township				

*General Permit Type—PAG-9*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Lake Township, Luzerne County	PAG09 2212	Rural Wastewater Steve Rogers 1398 State Route 29 Hwy Hunlock Creek, PA 18621	Rogers Farm 1050 Loyalville Outlet Road Harvey's Lake, PA 18621	Northeast Region: Clean Water Program 2 Public Square Wilkes-Barre, PA 18701 570-826-2511

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Mount Joy Township, Lancaster County	PAG123759	David W Sweigart III 189 Ridge View Rd. S Elizabethtown, PA 17022	Watershed(s) 7-G	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-13*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
East Lampeter Township/ Lancaster County	PAG133541	East Lampeter Township Lancaster County 2250 Old Philadelphia Pike Lancaster, PA 17602	Pequea Creek, Mill Creek, and Unnamed Tributary to Conestoga River— 7-J and 7-K	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
Sinking Spring Borough Berks County	PAG133509	Sinking Spring Borough Berks County 3940 Penn Avenue Sinking Spring, PA 19608	Cacoosing Creek and Unnamed Tributary to Cacoosing Creek— 3-C	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
Leacock Township Lancaster County	PAG133571	Leacock Township Lancaster County P.O. Box 558 3545 W Newport Road Intercourse, PA 17534-0558	Watson Run, Unnamed Tributary to Watson Run, Unnamed Tributary to Pequea Creek, and Pequea Creek— 7-K	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
Lancaster City Lancaster County	PAG133577	Lancaster City Lancaster County 120 N Duke Street P.O. Box 1599 Lancaster, PA 17608	Conestoga River, Unnamed Tributary to Little Conestoga Creek, and Unnamed Tributary to Conestoga River— 7-J	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
Marietta Borough Lancaster County	PAG133598	Marietta Borough Lancaster County 111 E Market Street Marietta, PA 17547-1516	Unnamed Tributary to Susquehanna River and Unnamed Stream— 7-G	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
Robesonia Borough Berks County	PAG133510	Robesonia Borough Berks County 75 S Brooke Street Robesonia, PA 19551	Furnace Creek and Unnamed Tributary to Furnace Creek— 3-C	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
Ephrata Borough Lancaster County	PAG133627	Ephrata Borough Lancaster County 124 S State Street Ephrata, PA 17522-2411	Cocalico Creek and Unnamed Tributary to Cocalico Creek— 7-J	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707

**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>
Curvin Martin 322 Hatchery Road Dalmatia, PA 17017	Northumberland	22.6	94.44	Duck	NA	Approval
Werner Acres LLC 987 N Lancaster St Jonestown, PA 17038	Lebanon	537.9	775.56	Poultry	NA	Renewal

**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.**

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

**Permit No. 4018514MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Pennsylvania-American Water Company</b> (Huntsville Water System) 800 West Hershey Park Drive Hershey, PA 17033
Municipality	Dallas Township
County	<b>Luzerne</b>
Type of Facility	PWS

Consulting Engineer Richard C. Dudek, P.E.  
 Pennsylvania-American Water  
 Company  
 2699 Stafford Avenue  
 Scranton, PA 18505

Permit to Construct July 23, 2018  
 Issued

**Permit No. 2350320, Operation Permit, Public Wa-**  
**ter Supply.**

Applicant **Americold Logistics, LLC**  
 91 First Avenue  
 Covington Township, PA 18424

Municipality Covington Township

County **Lackawanna**

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit to Operate July 23, 2018  
 Issued

**Permit No. 4518513MA, Minor Amendment, Public**  
**Water Supply.**

Applicant **East Stroudsburg Borough**  
**Water Department**  
 P.O. Box 303  
 24 Analomink Street  
 East Stroudsburg, PA 18301

Municipality Smithfield Township

County **Monroe**

Type of Facility Public Water Supply

Consulting Engineer Jason G. Saylor, P.E.  
 Utility Service Company, Inc.  
 1230 Peachtree Street NE  
 Suite 1100  
 Atlanta, GA 30309

Permit to Construct July 25, 2018  
 Issued

**Permit No. 2400806, Public Water Supply.**

Applicant **CAN DO, INC.**  
 1 South Church Street  
 Hazleton, PA 18201

[Township or Borough] Hazleton, **Luzerne County**

Responsible Official Mr. Brian Demshock  
 CAN DO, INC.  
 1 South Church Street  
 Hazleton, PA 18201

Type of Facility PWS

Consulting Engineer Mr. Jason Saylor, P.E.  
 Utility Service Company, Inc.  
 1230 Peachtree Street  
 Atlanta, GA 30309

Permit Issue Date 07/06/2018

**Permit No. 3480046, Operations Permit, Public**  
**Water Supply.**

Applicant **Bethlehem Authority**  
 10 East Church St.  
 Bethlehem, PA 18018

[Borough or Township] Lehigh Township

County **Northampton**

Type of Facility PWS

Consulting Engineer Mr. Ed Boscola, P.E.  
 City of Bethlehem  
 10 East Church St.  
 Bethlehem, PA 18018

Permit to Operate 7/10/2018  
 Issued

**Permit No. 3480053, Operations Permit, Public**  
**Water Supply.**

Applicant **Pennsylvania American**  
**Water Company**  
 800 W. Hershey Park Dr.  
 Hershey, PA 17033

[Borough or Township] Lower Mt. Bethel Township

County **Northampton**

Type of Facility PWS

Consulting Engineer Jeremy Nelson, PE  
 PAWC  
 2699 Stafford Avenue  
 Scranton, PA 18505

Permit to Operate June 20, 2018  
 Issued

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

**Permit No. 0617521, Public Water Supply.**

Applicant **Duke Realty Limited**  
**Partnership**

Municipality Bethel Township

County **Berks**

Responsible Official David A. Jennings, Senior  
 Project Manager  
 Eight Tower Bridge  
 161 Washington Street  
 Suite 1020  
 Conshohocken, PA 19428

Type of Facility

Duke Realty Limited  
 Partnership has submitted a  
 public water supply permit  
 application for the approval to  
 construct a new non-transient  
 non-community water system  
 which will serve Central  
 Logistics Park. The new water  
 system will include one well, a  
 treatment building, greensand  
 filtration, chlorine gas  
 disinfection, 4-log treatment of  
 viruses, and a 32,400-gallon  
 finished water standpipe. The  
 Department is aware that  
 Reading Area Water Authority  
 plans to accept ownership of the  
 system once construction is  
 completed.

Consulting Engineer John P. Spitko, P.E.  
 Spotts Stevens and McCoy Inc  
 1047 North Park Road  
 Reading, PA 19610-0307

Permit to Construct 7/31/2018  
 Issued

**Permit No. 3418502**, Public Water Supply.  
 Applicant **McAlisterville Area Joint Authority**  
 Municipality Fayette Township  
 County **Juniata**  
 Responsible Official Charles Schell, Authority Chairman  
 P.O. Box 61  
 McAlisterville, PA 17049

Type of Facility Improvements to Well No. 3, including extending the well casing above grade, replacing the existing sodium hypochlorite injection with gas chlorination and removing all other well piping and equipment from the existing well pit to a new treatment building.

Consulting Engineer Michele A. Aukerman, P.E.  
 RETTEW Associates Inc  
 330 Innovaiton Boulevard  
 State College, PA 16803

Permit to Construct Issued 7/26/2018

**Permit No. 0618501**, Public Water Supply.  
 Applicant **Giorgio Foods, Inc.**  
 Municipality Maiden creek Township  
 County **Berks**  
 Responsible Official Bruce Seidel, Vice President—Operations  
 1161 Park Road  
 Blandon, PA 19510

Type of Facility A permit application was submitted on behalf of Giorgio Foods, Inc. for the installation of a new disinfection system to provide 4-log treatment of viruses at Entry Point 101 (Well Nos. 1, 2, and 3). The disinfection system will consist of onsite chlorine generation, new chemical feed pumps, and three 20,000-gallon storage tanks for contact time. Additional system upgrades include new distribution pumps, water softeners, and multimedia filters. Due to the extent of the project and deadlines stated in the November 17, 2017 COA, the new disinfection system and contact tanks will be separated and assigned a new authorization number.

Consulting Engineer Andrew C. Hood, P.E.  
 Keystone Engineering Group, Inc.  
 590 East Lancaster Avenue  
 Frazer, PA 19355

Permit to Construct Issued 7/26/2018

**Operation Permit No. 2116508 MA** issued to: **South Middleton Township Municipal Authority (PWS ID No. 7210050)**, South Middleton Township, **Cumberland County** on 7/24/2018 for facilities approved under Construction Permit No. 2116508 MA.

**Operation Permit No. 0618515 MA** issued to: **Spunktown Tavern (PWS ID No. 3060567)**, Colebrookdale Township, **Berks County** on 7/26/2018 for facilities approved under Construction Permit No. 0618515 MA.

**Transferred Comprehensive Operation Permit No. 7380033** issued to: **Heidelberg Township (PWS ID No. 7380033)**, Heidelberg Township, **Lebanon County** on 7/24/2018. Action is for a Change in Ownership for the operation of facilities previously issued to Heidelberg Township Municipal Authority.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. 4716501-MA-Partial—Operation—Public Water Supply.**

Applicant **Danville Borough**  
 Township/Borough Danville Borough  
 County **Montour County**  
 Responsible Official Mr. Richard Johns, Chairman  
 Danville Municipal Authority  
 12 W. Market Street  
 P.O. Box 179  
 Danville, PA 17821

Type of Facility Public Water Supply—Operation  
 Consulting Engineer Mr. David E. Marks  
 Gannett Fleming, Inc.  
 P.O. Box 67100  
 Harrisburg, PA 17106-7100

Permit Issued July 25, 2018  
 Description of Action Authorizes operation of the rehabilitated East solids contact clarifier while the West solids contact clarifier is removed from service to allow for installation of the new mixer and scraper-drive motors and to complete electrical work.

**Permit No. 4118504MA—Construction—Public Water Supply.**

Applicant **Williamsport Municipal Water Authority**  
 Township/Borough City of Williamsport  
 County **Lycoming County**  
 Responsible Official Ms. Rebecca Haladay  
 Williamsport Municipal Water Authority  
 253 West Fourth Street  
 Williamsport, PA 17701

Type of Facility Public Water Supply—Construction  
 Consulting Engineer Mr. Dave Walters, P.E.  
 Larson Design Group  
 1000 Commerce Park Dr.  
 Suite 201  
 Williamsport, PA 17701



Permit Issued July 26, 2018  
 Description of Action Authorizes the installation of two pressure-reducing valves (PRVs) on the property of 26 Arch Street in Williamsport to replace the existing PRV on Brook Street in Duboistown.

**Permit No. 5918201—Construction—Public Water Supply.**

Applicant **Osceola Township Municipal Authority**  
 Township/Borough Osceola Township  
 County **Tioga County**  
 Responsible Official Ms. Belinda Seely  
 Osceola Township Municipal Authority  
 112 S. Tuscarora St.  
 P.O. Box 249  
 Osceola, PA 16942

Type of Facility Public Water Supply—Construction  
 Consulting Engineer Mr. Scott M. Rights  
 Steckbeck Engineering & Surveying, Inc.  
 279 N. Zinns Mill Road  
 Lebanon, PA 17042

Permit Issued July 26, 2018  
 Description of Action Authorizes Osceola Township Municipal Authority to remove Sequest Corrosion Control system for iron and manganese sequestration and to install a Greensand Plus filtration system for Iron and Manganese removal with pre-filtration chlorine injection points. The rehabilitation of Renkin and Schoolhouse Wells and facilities approved under Construction Permit No. 5906501 is recognized in this permit.

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

**Permit No. 0210504, Public Water Supply.**

Applicant **Beaver Falls Municipal Authority**  
 1425 Eighth Avenue  
 Beaver Falls, PA 15010

[Borough or Township] Eastvale Borough  
 County **Beaver**  
 Type of Facility Water system  
 Consulting Engineer Entech Engineering  
 400 Rouser Road  
 Building # 2  
 Suite 200  
 Coraopolis, PA 15108

Permit to Construct Issued July 24, 2018

**Operations Permit** issued to: **North Star School District**, 1200 Morris Avenue, Boswell, PA 15531, (**PWSID # 4560341**) Stoystown Borough, **Somerset County** on July 24, 2018 for the operation of facilities approved under Construction Permit # 5615507-C1.

**Operations Permit** issued to: **Indian Lake Borough**, 1301 Causeway Drive, Central City, PA 15926, (**PWSID # 4560025**) Indian Lake Borough, **Somerset County** on July 24, 2018 for the operation of facilities approved under Construction Permit # 5617502.

**Operations Permit** issued to: **Addison Area Water Authority**, P.O. Box 13, Addison, PA 15411, (**PWSID # 4560028**) Addison Borough, **Somerset County** on July 24, 2018 for the operation of facilities approved under Construction Permit # 5618506MA-E.

**Permit No. 5617501MA-2, Minor Amendment.** Public Water Supply.

Applicant **Windber Area Authority**  
 1700 Stockholm Avenue  
 Windber, PA 15963

[Borough or Township] Paint Township  
 County **Somerset**  
 Type of Facility Horn Road waterline  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501

Permit to Construct Issued July 24, 2018

**Permit No. 6518510MA, Minor Amendment.** Public Water Supply.

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

[Borough or Township] Bell Township  
 County **Westmoreland**  
 Type of Facility Sweeny water treatment plant  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 P.O. Box 853  
 Latrobe, PA 15650

Permit to Construct Issued July 24, 2018

**Permit No. 0418511GWR-A1, Minor Amendment.** Public Water Supply.

Applicant **Municipal Water Authority of Aliquippa**  
 160 Hopewell Avenue  
 Aliquippa, PA 15001

[Borough or Township] City of Aliquippa  
 County **Beaver**  
 Type of Facility Water system  
 Consulting Engineer Lennon, Smith, Souleret Engineering, Inc.  
 846 Fourth Avenue  
 Coraopolis, PA 15108

Permit to Operate Issued July 26, 2018

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

**Permit No. 6114503-MA3**, Public Water Supply.

Applicant	<b>Franklin City General Authority</b>
Township or Borough	City of Franklin
County	<b>Venango</b>
Type of Facility	Public Water Supply
Consulting Engineer	Olgierd Wodzianski, P.E. Wodzianski Engineering Inc. 1322 Elk Street Franklin, PA 16323
Permit to Construct Issued	July 31, 2018

#### 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.**

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**WA 60-88C**, Water Allocations. **Borough of Mifflinburg**, 120 North Third Street, Mifflinburg, PA 17844-1134, Mifflinburg, Borough, **Union County**. Application to replace the existing allocation permit. Current maximum allocated amount of water that the Borough of Mifflinburg has the right to withdraw is 800,000 gallons per day (gpd).

#### SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5).**

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Pequea Township	1028 Millwood Road Willow Street, PA 17584	Lancaster

*Plan Description:* Approval of a revision to the official plan of Pequea Township, Lancaster County. The project is known as New Danville Special Study Area. The plan provides for continuation of an on lot sewage system management program begun in 2016 for the study area and Township-wide. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this official plan update revision is B1-36945-ACT and the APS Id is 969732.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Allen Township	100 Gettysburg Pike Mechanicsburg, PA 17055	Cumberland

*Plan Description:* Approval of a revision to the official plan of Upper Allen Township, Cumberland County. The project is known as Canterbury Estates Trunk Sewer. The plan provides for an upgrade to the Canterbury Estates

Trunk Sewer from 8-inch pipe to 12-inch pipe from Manhole G08-10 to Manhole G08-03. The proposed development is located on Hawthorne Avenue. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-21929-289-3 and the APS Id is 973206. Any required NPDES Permits or WQM permits must be obtained in the name of the municipality.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act.**

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Silver Spring Township	8 Flowers Drive Mechanicsburg, PA 17050	Cumberland

*Plan Description:* The planning module for the Glendale Estates Phase 2, DEP Code No. B3-21925-591-2E, APS Id 967883, consisting of 15 new residential lots using individual onlot sewage disposal systems, is disapproved. The proposed development is located at Glendale Drive. This plan is disapproved because submission does not qualify as an exemption from the requirement to revise the Official Plan because the subdivision proposes the use of onlot sewage disposal systems and each lot of the subdivision does not have separate sites available for both a permissible primary soil absorption area or spray field and a replacement soil absorption area or spray field as per Chapter 71, Section 71.51(b)(1)(v). The "Open Space" lot and the residual tract are not shown to have permissible primary and replacement sites for sewage disposal systems. Soil profile descriptions are provided for lots 26 through 40, but the plot plan shows soil profiles on lots 25 through 39. Soil profile descriptions are not provided for Lot 25. Soil testing for Lot 26 is shown to be in a surface drainage way. Chapter 73, Section 73.13(c)(7) requires a minimum horizontal isolation distance of 10 feet between the perimeter of an absorption area and a surface drainage way. Percolation testing for Lots 29, 32, 34, 36 and 37 is shown to be within 10 feet of property lines. Chapter 73, Section 73.13(c)(1) requires a minimum horizontal isolation distance of 10 feet between the perimeter of an absorption area and a property line. This project may be resubmitted for consideration as a Component 2 planning module.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

##### UNDER ACT 2, 1995 PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at

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

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Green Acres Mobile Home Park**, 8700 Turkey Ridge Road, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of heating oil to the soil. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Diaz Manufacturing Company LLC, formerly Donald Dean and Sons Property**, 747 Grow Avenue, Bridgewater Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of Diaz Manufacturing, 747 Grow Avenue, Montrose, PA 18801, submitted a final report concerning remediation of a release of heating oil to groundwater. 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.*

**Former FL Smithe Machine Company, Inc.**, 899 Plank Road, Duncansville, PA 16635, Allegheny Township and Duncansville Borough, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of, Barry-Wehmiller Companies, Inc., 8020 Forsyth Boulevard, St. Louis, MO 63105 submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

**Baughman's U-Pull-It Auto Parts**, 441 Eberts Lane, York, PA 17403, **York City**, York County. Independence Environmental Consulting, LLC, 1750 Kaylor Road, Hummelstown, PA 17036, on behalf of 426 Property Management, LLC, 3631 Trout Run Road, York, PA 17406, submitted a Remedial Investigation Report concerning site soil and groundwater contaminated with inorganics, volatile and semi-volatile organic compounds. The Report is intended to document remediation of the site to meet the Nonresidential Statewide Health and Site-Specific Standards.

**Fairfield Auto Service/former Hiner's Garage**, 207 West Main Street, Fairfield, PA 17320, Fairfield Borough, **Adams County**. Blackrock Environmental, LLC, P.O. Box 288, Nazareth, PA 18064, on behalf of Fairfield Auto Service, 207 West Main Street, Fairfield, PA 17320, submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with gasoline. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

**M&T Bank**, 248 North Mill Street, Birdsboro, PA 19508, Birdsboro Borough, **Berks County**. Center Point Tank Services, Inc., 536 East Benjamin Franklin Hwy, Douglassville, PA 19518, on behalf of M&T Bank, One M&T Plaza 345 Main Street, Buffalo, NY 14203, submitted a Final Report concerning remediation of soil and groundwater contaminated with No. 2 heating oil. The Report is intended to document remediation of the site to meet the Residential Statewide Standard.

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

**Seneca Resources Corporation Well Pad C09-G**, Cooks Run Road, Emporium, Shippen Township, **Cameron County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of Seneca Resources Corporation, 5800 Corporate Boulevard, Suite 300, Pittsburgh, PA 15237, has submitted a Final Report concerning remediation of site soil contaminated with brine. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Furman Foods, Inc**, 770 Cannery Road, Northumberland, Point Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Furman Foods, Inc., 770 Cannery Road, Northumberland, PA 17857, has submitted a Final Report concerning remediation of site soil contaminated with mineral oil.

## 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 environ-

mental 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.*

**Creekside Manor Mobile Home Park**, 211 Creekside Manor Drive, Franklin Township, **Carbon County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Fegley Oil Company, 551 West Penn Pike, Tamaqua, PA 18252, submitted a Final Report concerning remediation of a release of heating oil to the soil. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on July 25, 2018.

**Green Acres Mobile Home Park**, 8785 Turkey Ridge Road, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of kerosene to the soil. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Green Acres Mobile Home Park**, 8823 Max Way, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606,

submitted a Final Report concerning remediation of a release of kerosene to the soil. The report was intended to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on July 26, 2018.

**Green Acres Mobile Home Park**, 8832 Max Way, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of heating oil to the soil. The report was intended to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on July 26, 2018.

**Green Acres Mobile Home Park**, 8833 Max Way, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of heating oil to the soil. The report was intended to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on July 26, 2018.

**Green Acres Mobile Home Park**, 8739 Evergreen Circle, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of heating oil to the soil. The report was intended to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on July 26, 2018.

**Green Acres Mobile Home Park**, 8902 Cedar Road, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of heating oil to the soil. The report was intended to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on July 26, 2018.

**Green Acres Mobile Home Park**, 8867 Breinig Run Circle, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of kerosene to the soil. The report was intended to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on July 26, 2018.

**Green Acres Mobile Home Park**, 8964 Breinig Run Circle, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of kerosene/heating oil to the soil. The report was intended to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on July 26, 2018.

**Green Acres Mobile Home Park**, 1038 Cherry Tree Crossing, Upper Macungie Township, **Lehigh County**.

Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of kerosene/heating oil to the soil. The report was intended to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on July 26, 2018.

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

**Macinnis Group, LLC/Pennstress Facility**, 8180 Woodbury Pike, Roaring Springs, PA 16673, Taylor Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Macinnis Group, LLC, P.O. Box 597, Hollidaysburg, PA 16648, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard and was disapproved by the Department on July 17, 2018.

**Walker Elementary**, 7864 William Penn Highway, Mifflintown, PA 17059, Walker Township, **Juniata County**. P. Joseph Lehman, Inc., Olde Farm Office Center, P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Juniata County School District, 7864 William Penn Highway, Mifflintown, PA 17059, submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on July 26, 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.*

#### *Renewal Applications Received*

**Hydrochem LLC**, 900 Georgia Avenue, Deer Park, TX 77536. License No. PA-AH 0694. Effective Jul. 25, 2018.

**Maumee Express, Inc.**, P.O. Box 278, Somerville, NJ 08876. License No. PA-AH 0420. Effective Jul. 25, 2018.

#### *Hazardous Waste Transporter License Reissued*

**Hydrochem LLC**, 900 Georgia Avenue, Deer Park, TX 77536. License No. PA-AH 0694. Effective Jul. 25, 2018.

**Maumee Express, Inc.**, P.O. Box 278, Somerville, NJ 08876. License No. PA-AH 0420. Effective Jul. 26, 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.*

#### *Renewal Applications Received*

**Veolia ES Technical Solutions, LLC**, 1 Eden Lane, Flanders, NJ 07836. License No. PA-HC 0221. Effective Jul. 30, 2018.

*Regulated Medical and Chemotherapeutic Waste Transporter Reissued*

**Veolia ES Technical Solutions, LLC**, 1 Eden Lane, Flanders, NJ 07836. License No. PA-HC 0221. Effective Jul. 30, 2018.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Draft permit issued under the Solid Waste Management Act and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.*

**PAD987266715. Safety-Kleen Systems, Inc.**, 77 Towpath Road, Fairless Hills, PA 18030. Draft permit prepared for the renewal with minor modification of the RCRA Part B permit, authorizing continued operation of the captive hazardous waste storage, treatment, and transfer facility at the Safety-Kleen Fairless Hills Service Center, located at 77 Towpath Road, Fairless Hills, PA in Falls Township, **Bucks County**. The public comment period on the draft permit ends 45 days after date of this publication. Copies of the draft permit and fact sheet are available at the Southeast Regional Office. Written comments may be sent to the Southeast Regional Office at the address noted. Draft permit was issued on July 19, 2018.

Persons interested in reviewing the draft 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 by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

**PAD000738849. Safety-Kleen Systems, Inc.**, 1140 Greenhill Road, West Chester, PA 19380. Draft permit prepared for the renewal with minor modification of the RCRA Part B permit, authorizing continued operation of the captive hazardous waste storage, treatment, and transfer facility at the Safety-Kleen West Chester Service Center, located at 1140 Greenhill Road, West Chester, PA in West Goshen Township, **Chester County**. The public comment period on the draft permit ends 45 days after date of this publication. Copies of the draft permit and fact sheet are available at the Southeast Regional Office. Written comments may be sent to the Southeast Regional Office at the address noted. Draft permit was issued on July 19, 2018.

Persons interested in reviewing the draft 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 by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

### RENEWAL OF RESIDUAL WASTE GENERAL PERMITS

**Renewal of General Permit issued under the Solid Waste Management Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 (relating to authorization for general permit)).**

*Southcentral Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGR103SC001. Berks Soil and Stone, Inc.**, 1 Bellmans Church Road, Leesport, PA 19533 in Ontelaunee Township, **Berks County**. The Department of Environmental Protection has issued a renewal of General Permit No. WMGR103SC001 to Berks Soil and Stone, Inc. for the processing of (1) stumps, roots, leaf waste, stump grindings, and grubbing material; (2) freshwater dredged material; (3) spent mushroom substrate; (4) drinking water treatment residuals; and (5) waste foundry sand for beneficial use as mulch material and manufactured topsoil. This renewal was issued on July 30, 2018.

Persons interested in reviewing the general permits may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

### DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

**Permit(s) issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.*

**General Permit Application No. WMGM043SW003. Recycle Source, LLC**, 50 Vespucius Street, Pittsburgh, PA 15207. A Determination of Applicability to process construction/demolition waste for beneficial use at a facility to be located in the City of Pittsburgh, **Allegheny County** was issued in the Regional Office on August 1, 2018.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permits issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit Application No. 100691. Greater Erie Transfer Station and Recycling Center—Waste Management of Pennsylvania, Inc.**, 1154 West 16th Street, Erie, PA 16502. On July 26, 2018 the Department issued a permit renewal to the Greater Erie Transfer Station and Recycling Center. The renewal allows the transfer station to operate for another ten years. The new expiration date on the permit is now July 27, 2028. No changes

to the facilities operation were requested but minor administrative and operating changes to the permit were made to eliminate requirements or conditions that were no longer applicable. The renewal application was received December 7, 2017.

Persons interested in commenting on the permit may contact Christina S. Wilhelm, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 (814) 332-6848. 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.*

**Permit No. 101722 Specialty Disposal Services, Inc.**, 10 Rowell Road, Boyertown, PA 19512. A new operating permit was issued on 7/23/2018 for a municipal waste transfer station located in Oxford Township, **Adams County**. This permit is issued in accordance with Article V of the Solid Waste Management Act, 35 P.S. Sections 6018.101, et seq.

### 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.**

*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.*

**AG5-66-00001A: Regency Marcellus Gas Gathering, LLC** (101 West Third Street, Williamsport, PA 17701) on July 18, 2018 the general operating permit GP5 reissued for the operation of natural gas compressor station at the facility located in Forkston Township, **Wyoming County**.

**GP9-48-024: Mobile Aggregate Recycling Services, Inc.** (108 Switzgable Drive, Brodheadsville, PA 18322) on July 31, 2018, for the construction and operation of (1) Engine, at their Chrin of Delaware, 8th & Main, South East Quad, Commerce Center, C3-Eagle 1200 site in Palmer Township, **Northampton County**.

**GP3-48-024: Mobile Aggregate Recycling Services, Inc.** (108 Switzgable Drive, Brodheadsville, PA 18322) on July 31, 2018, for the construction and operation of crushing operations, at their Chrin of Delaware, 8th & Main, South East Quad, Commerce Center, C3-Eagle 1200 site in Palmer Township, **Northampton County**.

**GP9-48-025: Mobile Aggregate Recycling Services, Inc.** (108 Switzgable Drive, Brodheadsville, PA 18322) on July 31, 2018, for the construction and operation of (1) Engine, at their Chrin of Delaware, 8th & Main, South East Quad, Commerce Center, C4-Fintec 1107 site in Palmer Township, **Northampton County**.

**GP3-48-025: Mobile Aggregate Recycling Services, Inc.** (108 Switzgable Drive, Brodheadsville, PA 18322) on July 31, 2018, for the construction and operation of crushing operations, at their Chrin of Delaware, 8th & Main, South East Quad, Commerce Center, C4-Fintec 1107 Site in Palmer Township, **Northampton County**.

**GP13-39-001: New Enterprise Stone & Lime Co., Inc.** (3912 Brumbaugh Road, New Enterprise, PA 16664-

0077) on July 10, 2018, for the construction & operation of an asphalt plant at the facility located in Lower Macungie Township, **Lehigh County**.

**GP14-48-001: George G. Bensing Funeral Home, Inc.** (2165 Community Drive, Village of Moorestown, Bath, PA 18014) on July 10, 2018, for the operation of a crematory controlled by after burner at the facility located in Moore Township, **Northampton County**.

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

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

**GP1-18-00013A: UPMC Susquehanna Lock Haven** (24 Cree Drive, Lock Haven, PA 17745) on July 16, 2018, to construct and operate two 10.33 MMBtu/hr Unilux model ZF 1000 HS natural gas/# 2 fuel oil dual-fuel boilers pursuant to the General Plan Approval and General Operating Permit for Small Gas & No. 2 Oil Fired Combustion Units (BAQ-GPA/GP-1) at the Lock Haven Hospital located in the City of Lock Haven, **Clinton County**.

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

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

**GP9-30-00230A: Greylock Midstream LLC** (500 Corporate Landing, Charleston, WV 25311) on July 30, 2018, to authorize the continued operation of one (1) Caterpillar, Model # C7.1, four stroke diesel-fired emergency generator, rated at 200 bhp at their Veres Compressor Station located in Greene Township, **Greene 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.*

**23-0072A: Action Supply Company, Inc.** (1401 Calcon Hook Road, Sharon Hill, PA 19079) On July 27, 2018 for the installation of a non-metallic mineral processing plant used to prepare a recycled concrete product at their facility in Darby Township, **Delaware County**.

**46-0221B: Upper Moreland—Hatboro Joint Sewer Authority**, (2875 Terwood Road, Willow Grove, PA 19090) located in Upper Moreland Township, **Montgomery County**. On July 27, 2018 the plan approval was issued for the replacement of three odor control scrubbers # 1, # 2 and # 3 (C04, C05 and C06) with thermal and biological oxidation.

*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.*

**45-00036A: Pocono Shredding LLC** (2213 Shafer Road, Stroudsburg, PA 18360) On April 30, 2018 for the construction and operation of metal shredding operations

at their Metal Shredding facility in Hamilton Township, **Monroe County**.

