

PENNSYLVANIA BULLETIN

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Department of Banking and Securities
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No. 526, September 2018

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2018.

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THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 5]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

[204 PA. CODE CH. 207]

Adoption of Rule 510 of the Rules of Judicial Administration and Amendment of Pa. Code § 207.3; No. 501 Judicial Administration Doc.

Order

Per Curiam:

And Now, this 31st day of August, 2018, Rule 510 of the Pennsylvania Rules of Judicial Administration is adopted, and 204 Pa. Code § 207.3 is amended, in the following form.

To the extent that notice of proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise, the amendments herein are required in the interest of justice and efficient administration.

This Order shall be effective immediately and shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 5. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

(Editor's Note: The following rule is added and printed in regular type to enhance readability.)

Rule 510. Guardianship Tracking System.

(a) *Definitions.* The words and phrases used in this rule shall have the following meanings:

Clerk—The Clerk of the Orphans' Court.

The System—The Guardianship Tracking System, or GTS, developed and administered by the Administrative Office as the electronic filing system to be used for filing reports and inventories required for guardianships of the person and guardianships of the estate, and for tracking data related to all statewide guardianship cases of adult incapacitated persons.

(b) *Participation and fees.* The System is the exclusive method for electronically filing required reports and inventories for guardianships of the person, and for guardianships of the estate, and for tracking data related to statewide guardianship cases of adult incapacitated persons. Court-appointed guardians may file reports and inventories in either an electronic format or a physical paper format. Guardians who elect to file in an electronic format shall use the System to file reports and inventories with the Clerk of the court where the matter was adjudicated.

(1) In order to participate in the System, a court-appointed guardian shall establish a UJS web portal account at <http://ujportal.pacourts.us> and register for access by procedures established by the Administrative Office.

(2) After access to the System is obtained, the guardian bears the responsibility for all actions associated with the guardian's user account.

(3) Establishment of an account by a guardian shall constitute consent to participate in electronic filing, including acceptance of electronic notices sent through the System. Use of the System by a guardian shall constitute certification that the submission is authorized.

(4) Any applicable filing fees, as required by statute, court rule or order, shall be paid electronically through the System at the time of submitting a filing. In addition to any applicable filing fees, an online payment convenience fee for use of the System may be imposed.

(c) *Filing.*

(1) When a report or inventory is filed electronically, the filing shall be submitted to the System at the UJS web portal at <http://ujportal.pacourts.us>, in accordance with this rule and any filing instructions as may otherwise be provided at the web portal site.

(2) Electronic filing may be submitted at any time (with the exception of times of periodic maintenance). The electronic filing must be completed by 11:59:59 p.m. EST/EDT to be considered filed on that day.

(3) The guardian shall be responsible for any delay, disruption, and interruption of the electronic signals, except when caused by the failure of the System's website.

(4) The date and time on which the filing was submitted to the System shall be recorded by the System. The System shall provide an electronic notification to the guardian when the filing has been submitted.

(5) The date and time on which the filing was accepted by the Clerk shall also be recorded by the System. The System shall provide an electronic notification to the guardian when the filing has been accepted by the Clerk.

(6) The submission and acceptance of an electronic filing shall satisfy the reporting requirements of Pa. O.C. Rule 14.8. An electronic filing shall be considered filed with the Clerk upon the date and time of the filer's electronic submission, if the Clerk determines the requirements for filing are met. If the Clerk determines the requirements for filing are not met, the Clerk may take any action as permitted by law, including, but not limited to, returning the submission for correction.

(7) Each Clerk shall determine whether physical paper copies, or electronic PDF/A copies of electronically filed reports and inventories must be maintained in order to comply with applicable record retention schedules. Consult the County Records Manual and Rule 507(a) for further information.

(8) When a report or inventory is submitted in a physical paper format, the Clerk shall ensure the information contained within the report or inventory is manually entered into the System in order to ensure maximum data collection.

(d) *Signature.*

(1) The electronic signature of the guardian, as required on the reports and inventories, shall be in the following form: /s/ Chris L. Smith.

(2) The use of an electronic signature on electronically filed reports and inventories shall constitute the guardian's acknowledgement of, and agreement with, the verification statements contained therein.

(e) *Notice of filing.* Effective June 1, 2019, if required by Pa. O.C. Rule 14.8(b), the guardian shall be responsible for serving a notice of filing within ten days after filing a report. Service shall be in accordance with Pa. O.C. Rule 4.3.

Note: The Guardianship Tracking System (GTS) will provide all court-appointed guardians of adult incapacitated persons the convenience of filing inventories and annual reports online. Use of the System will alleviate the need for traditional paper filings. The System will also assist the Unified Judicial System with tracking and monitoring of statewide practices related to guardianship cases, as was recommended by the Supreme Court's Elder Law Task Force, and the Advisory Council on Elder Justice in the Courts. The applicable rules of court continue to apply to all filings in guardianship cases.

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 207. TRANSMITTING REMITTANCES

§ 207.3. Online Payment Convenience Fee—Adjustment of Fines, Costs, Fees, and Other Remittances.

(a) Pursuant to 42 Pa.C.S. § 3502(c)(3), the Court Administrator of Pennsylvania hereby adjusts the level of fines, costs, fees, and other remittances by assessing a non-refundable \$2.75 convenience fee for online credit/debit card payments of court costs, fines, fees, and restitution associated with pre-existing cases [**or those**], cases initiated within the Magisterial District Judge, Common Pleas, and Appellate Court Case Management Systems of the Pennsylvania Courts, **or filings submitted via the Guardianship Tracking System.** Said amount shall be paid through a contracted financial intermediary and shall be added at the time of the payment.

(b) This regulation shall become effective January 1, 2010, and shall apply to all online credit/debit card payments initiated through the AOPC's UJS Portal made on or after this date on pre-existing cases [**or those**], cases initiated within the Magisterial District Judge, Common Pleas, and Appellate Court Case Management Systems of the Pennsylvania Courts, **or filings submitted via the Guardianship Tracking System.**

[Pa.B. Doc. No. 18-1441. Filed for public inspection September 14, 2018, 9:00 a.m.]

TITLE 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

[204 PA CODE CH. 71]

Proposed Amendment to Pennsylvania Bar Admission Rules; New Rule 304—Limited Admission of Military Spouse Attorneys

Notice is hereby given that the Pennsylvania Board of Law Examiners (Board) is considering recommending to the Pennsylvania Supreme Court that it amend its rules to add Rule 304 to the Pennsylvania Bar Admission Rules concerning limited admission for spouses of active duty members of the United States Uniformed Services (military spouse) as set forth in Annex A.

The Board is proposing to amend the Pennsylvania Bar Admission Rules by adopting a new rule that permits the attorney spouse of a military spouse to be admitted to fully practice law in Pennsylvania without having to pass the bar examination or meet the waive-in requirements under Pa.B.A.R. 204. The license is valid as long as the military spouse is on active duty and currently stationed in Pennsylvania or assigned to duty outside the United States and was last stationed in Pennsylvania. The attorney spouse must be licensed in another jurisdiction, in good standing, and not currently be admitted to practice in Pennsylvania under another Pennsylvania bar admission rule.

The Board is proposing this rule to alleviate the difficulty faced by military spouses and their families when serving this country. Active duty service members are frequently reassigned to different states and often their spouses move with them. Because the attorney spouse does not choose the state in which the military spouse is stationed, the attorney spouse may have difficulty meeting the current requirements for admission into the Pennsylvania bar.

The military spouse, and consequently the attorney spouse, make many sacrifices to serve this country. The Board is attempting to lessen this burden on attorney spouses and, by doing so, also lessen the burden on the military spouse. Pennsylvania has only a few military installations. It has been estimated that there were approximately 2,600 active duty personnel assigned to permanent duty stations in Pennsylvania in 2016, making it likely that the number of attorney spouses seeking admission would be very small. However, the rule's impact on the military families it would assist would be significant and would go a long way toward showing Pennsylvania's support of military members and their families.

Interested persons are invited to submit written comments regarding the proposed amendments to the Counsel to the Board, Pennsylvania Board of Law Examiners, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 3600, P.O. Box 62535, Harrisburg, PA 17106-2535, no later than October 15, 2018.

*By The Pennsylvania Board of Law Examiners
Supreme Court of Pennsylvania*

GICINE P. BRIGNOLA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter C. RESTRICTED PRACTICE OF LAW IN GENERAL

(*Editor's Note:* The following rule is added and printed in regular type to enhance readability.)

Rule 304. Limited Admission of Spouses of Active-Duty Service Members of the United States Uniformed Services.

An applicant may apply for limited admission to the practice of law in Pennsylvania as a spouse of an active-duty service member of the United States Uniformed Services if all requirements of this rule are satisfied.

(a) *Qualifications.*

An applicant who seeks admission pursuant to this rule:

(1) must be present in Pennsylvania as the spouse of an active-duty member of the United States Uniformed Services who is (A) assigned to duty in Pennsylvania or (B) assigned to duty outside the United States but whose last assignment within the United States was in Pennsylvania;

(2) must satisfy the requirements of Rule 203(a)(1) and (2)(i) (related to completion of undergraduate studies and legal studies at a law school accredited by the American Bar Association) and Rule 203(b)(2) (related to character and fitness);

(3) must not have taken and failed the Pennsylvania bar examination;

(4) must be currently admitted as an attorney at law in the highest court of another state, commonwealth, territory or the District of Columbia;

(5) must not currently be the subject of a pending disciplinary matter in any jurisdiction in which the applicant is admitted to the practice of law or be currently suspended or disbarred in any such jurisdiction;

(6) must not have been disciplined for professional misconduct by any jurisdiction within the 10 years immediately preceding filing of the Pennsylvania application or been disbarred at any time by any jurisdiction; and

(7)(A) must be employed and supervised by a Pennsylvania-licensed attorney who is in good standing and who is currently engaged in the practice of law in Pennsylvania; or

(B) be employed by the Federal government, the Commonwealth of Pennsylvania or a local government within Pennsylvania and supervised in that employment by a Pennsylvania-licensed attorney who is currently engaged in the practice of law in Pennsylvania.

(b) *Procedure.*

(1) An applicant who seeks admission pursuant to this rule must submit to the Board of Law Examiners an affidavit confirming that the applicant satisfies the requirements of Rule 304(a); that the applicant agrees to supplement his or her application with any information that might arise during the limited admission to practice that bears on any of the requirements of Rule 304(a); that

the applicant agrees to notify the Prothonotary of the Pennsylvania Supreme Court of any information that might arise during the limited admission to practice that bears on any of the requirements of Rule 304(a); that the applicant has read, is familiar with and agrees to abide by the Pennsylvania Rules of Professional Conduct and the Pennsylvania Rules of Disciplinary Enforcement; that the applicant will comply with any obligations imposed by the Pennsylvania Continuing Legal Education Board and that the applicant submits to the jurisdiction of the Pennsylvania Supreme Court with respect to any and all disciplinary matters.

(2) An applicant must submit to the Board of Law Examiners an affidavit of the Pennsylvania attorney who will, pursuant to Rule 304(a)(7), supervise the applicant if the application is granted. The supervising lawyer must confirm in the affidavit that he or she will (A) supervise the applicant in the performance of the applicant's legal work and (B) notify the Board in the event the applicant leaves the employ of the supervising attorney's law firm or is otherwise no longer being supervised by that attorney.

(3) The applicant must submit to the Board of Law Examiners the following:

(A) certificates or official transcripts evidencing compliance with the provisions of Rule 304(a)(2) related to legal education;

(B) a certificate of good standing from the highest court or the admissions authority of a state, commonwealth, territory or the District of Columbia in which the applicant is currently licensed to practice law;

(C) a copy of the United States military orders of the applicant's spouse establishing that the spouse is present in Pennsylvania because of military orders; and

(D) any fee required by the Board of Law Examiners.

(4) If an applicant satisfactorily completes the steps required by this rule and the Board determines that the applicant is qualified under this rule, the Board shall provide to the applicant a certificate recommending admission of a spouse of an active-duty service member.

(5) At any time within 6 months of the issuance of a certificate recommending admission of a spouse of an active-duty service member, an applicant may file a motion with the Prothonotary of the Supreme Court of Pennsylvania, on a form prescribed by the Board for issuance of such a license. The applicant shall submit the form with the certificate recommending admission of a spouse of an active-duty service member along with any fee the Prothonotary may assess.