**PA 54-00005A: Wheelabrator Frackville Energy, Inc** (475 Morea Road, Frackville, PA 17931) on July 26, 2018 for the operation of a carbon injection system used on its Circulating Fluidized Bed (CFB) Steam Boiler to comply with the 40 CFR 63 Subpart UUUUU National Emission Standards for Hazardous Air Pollutants (NESHAP). All requirements that have already been established in the facilities current Title V Permit will be complied with in the issuance of this plan approval in Mahanoy Township, **Schuylkill County**.

**40-00136A: Medico Industries Inc.** (1500 Highway 315, Wilkes-Barre, PA 18702) on July 26, 2018 for the installation and operation of nine (9) Rotoblast machines with baghouse at the site located in Plains Twp., **Luzerne County**.

**66-00008E: Oxbow Creek Energy LLC** (6051 Wallace Road, Ext Ste 100, Wexford, PA 15090-7386) issued on July 30, 2018 for the installation and operation of three (3) Rolls Royce IC engines with OxCat/SCR or 5 GE IC engines with OxCat/SCR at a site located in Nicholson Twp., **Wyoming County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**09-0184A: Doylestown Hospital** (595 W State Street, Doylestown, PA 18901-2554) On July 24, 2018 for an extension to install a 1600 kW natural gas-fired cogeneration unit with oxidation catalyst in Doylestown Township, **Bucks County**.

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

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

**22-03052D: Hearth and Home Technologies** (352 Mountain House Road, Halifax, PA 17032) on July 23, 2018, for the construction of two (2) paint booths with filters at the heating equipment manufacturing facility located in Jackson Township, **Dauphin County**. The plan approval was extended.

**36-03206A: Green Harvest Augsburgers, LLC** (P.O. Box 209, Reinholds, PA 17569) on July 26, 2018, for the construction of a combined heat & power (CHP) distributed generation facility located in West Cocalico Township, **Lancaster County**. The plan approval was extended.

**67-05004T: P.H. Glatfelter Company** (228 South Main Street, PA 17362) on July 27, 2018, for the pulp and paper manufacturing facility located in the Spring Grove Borough, **York County**. The plan approval revises the selected continuous monitoring option in Plan Approval 67-05004S regarding the 40 CFR Part 63 Subpart DDDDD (Boiler MACT) Hydrogen Chloride (HCL) emission limit for Power Boiler Number 5. The plan approval was extended.

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

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

**41-00025C: Lycoming County Resource Management Services** (P.O. Box 187, Montgomery, PA 17752) on June 29, 2018, to extend the authorization an additional 180 days to December 28, 2018 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. Plan Approval 41-00025C for the construction of Fields 11 and 12 at the landfill in Brady Township, **Lycoming County**.

**49-00063A: Sensenig Milling Services** (10705 State Route 44, Watsontown, PA 17777) on July 27, 2018, to extend the authorization for the construction and temporary operation of the bakery waste rotary dryer at their facility located in Lewis Township, **Northumberland County** to January 23, 2019. The plan approval has been extended.

**55-00001E: Panda Hummel Station LLC** (5001 Spring Valley Road, Suite 1150, West, Dallas, TX 75244) on June 15, 2018, to extend the authorization an additional 180 days to December 11, 2018 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. This facility is located in Shamokin Dam Borough, **Snyder County**, Pennsylvania.

**55-00001G: Panda Hummel Station LLC** (5001 Spring Valley Road, Suite 1150, West, Dallas, TX 75244) on June 15, 2018, to extend the authorization an additional 180 days to December 11, 2018 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. This facility is located in Shamokin Dam Borough, **Snyder County**, Pennsylvania.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**09-00085: Tate & Lyle Ingredients Americas, Inc.** (East Post Rd., Morrisville, PA 19067), On July 27, 2018 for renewal of a State Only, Natural Minor Operating Permit for their facility located in Morrisville Borough, **Bucks County**.

**09-00235: CP Converters Inc.** (15 Grumbacher Road, York, PA 17402) On July 27, 2018 an initial Operating Permit was issued for the operation of a new flexible packaging printing plant in Bristol Township, **Bucks County**.

**09-00195: Harold Beck and Sons, Inc.,** (11 Terry Drive, Newtown, PA 18940) On July 27, 2018, the State-only Operating permit was renewed for the operation of two paint booths and degreasing units at their plant, located in Newtown Township, **Bucks County**.

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

*Contact: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.*

**35-00016: Sandvik Materials Technology** (982 Grif-fin Pond Road, Clarks Summit, PA 18411). On July 25, 2018 the Department issued a renewal State-Only Natural Minor Permit for Sandvik Materials Technology located in Scott Township, **Lackawanna County**. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and 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.

**40-00063: Kappa Graphics, LP** (50 Rock Street, Pittston, PA 18640). On July 10, 2018 the Department issued a renewal State-Only Natural Minor Permit for their facility located in Hughestown Borough, **Luzerne County**. The main processes at this facility are printing presses. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and 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, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**06-03151: Luicana Industries, Inc.** (230 East Philadelphia Avenue, Boyertown, PA 19512-1187) on July 24, 2018, for the cast polymer manufacturing facility located in Bally Borough, **Berks County**. The State-only permit was renewed.

**36-03199: Doodad Printing LLC** (1842 Colonial Village Lane, Suite 101, Lancaster, PA 17601-6700) on July 25, 2018, for the printing facility located in East Lampeter Township, **Lancaster County**.

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

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

**14-00025: RESTEK Corp.** (110 Benner Circle, Bellefonte, PA 16823) was issued a renewal State Only operating permit on July 23, 2018, for operation of their facility located in Benner Township, **Centre 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 NMOP 14-00025.

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

*Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.*

**10-00139: Rosin Carbons Company Incorporated Boyers Division.** (453 Venn Access Road, Coal Township, PA 17866-6901). The Department on July 24, 2018 issued a renewal of the Natural Minor Operating Permit to operate a facility that processes coke breeze for use in brake manufacturing and metallurgical purposes in Cherry Township, **Butler County**. The facility's primary



emission sources include coke screening/shaking controlled by baghouses and three space heating furnaces. Each of the sources contains the restrictions, recordkeeping, reporting, work practice requirements, and additional requirements to assure compliance with the Clean Air Act and the Air Pollution Control Act.

**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.*

**46-00046: UTI Holdings, LLC** (200 West 7th Ave., Trappe, PA 19426) On July 19, 2018. The operating permit was amended in accordance with the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 to identify a change in ownership of the facility from Accellent, Inc. to UTI Holdings, LLC. The facility shall continue to do business as Lake Region Medical. The physical location of the plant and all sources identified in the facility's Title V Operating Permit remain unchanged. This facility located in Trappe Borough, **Montgomery County**.

**23-00003: Monroe Energy, LLC** (4101 Post Road, Trainer, PA 19061) located in Trainer Borough, **Delaware County**. On July 27, 2018, the operating permit was amended in accordance with the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 to identify a change in the facility's Responsible Official. The physical location of the plant and all sources identified in the facility's Title V Operating Permit remain unchanged.

**46-00100: Saint-Gobain Abrasives, Inc.** (200 Commerce Drive, Montgomeryville, PA 18936) On July 27, 2018, the Administrative Amendment, in accordance with the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450, incorporates the conditions of Plan Approval 46-0100 for widening of a surface coating line. Under this action, a 23 hp generator which is no longer operative, was removed from the Operating Permit with its associated conditions. The State only facility is located in Montgomery Township, **Montgomery County**

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

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

**06-05069: East Penn Manufacturing Co., Inc.** (102 Deka Road, P.O. Box 147, Lyon Station, PA 19536) on July 20, 2018, for the lead acid battery assembly facility located in Richmond Township, **Berks County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval Nos. 06-05069X & 06-05069Z.

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

*Contact: Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6131.*

**24-00123: Advanced Disposal Services Greentree Landfill LLC** (635 Toby Road, Kersey, PA 15846-1033).

The Department on July 26, 2018, issued an administrative amendment of the Title V Operating Permit for the facility to incorporate the change in responsible official. The facility is located in Fox Township, **Elk County**.

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**46-00284: John Middleton Company** (475 N. Lewis Rd., Royersford (Limerick), PA 19468) on July 27, 2018 for the operation of the cigar tobacco manufacturing and storage facility in Limerick Township, **Montgomery County**. This operating permit was revoked due to the permanent shutdown of operations at the 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.*

**30831303 and NPDES No. PA0013511. Cumberland Contura, LLC**, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Whiteley Township, **Greene County** and related NPDES Permit for the West Pool Pipeline/EM # 5 Borehole Site. Surface Acre Proposed 0.97. No additional discharges. The application was considered administratively complete on April 24, 2018. Application received: March 27, 2018. Permit issued: July 24, 2018.

**30831303 and NPDES No. PA0013511. Cumberland Contura, LLC**, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Whiteley Township, **Greene County** and related NPDES Permit for installation of twenty-four (24) Gob-Ventilation Boreholes located in panels 69 and 70. Surface Acres Proposed 14.90. No additional discharges. The application was considered administratively complete on February 9, 2018. Application received: November 16, 2017. Permit issued: July 24, 2018.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.*

**Permit No. 56120113 and NPDES No. PA0229115. PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 228.7 acres. Receiving streams: unnamed tributaries to Hoffman Run and unnamed tributaries to Quemahoning Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 26, 2018. Permit Issued: July 23, 2018.

**Permit No. 56120104 and NPDES Permit No. PA0268950. Marquise Mining Corp.**, P.O. Box 338, Blairsville, PA 15717, renewal for the continued operation and restoration of a bituminous surface and auger mine in Lincoln Township, **Somerset County**, affecting 72.0 acres. Receiving stream: unnamed tributaries to Quemahoning Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 17, 2018. Permit issued: July 27, 2018.

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

**17663047. River Hill Coal Company, Inc.** (P.O. Box 141, Kylertown, PA 16847). Permit renewal for reclamation only of a bituminous surface coal mine located in Karthaus Township, **Clearfield County** affecting 260.4 acres. Receiving stream(s): UNT to Saltlick Run classified for the following use(s): HQ-CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: June 7, 2018. Permit issued: July 19, 2018.

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

**Permit No. 54111302R2. M & D Anthracite Coal Company**, (2030 East Centre Street, Tremont, PA 17981), renewal of an existing anthracite underground mine operation in Cass Township, **Northumberland County** affecting 2.1 acres, receiving stream: West Branch Schuylkill River. Application received: February 12, 2018. Renewal issued: July 24, 2018.

**Permit No. PAM117062R. M & D Anthracite Coal Company**, (2030 East Centre Street, Tremont, PA 17981), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Underground Mining Permit No. 54111302 in Cass Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: February 12, 2018. Renewed issued: July 24, 2018.

#### *Noncoal Permits Issued*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.*

**Permit No. 31180801. Abe Warner Excavating**, 7597 Old Plank Road, Broad Top, PA 16621, commencement, operation, and restoration of a small noncoal (industrial minerals) operation in Wood Township, **Huntingdon County**, affecting 5.0 acres, receiving streams: unnamed tributary to Great Trough Creek. Application received: April 17, 2018. Permit Issued: July 23, 2018.

**PAM418019-GP104. Abe Warner Excavating**, 7597 Old Plank Road, Broad Top, PA 16621. General NPDES Permit for stormwater discharges associate with mining

activities on Noncoal Permit No. 31180801 located in Wood Township, **Huntingdon County**. Receiving stream: unnamed tributary to Great Trough Creek, classified for the following uses: trout stocked fishes, migratory fishes. There are no potable water supply intakes within 10 miles downstream. Coverage approved: July 23, 2018.

**Permit No. 01740601 and NPDES No. PA0594407. New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, renewal of NPDES permit, Cumberland Township, **Adams County**. Receiving stream: Rock Creek. Classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 17, 2018. Permit issued: July 25, 2018.

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

**Permit No. 65892301. Flagstone Vista, Inc.**, 2158 State Rt. 381, Rector, PA 15677. Final bond release for a small noncoal mining operation in Cook Township, **Westmoreland County**. Restoration of 23.85 acres completed. Application received: April 27, 2018. Final bond release approved: July 25, 2018.

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

**PAM118011. Chamberlain Sand & Gravel**, (447 Old State Road, Falls, PA 18615), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 5177SM2 in Exeter Township, **Wyoming County**, receiving stream: Susquehanna River. Application received: March 28, 2018. Permit issued: July 25, 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*

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

**Permit No. 39184101. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for 67 Werely Road Apartment Complex in Upper Macungie Township, **Lehigh County** with an expiration date of December 30, 2018. Permit issued: July 24, 2018.

**Permit No. 46184106. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Zavitsanos Tract Phase II in New Hanover Township, **Montgomery County** with an expiration date of July 17, 2019. Permit issued: July 24, 2018.

**Permit No. 15184110. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Gourmet Delight Mushroom Farm Manure Pit in Franklin Township, **Chester County** with an expiration date of December 30, 2018. Permit issued: July 26, 2018.

**Permit No. 15184111. Valley Rock Solutions, LLC**, (P.O. Box 246, Macungie, PA 18062), construction blasting for Spring Mill Development in Wallace Township, **Chester County** with an expiration date of July 24, 2019. Permit issued: July 26, 2018.

**Permit No. 46184107. Hayduk Enterprises, Inc.,** (257 Riverside Drive, Factoryville, PA 18419), construction blasting for R III in Cheltenham Township Sewer in Cheltenham Township, **Montgomery County** with an expiration date of December 31, 2018. Permit issued: July 26, 2018.

**Permit No. 58184105. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting for Graciano Foundation and Tank Hole in Herrick Township, **Susquehanna County** with an expiration date of July 23, 2019. Permit issued: July 30, 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 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.

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**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.**

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*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.*

**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 unnamed tributaries (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 miscellaneous tributaries. 100-year floodway elevations will remain the same.

3. To construct and maintain a 3-foot and 4-foot diameter pipe stream enclosure situated along UNT to Chester Creek (TSF-MF) and measuring approximately 391-feet in length associated with the Wawa Station parking deck. (D.A. ~66.16 AC).

4. Construct six temporary access road crossings.

5. Sediment and debris removal from a UNT to the Chrome Run stream, about 3,927 feet.

The site is located at SEPTA R3 track between Elwyn and Wawa (USGS Media, PA Quadrangle Latitude 39.900074; Longitude -75.458131).

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)).

**E06-728. PennDOT, District 5-0,** 1002 Hamilton Street, Allentown, PA 18101, Maiden Creek Township, **Berks County.**

To perform the following water obstruction and encroachment activities associated with the S.R. 222, Section 22S (Allentown Pike) roadway widening over Willow Creek (HQ).

1) To remove an existing 127.85-foot, three-span, reinforced concrete T-beam bridge and two (2) associated piers resulting in 75 linear feet (410 square feet) of stream bed restoration. And in its place, to construct and maintain a 129.9-foot two-span, single pier, concrete spread box beam bridge resulting in 250 linear feet (2,575 square feet) of permanent floodway impact and 250 linear feet (10,227 square feet) of temporary floodway impact. This activity includes the permanent placement of riprap scour protection for the single pier and abutments.

2) To place fill within a wetland (PEM) (Wetland G) associated with roadway widening resulting in 404 square feet of permanent wetland impact.

3) To construct and maintain three (3) stormwater outfalls (18-inch, 12-inch, and 18-inch) and modify one (1) end wall (18-inch) within the 100-year floodplain of

Willow Creek (HQ) resulting in 499 square feet of permanent floodplain impact. This activity also includes the permanent placement of riprap rock aprons at each outfall.

This project also includes the placement of 192,819 cubic feet of fill within the 100-year floodplain of Willow Creek (HQ) associated with roadway widening. Project limit extends from north of Dries Road to the intersection of Allentown Pike and Tamarak Boulevard in Maiden Creek Township, Berks County (USGS PA Fleetwood; Temple Quadrangle—Latitude: 40.452586 N, Longitude: 75.890329 W).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E54-366. New Philadelphia Borough**, 15 MaComb Street, New Philadelphia, PA 17959. New Philadelphia, **Schuylkill County**, Army Corps of Engineers Philadelphia District.

To authorize the following water obstructions and encroachments within the floodway and floodplain of the Schuylkill River (CWF, MF) associated with the New Philadelphia Borough Playground project:

1. To excavate and place fill within the floodway and floodplain for the construction of a bituminous pedestrian trail that's approximately 4,100 feet long, ranging from 5-foot to 8-feet in width.

2. To construct and maintain a 5-foot wide by 68-foot long concrete ramp and 12-foot by 8-foot concrete pad within the floodway for fishing access.

3. To construct and maintain a rain garden, park benches and base pads within the floodway and floodplain.

4. To construct and maintain at grade parking areas and access roads within the floodway and floodplain.

5. To construct and maintain an at grade gravel emergency access road that's approximately 12-foot wide by 200-foot long within the floodway and floodplain.

6. To construct and maintain 2 stream crossings of UNTs to the Schuylkill River. Crossing # 1 consists of a 30-foot long, 24-inch diameter SLCPP pipe with concrete headwalls and rip rap aprons. Crossing # 2 consists of a 20-foot long, 24-inch diameter SLCPP pipe with concrete headwalls and rip rap aprons.

7. To construct and maintain an outfall structure in the floodway consisting of a 24-foot long, 15-inch diameter SLCCP pipe with riprap aprons.

8. To excavate various areas of material debris, stockpiles, and legacy coal piles and re-grade to match the surrounding topography within the floodway and floodplain.

(Pottsville and Orwigsburg, PA Quadrangle, Latitude: 40° 42' 59.49"; -76° 07' 32.2"), Subbasin 3A.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E06-720: Vespers at Berks, LP**, 1110 Brynlawn Road, Villanova, PA 19085 in Bethel Township, **Berks County**, U.S. Army Corps of Engineers Baltimore District.

Giving its consent to:

1) construct and maintain an 87.0-foot 33-inch by 49-inch arch culvert roadway crossing of a UNT to Little Swatara Creek (CWF, MF) permanently impacting 0.02 acre of Palustrine Forested (PFO) wetland, a 10.0-inch DIP water line crossing, and a 2.0-inch HDPE sewer force main crossing within the roadway impacting 1,797 square feet of UNT to Little Swatara Creek (CWF, MF) and its floodway. (40.467868, -76.327192);

2) place fill for a roadway crossing, a 30.0-inch HDPE outfall with associated riprap apron, and a 10.0-inch DIP waterline crossing, all permanently impacting of 0.05 acre of Palustrine Emergent (PEM) wetland (40.466326, -76.323718);

3) construct and maintain a 93.0-foot long 64.0-inch by 43.0-inch CMP arch culvert crossing of a UNT to Little Swatara Creek (CWF, MF) permanently impacting 0.06 acre of PEM wetland, a 10.0-inch DIP water line crossing, and a 2.0-inch HDPE sewer force main crossing within the roadway impacting 1,128 square feet of UNT to Little Swatara Creek (CWF, MF) and its floodway. (40.463551, -76.330831);

4) construct and maintain a 73.0-foot long 42.0-inch by 29.0-inch CMP arch culvert crossing of a UNT to Little Swatara Creek (CWF, MF) permanently impacting 0.09 acre of PEM wetland, a 10.0-inch DIP water line crossing, and a 2.0-inch HDPE sewer force main crossing within the roadway impacting 348 square feet of UNT to Little Swatara Creek (CWF, MF) and its floodway. (40.464826, -76.331237);

5) construct and maintain a 48.0-foot long 49.0-inch by 33.0-inch CMP arch culvert crossing of a UNT to Little Swatara Creek (CWF, MF) temporarily impacting 0.01 acre of PEM wetland and permanently impacting 0.01 acre of PEM wetland, a 10.0-inch DIP water line crossing, and a 2.0-inch HDPE sewer force main crossing within the roadway impacting 942 square feet of UNT to Little Swatara Creek (CWF, MF) and its floodway. (40.467167, -76.331968);

6) place fill for a warehouse, impacting 0.42 acre of PEM wetland (40.462498, -76.323862);

7) remove an existing 31.0-foot long 18.0-inch CMP culvert, with associated bank grading, impacting 403 square feet of a UNT to Little Swatara Creek (CWF, MF) (40.4642002, -76.326983);

8) remove an existing 21.0-foot long 24.0-inch CMP culvert and a 21.0-foot long 30.0-inch RCP culvert, with associated bank grading, impacting 512 square feet of a UNT to Little Swatara Creek (CWF, MF) (40.464623, -76.321016); and

9) remove an existing 20.0-foot long concrete slab agricultural crossing, with associated bank grading, impacting 76 square feet of a UNT to Little Swatara Creek (CWF, MF), temporarily impacting 0.01 acre of PEM wetland (40.464435, -76.331249);

The purpose of the project is to construct a multi-building warehouse/Distribution facility in Bethel Township, Berks County. The project will impact a total of 0.65 acre of PFO/PEM wetlands and will make 1.15 acre of wetland mitigation, partially by restoring a 0.42-acre farm pond to emergent wetland. The mitigation will also include 0.78 acre of wetland enhancement. The project will permanently impact 444 linear feet of stream channel, including 301 linear feet of stream enclosure, and will removal of 72 linear feet of existing culvert and enhance 2,500 linear feet of stream channel. Permit was issued on July 25, 2018.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.*

**E04-368, Borough of New Brighton**, 610 Third Avenue, New Brighton, PA 15066, New Brighton Borough, **Beaver County**, Pittsburgh ACOE District.

Has been given consent to:

Remove the existing 12.4' wide single span bridge having an average underclearance of 13.67' carrying Pittsfield Avenue over Blockhouse Run (WWF) with a drainage area of 7.12 square miles, and construct and maintain a replacement 29.4' wide single span bridge having a minimum underclearance of 12.1' on an adjacent alignment. In addition, place R-8 rip-rap to stabilize the existing stream banks following removal of the existing bridge and construct and maintain associated stormwater facilities. Mitigation will occur onsite. 110' of Blockhouse Run will be temporarily impacted for the purpose of constructing these encroachments. The bridge is located approximately 1,500' from the confluence with the Beaver River and in the southeast corner of New Brighton Borough, Beaver County (Beaver, PA Quadrangle; Latitude: 40° 43' 33"; Longitude: -80° 18' 11.4").

*District Oil and Gas Operations: Eastern Oil and Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**E5929-071: Seneca Resources Corporation**, 5800 Corporate Drive, Suite 300, Pittsburgh, PA 15237, Delmar Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) Two 8 inch diameter freshwater pipelines via horizontal directional bore impacting 90 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 286 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Asaph, PA Quadrangle 41°47'45"N, 77°19'32"W);

2) Two 8 inch diameter freshwater pipelines via horizontal directional bore impacting 32 linear feet of an unnamed tributary to Marsh Creek (CWF) (Asaph, PA Quadrangle 41°47'49"N, 77°19'34"W);

3) A temporary access road using timber mats and Two 8 inch diameter freshwater pipelines impacting 30 linear feet of an unnamed tributary to Marsh Creek (CWF) (Asaph, PA Quadrangle 41°47'52"N, 77°19'32"W).

The project will result in 62 linear feet of temporary stream impacts and 376 square feet (0.01 acre) of temporary wetland impacts all for the purpose of installing a fresh water pipeline for Utica well development in Delmar Township, Tioga County. These impacts are in addition to the impacts authorized under DEP Permit Number E5929-071, final action was published in *Pennsylvania Bulletin* on 1/27/2018.

#### **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.

*Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.*

ESCGP-2 # ESX10-125-0035 Renewal  
Applicant Name EQT Production Company  
Contact Person Todd Klaner  
Address 2400 Ansys Drive, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Amwell Township  
Receiving Stream(s) and Classification(s) UNTs to Little Tenmile Creek (TSF) and Little Tenmile Creek (TSF)

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESG29-105-18-0005  
Applicant Name Eclipse Resources—PA, LP  
Contact Person Steven J. Lynch  
Address 2121 Old Gatesburg Rd, Suite 110  
City, State, Zip State College, PA 16803  
County Potter  
Township(s) Hector Twp  
Receiving Stream(s) and Classification(s) (1) UNT to Phoenix Run (HQ-CWF), and (2) Little Phoenix Run (HQ-CWF).  
Secondary: (1) Phoenix Run (HQ-CWF), and (2) Phoenix Run (HQ-CWF)

ESCGP-2 # ESG29-081-18-0025  
Applicant Name Range Resources-Appalachia LLC  
Contact Person Karl Matz  
Address 3000 Town Center Blvd  
City, State, Zip Canonsburg, PA 15317  
County Lycoming  
Township(s) Cogan House Twp  
Receiving Stream(s) and Classification(s) UNT to Larrys Creek (EV)  
Secondary: Larrys Creek (EV)

ESCGP-2 # ESX29-115-18-0036  
Applicant Name Cabot Oil & Gas Corporation  
Contact Person Kenneth Marcum  
Address 2000 Park Lane, Suite 00  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna  
Township(s) Brooklyn Twp  
Receiving Stream(s) and Classification(s) UNT to Hop Bottom Creek (CWF-MF)

ESCGP-2 # ESG29-081-18-0018  
 Applicant Name Seneca Resources Corporation  
 Contact Person Doug Kepler  
 Address 5800 Corporate Drive, Suite 300  
 City, State, Zip Pittsburgh, PA 15237  
 County Lycoming  
 Township(s) Cogan House & McIntyre Twps  
 Receiving Stream(s) and Classification(s) UNT to Grays Run (HQ-CWF), Long Run (HQ-CWF), UNTs to Trout Run (HQ-CWF).  
 Secondary: Grays Run (HQ-CWF), Trout Run (HQ-CWF)

ESCGP-2 # ESX29-015-18-0027  
 Applicant Name SWN Production Company LLC  
 Contact Person Nicki Atkinson  
 Address 917 S.R. 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Bradford  
 Township(s) Orwell Twp  
 Receiving Stream(s) and Classification(s) Johnson Creek (CWF-MF), South Creek (CWF-MF);  
 Secondary: Wysox Creek

ESCGP-2 # ESG29-105-18-0006  
 Applicant Name SWEPI LP  
 Contact Person Jason Shoemaker  
 Address 150 N. Dairy Ashford, E-1296E  
 City, State, Zip Houston, TX 77079  
 County Potter  
 Township(s) Abbott & West Branch Twps  
 Receiving Stream(s) and Classification(s) (1) Baders Hollow (EV), and (2) Straley Hollow (EV).  
 Secondary: (1) & (2) Germania Branch (EV)

ESCGP-2 # ESG29-115-18-0043  
 Applicant Name SWN Production Company LLC  
 Contact Person Nicki Atkinson  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna  
 Township(s) Jackson Twp  
 Receiving Stream(s) and Classification(s) UNT to Drinker Creek (CWF-MF, NRT)

ESCGP-2 # ESX29-115-18-0047  
 Applicant Name Cabot Oil & Gas Corporation  
 Contact Person Kenneth Marcum  
 Address 2000 Park Lane, Suite 300  
 City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna  
 Township(s) Bridgewater Twp  
 Receiving Stream(s) and Classification(s) UNTs to East Branch Wyalusing Creek (CWF, MF)

ESCGP-2 # ESX29-015-18-0005  
 Applicant Name SWN Production Company LLC  
 Contact Person Nicki Atkinson  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Bradford  
 Township(s) Herrick Twp  
 Receiving Stream(s) and Classification(s) UNT to Cold Creek (WWF/MF);  
 Secondary: Cold Creek and Wyalusing Creek

ESCGP-2 # ESX12-081-0087(02)  
 Applicant Name Inflection Energy PA LLC  
 Contact Person Gregg Saunders  
 Address 101 West Third St, 5th Floor  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming  
 Township(s) Upper Fairfield Twp  
 Receiving Stream(s) and Classification(s) UNT to Little Mill Creek (HQ-TSF);  
 Secondary: Little Mill Creek (HQ-TSF)

ESCGP-2 # ESX12-115-0138(01)  
 Applicant Name Cabot Oil & Gas Corporation  
 Contact Person Kenneth Marcum  
 Address 2000 Park Lane, Suite 300  
 City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna  
 Township(s) Bridgewater Twp  
 Receiving Stream(s) and Classification(s) UNT to Hop Bottom Creek (CWF, MF)

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

ESCP No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
ESG00001180001	William Timmermeyer Columbia Gas Transmission 1700 MacCorkle Avenue, SE Charleston, WV 25314	Adams County	Mount Pleasant Township	UNT South Branch Conewago Creek (WWF, MF)
ESG0307118001	Ivana Pejatovic 890 Winter Street Suite 320 Waltham, MA 02451	Lancaster County	East Donegal Township	Susquehanna River (WWF)

## SPECIAL NOTICES

### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of July 2018, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the following listed persons to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Justin Ake	2309 13th Street Altoona, PA 16601	Mitigation
Roger Baker	1564 Dry Hollow Road Warriors Mark, PA 16877	Testing
Ralph D'Angelo	474 Burnley Lane Drexel Hill, PA 19026	Testing
Joseph Donnelly, Jr.	2 Waterview Road, Apt. L-7 West Chester, PA 19380	Testing
Darren Ferguson	1022 Old Noblestown Road Oakdale, PA 15071	Testing
Jose Figueroa	1675 N. Commerce Parkway Weston, FL 33326	Laboratory Analysis
David Grammer RAdata, Inc.	27 Ironia Road, Unit 2 Flanders, NJ 07836	Mitigation
Daniel Horvath	7713 Francis Street Pittsburgh, PA 15218	Testing
Travis Hoverter	452 Allen Drive Chambersburg, PA 17202	Testing
John Kerrigan	100 Old Kennett Road Wilmington, DE 19807	Mitigation
Ronald LaPorta, Jr.	623 N. Pottstown Pike Exton, PA 19320	Testing
Frank Mitchell	120 Appaloosa Way Sewell, NJ 08080	Testing
Paul Muller	60 Progress Avenue Cranberry Township, PA 16066	Mitigation
Jeffrey Ralston	420 Valley Road Bloomsburg, PA 17815	Testing
Michael Rhodes	730 Attig Road Selinsgrove, PA 17870	Testing
Clarence Sisco	P.O. Box 954 Blue Bell, PA 19422	Testing
Ronald Slavkin	119 Greenbrier Drive Carnegie, PA 15106	Testing
Michael Sporik	400 Elizabeth Street Harrisburg, PA 17109	Testing
David Steinman	1653 Lititz Pike Lancaster, PA 17601	Testing
Adam Ulery	615 Aspen Lane Duncansville, PA 16635	Testing
Matthew Weiss	238 Center Avenue Emsworth, PA 15202	Testing

[Pa.B. Doc. No. 18-1230. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Agricultural Advisory Board Meeting Change

The Agricultural Advisory Board meeting scheduled for Thursday, August 16, 2018, will begin at 9 a.m. on location at Ag Progress Days, 2710 West Pine Grove Road, Pennsylvania Furnace, PA 16865.