(6) Upon receipt of a properly supported motion, the Prothonotary shall enter the name of the applicant upon the docket of persons specially admitted to the bar of the Supreme Court of Pennsylvania subject to the restrictions of this rule.

(c) *Limitations*

(1) An applicant who is granted limited admission under this rule and who continues to satisfy the requirements of Rule 304(a) is entitled to all the same rights, privileges and benefits and is subject to the same duties, obligations and responsibilities as active members of the bar of the Supreme Court of Pennsylvania subject to the following limitations.

(2) The limited admission provided by this rule shall terminate automatically upon the occurrence of any of the following:

(A) any of the provisions of Rule 304(a) are no longer satisfied or

(B) the attorney admitted under this rule is admitted to the bar of the Supreme Court of Pennsylvania under any other rule.

(3) In the event Rule 304(c)(2)(A) or (B) applies as a result of the death of the spouse of the attorney admitted under this rule, the termination of the limited admission provided by this rule will be subject to a six-month grace period.

Official Note: For purposes of this rule, the “United States Uniformed Services” are defined to include the following: the United States Army; the United States Marine Corps; the United States Navy; the United States Air Force; the United States Coast Guard; the United States Public Health Service Commissioned Corps; the National Oceanic and Atmospheric Administration Commissioned Officer Corps and any other entity designated as part of the United States Uniformed Services by the United States Department of Defense or the United States Department of Homeland Security. See 10 U.S.C. § 101(a)(4) and (5).

The phrase “active duty” shall have the meaning given it in 10 U.S.C. § 101(d)(1).

For purposes of Rule 304(a)(7), “practice of law” shall have the meaning set out in Rule 204.

The supervision required by Rule 304(a)(10) must be sufficient to insure that the supervising attorney has knowledge of the specific conduct, ratifies the conduct, knows of the conduct at a time when its consequences may be avoided or mitigated and will assume responsibility for the supervised attorney’s work should the supervised attorney’s limited license terminate.

[Pa.B. Doc. No. 18-1442. Filed for public inspection September 14, 2018, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 83]

Proposed Amendments to the Pennsylvania Rules of Disciplinary Enforcement Relating to Hearing Committees

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania (“Board”) is considering recommending to the Supreme Court of Pennsylvania that it adopt amendments to Pennsylvania Rules of Disciplinary Enforcement (“Pa.R.D.E.”) 102 and 206, relating to the definitions of hearing committee member statuses and the procedures for appointing hearing committee members in disciplinary and reinstatement proceedings, as set forth in Annex A.

Hearing committees serve a vital function in Pennsylvania’s disciplinary system. Pursuant to Rule 206(b), upon assignment by the Board, these committees have the power and duty to conduct investigatory hearings and hearings into formal charges of misconduct, and to submit their conclusions to the Board. Further, hearing committees are authorized under Rule 218(c)(3) to conduct

hearings on the reinstatement of attorneys who have been disbarred or suspended for more than one year, and to submit findings and recommendations to the Board.

Recently, the Board has encountered administrative challenges in appointing hearing committees in districts with heavy caseloads that require frequent committee member involvement, particularly in the districts of Philadelphia and its surrounding counties.

Current Rule 206(a) provides that when a hearing committee is necessary to handle a matter, the Board appoints a committee consisting of three members from the appropriate disciplinary district¹, all of whom are members of the bar of this Commonwealth. The hearing committee composition is prescribed by Rule 206(a) and must have one “senior” member, and another member who is either a “senior” or “experienced” member. Although not explicitly stated, the third member may be a new, experienced or senior member.

Current Rule 102 defines the criteria for “senior” and “experienced” members, which are two-fold in nature. A “senior” hearing committee member is one who at the time of appointment to a committee, has previously served for a full 3-year term² as a member and has served on hearing committees that have conducted at least two hearings into formal charges of misconduct by respondent-attorneys. Additionally, a “senior” hearing committee member may be an attorney who has previously served as a member of the Board. An “experienced” hearing committee member is one who at the time of appointment to a committee, has served as a member for least 1 year and on a hearing committee that has conducted at least one hearing into formal charges of misconduct by a respondent-attorney.

The requirement that a hearing committee be composed of at least two members who have experience with disciplinary proceedings ensures a knowledgeable review of matters. Additionally, we note that senior and experienced members have heightened duties and are authorized to take certain actions that new members are not, such as chair a hearing committee (senior members only)³, review and approve recommendations by Disciplinary Counsel⁴ and consider petitions for reinstatement to active status from formerly admitted attorneys who have not been disbarred or suspended.⁵

As mentioned, the Rules, as currently written, pose challenges. These challenges lie in forming committees for hearings and appointing members to serve in capacities requiring elevated levels of service from the eligible pool in a particular district, as there are a dearth of members classified as “experienced.” This situation impacts the timeliness of the committee appointment process and the scheduling of hearings, as the administrative task of securing committee members who have the requisite levels of experience takes longer to accomplish.

The current requirement that a member must serve a specified number of years before transitioning to a higher classification poses an obstacle to the appointment process, in that the member may have participated in the required number of hearings before the time limit passes, yet the Board is unable to use that member at the more advanced classification until the end of the time limit.

¹ Pennsylvania is divided into four disciplinary districts, as set forth in Rule 202(a), Pa.R.D.E.

² Members are appointed to two consecutive 3-year terms.

³ Rule 206(a), Pa.R.D.E.

⁴ Disciplinary Board Rule § 85.2(a)

⁵ Rule 218(d)(4), Pa.R.D.E.

Following review and analysis, the Board concludes that it is more critical to the efficient functioning of the disciplinary system that a member serve on a set number of hearings to ensure the member has the practical knowledge necessary to conduct disciplinary matters; the timing is less relevant.

The Board proposes two amendments to remedy administrative burdens and ensure timely appointment of hearing committees and scheduling of hearings and other matters.

The proposed amendments to Rule 102 modify the definitions of "senior" and "experienced" hearing committee members by eliminating the time requirements to attain those statuses. The main thrust of these proposed amendments is to increase the pool of experienced and senior members eligible to conduct matters by more quickly transitioning members to those elevated statuses.

The proposed amendment to Rule 206(a) gives the Board discretion, in exigent circumstances, to appoint a committee member or members from outside of the respondent's geographical disciplinary district, or to require that a disciplinary matter be transferred to another disciplinary district. This proposal gives the Board needed flexibility in situations where it experiences difficulty in the prompt appointment of a hearing committee panel. As indicated by the proposed word "exigent," the Board does not intend to deviate from the normal appointment process within a disciplinary district unless necessary to advance a matter.

Interested persons are invited to submit written comments regarding the proposed amendments to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106-2625, Facsimile number (717-231-3381), Email address Dboard.comments@pacourts.us on or before October 15, 2018.

By the Disciplinary Board of the Supreme Court of Pennsylvania

JULIA FRANKSTON-MORRIS, Esq.,
Secretary

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter A. PRELIMINARY PROVISIONS

Rule 102. Definitions.

(a) *General rule.* Subject to additional definitions contained in subsequent provisions of these rules which are applicable to specific provisions of these rules, the following words and phrases when used in these rules shall have, unless the context clearly indicates otherwise, the meanings given to them in this rule:

* * * * *

"Experienced hearing committee member."—An attorney who at the time is a member of the panel of hearing committee members in a disciplinary district and who has served [**as a member of a panel of hearing commit-**

tee members for at least one year and on a hearing committee that has conducted at least one hearing into formal charges of misconduct by a respondent-attorney] on at least one hearing committee that has conducted a hearing into formal charges of misconduct by a respondent-attorney.

* * * * *

"Senior hearing committee member."—An attorney who at the time is a member of the panel of hearing committee members in a disciplinary district and who has [**previously**] served either (i) as a member of the Board, or (ii) [**a full three-year term on a panel of hearing committee members and on hearing committees that have conducted hearings into formal charges of misconduct by respondent-attorneys] on at least two hearing committees that have conducted hearings into formal charges of misconduct by respondent-attorneys.**

* * * * *

Subpart B. MISCONDUCT

Rule 206. Hearing committees and special masters.

(a) When a hearing committee is required to handle a matter, the Board shall appoint a hearing committee consisting of three hearing committee members from the appropriate disciplinary district. **Under exigent circumstances, the Board has the discretion to appoint a hearing committee member(s) from outside the appropriate disciplinary district, or to require that a matter be transferred to another disciplinary district.** At least one of the members of the hearing committee shall be a senior hearing committee member, and another member shall be either a senior hearing committee member or an experienced hearing committee member. The Board shall designate one of the members so appointed as the chair for the committee, who shall be a senior hearing committee member. The terms of hearing committee members shall be three years and no member shall serve for more than two consecutive three-year terms. Board rules may authorize a hearing committee member whose term has expired to continue to serve until the conclusion of any matter commenced before the member prior to the expiration of such term. A hearing committee member who has served two consecutive three-year terms may be reappointed after the expiration of one year. A hearing committee shall act only with the concurrence of a majority of its members and two members shall constitute a quorum, except that a single senior or experienced hearing committee member may act for the committee when the committee is sitting as an investigatory hearing committee under Enforcement Rule 213(a)(1) (relating to subpoena power, depositions and related matters) or when conducting a prehearing conference. The terms of hearing committee members shall commence on July 1.

* * * * *

[Pa.B. Doc. No. 18-1443. Filed for public inspection September 14, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Rules of Civil Procedure; Administrative Order Number 9 of 2018

Order of Court

And Now, this 27th day of August, 2018, *It Is Hereby Ordered* that the following changes be made to the Adams County Rules of Civil Procedure:

Rule 205.2(a). Filing Legal Papers with the Prothonotary.

A. Physical Characteristics of Filed Papers

Legal papers submitted to the Prothonotary shall comply with the following requirements of Adams County Rule of Judicial Administration No. [3.0(A)] 301(A).

Rule 251. Money Paid into Court.

Except for appeals from District Justices pursuant to Pa.R.C.P.D.J. No. 1008 (see Adams County Rule of Judicial Administration [10.0] 201), any party wishing to pay money into the Court shall, by petition, in conformance with Adams C.Civ.R. No. 206.4(c), request leave to do so. The Prothonotary shall open and maintain accounts for deposit of funds paid into Court. Disbursements from the accounts shall be made only pursuant to Court Order. The Prothonotary shall be entitled to an administrative fee of \$25.00 from the account for handling the account.

Rule 430. Legal Publication.

Note: See Adams County Rule of Judicial Administration No. [11] 110.

Rule 1302(c). Distribution of Pleadings.

The original files may be acquired from the Prothonotary on the date of the hearing by the Chairman of the Board. Electronic copies of the pleadings shall be distributed to all members of the board by the Prothonotary via electronic distribution no earlier than forty-five (45) days prior to the scheduled hearing nor later than thirty (30) days prior to the scheduled hearing.

Note: See Adams County Rule of Judicial Administration No. [5.0] 310 about removing papers from the Prothonotary's Office.

It Is Further Directed that:

a. One copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts via e-mail to adminrules@pacourts.us;

b. Upon notification from the AOPC that the local rule is not inconsistent with the policy, two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website;

d. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall

be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

e. The effective date of the local rule(s) shall be 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 18-1444. Filed for public inspection September 14, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MIFFLIN COUNTY

Local Rule 4007 and Local Rule 4008 of Judicial Administration; CP-44-CV-2-2018

Amended Order of Court

And now, this 31st day of August, 2018, the Court hereby adopts the following new Local Rules of Judicial Administration hereby amending this Court's Order dated December 19, 2016.

Rule 4007. Requests for Transcripts.

(A) All requests for transcripts shall be submitted on a form provided by the District Court Administrator or a form prepared by the judicial district and approved by the District Court Administrator. The form shall include the current rates authorized to be charged for transcripts under these rules.

(B) The request for transcript form may be downloaded from the Mifflin County Court website at www.co.mifflin.pa.us/dept/courts. A copy may also be obtained from the Office of Court Administration. For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with Court Administration. The requesting party shall also serve copies of the formal request upon the:

- (1) Judge presiding over the matter;
- (2) District Court Administrator;
- (3) Court Reporter or transcriptionist;
- (4) Opposing counsel, but if not represented, the opposing party.

The provisions of subsection (B) do not apply to requests by the Judicial Conduct Board.

(C) Daily, expedited, or same day transcripts are not available except in extreme circumstances approved by the presiding Judge.