Questions concerning the meeting should be directed to Jay Braund, Bureau of Clean Water, at jbraund@pa.gov or (717) 772-5636. The agenda and materials will be available through the Department of Environmental Pro-

tection's (Department) Public Participation web site at [www.dep.pa.gov/publicparticipation](http://www.dep.pa.gov/publicparticipation) (select "Advisory Committees," then "Water Advisory Committees").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5636 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-1231. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance Document—Minor Revision*

**DEP ID:** 263-0900-006. **Title:** Stationary/Non-Stationary Tanks. **Description:** The Storage Tank and Spill Prevention Act (act) (35 P.S. §§ 6021.101—6021.2104) regulates aboveground storage tanks containing regulated substances over certain sizes. Tanks that qualify as stationary tanks are regulated by the act and nonstationary aboveground storage tanks are excluded. This TGD defines stationary and nonstationary above-ground storage tanks.

**Contact:** Questions regarding this TGD should be directed to E. Alex Eckman at [eckman@pa.gov](mailto:eckman@pa.gov) or (717) 772-5827.

**Effective Date:** August 11, 2018

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-1232. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bid Opportunity

**OSM 63(5042)101.1, Abandoned Mine Reclamation Project, Rylands Hill East, Jefferson Township, Washington County.** The principal items of work and approximate quantities include: subsurface drains with cleanouts, 1,550 linear feet; grading, 212,900 cubic yards;

channel excavation, 498 cubic yards; erosion matting, 690 square yards; rock lining, 185 square yards; mine openings, see subitems; and seeding, 25.2 acres.

This bid issues on August 17, 2018, and bids will be opened on September 13, 2018, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to [www.BidExpress.com](http://www.BidExpress.com). This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or [RA-ConstructionContr@pa.gov](mailto:RA-ConstructionContr@pa.gov) for more information on this bid.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-1233. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Coastal Zone Grants; 2019 Grant Opportunity

The Department of Environmental Protection's (Department) Compacts and Commissions Office invites interested parties to apply for Federal Fiscal Year 2019 Coastal Zone grants.

Applicants must meet certain eligibility requirements (for example, the applicant must be an authority, an incorporated nonprofit organization, a political subdivision or an educational institution). Projects must be located within the Delaware Estuary Coastal Zone or the Lake Erie Coastal Zone boundaries as noted in the Coastal Program Grant Application Instruction Guide. Proposals must also support the Coastal Resources Management Program's mission to protect and enhance coastal resources in this Commonwealth.

The grant guidelines and application instructions are available on the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Businesses," then "Water," then "Compacts and Commissions," then "Coastal Resources Management Program," then "Grants"). Applications must be submitted online through the eGrants system at <https://www.ahs.dep.pa.gov/eGrants/index.aspx> (select "Find a Grant Program," scroll to "Coastal Zone Grants," and click "Apply for this grant").

The Department will accept applications beginning Monday, August 13, 2018, through October 15, 2018.

Questions concerning the grant solicitation should be directed to the Compacts and Commissions Office at [RA-epcoastalzone@pa.gov](mailto:RA-epcoastalzone@pa.gov) or (717) 772-4785.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-1234. Filed for public inspection August 10, 2018, 9:00 a.m.]



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Environmental Justice Advisory Board Meeting Change

The Environmental Justice Advisory Board meeting scheduled for Tuesday, August 28, 2018, will begin at 1:30 p.m. The meeting will be held in the Goddard Room, Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Questions concerning the meeting can be directed to John B. Brakeall at jbrakeall@pa.gov or (717) 783-9731. The agenda and meeting materials for the meeting will be

available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Environmental Justice Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact John B. Brakeall at (717) 783-9731 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-1235. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Planning and Household Hazardous Waste Education Grant Awards under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988

The Department of Environmental Protection hereby announces the following grant to Clearfield County under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. § 4000.901) and section 208 of the Small Business and Household Pollution Prevention Program Act (35 P.S. § 6029.208).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans, as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste (HHW) and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of funds in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472, at mvottero@pa.gov or (717) 772-5719.

#### Act 101, Section 901 Planning and HHW Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project</i>	<i>Grant</i>
Northcentral	Clearfield	Clearfield County	HHW Education	\$9,600

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-1236. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Medical Marijuana Advisory Board Meeting Change

The Department of Health hereby gives notice that the Medical Marijuana Advisory Board (Board) meeting originally scheduled for Wednesday, August 22, 2018, from 10 a.m. to 12 p.m. will now be held on that date from 9 a.m. to 11 a.m. The meeting will be held in the Forest Room, Keystone Building Meeting Center, Keystone Building, 400 North Street, Suite 114 East, Harrisburg, PA. The Board will discuss the development of educational materials for patients and caregivers and a process for when an approved practitioner wants to change, add or delete a serious medical condition.

For additional information, including an alternative format of this notice (for example, large print, audiotope,

Braille), or for persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so, contact Holli Senior, Special Assistant, Office of Medical Marijuana, 625 Forster Street, Room 628, Health and Welfare Building, Harrisburg, PA 17120, (717) 547-3047, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 18-1237. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Public Health Council Meeting Regarding the Preventive Health and Health Services Block Grant

The Public Health Council will be holding a meeting (teleconference call) on August 20, 2018, from 10 a.m. to 11 a.m. The purpose of the meeting is to discuss the Preventive Health and Health Services Block Grant Federal Fiscal Year 2019 Work Plan. The meeting (teleconference call) will be held in Department of Health, Health and Welfare Building, Room 1000, Harrisburg, PA 17120.

For additional information contact Teresa Sanders, Administrative Officer, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-6214.

Persons with a disability who wish to attend the meeting and require auxiliary aid, service or other special accommodations to do so should contact Teresa Sanders, Administrative Officer, at (717) 787-6214, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
Secretary

[Pa.B. Doc. No. 18-1238. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Bonus Star Millions Instant Lottery Game 1356

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Bonus Star Millions (hereinafter “Bonus Star Millions”). The game number is PA-1356.

2. *Price:* The price of a Bonus Star Millions instant lottery game ticket is \$20.

3. *Play Symbols:* Each Bonus Star Millions instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and three “BONUS” areas. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21

(TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), \$\$\$ (WNPRZ) symbol, \$200 Burst (WIN200) symbol and a Shooting Star (WINALL) symbol. The play symbols and their captions located in the three “BONUS” areas are: NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol, 2X (2TIMES) symbol, 5X (5TIMES) symbol, \$100 (WIN\$100) symbol and a \$500 (WIN\$500) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

#### 5. Prizes:

(a) Players can win a prize in three ways in this game. A player can win up to 23 times on a ticket.

(b) Players can win a prize by matching the symbols in the “WINNING NUMBERS” and the “YOUR NUMBERS” areas. Players matching the symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. The prizes that can be won by matching the symbols in the “WINNING NUMBERS” and the “YOUR NUMBERS” areas in this game are: \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$700, \$1,000, \$10,000, \$100,000 and \$1,000,000.

(c) Players can win a prize by revealing an instant cash win in any of the three “BONUS” areas. The prizes that can be won as instant cash prizes in the three “BONUS” areas in this game are: \$100 and \$500.

(d) Players can win a prize by revealing a multiplier symbol in any of the three “BONUS” areas. The multiplier will be applied to any prize won by matching the symbols in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area. The prizes that can be won by revealing a multiplier symbol in any of the three “BONUS” areas and matching the symbols in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area in this game are: \$40, \$100, \$200, \$500, \$1,000 and \$10,000.

(e) Winning outcomes under subsections 5(b) and 5(c) herein can be combined to win larger prizes.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Bonus Star Millions instant game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$1MILL (ONE MIL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a one-time, lump-sum cash payment.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING

NUMBERS” play symbols, and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (WNPRZ), and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under that \$\$\$ (WNPRZ) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any two of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, and prize symbols of \$1,000 (ONE THO) appear in the “prize” areas under the matching “YOUR NUMBERS” play symbols, and upon which a 5X (5TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shooting Star (WINALL) symbol, and a prize symbol of \$500 (FIV HUN) appears in all twenty of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (WNPRZ), and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that \$\$\$ (WNPRZ) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 2X (2TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 5X (5TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shooting Star (WINALL) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all twenty of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shooting Star (WINALL) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in fifteen of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$700.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (WNPRZ), and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that \$\$\$ (WNPRZ) symbol, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets with a \$500 (WIN\$500) symbol in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 5X (5TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$500.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shooting Star (WINALL) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in five of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in fifteen of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shooting Star (WINALL) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in all twenty of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (WNPRZ), and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that \$\$\$ (WNPRZ) symbol, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$200 Burst (WIN200) symbol, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that \$200 Burst (WIN200) symbol, on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 2X (2TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$200.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 5X (5TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$200.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (WNPRZ), and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that \$\$\$ (WNPRZ) symbol, on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets with a \$100 (WIN\$100) symbol in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$100.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (WNPRZ), and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that \$\$\$ (WNPRZ) symbol, and upon which a 2X (2TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$100.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 2X (2TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$100.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 5X (5TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$100.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (WNPRZ), and

a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that \$\$\$ (WNPRZ) symbol, on a single ticket, shall be entitled to a prize of \$50.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(gg) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (WNPRZ), and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under that \$\$\$ (WNPRZ) symbol, on a single ticket, shall be entitled to a prize of \$40.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 2X (2TIMES) symbol appears in any of the “BONUS” areas, on a single ticket, shall be entitled to a prize of \$40.

(ii) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(jj) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (WNPRZ), and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that \$\$\$ (WNPRZ) symbol, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
\$20 w/ \$\$\$		\$20	16.67	324,000
\$20		\$20	15	360,000
\$20 × 2		\$40	300	18,000
\$20	2X SYMBOL	\$40	75	72,000
(\$20 w/ \$\$\$) × 2		\$40	150	36,000
\$40 w/ \$\$\$		\$40	100	54,000
\$40		\$40	300	18,000
\$50 w/ \$\$\$		\$50	30	180,000
\$50		\$50	30	180,000
\$20 × 5		\$100	300	18,000
\$50 × 2		\$100	300	18,000
\$20	5X SYMBOL	\$100	300	18,000
\$50	2X SYMBOL	\$100	300	18,000
\$50 w/ \$\$\$	2X SYMBOL	\$100	100	54,000
(\$50 w/ \$\$\$) × 2		\$100	100	54,000

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
\$100 w/ \$\$\$		\$100	300	18,000
\$100		\$100	300	18,000
\$20 × 10		\$200	2,400	2,250
\$50 × 4		\$200	2,400	2,250
\$40	5X SYMBOL	\$200	800	6,750
\$100	2X SYMBOL	\$200	1,200	4,500
(\$50 w/ \$\$\$) + \$50	\$100 SYMBOL	\$200	2,000	2,700
\$100 w/ \$\$\$	\$100 SYMBOL	\$200	1,200	4,500
\$200 w/ \$200 BURST		\$200	600	9,000
\$200 w/ \$\$\$		\$200	2,400	2,250
\$200		\$200	2,400	2,250
SHOOTING STAR w/ ((\$40 × 5) + (\$20 × 15))		\$500	4,000	1,350
SHOOTING STAR w/ (\$20 × 20)	\$100 SYMBOL	\$500	4,000	1,350
\$50 × 10		\$500	6,000	900
\$100	5X SYMBOL	\$500	6,000	900
	\$500 SYMBOL	\$500	6,000	900
(\$200 w/ \$200 BURST) × 2	\$100 SYMBOL	\$500	6,000	900
(\$100 w/ \$\$\$) × 2	(\$100 SYMBOL) × 3	\$500	6,000	900
\$500 w/ \$\$\$		\$500	12,000	450
\$500		\$500	12,000	450
SHOOTING STAR w/ (\$50 × 20)		\$1,000	12,000	450
SHOOTING STAR w/ ((\$40 × 15) + (\$20 × 5))	(\$100 SYMBOL) × 3	\$1,000	12,000	450
\$100 × 10		\$1,000	24,000	225
(\$50 × 10) + (\$40 × 10)	\$100 SYMBOL	\$1,000	24,000	225
\$200	5X SYMBOL	\$1,000	24,000	225
\$500	2X SYMBOL	\$1,000	24,000	225
	(\$500 SYMBOL) × 2	\$1,000	24,000	225
(\$200 w/ \$200 BURST) × 5		\$1,000	24,000	225
(\$500 w/ \$\$\$) + (\$200 w/ \$\$\$)	(\$100 SYMBOL) × 3	\$1,000	24,000	225
\$1,000 w/ \$\$\$		\$1,000	30,000	180
\$1,000		\$1,000	120,000	45
SHOOTING STAR w/ (\$500 × 20)		\$10,000	1,080,000	5
\$1,000 × 10		\$10,000	1,080,000	5
\$1,000 × 2	5X SYMBOL	\$10,000	1,080,000	5
\$10,000 w/ \$\$\$		\$10,000	1,080,000	5
\$10,000		\$10,000	1,080,000	5
\$100,000		\$100,000	1,080,000	5
\$1,000,000		\$1,000,000	1,080,000	5

Reveal a “\$\$\$” (WNPRZ) symbol, win prize shown under that symbol automatically.

Reveal a “\$200 BURST” (WIN200) symbol, win \$200 instantly.

Reveal a “SHOOTING STAR” (WINALL) symbol, win all 20 prizes shown!

BONUS: Reveal a “2X” (2TIMES) or “5X” (5TIMES) symbol, multiply any prize won in the play area below. Reveal a “\$100” (WIN\$100) or “\$500” (WIN\$500) symbol, win that amount instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Bonus Star Millions instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Bonus Star Millions, prize money from winning Bonus Star Millions instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Bonus Star Millions instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Bonus Star Millions or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 18-1239. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Goat Load of Cash Instant Lottery Game 1360

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby

provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Goat Load of Cash (hereafter “Goat Load of Cash”). The game number is PA-1360.

2. *Price:* The price of a Goat Load of Cash instant lottery game ticket is \$1.

3. *Play Symbols:* Each Goat Load of Cash instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: Bull (BULL) symbol, Cow (COW) symbol, Cat (CAT) symbol, Chick (CHICK) symbol, Cowbell (CWBELL) symbol, Turtle (TURTLE) symbol, Pig (PIG) symbol, Corn (CORN) symbol, Barn (BARN) symbol, Tractor (TRACTOR) symbol, Goat (GOAT) symbol and a Hay (WIN20) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$5, \$6, \$10, \$20, \$30, \$40, \$100, \$400 and \$5,000. The player can win up to six times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Goat Load of Cash instant lottery game.

#### 7. *Determination of Prize Winners:*

(a) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$5,000 (FIV THO) appears in the “Prize” area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$400 (FOR HUN) appears in the “Prize” area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “Prize” area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$30.

(f) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets with a Hay (WIN20) symbol in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY)

appears in the "Prize" area under that Hay (WIN20) symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$6<sup>00</sup> (SIX DOL) appears in the "Prize" area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$6.

(j) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL)

appears in the "Prize" area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the "Prize" area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of \$1.