(D) When a party requests a transcript,

(1) the party ordering a transcript shall make payment of the estimated transcript cost. Payments are to be made payable to County Of Mifflin and shall be delivered to the Office of Court Administration. Court Administration staff will forward same to the Prothonotary/Clerk of Court. Payment by private parties shall be made by money order or cashier's check. Personal checks and cash shall NOT be accepted by the Office of Court Administration.

(2) the Court Reporter, Court Recorder or transcriptionist shall prepare the transcript upon direction of the District Court Administrator after approval by the presiding Judge.

(3) the Court Reporter, Court Recorder or transcriptionist shall notify the ordering party and the Office of Court Administration of the completion of the transcript and deliver the original to the presiding Judge for approval of the transcript.

(4) upon payment of any balance owed, the Court Reporter, the Court Recorder or transcriptionist shall deliver the original transcript to the appropriate filing office for filing with copies for distribution to the requesting party and any other parties who may have requested copies. Copies of the transcript and filing of the original will be made upon payment in full. Checks for the final balance are to be made payable to the County of Mifflin and shall be delivered to the district court administrator or other court designee.

(E) When a party requests a transcript but cannot pay for the transcript because of alleged economic hardship, the Court shall determine economic hardship pursuant to the procedure set forth in Rule 4008(B). In cases of economic hardship, where the matter is under appeal or a transcript is necessary to advance the litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the Court. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance the litigation, the requesting party must demonstrate reasonable need before the Court shall waive or adjust the cost of obtaining the transcript.

(F) When a transcript is requested for which the Court or County is responsible for the cost, the Court Reporter, Court Recorder or transcriptionist shall prepare the transcript, without the necessity of a deposit, at the direction of the District Court Administrator after approval by the presiding Judge who will determine the priority of the request.

Rule 4008. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.

(A) *Costs:*

(1) The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for an original transcript in an electronic format shall be:

- (a) for a transcript for which an accelerated delivery is not requested, \$2.50 per page;
- (b) expedited transcript, \$3.50 per page, if the court reporter is able to accommodate;
- (c) daily transcript, \$4.50 per page, if the court reporter is able to accommodate;
- (d) same day delivery, \$6.50 per page, if the court reporter is able to accommodate.

(2) When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page.

(B) *Economic hardship—minimum standards:*

(1) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a party who has been permitted by the Court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

(2) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a party whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

(3) Transcript costs for ordinary transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, may be waived at the Court's discretion for parties who qualify for economic hardship under subdivision (B)(1) or (B)(2) and upon good cause shown.

(4) The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure. Such application should be prepared in the form of an In Forma Pauperis Petition to Waive Transcript Fee and submitted with the request for transcript.

(C) *Assignment and allocation of transcripts costs:*

(1) *Assignment of costs.* The requesting party, or the party required by general rule to file a transcript, shall be responsible for the cost of the original transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the court.

(2) *Allocation of costs.* When more than one party is to receive the transcript, or is required by general rule to file the transcript, the cost of the original transcript shall be divided equitably among the parties, taking into account any reduced fee or free transcripts.

(D) *Copies of transcript:*

(1) A request for a copy of any transcript previously ordered, transcribed and filed of record shall not exceed:

- (a) \$0.75 per page bound, paper format; and,
- (b) \$0.50 per page electronic copy.

(2) A request for a copy of an expedited transcript shall not exceed:

- (a) \$1.00 per page bound, paper format; and,
- (b) \$0.75 per page electronic copy.

(3) A request for a copy of a daily transcript shall not exceed:

- (a) \$1.25 per page bound, paper format; and,
- (b) \$1.00 per page electronic copy.

(4) A request for a copy of a same day transcript shall not exceed:

- (a) \$1.50 per page bound, paper format; and,
- (b) \$1.25 per page electronic copy.

(E) *Additional Costs:*

No transcript or related costs may be charged to the parties or the public other than those listed in subdivisions (A), (B) and (D) without the written approval of the Court Administrator, except that a judicial district may enact a local rule that permits a trial judge to impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for a Court Reporter to significantly expand his/her dictionary.

(F) *Requests for Rate Increases*

The president judge of a judicial district may request an increase in the rates prescribed in subdivision (A) or (D) by submitting a written request to the Committee on

Court Reporting and Transcripts. The request shall only be approved where it is established that the judicial district faces an economic hardship caused by the current rates and that the requested rates are reasonable. If the Committee approves the request by majority vote, it shall be forwarded to the Court Administrator for review. If the Court Administrator determines that the increase is necessary, the request shall be forwarded to the Supreme Court.

Said Local Rules of Judicial Administration shall be effective in the 58th Judicial District of the Commonwealth of Pennsylvania thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Mifflin County website.

By the Court

DAVID W. BARRON,
President Judge

[Pa.B. Doc. No. 18-1445. Filed for public inspection September 14, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONROE COUNTY

Establishment and Adoption of Local Rules of Criminal Procedure; 1 AD 2018

Order

And Now, this 31st day of August, 2018, it is Ordered that Monroe County Rules of Criminal Procedure are established and effective upon the following:

Establishment of Local Rules Nos. 1, 2 and 576.1 (these are new rules).

All of the aforementioned rules shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

It Is Further Ordered that the District Court Administrator shall:

1. File one copy of these Rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. File two paper copies and one electronic copy of these Rules in a Microsoft Word format only on a CD-ROM to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

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

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

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

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

By the Court

MARGHERITA PATTI-WORTHINGTON,
President Judge

RULES OF CONSTRUCTION

Rule 1. Title and Citation of Rules.

These Rules shall be known as “Court of Common Pleas of Monroe County, 43rd Judicial District, Commonwealth of Pennsylvania, Rules of Criminal Procedure” and may be cited as “Monroe Co.R.Crim.P. _____”.

Rule 2. Effective Date.

Each Rule adopted by the Court of Common Pleas of Monroe County, 43rd Judicial District, Commonwealth of Pennsylvania shall become effective upon the date specified by the Court in promulgating such Rule.

Rule 576.1. Electronic Filing and Service of Legal Papers.

(A) *General Scope and Purpose of this Rule.*

The electronic filing of legal papers in the Court of Common Pleas, 43rd Judicial District, is hereby authorized in accordance with Pa.R.Crim.P. 576.1 and this rule. The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing.

(B) Use of the electronic filing system is permissive and legal papers permitted and excluded from electronic filing are as defined in Pa.R.Crim.P. 576.1(C).

(C) The Administrative Office of Pennsylvania Courts has agreed upon the implementation plan for the use of PACFile in the 43rd Judicial District as of June 28, 2016.

(D) The Clerk of Courts may maintain an electronic file only, except for filings expressly excluded in Pa.R.Crim.P. 576.1(C) defining “legal paper.” For such filings, the Clerk of Courts shall maintain a paper file numbered in accordance with the electronic file for the same case.

(E) *PACFile*

(1) The exclusive system for electronic filing is the PACFile System, developed and administered by the Administrative Office of the Pennsylvania Courts and located on Pennsylvania’s Unified Judicial System Web Portal at: <https://ujportal.pacourts.us/AttorneyServices.aspx>

(2) Pursuant to Pa.R.Crim.P. 576.1(D)(2), establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed on the PACFile system in any judicial district that permits electronic filing.

(3) Any party who declines to participate in the electronic filing system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format and shall be served legal papers in a physical paper format by the Clerk of Courts and other parties, whether electronically filed or otherwise, as required by Pa.R.Crim.P. 576.

(F) *Legal Papers Filed in a Paper Format.*

Any legal paper submitted for filing to the Clerk of Courts in a paper (or “hard-copy”) format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of Court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to pdf and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.Crim.P. 576.1(C). Once converted to pdf, the pdf version of the legal paper shall be deemed and treated as

the original legal paper and may be used by the parties and the Court for all purposes, including but not limited to, court hearings and trials in the Court of Common Pleas, 43rd Judicial District.

(G) *Filing Fees*

Applicable filing fees shall be paid through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, Court rule or order, or published fee schedule.

(H) *Record on Appeal*

Electronically filed legal papers, and copies of legal papers filed in a paper format as provided in subsection (F), shall become the record on appeal.

(I) *Confidential information.*

Counsel and unrepresented parties must adhere to the PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA and refrain from

including confidential information in legal papers filed with the Clerk of Courts or the Court whether filed electronically or in a paper format. Counsel and unrepresented parties must include confidential information relevant to the case on the approved AOPC Confidential Information Form. The Confidential Information Form shall be served on and made available to the parties to the case, the Court and appropriate Court staff, as provided in the Public Access Policy.

(J) *Miscellaneous provisions.*

The Clerk of Courts shall provide sufficient computer terminals at such locations as may be determined from time to time to allow parties and the public to file and access legal papers as provided by this rule and as authorized by applicable Public Access Policies.

[Pa.B. Doc. No. 18-1446. Filed for public inspection September 14, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 215, 217, 230 AND 232]

U.S. Nuclear Regulatory Commission (NRC) Consistency Rule

The Environmental Quality Board (Board) amends Chapters 215, 217, 230 and 232 to exclude specific provisions of 10 CFR 1.1—171.25 (relating to Nuclear Regulatory Commission) from incorporation-by-reference in these Chapters as set forth in Annex A.

Notice of proposed rulemaking is omitted under section 204 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204), known as the Commonwealth Documents Law (CDL). Section 204(3) of the CDL provides that an agency may omit the notice of proposed rulemaking if “the agency for good cause finds. . . that the [public notice and comment] procedures specified in sections 201 and 202 are in the circumstances impracticable, unnecessary, or contrary to the public interest.” The amendments in this final-omitted rulemaking are necessary to exclude Federal provisions that purport to give the Department of Environmental Protection (Department) legal authority that it does not have. The specific provisions that this final-omitted rulemaking addresses have never been enforced by the Department because the enforcement authority resides with the Nuclear Regulatory Commission (NRC). Review and consideration of public comments on the amendments are unnecessary and contrary to the public interest because public comments would delay the required clarification of the Department’s proper authority under Federal law. Public comments could not alter the need to make these amendments and there is no need to alter the formatting of the amendments. Finalizing these amendments without public notice and comment is in the public interest to ensure that the Commonwealth’s regulations accurately reflect the Department’s authority in an expeditious manner. Likewise, finalizing these amendments without public notice and comment is in the interest of those holding radioactive material licenses in the Commonwealth because the amendments clarify the proper authority of the Department and the NRC under the agencies’ respective Radioactive Materials Programs (Program). No changes to any radioactive material license will result from this final-omitted rulemaking.

This final-omitted rulemaking was adopted by the Board at its meeting of June 19, 2018.

A. *Effective Date*

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

B. *Contact Persons*

For further information, contact John Chipppo, Program Manager, Division of Radiation Control, P.O. Box 8469, Rachel Carson State Office Building, Harrisburg, PA 17105-8469, (717) 787-2480; or Robert Schena, Assistant Counsel, Bureau of Regulatory Counsel, P.O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 783-8072. 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-omitted rulemaking is available on the Department’s web site at www.dep.pa.gov (select “Public Participation,” then “Environmental Quality Board (EQB)”).

C. *Statutory Authority*

This final-omitted rulemaking is being made under the authority of section 301 of the Radiation Protection Act (RPA) (35 P.S. § 7110.301) which designates the Department as the agency of the Commonwealth responsible for regulation and control of radiation. Section 302 of the RPA (35 P.S. § 7110.302) which grants the Board the authority to adopt rules and regulations to accomplish the purposes and carry out the provisions of the RPA. Section 1920-A of the Administrative Code (71 P.S. § 510-20) which grants the Board the authority to adopt rules and regulations for the proper performance of the work of the Department.

D. *Background and Purpose*

The Commonwealth and the NRC entered into an agreement in 2008 in which the Commonwealth agreed to oversee and regulate most types of radioactive materials used in the Commonwealth. This agreement gave the Commonwealth status as an “Agreement State.” As part of that agreement, the Commonwealth’s Program must remain compatible with the NRC’s Program, under 42 U.S.C.A. § 2021(d)(2) (relating to cooperation with states). The Commonwealth meets this requirement by incorporating the appropriate NRC regulations by reference in 25 Pa. Code Part I, Subpart D, Article V (relating to radiological health). The NRC recently identified provisions of 10 CFR that should be excluded from the Commonwealth’s incorporation-by-reference in Chapters 215, 217, 230 and 232. These amendments are necessary for the Commonwealth’s program to remain compatible with the NRC Program because the citations to 10 CFR that the Board is excluding can only be implemented by the NRC.

The failure to exclude these sections from the Commonwealth’s incorporation-by-reference of select Federal regulations was a mistake in the 2008 rulemaking (38 Pa.B. 2243 (May 17, 2008)) promulgated to support the 2008 agreement with the NRC. Examples of Federal provisions excluded by these amendments are: portions of the definitions of terms such as “construction” and “commencement of construction” dealing with national defense; provisions involving the sale and distribution of radioactive material in certain industrial devices across state lines; regulations concerning high concentration of radioactive source material or special nuclear material, such as uranium and plutonium; and provisions regarding the transportation and distribution of exempt consumer materials. The Department does not have the authority under the 2008 agreement to implement these sections and has never enforced them. These amendments clarify the proper authority of the Department and the NRC under their respective regulations.

In addition, the amendments add an exception regarding notifications, reports and correspondence to be directed to the Department.

The Department presented this final-omitted rulemaking to the Radiation Protection Advisory Committee (RPAC) at its October 19, 2017, meeting. At that meeting, the RPAC recommended that the Department move forward with this final-omitted rulemaking.

E. Summary of the Final-Omitted Rulemaking

References to the provisions of 10 CFR that are now being eliminated from incorporation-by-reference in Chap-

ters 215, 217, 230 and 232 in this final-omitted rulemaking are outlined, by section, in the following table:

<i>25 Pa. Code Section Amended</i>	<i>10 CFR Provision Excluded from Incorporation-by-Reference</i>
§§ 215.1(e)(3) and 217.131(b)	Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 30.4
§§ 215.1(e)(5) and 217.151(b)	Sections 32.1(c)(1), 32.30, 32.31 and 32.32
§§ 215.1(e)(9) and 232.2(b)	Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 36.2
§ 215.1(e)(12)	Sections 40.13(c)(5)(iv), 40.52, 40.53, Part 40 Appendix A Criterion 11 A—F and Criterion 12, and paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 40.4.
§ 215.1(e)(13)	Section 70.74, Part 70 Appendix A, and paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 70.4
§ 215.1(e)(14)	The definitions of “certificate holder” and “certificate of compliance (CoC)” in section 71.4. The term “applicant” when used in 10 CFR Part 71.
§ 217.171(b)	Sections 40.13(c)(5)(iv), 40.52, 40.53, and paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 40.4
§ 217.181(b)	Section 70.74, Part 70 Appendix A, and paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 70.4
§ 230.3(b)	The definitions of “certificate holder” and “certificate of compliance (CoC)” in section 71.4. The term “applicant” when used in 10 CFR Part 71.

In addition, this final-omitted rulemaking amends § 215.1(h)(5) to add an exception in 10 CFR 71.17(c)(3) (relating to general license: NRC-approved package) regarding notifications, reports and correspondence that would otherwise be directed to the Department.

*F. Benefits, Costs and Compliance**Benefits*

The fundamental benefit of this final-omitted rulemaking is ensuring that the Commonwealth’s regulations meet the requirements of the NRC’s Agreement State Program, as required by Federal law (42 U.S.C.A. § 2021(d)(2)). If these amendments are not adopted, the Commonwealth will be at risk of losing the authority it assumed as an Agreement State under the 2008 agreement to regulate most types of radioactive materials used in the Commonwealth.

Compliance Costs

The amendments will create no compliance costs. No additional financial, economic or social impact will result from these amendments.

Compliance Assistance Plan

No compliance assistance is necessary for implementation of this final-omitted rulemaking because the regulated community remains subject to the requirements deleted from the Commonwealth’s regulations at the Federal level.

Paperwork Requirements

This final-omitted rulemaking will not revise paperwork requirements.

G. Pollution Prevention

Pollution prevention is not applicable to this rulemaking.

H. Sunset Review

The Board is not establishing a sunset date for these amended regulations because the amendments are needed for the regulations to accurately reflect the Department’s legal authority and for the Department to meet its obligations under Federal law.

I. Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on July 16, 2018, the Department submitted a copy of this final-omitted 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 Environmental Resources and Energy Committees. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on August 15, 2018, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on August 16, 2018, and approved the final-omitted rulemaking.

J. Findings

The Board finds that:

(1) The amendments as set forth in Annex A are appropriate to remain compatible with the requirements of the NRC’s Agreement State program.

(2) Use of the omission of notice of proposed rule-making procedure is appropriate because the proposed rulemaking procedures specified in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) are, in this instance, impracticable, unnecessary, or contrary to the public interest.

(3) No radioactive licensees are affected by this final-omitted rulemaking.

(4) These amendments are necessary and appropriate for administration and enforcement of the authorizing acts identified in section C of this preamble and are in the public interest.

K. Order

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

(a) The regulations of the Department, 25 Pa. Code Chapters 215, 217, 230 and 232, are amended by amending §§ 215.1, 217.131, 217.151, 217.171, 217.181, 230.3 and 232.2 to read as set forth in Annex A, with ellipses referring to the original text of the regulation.

(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 Senate and House Environmental Resources and Energy 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, as approved to legality and form, and deposit them with the Legislative Reference Bureau, as required by law.

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

PATRICK McDONNELL,
Chairperson

(*Editor's Note:* See 48 Pa.B. 5576 (September 1, 2018) for IRRC's approval order.)

Fiscal Note: 7-550. No fiscal impact; (8) recommends adoption.

Annex A

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

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

**ARTICLE V. RADIOLOGICAL HEALTH
CHAPTER 215. GENERAL PROVISIONS**

§ 215.1. Purpose and scope.

(a) This article establishes requirements for the protection of public health and safety as related to radiation sources and implements the requirements of the act.

(b) This article, except as otherwise specifically provided in the act, applies to persons who use, manufacture, produce, transport, transfer, receive, acquire, possess, own or dispose of a radiation source.

(c) A person who, when required, fails to register or obtain a license for radiation sources in the possession or control of the person, shall comply with the act or with this article.

(d) This article does not apply to the extent the person is subject to regulation by the NRC.

(e) Title 10 Chapter I (Nuclear Regulatory Commission) Parts 19, 20, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 70, 71 and §§ 150.1, 150.2, 150.3, 150.11 and 150.20 of the CFR are incorporated by reference with the exceptions set forth in paragraphs (1)—(14). Notwithstanding the requirements incorporated by reference, nothing in this article relieves or limits a person from complying with the laws of the Commonwealth, including the act and the Low-Level Radioactive Waste Disposal Act (35 P.S. §§ 7130.101—7130.905).

(1) Sections 19.4, 19.5, 19.8, 19.30 and 19.40 are not incorporated.

(2) Sections 20.1006, 20.1009, 20.2206(a)(1), (3), (4) and (5), 20.2401 and 20.2402 are not incorporated.

(3) Sections 30.5, 30.6, 30.8, 30.21(c), 30.34(d) and (e)(1) and (3), 30.41(b)(6), 30.55, 30.63 and 30.64 are not incorporated. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 30.4 are not incorporated.

(4) Sections 31.4 and 31.14 are not incorporated.

(5) Sections 32.1(c)(1), 32.8, 32.14, 32.15, 32.16, 32.18, 32.19, 32.20, 32.21, 32.22, 32.23, 32.25, 32.26, 32.27, 32.28, 32.29, 32.30, 32.31, 32.32 and 32.40 are not incorporated.

(6) Sections 33.8, 33.21 and 33.23 are not incorporated.

(7) Sections 34.5, 34.8, 34.121 and 34.123 are not incorporated.

(8) Sections 35.8, 35.4001 and 35.4002 are not incorporated.

(9) Sections 36.5, 36.8, 36.91 and 36.93 are not incorporated. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 36.2 are not incorporated.

(10) Sections 37.3(b)(2), 37.13, 37.73(d) and (e), 37.107 and 37.109 are not incorporated.

(11) Sections 39.5, 39.8, 39.101 and 39.103 are not incorporated.

(12) Sections 40.6, 40.8, 40.12(b), 40.13(c)(5)(iv), 40.23, 40.27, 40.28, 40.31(k) and (i), 40.32(d), (e) and (g), 40.33, 40.38, 40.41(d), (e)(1) and (3) and (g), 40.51(b)(6), 40.52, 40.53, 40.64, 40.66, 40.67, 40.81, 40.82 and 10 CFR Part 40 Appendix A Criterion 11 A—F and Criterion 12 are not incorporated. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 40.4 are not incorporated.

(13) Sections 70.1(c), (d) and (e), 70.5, 70.6, 70.8, 70.13, 70.13a, 70.20a, 70.20b, 70.21(a)(1), (c), (f), (g) and (h), 70.22(b), (c), (f), (g), (h), (i), (j), (k), (l), (m) and (n), 70.23(a)(6), (7), (8), (9), (10), (11) and (12) and (b), 70.23a, 70.24, 70.25(a), 70.31(c), (d) and (e), 70.32(a)(1), (4), (5), (6) and (7), 70.32(b)(1), (3) and (4), (c), (d), (e), (f), (g), (h), (i), (j) and (k), 70.37, 70.40, 70.42(b)(6), 70.44, 70.51(c), (d) and (e), 70.52, 70.53, 70.54, 70.55(c)(1), (2) and (3), 70.56(c) and (d), 70.57, 70.58, 70.59, 70.62, 70.71, 70.72, 70.74, and 10 CFR Part 70 Appendix A are not incorporated. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 70.4 are not incorporated.

(14) Sections 71.2, 71.6, 71.14(b), 71.19, 71.31, 71.33, 71.35, 71.37, 71.38, 71.39, 71.41, 71.43, 71.45, 71.51, 71.55, 71.59, 71.61, 71.63, 71.64, 71.65, 71.71, 71.73,

71.74, 71.75, 71.77, 71.99, 71.100, 71.101 (c)(2), (d) and (e), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123 and 71.125 are not incorporated. The definitions of “certificate holder” and “certificate of compliance (CoC)” in section 71.4 are not incorporated. The term “applicant” when used in 10 CFR Part 71 is not incorporated.

(f) If a provision of the CFR incorporated by reference in this article includes a section which is inconsistent with this title, this title controls to the extent Federal law does not preempt Commonwealth law. If a provision of the CFR incorporated by reference in this article is beyond the scope of authority granted the Department under statute, or is in excess of the statutory authority, the provisions shall be and remain effective only to the extent authorized by the Pennsylvania law.

(g) Appropriate parts of 10 CFR (relating to energy) may be obtained from the following:

(1) The United States Government Printing Office, Book Store, Room 118, Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222, (412) 664-2721.

(2) The United States Government Printing Office, Book Store, 100 North 17th Street, Robert Morris Building, Philadelphia, Pennsylvania 19103, (215) 597-0677.

(3) The United States Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, (202) 783-3238.

(h) To reconcile differences between this chapter and the incorporated sections of Federal regulations and to effectuate their joint enforcement, the following words and phrases shall be substituted for the language of the Federal regulations:

(1) A reference to “NRC” or “Commission” means Department.

(2) A reference to “NRC or agreement state” means Department, NRC or agreement state.

(3) The definition of “sealed source” includes NARM.

(4) A reference to “byproduct material” includes NARM.

(5) Notifications, reports and correspondence referenced in the incorporated parts of 10 CFR shall be directed to the Department, except as noted in 10 CFR 37.27 (relating to requirements for criminal history records checks of individuals granted unescorted access to category 1 or category 2 quantities of radioactive material) and in 10 CFR 71.17(c)(3) (relating to general license: NRC-approved package).

CHAPTER 217. LICENSING OF RADIOACTIVE MATERIAL

§ 217.131. Incorporation by reference.

(a) Except as provided in this subchapter, the requirements of 10 CFR Part 30 (relating to rules of general applicability to domestic licensing of byproduct material) are incorporated by reference.

(b) Notwithstanding the requirements incorporated by reference, 10 CFR 30.5, 30.6, 30.8, 30.21(c), 30.34(d), (e)(1) and (3), 30.41(a)(6), 30.55, 30.63 and 30.64 are not incorporated by reference. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 30.4 are not incorporated.

§ 217.151. Incorporation by reference.

(a) Except as provided in this subchapter, the requirements of 10 CFR Part 32 (relating to specific domestic

licenses to manufacture or transfer certain items containing byproduct material) are incorporated by reference.