(m) Holders of tickets with a Goat (GOAT) symbol in the play area and a prize symbol of FREE (TICKET) appears in the "Prize" area under that Goat (GOAT) symbol, on a single ticket, shall be entitled to a prize of one Goat Load of Cash instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A Goat (GOAT) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
FREE	FREE \$1 TICKET	11.54	936,000
\$1	\$1	50	216,000
\$1 × 2	\$2	27.27	396,000
\$2	\$2	26.09	414,000
\$1 × 5	\$5	1,500	7,200
(\$1 × 3) + \$2	\$5	1,500	7,200
\$5	\$5	150	72,000
\$1 × 6	\$6	500	21,600
\$2 × 3	\$6	3,000	3,600
\$5 + \$1	\$6	500	21,600
\$6	\$6	1,500	7,200
\$2 × 5	\$10	600	18,000
\$5 × 2	\$10	600	18,000
(\$1 × 5) + \$5	\$10	1,500	7,200
(\$2 × 2) + \$6	\$10	1,500	7,200
(\$2 × 4) + (\$1 × 2)	\$10	1,500	7,200
\$10	\$10	300	36,000
\$5 × 4	\$20	3,000	3,600
\$10 × 2	\$20	3,000	3,600
(\$5 × 2) + \$10	\$20	3,000	3,600
(6 × 3) + (\$1 × 2)	\$20	3,000	3,600
\$20 w/ HAY	\$20	176.47	61,200
\$20	\$20	3,000	3,600
\$5 × 6	\$30	12,000	900
\$10 × 3	\$30	12,000	900
(\$20 w/ HAY) + \$10	\$30	2,400	4,500
(\$20 w/ HAY) + (\$5 × 2)	\$30	2,400	4,500
\$30	\$30	12,000	900
\$10 × 4	\$40	48,000	225
\$20 × 2	\$40	48,000	225
(\$20 w/ HAY) + (\$10 × 2)	\$40	4,800	2,250

<i>Reveal A Goat (GOAT) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
(\$20 w/ HAY) × 2	\$40	4,000	2,700
\$40	\$40	48,000	225
\$20 × 5	\$100	48,000	225
(\$20 × 4) + (\$10 × 2)	\$100	48,000	225
(\$30 × 3) + (\$5 × 2)	\$100	48,000	225
(\$20 w/ HAY) + (\$40 × 2)	\$100	12,000	900
(\$20 w/ HAY) × 5	\$100	12,000	900
\$100	\$100	48,000	225
\$100 × 4	\$400	1,080,000	10
\$400	\$400	1,080,000	10
\$5,000	\$5,000	1,080,000	10

Reveal a Hay (WIN20) symbol, win \$20 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Goat Load of Cash instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Goat Load of Cash, prize money from winning Goat Load of Cash instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Goat Load of Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Goat Load of Cash or through normal communications methods.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 18-1240. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Joker's Wild Instant Lottery Game 1359

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Joker's Wild (hereinafter referred to as "Joker's Wild"). The game number is PA-1359.

2. *Price:* The price of a Joker's Wild instant lottery game ticket is \$2.

3. *Play Symbols:* Each Joker's Wild instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Joker (JOKER) symbol and a WILD (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the play area are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR



DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000 and \$20,000. The player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Joker's Wild instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WILD (WINALL) symbol and a prize symbol of \$100 (ONE HUN) appears in four of the "Prize" areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the "Prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WILD (WINALL) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WILD (WINALL) symbol

and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WILD (WINALL) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in seven of the "Prize" areas, a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in two of the "Prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WILD (WINALL) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$50.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WILD (WINALL) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WILD (WINALL) symbol and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$40.

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

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WILD (WINALL) symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$20.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER)

symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$5.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$4.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(ee) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Joker (JOKER) symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under that Joker (JOKER) symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$2 w/ JOKER	\$2	18.75	512,000
\$2	\$2	20	480,000
\$2 × 2	\$4	150	64,000
(\$2 w/ JOKER) × 2	\$4	150	64,000
\$4 w/ JOKER	\$4	150	64,000
\$4	\$4	150	64,000
\$5 w/ JOKER	\$5	50	192,000
\$5	\$5	50	192,000
\$2 × 5	\$10	500	19,200
(\$5 w/ JOKER) + \$5	\$10	150	64,000
(\$2 w/ JOKER) × 5	\$10	150	64,000
\$10 w/ JOKER	\$10	187.50	51,200
\$10	\$10	750	12,800
WILD w/ (\$2 × 10)	\$20	75	128,000
\$5 × 4	\$20	1,500	6,400
\$10 × 2	\$20	1,500	6,400
(\$10 w/ JOKER) + (\$5 × 2)	\$20	1,500	6,400
\$20 w/ JOKER	\$20	1,500	6,400
\$20	\$20	1,500	6,400
WILD w/ (\$4 × 10)	\$40	545.45	17,600
\$10 × 4	\$40	12,000	800
\$20 × 2	\$40	12,000	800

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
(\$4 w/ JOKER) × 10	\$40	4,000	2,400
\$40 w/ JOKER	\$40	12,000	800
\$40	\$40	6,000	1,600
WILD w/ (\$5 × 10)	\$50	1,200	8,000
(((\$20 w/ JOKER) × 2) + (\$5 × 2))	\$50	4,000	2,400
(\$5 w/ JOKER) × 10	\$50	6,000	1,600
\$50 w/ JOKER	\$50	12,000	800
\$50	\$50	6,000	1,600
WILD w/ (\$10 × 10)	\$100	8,000	1,200
WILD w/ ((\$10 × 7) + (\$5 × 2) + \$20)	\$100	8,000	1,200
\$20 × 5	\$100	24,000	400
\$50 × 2	\$100	24,000	400
(\$10 w/ JOKER) × 10	\$100	24,000	400
\$100 w/ JOKER	\$100	24,000	400
\$100	\$100	24,000	400
WILD w/ (\$20 × 10)	\$200	120,000	80
(\$20 w/ JOKER) × 10	\$200	120,000	80
\$200 w/ JOKER	\$200	120,000	80
\$200	\$200	120,000	80
WILD w/ (\$50 × 10)	\$500	960,000	10
WILD w/ ((\$100 × 4) + (\$10 × 5) + \$50)	\$500	960,000	10
\$500 w/ JOKER	\$500	960,000	10
\$500	\$500	960,000	10
\$500 × 2	\$1,000	960,000	10
\$1,000 w/ JOKER	\$1,000	960,000	10
\$1,000	\$1,000	960,000	10
\$20,000	\$20,000	960,000	10

Reveal a "JOKER" (JOKER) symbol, win prize shown under that symbol automatically.

Reveal a "WILD" (WINALL) symbol, win all 10 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Joker's Wild instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall

be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Joker's Wild, prize money from winning Joker's Wild instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Joker's Wild instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61

Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Joker's Wild or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 18-1241. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Top Secret Crossword Instant Lottery Game 1358

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Top Secret Crossword (hereinafter "Top Secret Crossword"). The game number is PA-1358.

2. *Price:* The price of a Top Secret Crossword instant lottery game ticket is \$3.

3. *Play Symbols:* Each Top Secret Crossword instant lottery game ticket will feature a "YOUR LETTERS" area, a crossword puzzle play grid known as the "Crossword Grid" and a "BONUS" area. The "Crossword Grid" and the "BONUS" play area are played separately. The play symbols located in the "YOUR LETTERS" area are: the letters A through and including Z. The play symbols located in the "Crossword Grid" are: the letters A through and including Z; and a Magnifying Glass symbol. The play symbols and their captions located in the "BONUS" area are: Lock (LOCK), Letter (LETTER), Key (KEY), Radio (RADIO), Newspaper (NEWS), Fingerprint (PRINT), Badge (BADGE), Shoe (SHOE), Telephone (PHONE), and a Detective (WIN30) symbol.

4. *Prizes:* The prizes that can be won in the "Crossword Grid" area are: Free \$3 Ticket, \$3, \$5, \$10, \$30, \$40, \$50, \$60, \$100, \$150, \$1,000, and \$50,000. The prize that can be won in the "BONUS" area is \$30. A player can win up to five times on a ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 13,200,000 tickets will be printed for the Top Secret Crossword instant lottery game.

#### 6. *Determination of Prize Winners:*

(a) Holders of tickets where the player completely matches ten words in the "Crossword Grid," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets where the player completely matches nine words in the "Crossword Grid," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets where the player completely matches eight words in the "Crossword Grid," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets where the player completely matches seven words in the "Crossword Grid," in which the winning combination contains a Magnifying Glass symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets where the player completely matches six words in the "Crossword Grid," in which the winning combination contains a Magnifying Glass symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$60.

(f) Holders of tickets where the player completely matches seven words in the "Crossword Grid," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets where the player completely matches five words in the "Crossword Grid," in which the winning combination contains a Magnifying Glass symbol, using only the letters found in the "YOUR LETTERS" area, with a Detective (WIN30) symbol in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets where the player completely matches six words in the "Crossword Grid," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets with a Detective (WIN30) symbol in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$30.

(j) Holders of tickets where the player completely matches five words in the "Crossword Grid," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets where the player completely matches four words in the "Crossword Grid," in which the winning combination contains a Magnifying Glass symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets where the player completely matches four words in the "Crossword Grid," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets where the player completely matches three words in the "Crossword Grid," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$3.

(n) Holders of tickets where the player completely matches two words in the "Crossword Grid," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of one Top Secret Crossword lottery game ticket or one Pennsylvania Lottery instant lottery game ticket of equivalent sale price which is currently on sale.

#### 7. *Game Play Instructions for the Top Secret Crossword Game are:*

(a) The player shall scratch the "YOUR LETTERS" area to reveal 18 letters. For each of the 18 letters revealed in the "YOUR LETTERS" area, the player shall rub the same letter each time it is found in the "Crossword Grid."

(b) When a player reveals two or more entire words in the "Crossword Grid," the player is entitled to win a prize as described in Section 6.

(c) Only the highest prize won in the "Crossword Grid" will be paid if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

(d) For purposes of this game, a word must contain at least three letters and cannot be formed by linking letters diagonally or by reading the letters from the bottom to the top.

(e) Every single letter square of a word must be matched and letters combined to form a word must appear in an unbroken horizontal or vertical string of letters in the "Crossword Grid." There will only be one word in an unbroken horizontal or vertical string of letters.

(f) Every single letter in the unbroken string must be revealed in the "YOUR LETTERS" area and must be included to form a word.

(g) The possible complete words for each ticket in the game are shown on the "Crossword Grid" and play areas. The player must match all of the letters in a possible complete word in order to complete the word.

(h) After the player has scratched the "Crossword Grid," the player shall scratch the "BONUS" area. If the player reveals a Detective (WIN30) symbol, the player is entitled to win a prize as described in Section 6.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Crossword Grid Win With:</i>	<i>BONUS Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
2 WORDS		FREE \$3 TICKET	10	1,320,000
3 WORDS		\$3	50	264,000
4 WORDS		\$5	12.50	1,056,000
4 WORDS w/ MAGNIFYING GLASS		\$10	41.67	316,800
5 WORDS		\$10	200	66,000
	\$30 w/ DETECTIVE	\$30	71.43	184,800
6 WORDS		\$30	166.67	79,200
(4 WORDS W/ MAGNIFYING GLASS)	\$30 w/ DETECTIVE	\$40	1,200	11,000
5 WORDS	\$30 w/ DETECTIVE	\$40	6,000	2,200
5 WORDS w/ MAGNIFYING GLASS	\$30 w/ DETECTIVE	\$50	342.86	38,500
7 WORDS		\$50	2,400	5,500
	(\$30 w/ DETECTIVE) × 2	\$60	3,000	4,400
6 WORDS	\$30 w/ DETECTIVE	\$60	2,000	6,600
6 WORDS w/ MAGNIFYING GLASS		\$60	2,000	6,600
5 WORDS	(\$30 w/ DETECTIVE) × 3	\$100	4,000	3,300
7 WORDS w/ MAGNIFYING GLASS		\$100	2,400	5,500
8 WORDS		\$100	6,000	2,200
	(\$30 w/ DETECTIVE) × 5	\$150	12,000	1,100
6 WORDS W/ MAGNIFYING GLASS	(\$30 w/ DETECTIVE) × 3	\$150	12,000	1,100
9 WORDS		\$1,000	660,000	20
10 WORDS		\$50,000	1,320,000	10

Scratch each "MAGNIFYING GLASS" symbol that appears in the Crossword Grid. Each "MAGNIFYING GLASS" symbol is a free spot. When a "MAGNIFYING GLASS" symbol appears in any winning combination of words, win DOUBLE the corresponding prize found in the PRIZE LEGEND.

BONUS: Reveal a "DETECTIVE" (WIN30) symbol, win \$30 instantly! BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Top Secret Crossword instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant

lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize,

either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Top Secret Crossword, prize money from winning Top Secret Crossword instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Top Secret Crossword instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Top Secret Crossword or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 18-1242. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Wheel of Fortune® Instant Lottery Game 1357

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name*: The name of the game is Pennsylvania Wheel of Fortune® (hereinafter “Wheel of Fortune®”). The game number is PA-1357.

2. *Price*: The price of a Wheel of Fortune® instant lottery game ticket is \$5.

3. *Play Symbols*: Each Wheel of Fortune® instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8

(EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), and 30 (THIRTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 50 (WIN50) and a Wheel (WINALL) symbol.

4. *Prize Symbols*: The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$75<sup>00</sup> (SVY FIV), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO).

5. *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$40, \$50, \$75, \$100, \$200, \$500, \$1,000, \$5,000 and \$100,000. The player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 12,000,000 tickets will be printed for the Wheel of Fortune® instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wheel (WINALL) symbol, and a prize symbol of \$200 (TWO HUN) appears in two of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wheel (WINALL) symbol,

and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the “prize” areas, a prize symbol of \$200 (TWO HUN) appears in one of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wheel (WINALL) symbol, and a prize symbol of \$200 (TWO HUN) appears in two of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wheel (WINALL) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in eight of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wheel (WINALL) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wheel (WINALL) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wheel (WINALL) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in eight of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$75<sup>00</sup> (SVY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$75.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wheel (WINALL)

symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in three of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in nine of the “prize” areas, on a single ticket, shall be entitled to a prize of \$75.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 50 (WIN50) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that 50 (WIN50) symbol, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
\$5	\$5	10	1,200,000
\$5 × 2	\$10	60	200,000
\$10	\$10	100	120,000
\$5 × 3	\$15	60	200,000
\$10 + \$5	\$15	150	80,000
\$15	\$15	100	120,000
\$5 × 4	\$20	300	40,000
\$10 × 2	\$20	300	40,000
(\$5 × 2) + \$10	\$20	300	40,000
\$15 + \$5	\$20	200	60,000
\$20	\$20	300	40,000
\$5 × 5	\$25	300	40,000
(\$10 × 2) + \$5	\$25	600	20,000
\$15 + \$10	\$25	600	20,000
\$20 + 5	\$25	100	120,000
\$25	\$25	300	40,000
\$5 × 8	\$40	600	20,000
\$10 × 4	\$40	600	20,000
\$20 × 2	\$40	600	20,000
(\$10 × 2) + \$20	\$40	600	20,000
(\$10 × 2) + (\$5 × 4)	\$40	600	20,000
\$25 + \$15	\$40	600	20,000
\$40	\$40	300	40,000
\$5 × 10	\$50	800	15,000
\$10 × 5	\$50	2,400	5,000
\$25 × 2	\$50	2,400	5,000
(\$10 × 4) + (\$5 × 2)	\$50	800	15,000
\$50 w/ 50 SYMBOL	\$50	2,400	5,000
\$50	\$50	2,400	5,000
WHEEL w/ ((\$10 × 3) + (\$5 × 9))	\$75	1,714.29	7,000
(\$10 × 5) + (\$5 × 5)	\$75	6,000	2,000
(\$20 × 3) + \$15	\$75	6,000	2,000
\$50 w/ 50 SYMBOL + \$25	\$75	6,000	2,000
\$75	\$75	6,000	2,000
WHEEL w/ ((\$10 × 8) + (\$5 × 4))	\$100	1,714.29	7,000
WHEEL w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	1,714.29	7,000
\$10 × 10	\$100	6,000	2,000
\$20 × 5	\$100	6,000	2,000
(\$25 × 2) + \$50	\$100	6,000	2,000
(\$50 w/ 50 SYMBOL) × 2	\$100	1,714.29	7,000
\$100	\$100	6,000	2,000
WHEEL w/ ((\$50 × 2) + (\$10 × 10))	\$200	8,000	1,500
WHEEL w/ ((\$20 × 8) + (\$10 × 4))	\$200	8,000	1,500



<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
\$20 × 10	\$200	24,000	500
\$50 × 4	\$200	24,000	500
\$100 × 2	\$200	24,000	500
(\$50 w/ 50 SYMBOL) + (\$20 × 5) + \$50	\$200	24,000	500
((50 w/ 50 SYMBOL) × 2) + \$100	\$200	24,000	500
\$200	\$200	24,000	500
WHEEL w/ ((\$200 × 2) + (\$10 × 10))	\$500	60,000	200
WHEEL w/ ((\$20 × 10) + \$200 + \$100)	\$500	60,000	200
\$50 × 10	\$500	60,000	200
\$100 × 5	\$500	60,000	200
(\$50 w/ 50 SYMBOL) × 10	\$500	60,000	200
\$500	\$500	60,000	200
WHEEL w/ ((\$200 × 2) + (\$100 × 5) + (\$20 × 5))	\$1,000	1,200,000	10
\$100 × 10	\$1,000	1,200,000	10
\$200 × 5	\$1,000	1,200,000	10
\$500 × 2	\$1,000	1,200,000	10
\$1,000	\$1,000	1,200,000	10
\$500 × 10	\$5,000	1,200,000	10
\$5,000	\$5,000	1,200,000	10
\$100,000	\$100,000	1,200,000	10

Reveal a "50" (WIN50) symbol, win prize shown under that symbol automatically.

Reveal a "WHEEL" (WINALL) symbol, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Wheel of Fortune® instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Wheel of Fortune®, prize money from winning Wheel of Fortune® instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Wheel of Fortune® instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Wheel of Fortune® or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 18-1243. Filed for public inspection August 10, 2018, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### State Transportation Commission Meeting

The State Transportation Commission (Commission) will hold a meeting on Thursday, August 16, 2018, from 10 a.m. to 12 p.m. at the Sheraton Philadelphia University City Hotel, 3549 Chestnut Street, Philadelphia, PA 19104. For more information, contact the Commission, (717) 783-2262, RA-PennDOTSTC@pa.gov.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 18-1244. Filed for public inspection August 10, 2018, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### New Hanover Township v. Department of Environmental Protection and Gibraltar Rock, Inc., Permittee; EHB Doc. No. 2018-072-L

New Hanover Township has appealed the renewal by the Department of Environmental Protection of NPDES Permit No. PA0224308 to Gibraltar Rock, Inc., in conjunc-

tion with the reissuance of Surface Mining Permit No. 46030301C2 and C3, for the Gibraltar Quarry operation located in New Hanover Township, Montgomery County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 18-1245. Filed for public inspection August 10, 2018, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Classification of Wild Trout Streams; Proposed Additions and Revisions; October 2018

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commission's Fisheries Management Division maintains 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*. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams.

At the next Commission meeting on October 15 and 16, 2018, the Commission will consider changes to its list of wild trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Allegheny	Kilbuck Run	Headwaters to UNT at RM 1.25	Ohio River	40.516388 80.131668
Armstrong	Holder Run	Headwaters to Mouth	Sugar Creek	40.986111 79.638056
Bedford	Reservoir Hollow Run	Headwaters to Mouth	Little Wills Creek	39.832628 78.713597
Berks	UNT to Allegheny Creek (RM 4.04)	Headwaters to Mouth	Allegheny Creek	40.260608 75.910484
Berks	UNT to Northkill Creek (RM 7.70)	Headwaters to Mouth	Northkill Creek	40.517265 76.130256
Blair	Roaring Run	Headwaters to Mouth	Frankstown Branch Juniata River	40.522947 78.176339
Blair	Yellow Spring Run	Headwaters to Mouth	Frankstown Branch Juniata River	40.521990 78.174318
Cameron	Dodge Hollow Run	Headwaters to Mouth	Driftwood Branch Sinnemahoning Creek	41.526230 78.267159

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Cameron	UNT to Hunts Run (RM 4.03)	Headwaters to Mouth	Hunts Run	41.494370 78.136810
Cameron	UNT to Whitehead Run (RM 1.07)	Headwaters to Mouth	Whitehead Run	41.478080 78.132360
Carbon	UNT (RM 0.93) to UNT to Mill Creek (RM 0.49)	Headwaters to Mouth	UNT to Mill Creek (RM 0.49)	40.820259 75.582327
Carbon	UNT to Hunter Creek (RM 1.34)	Headwaters to Mouth	Hunter Creek	40.841538 75.540055
Carbon	UNT to Hunter Creek (RM 2.08)	Headwaters to Mouth	Hunter Creek	40.851362 75.541831
Centre	UNT to Black Moshannon Creek (RM 3.27)	Headwaters to Mouth	Black Moshannon Creek	41.015566 78.022954
Chester	UNT to Beaver Creek (RM 1.18)	Headwaters to Mouth	Beaver Creek	40.002891 75.725425
Clearfield	UNT to Laurel Run (RM 5.60)	Headwaters to Mouth	Laurel Run	40.950048 78.293155
Crawford	Patrick Run	Headwaters to UNT at RM 3.17	Clear Lake	41.829403 79.684204
Crawford	UNT (0.98) to UNT to Oil Creek (RM 27.20)	Headwaters to Mouth	UNT to Oil Creek (RM 27.20)	41.687100 79.769416
Crawford	UNT (RM 0.89) to UNT to Patrick Run (RM 1.47)	Headwaters to Mouth	UNT to Patrick Run (RM 1.47)	41.830972 79.654199
Crawford	UNT to Oil Creek (RM 24.85)	Headwaters to Mouth	Oil Creek	41.663531 79.745977
Crawford	UNT to Oil Creek (RM 26.45)	Headwaters to Mouth	Oil Creek	41.674346 79.766723
Crawford	UNT to Oil Creek (RM 29.70)	Headwaters to Mouth	Oil Creek	41.703504 79.781888
Erie	Baskin Run	Headwaters to UNT at RM 1.76	South Branch French Creek	41.906379 79.711986
Erie	UNT to Edinboro Lake (RM 9.96)	Headwaters to Mouth	Edinboro Lake	41.890833 80.135289
Forest	Judy Run	Headwaters to RM 0.45	Coon Creek	41.443420 79.280700
Forest	Lindsey Hollow Run	Headwaters to Mouth	Tionesta Creek	41.611803 79.112399
Forest	UNT to Salmon Creek (RM 5.80)	Headwaters to Mouth	Salmon Creek	41.487624 79.213979
Forest	UNT to Salmon Creek (RM 6.21)	Headwaters to Mouth	Salmon Creek	41.482596 79.216935
Forest	UNT to The Branch (RM 3.84)	Headwaters to Mouth	The Branch	41.557477 79.198256
Forest	UNT to Tionesta Creek (RM 32.83)	Headwaters to Mouth	Tionesta Creek	41.601472 79.085781
Forest	UNT to Tionesta Creek (RM 35.29)	Headwaters to Mouth	Tionesta Creek	41.606203 79.046214
Forest	Wolf Run	Headwaters to Mouth	Coon Creek	41.447240 79.263050
Fulton	UNT to Wooden Bridge Creek (RM 14.38)	Headwaters to Mouth	Wooden Bridge Creek	40.032653 78.132014
Huntingdon	Singers Gap Run	Headwaters to Private Road Ford at RM 2.23	Hill Valley Creek	40.336098 77.906794
Huntingdon	UNT to Dry Run (RM 1.44)	Headwaters to Mouth	Dry Run	40.550520 77.872140
Huntingdon	UNT to Great Trough Creek (RM 19.56)	Headwaters to Mouth	Great Trough Creek	40.258410 78.037880

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Huntingdon	UNT to Great Trough Creek (RM 23.79)	Headwaters to Mouth	Great Trough Creek	40.218934 78.073873
Huntingdon	UNT to Singers Gap Run (RM 3.00)	Headwaters to Mouth	Singers Gap Run	40.322479 77.945182
Jefferson	Elk Run	Headwaters to Mouth	Mahoning Creek	40.948565 78.964828
Jefferson	UNT to Canoe Creek (RM 2.94)	Headwaters to Mouth	Canoe Creek	40.909892 78.943538
Jefferson	UNT to North Fork Redbank Creek (RM 8.79)	Headwaters to Mouth	North Fork Redbank Creek	41.252017 79.035595
Jefferson	UNT to North Fork Redbank Creek (RM 16.84)	Headwaters to Mouth	North Fork Redbank Creek	41.275049 78.932863
Jefferson	UNT to Sandy Lick Creek (RM 14.57)	Headwaters to Mouth	Sandy Lick Creek	41.094764 78.937265
Lancaster	UNT to Fishing Creek (RM 4.60)	Headwaters to Mouth	Fishing Creek	39.808883 76.233154
Lancaster	UNT to Fishing Creek (RM 5.14)	Headwaters to Mouth	Fishing Creek	39.815173 76.237654
Lancaster	UNT to Fishing Creek (RM 6.65)	Headwaters to Mouth	Fishing Creek	39.828930 76.242656
Lycoming	Big Run (Tivoli)	Headwaters to Mouth	Muncy Creek	41.296665 76.688889
Lycoming	Little Sugar Run	Headwaters to Mouth	Sugar Run	41.233755 76.699245
Lycoming	Sugar Run	Headwaters to Mouth	Gregs Run	41.228336 76.714134
Lycoming	UNT to Lick Run (RM 0.83)	Headwaters to Mouth	Lick Run	41.317449 76.667727
McKean	Kansas Branch	Headwaters to Mouth	Knapp Creek	41.945270 78.474340
Monroe	UNT to Paradise Creek (RM 7.01)	Headwaters to Mouth	Paradise Creek	41.117364 75.280484
Monroe	UNT to Paradise Creek (RM 8.76)	Headwaters to Mouth	Paradise Creek	41.126500 75.306426
Pike	UNT (RM 0.06) to UNT to Saw Creek (RM 4.62)	Headwaters to Mouth	UNT to Saw Creek (RM 4.62)	41.141945 75.053040
Pike	UNT to Shohola Creek (RM 5.38)	Headwaters to Mouth	Shohola Creek	41.424464 74.947295
Pike	UNT to Shohola Creek (RM 6.33)	Headwaters to Mouth	Shohola Creek	41.424843 74.965368
Potter	Shinglebolt Hollow Run	Headwaters to Mouth	East Fork Sinnemahoning Creek	41.635181 77.852798
Potter	UNT to East Fork Sinnemahoning Creek (RM 14.30)	Headwaters to Mouth	East Fork Sinnemahoning Creek	41.642477 77.851868
Potter	UNT to East Fork Sinnemahoning Creek (RM 15.36)	Headwaters to Mouth	East Fork Sinnemahoning Creek	41.655622 77.857540
Potter	UNT to East Fork Sinnemahoning Creek (RM 15.48)	Headwaters to Mouth	East Fork Sinnemahoning Creek	41.657208 77.857277
Schuylkill	Black Run	Headwaters to Mouth	Swampy Creek	40.730627 76.089780
Schuylkill	UNT to Little Schuylkill River (RM 10.67)	Headwaters to Mouth	Little Schuylkill River	40.679527 76.001999

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Somerset	UNT to Blue Lick Creek (RM 5.12)	Headwaters to Mouth	Blue Lick Creek	39.849653 78.972855
Somerset	UNT to Blue Lick Creek (RM 5.40)	Headwaters to Mouth	Blue Lick Creek	39.851553 78.969025
Somerset	UNT to Brush Creek (RM 12.14)	Headwaters to Mouth	Brush Creek	39.852755 78.918524
Sullivan	UNT to Little Loyalsock Creek (RM 3.14)	Headwaters to Mouth	Little Loyalsock Creek	41.506460 76.570100
Venango	Ajax Run	Headwaters to Mouth	Allegheny River	41.350215 79.790705
Venango	Culver Run	Headwaters to Mouth	Allegheny River	41.460771 79.586109
Venango	Lick Run	Headwaters to Mouth	Sugar Creek	41.424751 79.874624
Venango	Seneca Run	Headwaters to Mouth	Allegheny River	41.409858 79.787235
Venango	UNT to Allegheny River (RM 130.23)	Headwaters to Mouth	Allegheny River	41.406723 79.733474
Venango	UNT to Allegheny River (RM 130.54)	Headwaters to Mouth	Allegheny River	41.411105 79.731027
Venango	UNT to Allegheny River (RM 133.36)	Headwaters to Mouth	Allegheny River	41.423990 79.697750
Venango	UNT to Allegheny River (RM 135.20)	Headwaters to Mouth	Allegheny River	41.422746 79.674899
Venango	UNT to Allegheny River (RM 140.30)	Headwaters to Mouth	Allegheny River	41.466900 79.637420
Venango	UNT to Allegheny River (RM 140.79)	Headwaters to Mouth	Allegheny River	41.462421 79.629716
Venango	UNT to French Creek (RM 5.84)	Headwaters to Mouth	French Creek	41.417803 79.897795
Venango	UNT to French Creek (RM 6.18)	Headwaters to Mouth	French Creek	41.416258 79.903546
Venango	UNT to French Creek (RM 7.75)	Headwaters to Mouth	French Creek	41.417953 79.927282
Venango	UNT to Scrubgrass Creek (RM 3.93)	Headwaters to Mouth	Scrubgrass Creek	41.224592 79.871528
Venango	UNT to Scrubgrass Creek (RM 5.59)	Headwaters to Mouth	Scrubgrass Creek	41.208945 79.884403
Warren	Damon Run	Headwaters to SR 426 Bridge	Brokenstraw Creek	41.889347 79.548325
Warren	Page Hollow Run	Headwaters to Mouth	Little Brokenstraw Creek	41.870825 79.406116
Warren	Stony Creek	Headwaters to UNT at RM 1.69	Little Brokenstraw Creek	41.914820 79.426955
Warren	UNT to Brokenstraw Creek (RM 21.66)	Headwaters to Mouth	Brokenstraw Creek	41.882567 79.538944
Warren	UNT to Gar Run (RM 3.18)	Headwaters to Mouth	Gar Run	41.783461 79.466155
Warren	UNT to Hosmer Run (RM 1.54)	Headwaters to Mouth	Hosmer Run	41.815353 79.475562
Warren	UNT to Hosmer Run (RM 2.56)	Headwaters to Mouth	Hosmer Run	41.812514 79.491344
Warren	UNT to West Branch Caldwell Creek (RM 5.53)	Headwaters to Mouth	West Branch Caldwell Creek	41.756668 79.569430
Warren	Winton Run	Headwaters to Private Lane Bridge at RM 1.10	Hare Creek	41.922222 79.603752

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
York	Dee Run	Headwaters to first Private Lane downstream from Range Road (T-946)	Codorus Creek	40.032222 76.668592
York	Fishing Creek	Headwaters to Mouth	Susquehanna River	39.952222 76.478056
York	Muddy Creek	Headwaters to Paper Mill Road (SR 2024)	Susquehanna River	39.790278 76.299722
York	UNT to Muddy Creek (RM 2.41)	Headwaters to Mouth	Muddy Creek	39.779287 76.321461
York	UNT to Muddy Creek (RM 4.32)	Headwaters to Mouth	Muddy Creek	39.765961 76.322205
York	UNT to Muddy Creek (RM 9.00)	Headwaters to Mouth	Muddy Creek	39.767979 76.364250
York	UNT to Muddy Creek (RM 13.57)	Headwaters to Mouth	Muddy Creek	39.795765 76.429964
York	UNT to South Branch Muddy Creek (RM 8.67)	Headwaters to Mouth	South Branch Muddy Creek	39.745387 76.524147
York	UNT (RM 0.31) to UNT to Beaver Creek (RM 3.14)	Headwaters to Mouth	UNT to Beaver Creek (RM 3.14)	39.901740 76.519811

The Commission also will consider the following revisions to the section limits of streams on the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Current Limits</i>	<i>Revised Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Berks	Furnace Creek	Headwaters to Robeson Reservoir	Headwaters to Mouth	Spring Creek	40.348611 76.115000
Cambria	Trout Run	Headwaters to 300 miles downstream SR 164 Bridge	Headwaters to 0.5 mile downstream UNT at RM 2.59	Kane Run	40.388541 78.688771
Schuylkill	Silver Creek	Headwaters to Silver Creek Reservoir	Headwaters to Mouth	Schuylkill River	40.719167 76.115833
Venango	UNT to Allegheny River (RM 93.44)	Headwaters to UNT (RM 0.75) to UNT to Allegheny River (RM 93.44)	Headwaters to Mouth	Allegheny River	41.209503 79.725443

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 18-1246. Filed for public inspection August 10, 2018, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Mentored Youth Fishing Day Program; Panfish

Acting under the authority of 58 Pa. Code § 65.20 (relating to Mentored Youth Fishing Day Program), the Executive Director has designated September 3, 2018, as a Mentored Youth Fishing Day for panfish in selected Panfish Enhancement Lakes previously designated under 58 Pa. Code § 65.11 (relating to panfish enhancement). This designation under 58 Pa. Code § 65.20 will be effective upon publication of this notice in the *Pennsylvania Bulletin*.