(b) Notwithstanding the requirements incorporated by reference, 10 CFR 32.1(c)(1), 32.8, 32.14, 32.15, 32.16, 32.18, 32.19, 32.20, 32.21, 32.22, 32.23, 32.25, 32.26, 32.27, 32.28, 32.29, 32.30, 32.31, 32.32 and 32.40 are not incorporated by reference.

§ 217.171. Incorporation by reference.

(a) Except as provided in this subchapter, the requirements of 10 CFR Part 40 (relating to domestic licensing of source material) are incorporated by reference.

(b) Notwithstanding the requirements incorporated by reference, 10 CFR 40.6, 40.8, 40.12(b), 40.13(c)(5)(iv), 40.23, 40.27, 40.28, 40.31(k) and (i), 40.32(d), (e) and (g), 40.33, 40.38, 40.41(d), (e)(1) and (3) and (g), 40.51(b)(6), 40.52, 40.53, 40.64, 40.66, 40.67, 40.81 and 40.82 are not incorporated by reference. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 40.4 are not incorporated.

§ 217.181. Incorporation by reference.

(a) Except as provided in this subchapter, the requirements of 10 CFR Part 70 (relating to domestic licensing of special nuclear material) are incorporated by reference.

(b) Notwithstanding the requirements incorporated by reference, 10 CFR 70.1(c), (d) and (e), 70.5, 70.6, 70.8, 70.13, 70.13a, 70.20a, 70.20b, 70.21(a)(1), (c), (f), (g) and (h), 70.22(b), (c), (f), (g), (h), (i), (j), (k), (l), (m) and (n), 70.23(a)(6), (7), (8), (9), (10), (11) and (12) and (b), 70.23a, 70.24, 70.25(a), 70.31(c), (d) and (e), 70.32(a)(1), (4), (5), (6) and (7) and (b)(1), (3) and (4) and (c), (d), (e), (f), (g), (h), (i), (j) and (k), 70.37, 70.40, 70.42(b)(6), 70.44, 70.51(c), (d) and (e), 70.52, 70.53, 70.54, 70.55(c)(1), (2) and (3), 70.56(c) and (d), 70.57, 70.58, 70.59, 70.62, 70.71, 70.72, 70.74 and 10 CFR Part 70 Appendix A are not incorporated by reference. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 70.4 are not incorporated.

CHAPTER 230. PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL

§ 230.3. Incorporation by reference.

(a) Except as provided in this chapter, the requirements of 10 CFR Part 71 (relating to packaging and transportation of radioactive material) are incorporated by reference.

(b) Notwithstanding the requirements incorporated by reference, 10 CFR 71.2, 71.6, 71.14(b), 71.19, 71.31, 71.33, 71.35, 71.37, 71.38, 71.39, 71.41, 71.43, 71.45, 71.51, 71.55, 71.59, 71.61, 71.63, 71.64, 71.65, 71.71, 71.73, 71.74, 71.75, 71.77, 71.99, 71.100, 71.101(c)(2), (d) and (e), 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123 and 71.125 are not incorporated by reference. The definitions of “certificate holder” and “certificate of compliance (CoC)” in section 71.4 are not incorporated. The term “applicant” when used in 10 CFR Part 71 is not incorporated.

CHAPTER 232. LICENSES AND RADIATION SAFETY REQUIREMENTS FOR IRRADIATORS

§ 232.2. Incorporation by reference.

(a) Except as provided in this chapter, the requirements of 10 CFR Part 36 (relating to licenses and radiation safety requirements for irradiators) are incorporated by reference.

(b) Notwithstanding the requirements incorporated by reference, §§ 36.5, 36.8, 36.91 and 36.93 are not incorporated by reference. Paragraph 2 of the definition of “commencement of construction” and paragraph 9(ii) of the definition of “construction” in section 36.2 are not incorporated.

[Pa.B. Doc. No. 18-1447. Filed for public inspection September 14, 2018, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Mourning Doves

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its July 31, 2018, meeting, added § 141.29 (relating to hunting mourning doves over managed fields) to authorize the hunting and taking of mourning doves in areas where grain or other feed has been distributed or scattered solely as a result of manipulation of an agricultural crop or other feed where grown.

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

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

Notice of proposed rulemaking was published at 48 Pa.B. 2818 (May 12, 2018).

1. Purpose and Authority

The Commission added § 141.29 to authorize the hunting and taking of mourning doves in areas where grain or other feed has been distributed or scattered solely as a result of manipulation of an agricultural crop or other feed where grown. The primary purpose of this program is to improve hunter recruitment and retention. This authorization is intended to implement the Federal authorization of this program under 50 CFR 20.21 (relating to what hunting methods are illegal), but will not authorize hunting in managed areas of any other species or during any other time periods.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The addition of § 141.29 is adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking added § 141.29 to authorize the hunting and taking of mourning doves in areas where grain or other feed has been distributed or scattered solely as a result of manipulation of an agricultural crop or other feed where grown.

3. Persons Affected

Persons wishing to hunt or take mourning doves in areas where grain or other feed has been distributed or

scattered solely as a result of manipulation of an agricultural crop or other feed where grown may be affected by this final-form rulemaking.

4. Comment and Response Summary

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

5. Cost and Paperwork Requirements

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

6. Effective Date

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

7. Contact Person

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

Findings

The Commission finds that:

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

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by adding § 141.29 to read as set forth in Annex A.

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

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

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-428 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.29. Hunting mourning doves over managed fields.

(a) *Limited hunting authorized.* In accordance with the authorization in 50 CFR 20.21 (relating to what hunting methods are illegal), it is lawful to hunt mourning doves on or over lands or areas that are not otherwise baited areas, and where grain or other feed has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, or solely as the result of a normal agricultural operation.

This authorization does not apply to any other species of wildlife or to the hunting of mourning doves where grain or other feed has been distributed or scattered as the result of manipulation of an agricultural crop or other feed after September 15 each license year.

(b) *Definition.* For the purposes of this section, “manipulation” means the alteration of natural vegetation or agricultural crops by activities that include mowing, shredding, discing, rolling, chopping, trampling, flattening, burning or herbicide treatments. The term manipulation does not include the distributing or scattering of grain, seed or other feed after removal from or storage on the field where grown.

[Pa.B. Doc. No. 18-1448. Filed for public inspection September 14, 2018, 9:00 a.m.]

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 1401 and 1407—1411]

Conduct of Sports Wagering Generally; Sports Wagering Testing and Controls; Sports Wagering Accounting and Internal Controls; Sports Wagering Advertisements, Promotions and Tournaments; Sports Wagering Compulsive and Problem Gambling Requirements; and Sports Wagering Self-Excluded Persons—Temporary Regulations

The Pennsylvania Gaming Control Board (Board), under its general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13C03(b) (relating to temporary sports wagering regulations), adds temporary regulations regarding general provisions for the conduct of sports wagering; sports wagering testing and controls; sports wagering accounting and internal controls; sports wagering advertisements, promotions and tournaments; sports wagering compulsive and problem gambling requirements; and sports wagering self-excluded persons to read as set forth in Annex A.

Purpose of this Temporary Rulemaking

This temporary rulemaking includes rules to ensure the integrity and security of sports wagering in this Commonwealth.

Explanation of §§ 1401.6—1401.8 and Chapters 1407—1411.

Sections 1401.6—1401.8 (relating to permitted sports wagering activities; prohibited and restricted sports wagering activities; and persons prohibited from engaging in sports wagering activities) address the conduct of sports wagering generally—temporary regulations, including the following:

- Definitions and guidelines for the types of events and types of wagers that will be permitted relative to sports wagering operations in this Commonwealth.
- Prohibited sports wagering activities by sports wagering certificate holders and sports wagering operator licensees including accepting wagers on high school athletic events and accepting wagers from athletes, coaches and officials on events in which they participate or are under the same governing body.

- Prohibited sports wagering activity by persons, including underage individuals placing wagers on athletic events.

Chapter 1407 (relating to sports wagering testing and controls—temporary regulations) address the standards all sports wagering systems and equipment must meet to be operational in this Commonwealth. These temporary regulations also delineate the requirements for submission of sports wagering systems and equipment for review and approval to the Office of Gaming Laboratories.

Chapter 1408 (relating to sports wagering accounting and internal controls—temporary regulations) addresses internal controls that include required reporting, data retention and system logging rules that, along with internal operation structures and player terms and conditions, shall be submitted to and approved by the Bureau of Gaming Operations. This chapter also addresses rules governing sports wagering player accounts.

Chapter 1409 (relating to sports wagering advertisements, promotions and tournaments—temporary regulations) addresses the standards for review, submission and approval of advertisements, promotions and tournaments offered by sports wagering certificate holders and operators in this Commonwealth.

Chapter 1410 (relating to sports wagering compulsive and problem gambling requirements—temporary regulations) addresses requirements for sports wagering certificate holder and sports wagering operator licensee compulsive and problem gaming plans.

Chapter 1411 (relating to sports wagering self-excluded persons—temporary regulations) addresses the requirements for sports wagering certificate holder and sports wagering operator licensee self-exclusion guidelines.

Affected Parties

An entity that operates a sportsbook, either onsite or through the internet or a mobile application in this Commonwealth, and an entity or individual that will interact with or participate in sports wagering operations in this Commonwealth will be affected by this temporary rulemaking.

Fiscal Impact

Commonwealth

The Board expects that this temporary rulemaking will have minimal fiscal impact on the Board and other Commonwealth agencies. Impact should be confined to the additional personnel and expenses regarding implementing these temporary regulations as well as continued oversight of expanded gaming with portions of these costs absorbed by existing Board staff.

Political Subdivisions

This temporary rulemaking will not have direct fiscal impact on political subdivisions of this Commonwealth. Host municipalities and counties benefit from the local share funding mandated by the act of January 7, 2010 (P.L. 1, No. 1).

Private Sector

This temporary rulemaking includes rules regarding general provisions for the conduct of sports wagering; sports wagering testing and controls; sports wagering accounting and internal controls; sports wagering advertisements, promotions and tournaments; sports wagering compulsive and problem gambling requirements; and sports wagering self-excluded persons. It is anticipated

that this temporary rulemaking will have an impact on those individuals seeking to operate sports wagering in this Commonwealth, those individuals and entities affiliated with the operation of sports wagering in this Commonwealth as well as persons seeking to participate in sports wagering activities in this Commonwealth. The fiscal impact to these parties will be offset by revenues collected through the conduct of sports wagering activities.

General Public

This temporary rulemaking will not have direct fiscal impact on the general public.

Paperwork Requirements

Sports wagering certificate holders, sports wagering individuals operator licensees and individuals and entities providing services to those entities in connection with sports wagering activities in this Commonwealth will be required to generate and maintain various types of information relative to their sports wagering operations, including records on player accounts, wagers placed and problem gambling compliance efforts. Sports wagering certificate holders, sports wagering operator licensees, and individuals and entities providing services to those entities in connection with sports wagering operations will also be required to draft, maintain and submit documents related to internal controls and accounting associated with interactive gaming in this Commonwealth.

Effective Date

This temporary rulemaking will become effective upon publication in the *Pennsylvania Bulletin* and expires 2 years after publication.

Public Comments

While this temporary rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how these temporary regulations might be improved.

Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Laura R. Burd, Senior Counsel, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation # 125-220.

Contact Person

The contact person for questions about this temporary rulemaking is Laura R. Burd, Senior Counsel, at (717) 346-8300, lburd@pa.gov.

Regulatory Review

Under 4 Pa.C.S. § 13C03(b), the Board has the authority to promulgate temporary regulations to facilitate the prompt implementation of sports wagering in the Commonwealth. The temporary regulations adopted by the Board are not subject to sections 201—205 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201—1205) known as the Commonwealth Documents Law, the Regulatory Review Act (71 P.S. §§ 745.1—745.14) and section 204(b) of the Commonwealth Attorneys Act (71 P.S. § 732-204(b)). Under 4 Pa.C.S. § 13C03(b), these temporary regulations expire 2 years after publication in the *Pennsylvania Bulletin*.

Findings

The Board finds that:

(1) Under 4 Pa.C.S. § 13C03, the temporary regulations are exempt from the requirements of the Regulatory Review Act, sections 201—205 of the Commonwealth Documents Law and section 204(b) of the Commonwealth Attorneys Act.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under the provisions of 4 Pa.C.S. Part II order that:

(1) The regulations of the Board, 58 Pa. Code, are amended by adding temporary §§ 1401.6—1401.8, 1407.1—1407.9, 1408.1—1408.13, 1409.1, 1410.1 and 1411.1 to read as set forth in Annex A.