To participate, anglers 16 years of age or older (adult anglers) must possess a valid Pennsylvania fishing license and be accompanied by a youth (less than 16 years of age) who has obtained a mentored youth permit or a voluntary youth license from the Fish and Boat Commission (Commission). Youth anglers must obtain a 2018 mentored youth permit or a voluntary youth license from the Commission and be accompanied by an adult angler with a valid Pennsylvania fishing license to participate.

There are 19 selected lakes that are currently managed under panfish enhancement special regulations, with some lakes normally having a minimum size of 7 inches for sunfish, some lakes having a minimum size of 9 inches for crappie and some lakes having a minimum size

of 9 inches for yellow perch or a combination of 2 or 3 of these fish species with minimum size restrictions on these lakes. On September 3, 2018, there will be no minimum size for panfish, but the daily limits will remain in effect. Other Commonwealth inland regulations will apply. It is unlawful to fish in waters designated as part of the Mentored Youth Fishing Day Program (Program) except in compliance with the requirements of 58 Pa. Code § 65.20 when participating in the Program.

On September 3, 2018, the identified waters will be open to all anglers but only Program participants (youth and their mentors) may possess panfish of less than the normal minimum size limits. The Panfish Enhancement Lakes included in the Mentored Youth Fishing Day on September 3, 2018, are as follows:

County	Water
Berks	Blue Marsh Reservoir
Cambria	Beaverdam Run Reservoir
Cambria	Hinkston Run Reservoir
Cambria	Wilmore Dam
Centre	Foster Joseph Sayers Lake*
Chester	Chambers Lake
Fayette/Westmoreland	Bridgeport Reservoir
Monroe	Bradys Lake
Monroe	Gouldsboro Lake
Montour	Lake Chillisquaque
Pike	Lower Lake (Lower Promised Land Lake)
Pike	Promised Land Lake (Upper Promised Land Lake)
Somerset	Quemahoning Reservoir
Washington	Cross Creek Lake
Washington	Peters Township (Reservoir # 2)
Westmoreland	Indian Lake
Westmoreland	Lower Twin Lake
Westmoreland	Northmoreland Lake
Westmoreland	Upper Twin Lake

\* Also regulated under 58 Pa. Code § 65.24 (relating to miscellaneous special regulations) for crappie, that is, 10 fish daily creel limit of which no more than 5 fish may be greater than or equal to 9 inches in length. This miscellaneous special regulation will not apply to Program participants.

JOHN A. ARWAY,  
Executive Director

[Pa.B. Doc. No. 18-1247. Filed for public inspection August 10, 2018, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Proposed Changes to List of Class A Wild Trout Waters; October 2018

The Fish and Boat Commission (Commission) is considering changes to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-

sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. With rare exceptions, the Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

Criteria developed for Class A Wild Trout fisheries are species specific. Wild Trout Biomass Class Criteria include provisions for:

(i) *Wild Brook Trout Fisheries*

(A) Total brook trout biomass of at least 30 kg/ha (26.7 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brook trout biomass must comprise at least 75% of the total trout biomass.

(ii) *Wild Brown Trout Fisheries*

(A) Total brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brown trout biomass must comprise at least 75% of the total trout biomass.

(iii) *Mixed Wild Brook and Brown Trout Fisheries*

(A) Combined brook and brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass must comprise less than 75% of the total trout biomass.

(E) Brown trout biomass must comprise less than 75% of the total trout biomass.

(iv) *Wild Rainbow Trout Fisheries*

Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 2.0 kg/ha (1.78 lbs/acre).

(v) *Mixed Wild Brook and Rainbow Trout Fisheries*

(A) Combined brook and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

(vi) *Mixed Wild Brown and Rainbow Trout Fisheries*

(A) Combined brown and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brown trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

During recent surveys, Commission staff documented the following stream sections to have Class A wild trout populations. The Commission intends to consider adding these waters to its list of Class A Wild Trout Streams at its meeting on October 15 and 16, 2018.



<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>	<i>Brook Trout (kg/ha)</i>	<i>Brown Trout (kg/ha)</i>	<i>Rainbow Trout (kg/ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Blair	Little Juniata River	3	First bridge on US Highway 220 Business just northeast from Bellwood to confluence of the first UNT entering from the west just south of Fostoria	Juniata River	40.561111 78.068336	—	44.22	—	0.72	2017
Cambria	Little Killbuck Run	1	Headwaters to Mouth	Killbuck Run	40.664722 78.595278	31.57	—	—	2.30	2017
Cameron	Upper Jerry Run	1	Headwaters to Jerry Lick Draft	Sinnemahoning Creek	41.300000 78.059722	59.60	2.35	—	3.27	2017
Cameron	Upper Jerry Run	2	Jerry Lick Draft to Mouth	Sinnemahoning Creek	41.300000 78.059722	18.20	46.77	—	3.80	2017
Cameron/Elk	East Branch Hicks Run	2	Hicks Run Road (T-310) to Mouth	Hicks Run	41.377964 78.279221	55.00	21.59	—	6.80	2017
Cameron/Elk	West Branch Hicks Run	2	Middle Branch Hicks Run to Shaffer Draft Road	Hicks Run	41.377888 78.279498	7.65	46.30	—	3.05	2017
Clearfield	Moose Creek	1	Headwaters to first UNT 0.7 kilometer downstream of Moose Creek Reservoir	West Branch Susquehanna River	41.031111 78.437500	33.23	—	—	3.56	2017
Jefferson	UNT to Sandy Lick Creek (RM 14.57)	1	Headwaters to Mouth	Sandy Lick Creek	41.094764 78.937265	34.53	—	—	1.26	2017
York	Leibs Creek	2	Kilgore Road (T-558) to Mouth	South Branch Muddy Creek	39.759444 76.525556	—	59.18	—	2.05	2017
York	South Branch Muddy Creek	1	Headwaters to Alum Rock Run	Muddy Creek	39.807778 76.476389	—	40.24	—	6.16	2017

Persons with comments, objections or suggestions concerning the additions are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working

days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 18-1248. Filed for public inspection August 10, 2018, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Triploid Grass Carp Permit Application

Under 58 Pa. Code § 71.7 (relating to triploid grass carp), the Fish and Boat Commission (Commission) may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate circumstances, help control aquatic vegetation. The Commission has determined consistent with 58 Pa. Code § 71.7(e)(3) to seek public input with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres.

Interested persons are invited to submit written comments, objections or suggestions about the notice to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 10 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

The following application to stock triploid grass carp in waters having a surface area of greater than 5 acres is currently undergoing staff review:

<i>Applicant</i>	<i>Water</i>	<i>Location of Water</i>	<i>Description of Water</i>	<i>Nature of Vegetation to be Controlled</i>
Laurel Lakes HOA	Laurel Lake N 41 9.682 W -75 57.659	Rice Township, Luzerne County	21.5-acre lake discharges to Nuangola Outlet to Little Wapwallopen Creek to North Branch Susquehanna River	<i>Bladderwort, Cabomba</i>

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 18-1249. Filed for public inspection August 10, 2018, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
2-185	Department of Agriculture Vegetable Marketing and Research Program	7/25/18	9/13/18
2-187	Department of Agriculture Weighmasters	7/25/18	9/13/18
18-469	Department of Transportation Hazardous Material Transportation	7/31/18	9/13/18

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 18-1250. Filed for public inspection August 10, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Continental Casualty Company (CNAB-131580664); Rate Increase Filing for Several Group LTC Forms

Continental Casualty Company is requesting approval to increase the premium 42.4% on 3,434 certificate holders of several group LTC forms. The forms affected are P1-43636-A, the SR-LTCP Series and GLTC-3-P-xx-01.

Unless formal administrative action is taken prior to October 25, 2018, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
Insurance Commissioner

[Pa.B. Doc. No. 18-1251. Filed for public inspection August 10, 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 August 27, 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-2018-3003013 (Amended). PA Limo Company** (191 Presidential Boulevard, Unit R525, Bala Cynwyd, PA 19004) in limousine service, between points in the Commonwealth of Pennsylvania, and return; excluding that

under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David P. Temple, Esquire, 1600 Market Street, Suite 1320, Philadelphia, PA 19120.

**A-2018-3003014 (Amended). PA Limo Company** (191 Presidential Boulevard, Unit R525, Bala Cynwyd, PA 19004) persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Bucks, Montgomery, Delaware and Chester to points in the Commonwealth of Pennsylvania, and return. *Attorney:* David P. Temple, Esquire, 1600 Market Street, Suite 1320, Philadelphia, PA 19120.

**A-2018-3003399. S&S Medical Transport, LLC** (1608 Colonial Circle, Lebanon, PA 17046) in nonemergency medical paratransit service, from points in the Counties of Dauphin, Lebanon, York and Lancaster, to points in Pennsylvania, and return.

**A-2018-3003487. Stogaris, LLC** (1310 West Roosevelt Boulevard, Philadelphia, PA 19140) in paratransit service, from points in the County of Philadelphia to points in the Counties of Bucks, Chester, Delaware and Montgomery, and return.

**A-2018-3003495. Allegheny Coach, Inc.** (567 Woodvue Drive, Pittsburgh, PA 15227) in vehicles seating 11 to 15 passengers including the driver, from points in Allegheny County to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2018-3003577. Airquest Aviation, LP** (485 Airport Road, Butler, PA 16002) in limousine service, between points in the Counties of Allegheny, Beaver, Butler and Westmoreland.

**Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.***

**A-2018-3002650. Move All Movers, LLC** (238 Timber Ridge Road, Morgantown, PA 19543-9360) household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 18-1252. Filed for public inspection August 10, 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 August 27, 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. Tony A. Huffman, t/a TA Huffman Trucking; Docket No. C-2018-3002717**

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 Tony A. Huffman, t/a TA Huffman Trucking, (respondent) is under suspension effective June 04, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 11920 Route 6, Corry, PA 16407.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 05, 2017, at A-8919678.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8919678 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: 6/19/2018

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](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist

from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

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**Pennsylvania Public Utility Commission; Bureau of  
Investigation and Enforcement v. Donald Wood;  
Docket No. C-2018-3002971**

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 Donald Wood, (respondent) is under suspension effective June 14, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 204 New Street, Connellsville, PA 15425.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 09, 2014, at A-8914229.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8914229 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: 6/26/2018

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](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint

by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Tadd L. Hile, t/a Hile Enterprises; Docket No. C-2018-3003272**

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 Tadd L. Hile, t/a Hile Enterprises, (respondent) is under suspension effective May 13, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 57 Harrison Road, Orangeville, PA 17859.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 02, 2011, at A-8912622.

4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8912622 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: 7/10/2018

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](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 18-1253. Filed for public inspection August 10, 2018, 9:00 a.m.]

## PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

### Application of Amber Rubendall for Reinstatement of Teaching Certificates; Doc. No. RE-18-03

#### Notice of Opportunity for Hearing and Invitation to Protest

Under the Educator Discipline Act (act) (24 P.S. §§ 2070.1a—2070.18c), the Professional Standards and Practices Commission (Commission) will consider the application of Amber Rubendall for reinstatement of her teaching certificates.

Amber Rubendall filed an application for reinstatement of her teaching certificates under section 16 of the act (24 P.S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Amber Rubendall waived her right to a hearing.

In accordance with the act, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 22 Pa. Code § 233.123(d), the Commission will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Commission, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protests and requests for hearing shall be filed with Shane Crosby, Executive Director, Professional Standards and Practices Commission, 333 Market Street, 14th Floor, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Shane Crosby at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

SHANE F. CROSBY,  
*Executive Director*

[Pa.B. Doc. No. 18-1254. Filed for public inspection August 10, 2018, 9:00 a.m.]

### PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

#### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

November 7, 2018	Joyce Aleckna (Disability)	10 a.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lori Koch, Assistant to the Executive Director, at (717) 720-4606 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

GLEN R. GRELL,  
*Executive Director*

[Pa.B. Doc. No. 18-1255. Filed for public inspection August 10, 2018, 9:00 a.m.]

### STATE HORSE RACING COMMISSION

#### Receipt of Matters Subject to Intervention

In accordance with the State Horse Racing Commission's (Commission) adopted and published procedures published at 48 Pa.B. 4030 (July 7, 2018) governing intervention, the Commission provides notice that on July 19, 2018, it has received the following timely, substantially complete and properly filed application or petition seeking authorization, permission or licensure to engage in certain licensed racing activities:

1. Churchill Downs Technology Initiatives Company (Twinspires)—Application for a license to conduct advanced deposit wagering (electronic wagering) as a Secondary Pari-Mutuel Wagering Organization with the Commonwealth.

Under section 1(b) and (e) of the Commission's adopted procedures, persons interested in intervening in the previously listed matter may file a Petition to Intervene with the Commission within 30 days of the publication of this notice.

The Commission's specific intervention practice and procedures have been posted and published on the Commission's web site at <http://www.agriculture.pa.gov/Animals/RacingCommission/commission/Pages/Publications.aspx>.

BRETT REVINGTON,  
*Director*  
*Bureau of Standardbred Horse Racing*

THOMAS F. CHUCKAS, Jr.,  
*Director*  
*Bureau of Thoroughbred Horse Racing*

[Pa.B. Doc. No. 18-1256. Filed for public inspection August 10, 2018, 9:00 a.m.]