(2) The temporary regulations will be posted on the Board's web site.

(3) The temporary regulations are subject to amendment as deemed necessary by the Board.

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

(5) These temporary regulations are effective upon publication in the *Pennsylvania Bulletin* and expire on September 15, 2020.

DAVID M. BARASCH,
Chairperson

Fiscal Note: 125-220. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58—RECREATION

PART VII. GAMING CONTROL BOARD

Subpart Q. Sports Wagering

CHAPTER 1401. GENERAL SPORTS WAGERING PROVISIONS—TEMPORARY REGULATIONS

- Sec. 1401.6. Permitted sports wagering activities.
- 1401.7. Prohibited and restricted sports wagering activities.
- 1401.8. Persons prohibited from engaging in sports wagering activities.

§ 1401.6. Permitted sports wagering activities.

(a) A sports wagering certificate holder or sports wagering operator licensee on behalf of a sports wagering certificate holder shall submit to the Board for approval the events and types of wagers it proposes offering to players prior to accepting any sports wagering bets.

(b) The Board may permit a sports wagering certificate holder or sports wagering operator licensee on behalf of a sports wagering certificate holder to offer wagering on any of the following events:

- (1) Professional athletic events.
- (2) Collegiate athletic events.
- (3) Professional motor race events.

(4) International team and international individual athletic events including those events governed by the International Olympic Committee and the International Federation of Association Football.

(c) The Board may permit a sports wagering certificate holder or sports wagering operator licensee on behalf of a sports wagering certificate holder to offer the any of the following types of wagers on the events enumerated in subsection (b):

(1) *Exchange wagering*—A marketplace which permits patrons to bet with or against each other through a gaming platform operated and managed by a sports wagering operator.

(2) *In-game wagers*—Wagers placed on the outcome of an athletic event after the athletic event has started and can continue during the course of live play of the athletic event.

(3) *Parlay wagers*—A wager on two or more outcomes in which all outcome wagers must win or cover for the patron to win or, a series of three or more teams in 2-team parlays. For the patron to win, all of the teams must cover/win.

(4) *Proposition wagering*—Wagers placed on the occurrence or nonoccurrence of a specific outcome of events within a game not directly involving the game's final outcome.

(5) *Straight wagers*—A wager on a single game or single event that will be determined by a point spread, money line or total score.

(6) Other types of wagers as approved by the Board.

(d) A sports wagering certificate holder or a sports wagering operator licensee shall make available to patrons a clear explanation of all types of wagers permitted by the Board and events on which those wagers are permitted.

(e) A sports wagering certificate holder or sports wagering operator licensee on behalf of a sports wagering certificate holder may place a layoff wager with another sports wagering certificate holder or sports wagering operator licensee located in this Commonwealth for the purpose of offsetting patron wagers made under Subpart Q (relating to sports wagering) provided that:

(1) The sports wagering certificate holder or sports wagering operator licensee placing the layoff wager discloses its identity to the sports wagering certificate holder or sports wagering operator licensee receiving the layoff wager and

(2) The receiving sports wagering certificate holder or sports wagering operator licensee agrees to accept the layoff wager after receiving notification of the identity of the sports wagering certificate holder or sports wagering operator licensee placing the layoff wager.

§ 1401.7. Prohibited and restricted sports wagering activities.

(a) The following sports wagering activity is prohibited:

(1) Wagering on high school athletic events governed by the Pennsylvania Interscholastic Athletic Association or a similar governing body.

(2) Wagering on amateur athletic events, other than collegiate athletic events, unless otherwise specifically approved by the Board.

(3) Any other sports wagering activity as prohibited by the Board.

(b) A sports wagering certificate holder or sports wagering operator licensee is prohibited from:

(1) Knowingly accepting wagers from athletes on athletic events of the type in which the athlete participates

as well as athletic events governed by the same governing body under which the athlete competes.

(2) Knowingly accepting wagers from a person who holds a position of authority or influence sufficient to exert influence over the participants in an athletic event, or a person professionally connected to an athletic event or governing body including referees, officials, coaches, managers, handlers, athletic trainers or a person with access to certain types of exclusive information on any athletic event overseen by the governing body.

(3) Knowingly accepting wagers from a person the certificate holder or licensee has reason to believe or suspect is placing the wager on behalf of or for the benefit of another individual that is prohibited from participating in sports wagering under these regulations or other applicable State or Federal law.

(4) Encouraging or instructing a patron to attempt to or to structure wagers in any manner that is an attempt to evade or circumvent these regulations or other applicable State or Federal law.

(5) Knowingly accept or hold cash or cash equivalents with the understanding that the moneys will be used to place a wager upon the occurrence of a specified future contingency unless a sports wagering ticket/voucher detailing the wager is immediately issued upon the sports wagering certificate holder's and sports wagering operator licensee's acceptance of the moneys.

(6) Knowingly accept any wagers other than those permitted by the Board and shall only accept wagers on events and odds posted by the sports wagering certificate holder or sports wagering operator licensee.

(c) An athlete or person who holds a position of authority or influence sufficient to exert influence over the participants in an athletic event, or a person professionally connected to an athletic event or governing body including coaches, managers, handlers, athletic trainers, team physicians or other physicians providing medical consultation or treatment of an athletic participant or a person with access to certain types of exclusive information on any athletic event overseen by the governing body is prohibited from having any ownership interest in or control of a sports wagering certificate holder or a sports wagering operator.

(d) Sports wagering certificate holders and sports wagering operators are prohibited from having any ownership interest in or control of an athletic team, organization or governing body of an athletic team or organization upon which the sports wagering certificate holder or sports wagering operator accepts wagers.

§ 1401.8. Persons prohibited from engaging in sports wagering activities.

(a) No person under 21 years of age of may engage in sports wagering with a sports wagering certificate holder or sports wagering operator licensee.

(b) No collegiate or professional athlete, referee, official, coach, manager, handler or athletic trainer or employee or contractor of a team or athletic organization who has access to nonpublic information concerning an athlete or team may engage in sports wagering on an athletic event or the performance of an individual in the athletic event in which the person is participating or otherwise has access to nonpublic or exclusive information.

(c) No collegiate or professional athlete, referee, official, coach, manager, handler, athletic trainer or employee of a

team or athletic organization who has access to nonpublic information concerning an athlete or team may engage in sports wagering on an athletic event or the performance of an individual in athletic events in the sport or league in which the person is involved.

(d) No person identified in subsections (a)—(c) may collect any winnings or recoup any losses from a sports wagering certificate holder or sports wagering operator licensee as a result of engaging in sports wagering in violation of this section.

(e) Winnings of a person prohibited from engaging in sports wagering under this section shall be forfeited to the Board.

(f) An athletic team or the governing body or league of an athletic team may provide to the Board a list of all persons within the teams' organization as well as all league officials or referees prohibited from engaging in sports wagering under this section, along with the specific type of athletic events from which the person is prohibited from participating in sports wagering activities. The Board shall provide that list of persons identified by the athletic team or governing body or league to sports wagering certificate holders and sports wagering operator licensees to facilitate these prohibitions on sports wagering activities.

CHAPTER 1407. SPORTS WAGERING TESTING AND CONTROLS—TEMPORARY REGULATIONS

Sec.	
1407.1.	Scope.
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1407.3.	Testing and approval generally.
1407.4.	Wagering device requirements generally.
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1407.7.	Ticket/Voucher redemption requirements.
1407.8.	Sports wagering interactive system requirements.
1407.9.	Sports wagering system general requirements.

§ 1407.1. Scope.

To ensure the integrity and security of sports wagering operations in this Commonwealth, the requirements of this chapter apply to all sports wagering certificate holders and sports wagering operator licensees seeking to offer sports wagering to patrons in this Commonwealth. The requirements in this chapter supplement, where not in conflict with and where applicable, existing Board regulations Subpart E (relating to slot machine, table game and associated equipment testing and control; accounting and internal controls) and Subpart L (relating to interactive gaming) applicable to slot machine licensees, interactive gaming certificate holders and interactive gaming operators unless the context clearly indicates otherwise.

§ 1407.2. Definitions.

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

Authentication process—A method used by a system to verify the validity of software. The method requires calculation of an output digest, which is compared to a secure embedded value. The minimum output digest shall be of 128-bit complexity. Software shall be deemed to have been authenticated if the calculated digest equals the secure embedded value.

Communication technology—The methods used and the components employed to facilitate the transmission of

information including transmission and reception systems based on wire, cable, radio, microwave, light, optics or computer data networks.

Onsite sportsbook—Sports wagering activities conducted by means of self-service kiosks or point of sale system in the sports wagering areas of a sports wagering certificate holder's approved locations.

Point of sale system—All the hardware, software and communications that comprises a stand-alone or integrated system capable of accepting sports wagers by means of terminals attended to by a cashier and is located at sports wagering certificate holder's approved locations.

Self-service kiosks—Unattended self-service booths or self-standing structure with computers, including touch-screen computers, at which a patron can place sports wagers and that dispenses sports wagering tickets/vouchers.

Sports wagering account—Electronic account that may be established by a patron at a casino property for the purpose of sports wagering or by means of a sports wagering certificate holder's or sports wagering operator's interactive sports wagering skin or interactive sports wagering web site for the purpose of wagering under these regulations, including deposits, withdrawals, wagered amounts and payouts on winning wagers.

Sports wagering communication—The transmission of a wager between a point of origin and a point of reception by aid of a communications technology.

Sports wagering device and associated equipment—A self-service kiosk, point of sale system or other device, including associated equipment, used to accept sports wagering as permitted for use in this Commonwealth by the Board.

Sports wagering interactive system—All hardware, software and communications that comprise a type of server-based sports wagering system for the purpose of offering authorized sports wagering, mobile sports wagering or interactive sports wagering in this Commonwealth when authorized by the Board.

Sports wagering operations—The business of accepting wagers on sports events or on the individual performance of athletes in a sporting event or combination of sporting events by any system or method of wagering, including over the internet, mobile applications and onsite sports wagering systems.

Sports wagering platform—The combination of hardware and software or other technology designed and used to manage, conduct and record mobile sports wagering or interactive sports wagering activity, as approved by the Board. The term shall include any emerging or new technology deployed to advance the conduct and operation of sports wagering, mobile sports wagering or interactive sports wagering activity, as approved through regulation by the Board.

Sports wagering system—All sports wagering devices, equipment, communication technology, software and hardware approved by the Board to conduct sports wagering in this Commonwealth.

Ticket/Voucher redemption device—Unattended self-service booths or self-standing structures with computers, including touch-screen computers, at which a patron can redeem sports wagering tickets/vouchers and that dispenses winnings in the form of cash or cash equivalent.

§ 1407.3. Testing and approval generally.

(a) Prior to operating an onsite sportsbook or an online or mobile sportsbook (that is, an interactive sportsbook), all sports wagering devices and software used in conjunction with these operations must be submitted to the Board's Office of Gaming Laboratory Operations for review and testing and approved by the Board.

(b) For purposes of this section, sports wagering devices and software that shall be submitted for testing and approval include:

- (1) Self-service kiosks.
- (2) Point of sale systems.
- (3) Ticket/Voucher redemption devices.

(4) Sports wagering interactive system components, including all hardware, software and associated equipment that comprise a type of server-based sports wagering system for the purpose of offering authorized sports wagering, mobile sports wagering or interactive sports wagering.

(5) Other related devices or systems as required by the Board.

(c) The Board shall require the payment of all costs for the testing and approval of sports wagering devices and software used in conjunction with the operation of an onsite sportsbook or an online or mobile sportsbook prior to final approval of the devices and software.

(d) Submissions to the Office of Gaming Laboratory Operations of sports wagering devices and software used in conjunction with the operation of an onsite sportsbook or an online or mobile sportsbook should adhere to the requirements in § 461a.4 (relating to submission for testing and approval) where applicable.

§ 1407.4. Wagering device requirements generally.

(a) Wagering device programs shall contain sufficient information to identify the software and revision level of the information stored on the wagering device.

(b) Wagering devices shall have the ability to authenticate that all critical components being utilized are valid upon installation of the software, each time the software is loaded for use and on demand as required by the Board. Critical components may include wagering information, elements that control the communications with the sports wagering system or other components that are needed to ensure proper operation of the wagering device. In the event of a failed authentication (that is, program mismatch or authentication failure), the wagering device shall cease all wagering operations and display an appropriate error message. The sports wagering system shall have the ability to disable the wagering device upon any unsuccessful verification.

(c) Wagering devices shall be capable of recording all of the following information for each wager made:

- (1) Description of event.
- (2) Event number.
- (3) Wager selection.
- (4) Type of wager.
- (5) Amount of wager.
- (6) Date and time of wager.
- (7) Unique wager identifier.
- (8) An indication of when the ticket expires.

§ 1407.5. Self-service kiosks and point of sale system requirements.

(a) Self-service kiosks and point sale devices shall have an identification badge affixed to the exterior of the device by the manufacturer. The identification badge shall not be removable without leaving evidence of tampering. This badge shall include all of the following minimum information:

- (1) The complete name of the manufacturer or some appropriate abbreviation for same.
- (2) A unique serial number.
- (3) The self-service kiosk or point of sale device model number.
- (4) The date of manufacture.

(b) Self-service kiosks and point of sale devices shall meet all of the following basic hardware requirements:

(1) Identification for any printed circuit board (PCB) that impacts the integrity of the self-service kiosk or point of sale device shall include all of the following:

- (i) Each PCB shall be clearly identifiable by an alphanumeric identification and, when applicable, a revision number.
- (ii) If track cuts, patch wires, or other circuit alterations are introduced to the PCB, then a new revision number shall be assigned.

(2) If the self-service kiosk or point of sale device contains switches or jumpers, or both, they shall be fully documented for evaluation by the Board's Office of Gaming Laboratory.

(3) The self-service kiosk or point of sale device shall be designed so that power and data cables into and out of the self-service kiosk or point of sale device can be routed so that they are not accessible to the general public.

(4) Wired communication ports shall be clearly labeled and must be securely housed within the self-service kiosk or point of sale device to prevent unauthorized access to the ports or their associated cable connectors.

(b) Self-service kiosks and point of sale devices shall meet all of the following basic power requirements:

(1) The self-service kiosk and point of sale device shall not be adversely affected, other than resets, by surges or dips of $\pm 20\%$ of the supply voltage. It is acceptable for the self-service kiosk or point of sale device to reset provided no damage to the equipment or loss or corruption of data is experienced.

(2) The power supply used in a self-service kiosk or point of sale device must be appropriately fused or protected by circuit breakers. The amperage rating of all fuses and circuit breakers must be clearly stated on or near the fuse or the breaker.

(3) An on/off switch that controls the electrical current supplied to the self-service kiosk or point of sale device shall be located in a place which is readily accessible within the interior of the self-service kiosk or point of sale device. The on/off positions of the switch shall be clearly labeled.

(c) Self-service kiosks and point of sale device shall meet all of the following basic security requirements:

(1) A self-service kiosk or point of sale device shall be robust enough to resist forced entry into any secured doors, areas or compartments. In the event that extreme force is applied to the cabinet materials causing a poten-

tial breach in self-service kiosk or point of sale device security, evidence of tampering must be conspicuous. "Secured areas" or "secured compartments" shall include the external doors such as the main door, cash compartment doors such as a drop box door, peripheral device access areas, or other sensitive access areas of the self-service kiosk or point of sale device.

(2) The following requirements apply to the self-service kiosk's or point of sale device's external doors:

(i) External doors shall be manufactured of materials that are suitable for allowing only legitimate access to the inside of the self-service kiosk cabinet or point of sale device. Doors and their associated hinges shall be capable of withstanding determined and unauthorized efforts to gain access to the interior of the self-service kiosk or point of sale device and shall leave conspicuous evidence of tampering if an attempt is made.

(ii) The seal between the self-service kiosk cabinet or point of sale device and the door of a locked area shall be designed to resist the entry of objects. It shall not be possible to insert an object into the self-service kiosk or point of sale device that disables a door open sensor when the self-service kiosk's or point of sale device's door is fully closed, without leaving conspicuous evidence of tampering.

(iii) External doors shall be secure and support the installation of locks.

(iv) Doors that provide access to secure areas of the self-service kiosk or point of sale device shall be monitored by a door access detection system.

(A) The detection system shall register a door as being open when the door is moved from its fully closed and locked position, provided power is supplied to the self-service kiosk or point of sale device.

(B) When any door that provides access to a secured area or secured compartment registers as open, the self-service kiosk or point of sale device shall cease wagering operations, and display an appropriate error message.

(d) Self-service kiosks and point of sale devices shall meet all of the following basic critical nonvolatile memory requirements:

(1) Critical nonvolatile memory shall be used to store all data elements that are considered vital to the continued operation of the self-service kiosk or point of sale device, including self-service kiosk configuration and point of sale device data and state of operations.

(2) Critical nonvolatile memory shall not store sensitive information outside of self-service kiosk and point of sale device operations; however, critical nonvolatile memory may be maintained by any component of the sports wagering system.

(3) The self-service kiosk or point of sale device must have a backup or archive capability, which allows the recovery of critical nonvolatile memory should a failure occur.

(4) Critical nonvolatile memory storage shall be maintained by a methodology that enables errors to be identified. This methodology may involve signatures, check sums, redundant copies, database error checks or other methods approved by the Board.

(5) Comprehensive checks of critical nonvolatile memory data elements shall be made on startup. Non-

volatile memory that is not critical to self-service kiosk or point of sale device integrity is not required to be checked.

(6) An unrecoverable corruption of critical nonvolatile memory shall result in an error. Upon detection, the self-service kiosk and point of sale device software shall cease to function. Additionally, the critical nonvolatile memory error shall cause any communication external to the self-service kiosk to cease.

(e) Self-service kiosk and point of sale device software, after a program interruption, shall recover to the state it was in immediately prior to the interruption occurring. Any communications to an external device shall not begin until the program resumption routine, including any self-test, is completed successfully.

§ 1407.6. Ticket/Voucher requirements.

(a) Tickets/vouchers generated by a self-service kiosk or by a point of sale system shall include all of the following general information:

(1) Name and address of the party issuing the ticket/voucher.

(2) A barcode or similar symbol or marking, as approved by the Board, corresponding to a unique wager identifier.

(3) Method of redeeming a winning ticket/voucher by means of mail.

(4) Identification of the self-service kiosk or cashier at the point of sale device that generated the ticket/voucher.

(b) Tickets/vouchers generated by a self-service kiosk or by a point of sale system shall include all of the following specific information:

(1) Amount of ticket/voucher.

(2) Date, time and location of issuance.

(3) Unique voucher identifier.

(4) Expiration date of the ticket/voucher.

(5) Date, time and location of redemption, if applicable.

(c) Tickets/vouchers generated by a self-service kiosk or by a point of sale system shall be capable of processing lost, destroyed or expired wagering tickets/vouchers.

(d) Tickets/vouchers generated by a self-service kiosk or by a point of sale system shall be capable of clearly indicating that a ticket/voucher is voided or cancelled and rendered nonredeemable.

§ 1407.7. Ticket/Voucher redemption requirements.

(a) Winning sports wagering tickets/vouchers shall be redeemed by a point of sale cashier or a self-service kiosk after verifying the validity of the wagering ticket through the sports wagering system. The point of sale cashier or a self-service kiosk shall cause the sports wagering system to electronically redeem and cancel the wagering ticket upon redemption.

(b) A patron may redeem by mail a winning sports wagering ticket/voucher to the address provided thereon in accordance with the sports wagering operator's internal controls.

(c) Self-service kiosks shall be capable of recognizing payment limitations or payment errors such as bill out jams and insufficient funds. When a payment limitation or error occurs, the self-service kiosk shall be designed to electronically record the payout limitation or error and perform all of the following:

- (1) Reject the transaction.
- (2) Issue an error receipt.
- (3) Issue a replacement sports wagering ticket/voucher.

(d) When an error receipt is issued from a self-service kiosk, the self-service kiosk or receipt shall advise the patron or employee to see a point of sale cashier for payment. Error receipts shall be designed to include all of the following, at a minimum:

- (1) The time and date.
- (2) Identification of the issuing self-service kiosks.
- (3) Specifies the amount of money that the self-service kiosks failed to dispense.

(e) When used to redeem sports wagering tickets/vouchers, self-service kiosks shall work in conjunction with an approved sports wagering system and shall be designed to:

(1) Accurately obtain the unique identification number of the item presented for redemption and cause the information to be accurately and securely relayed to the sports wagering system for the purpose of redemption.

(2) Issue currency or a sports wagering voucher, or both, in exchange for the item presented only if the sports wagering system has authorized and recorded the transaction.

(3) Return a sports wagering ticket/voucher to the patron which cannot be validated by the sports wagering system or is otherwise unredeemable.

(f) When used to redeem sports wagering tickets/vouchers, the self-service kiosk or kiosk computer system shall be capable of generating a "Sports Pool Ticket/Voucher Redemption Machine Report" for each gaming day. The report shall include the ticket/voucher's unique identifier, the date and time of redemption and the value of the ticket/voucher.

§ 1407.8. Sports wagering interactive system requirements.

(a) Sports wagering platforms must adhere to the requirements in Chapter 809 (relating to interactive gaming platform requirements—temporary regulations) of these regulations.

(b) Sports wagering interactive systems must adhere, where applicable, to the requirements in Chapter 810 (relating to interactive gaming testing and controls—temporary regulations) of these regulations.

§ 1407.9. Sports wagering system general requirements.

(a) A sports wagering system shall, at least once every 24 hours, perform a self-authentication process on all software used to offer, record and process wagers to ensure there have been no unauthorized modifications. In the event of an authentication failure, at a minimum, the sports wagering system shall immediately notify the certificate holder's or operator's sports wagering manager and the Board within 24 hours. The results of all self-authentication attempts shall be recorded by the system and maintained for a period of not less than 90 days.

(b) The sports wagering operator operating the sports wagering system shall provide access to wagering transaction and related data as deemed necessary by the Board in a manner approved by the Board.

(c) A sports wagering system shall be capable of preventing any sports wager in excess of \$10,000 or making a payout in excess of \$10,000 until authorized by the sports wagering manager.

CHAPTER 1408. SPORTS WAGERING ACCOUNTING AND INTERNAL CONTROLS—TEMPORARY REGULATIONS

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§ 1408.1. Scope.

To ensure the integrity and security of sports wagering operations in this Commonwealth, the requirements of this chapter apply to all sports wagering certificate holders and sports wagering operator licensees seeking to offer sports wagering to patrons in this Commonwealth. The requirements in this chapter supplement, where not in conflict with and where applicable, existing Board regulations in Subpart E (relating to slot machine, table game and associated equipment testing and control; accounting and internal controls), Chapter 465a (relating to accounting and internal controls) and Subpart L (relating to interactive gaming) applicable to slot machine licensees, interactive gaming certificate holders and interactive gaming operators unless the context clearly indicates otherwise.

§ 1408.2. Definitions.

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

Integrity monitoring—Monitoring of sports wagering to identify unusual betting or suspicious sports wagering activities from a match-fixing and sporting corruption standpoint to then report the activities to required parties.

Onsite sportsbook—Sports wagering activities conducted by means of self-service kiosks or point of sale system in the sports wagering area of a sports wagering certificate holder's approved location.

Personal identifiable information—Any data or information that can be used, on its own or with other data or information, to identify, contact or otherwise locate a player or registered player, including a player's or registered player's name, address, date of birth and social security number.

Risk management—Processes and tools that sports wagering certificate holders or sports wagering operators use to manage the risk and liabilities associated with sports wagering.

Sports wagering device and associated equipment—Self-service kiosk, point of sale system or other device, including associated equipment, used to accept sports wagering as permitted for use in this Commonwealth by the Board.

Sports wagering operations—The business of accepting wagers on sports events or on the individual performance

of athletics in a sporting event or combination of sporting events by any system or method of wagering, including over the internet, mobile applications and onsite sports wagering systems.

Sports wagering system—Sports wagering devices, equipment, communication technology, software and hardware approved by the Board to conduct sports wagering in this Commonwealth.

§ 1408.3. Internal controls.

(a) At least 90 days prior to commencing sports wagering under this part, a sports wagering certificate holder or sports wagering operator licensee shall submit to the Board for approval internal controls for all aspects of sports wagering (that is, onsite sportsbook operations, interactive sportsbook operations and nonprimary location sportsbook operations) prior to implementation and any time a change is made thereafter. The internal controls shall include detailed procedures for system security, operations, accounting, reporting of compulsive and problem gamblers and other information as required by the Board.

(b) Notwithstanding subsection (a), the procedures and controls may be implemented by a sports wagering certificate holder or sports wagering operator licensee upon the filing of the procedures and controls with the Board and written approval to commence operations by the Executive Director. Each procedure or control submission shall contain both narrative and diagrammatic representations of the system to be utilized and shall include the following:

(1) Provide for reliable accounting controls, including the standardization of forms and definition of terms to be utilized in the sports wagering operations.

(2) Procedures, forms and, where appropriate, formulas to govern any of the following:

- (i) Calculation of hold percentages.
- (ii) Revenue drops.
- (iii) Expense and overhead schedules.
- (iv) Complimentary services.
- (v) Cash-equivalent transactions.

(3) Job descriptions and the system of personnel and chain of command, establishing a diversity of responsibility among employees engaged in sports wagering operations, including employees of a sports wagering operator and identifying primary and secondary management and supervisory positions for areas of responsibility.

(4) Procedures for the registration of players and establishment of sports wagering accounts, including a procedure for authenticating the age, identity and physical address of an applicant for a sports wagering account and whether the applicant is a person prohibited from establishing or maintaining an account under applicable laws or regulations.

(5) Procedures for terminating a registered player's sports wagering account and the return of any funds remaining in the sports wagering account to the registered player.

(6) Procedures for suspending or terminating a dormant sports wagering account and the return of any funds remaining in the dormant sports wagering account to the registered player.

(7) Procedures for the logging in and authentication of a registered player to enable the player to commence

sports wagering and the logging off of the registered player when the registered player has completed play, including a procedure to automatically log a registered player out of the registered player's sports wagering account after a specified period of inactivity.

(8) Procedures for the crediting and debiting of a registered player's sports wagering account.

(9) Procedures for cashing checks, receiving electronic negotiable instruments and for redeeming cash equivalents.

(10) Procedures for withdrawing funds from a sports wagering account by the registered player.

(11) Procedures for the protection of a registered player's funds, including the segregation of a registered player's funds from operating funds of the sports wagering certificate holder or sports wagering operator.

(12) Procedures for recording transactions pertaining to sports wagering.

(13) Procedures for the security and sharing of personal identifiable information of a registered player, funds in a sports wagering account and other information as required by the Board. The procedures shall include the means by which a sports wagering certificate holder or sports wagering operator licensee will provide notice to a registered player related to the sharing of personal identifiable information.

(14) Procedures and security for the calculation and recordation of revenue.

(15) Procedures for the security of sports wagering devices and associated equipment.

(16) Procedures and security standards as to receipt, handling and storage of sports wagering devices and associated equipment.

(17) Procedures and security standards to protect and respond to suspected or actual hacking or tampering by any person with the sports wagering certificate holder's or sports wagering operator licensee's interactive sports wagering web site and sports wagering devices and associated equipment.

(18) Procedures to verify each registered player's physical location each time a registered player logs into his or her sports wagering account and at appropriate intervals thereafter as determined by the Board.

(19) Procedures and appropriate measures implemented to deter, detect and, to the extent possible, to prevent cheating, including collusion and use of cheating devices, including the use of software programs that make wagers according to algorithms.

(20) Procedures to govern emergencies, including suspected or actual cyber-attacks, hacking or tampering with the sports wagering certificate holder's interactive sports wagering skin, interactive sports wagering platform, interactive sports wagering web site and sports wagering devices and associated equipment. The procedures shall include the process for the reconciliation or repayment of a registered player's sports wagering account.

(c) The submission required under subsections (a) and (b) shall include a detailed description of the sports wagering certificate holder's or sports wagering operator licensee's administrative and accounting procedures related to sports wagering, including its written system of internal controls. Each written system of internal controls shall include:

(1) An organizational chart depicting appropriate functions and responsibilities of employees involved in sports wagering.

(2) A description of the duties and responsibilities of each position shown on the organizational chart.

(3) The record retention policy of the sports wagering certificate holder or sports wagering operator licensee.

(4) The procedure to be utilized to ensure that money generated from the conduct of sports wagering is safeguarded and accounted for.

(5) Procedures to ensure that recorded accountability for assets is compared with actual assets at intervals required by the Board and appropriate action is taken with respect to discrepancies.

(6) Procedures to be utilized by an employee of a sports wagering certificate holder or sports wagering operator licensee in the event of a malfunction of sports wagering certificate holder's interactive sports wagering skin, interactive sports wagering platform, interactive sports wagering web site and sports wagering devices and associated equipment used in the conduct of sports wagering.

(7) Procedures to be utilized by the sports wagering certificate holder or sports wagering operator licensee to prevent persons under 21 years of age, self-excluded or involuntary excluded individuals and players outside this Commonwealth from engaging in sports wagering.

(8) Other items the Board may request in writing to be included in the internal controls.

(d) Prior to authorizing a sports wagering certificate holder or sports wagering operator licensee to commence the conduct of sports wagering, the Board shall review and approve the system of internal controls, security protocols and audit protocols submitted under this chapter to determine whether they conform to the requirements of this chapter and whether they provide adequate and effective controls for the conduct of sports wagering.

(e) If a sports wagering certificate holder or sports wagering operator licensee intends to make a change or amendment to its system of internal controls, it shall submit the change or amendment electronically to the Bureau of Gaming Operations, in a manner prescribed by the Bureau of Gaming Operations. The sports wagering certificate holder or sports wagering operator licensee may implement the change or amendment on the 30th calendar day following the filing of a complete submission unless the sports wagering certificate holder or sports wagering operator licensee receives written notice tolling the change or amendment in accordance with this chapter or written notice from the Board's Executive Director rejecting the change or amendment.

(f) If during the 30-day review period in this chapter, the Bureau of Gaming Operations preliminarily determines that a procedure in a submission contains an insufficiency likely to negatively affect the integrity of sports wagering or the control of revenue generated from sports wagering, the Bureau of Gaming Operations, by written notice to the sports wagering certificate holder or sports wagering operator licensee, will:

(1) Specify the nature of the insufficiency and, when possible, an acceptable alternative procedure.

(2) Direct that the 30-calendar day review period in this chapter to be tolled and that any internal controls at issue not be implemented until approved under this chapter.

(g) Examples of submissions that may contain an insufficiency likely to negatively affect the integrity of sports wagering may include any of the following:

(1) Submissions that fail to provide information sufficient to permit the review of sports wagering activities by the Board, the Bureau, the Department or law enforcement.

(2) Submissions that fail to provide for the segregation of incompatible functions so that no employee is in a position to both commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

(3) Submissions that do not include forms or other materials referenced in the submission or required under the act or this part.

(4) Submissions that would implement operations or accounting procedures not authorized by the act or this part.

(h) Whenever a change or amendment has been tolled under this chapter, the sports wagering certificate holder or sports wagering operator licensee may submit a revised change or amendment within 30 days of receipt of the written notice from the Bureau of Gaming Operations. The sports wagering certificate holder or sports wagering operator licensee may implement the revised change or amendment upon receipt of written notice of approval from the Board's Executive Director or on the 30th calendar day following the filing of the revision unless the sports wagering certificate holder or sports wagering operator licensee receives written notice tolling the change or amendment in accordance with this chapter or written notice from the Board's Executive Director rejecting the change or amendment.

(i) A sports wagering certificate holder or sports wagering operator licensee shall submit to the Board a catalog of the type of events that it intends to accept wagers on as well as the type of wagers it intends to accept. A sports wagering certificate holder or sports wagering operator licensee shall notify the Board of any changes to the catalogue at least 72 hours in advance of implementation of these changes. A sports wagering certificate holder or sports wagering operator licensee must maintain a catalogue of all prior and current events and the types of wagers it offered on the events.

§ 1408.4. Terms and conditions.

Nothing in this section shall be interpreted to prohibit onsite sportsbook from accepting anonymous sports wagers at self-service kiosks or point of sale terminals.

(a) A sports wagering certificate holder or sports wagering operator licensee shall develop terms and conditions for sports wagering which shall be included in the internal controls. The terms and conditions and any changes thereto must be acknowledged by the player and the acknowledgment must be date and time-stamped by the sports wagering system.

(b) The terms and conditions must address all aspects of the sports wagering operation, including all of the following:

(1) Name of the party or parties with whom the player is entering into a contractual relationship, including any sports wagering certificate holder or sports wagering operator licensee.

(2) Player's consent to have the sports wagering certificate holder or sports wagering operator licensee confirm the player's age, identity and, for purposes of interactive sports wagering, location.

(3) Rules and obligations applicable to the player other than rules of sports wagering including all of the following:

(i) Prohibition from allowing any other person to access or use his or her sports wagering account.

(ii) Prohibition from engaging in sports wagering activity, unless the player is physically located in this Commonwealth.

(iii) Consent to the monitoring and recording by the sports wagering certificate holder, the sports wagering operator licensee or the Board, or both, of any wagering communications and geographic location information.

(iv) Consent to the jurisdiction of this Commonwealth to resolve any disputes arising out of sports wagering.

(v) Prohibition against utilizing automated computerized software or other equivalent mechanism to engage in sports wagering.

(4) Full explanation of fees and charges imposed upon a player related to sports wagering transactions.

(5) Availability of account statements detailing player account activity.

(6) Privacy policies, including information access and use of customer data.

(7) Legal age policy, including a statement that it is a criminal offense to allow a person who is under 21 years of age to participate in sports wagering and a player who does so shall be prohibited from participating in sports wagering.

(8) Notification that if the player's sports wagering account remains dormant for a period of 1 year any funds remaining on deposit and any pending wagers may be forfeited under applicable State and Federal laws.

(9) Player's right to set responsible gaming limits and self-exclude.

(10) Player's right to suspend his or her sports wagering account for a period of no less than 72 hours.

(11) Actions that will be taken in the event a player becomes disconnected from the sports wagering system during active betting.

(12) Notice that a malfunction voids all transactions.

(13) Estimated time-period for withdrawal of funds from the sports wagering account.

(14) Detailed information regarding compulsive and problem gaming and self-exclusion to be displayed on a player protection page.

(15) Method for changing or retrieving a password or other approved access security feature and the ability to choose "strong authentication" log in protection.

(16) Method for filing a complaint with the sports wagering certificate holder or sports wagering operator licensee and method for filing with the Board an unresolved complaint after all reasonable means to resolve the complaint with the sports wagering certificate holder or sports wagering operator licensee have been exhausted.

(17) Method for obtaining a copy of the terms and conditions agreed to when establishing a sports wagering account.

(18) Method for the player to obtain account and wagering history from the sports wagering certificate holder or sports wagering operator licensee.

(19) Notification of Federal prohibitions and restrictions regarding sports wagering activity, specifically, any limitations upon sports wagering activity as set forth in The Wire Act (18 U.S.C.A. §§ 1081 et seq.) and the Unlawful Internet Gaming Enforcement Act (31 U.S.C.A. §§ 5361—5367). The notice shall explicitly state that it is a Federal offense for persons physically located outside of this Commonwealth to engage in sports wagering activity through a sports wagering certificate holder or sports wagering operator licensee, unless explicitly authorized by State or Federal law.

(20) Any other information as required by the Board.

§ 1408.5. Information to be displayed/provided.

A sports wagering certificate holder or sports wagering operator licensee shall provide for the prominent display of the following information at the certificate holder's onsite sportsbook and on a page which, by virtue of the construction of the web site, registered players must access before beginning a sports wagering session:

(a) The full name of the sports wagering certificate holder and, as applicable, the sports wagering operator licensee and address from which it carries on business.

(b) A logo, to be provided by the Board for display on the certificate holder's or licensee's online sportsbook, indicating that the sports wagering certificate holder, and as applicable, the sports wagering operator licensee on behalf of the sports wagering certificate holder, is authorized to operate sports wagering in this Commonwealth.

(c) The license number of the sports wagering certificate holder or sports wagering operator licensee.

(d) A statement that persons under 21 years of age are not permitted to engage in sports wagering.

(e) Readily available information at the certificate holder's onsite sportsbook or active links on the sports wagering certificate holder's or sports wagering operator licensee's sports wagering web site that contains all of the following:

(1) Information explaining how disputes are resolved.

(2) Problem gaming information that is designed to offer information pertaining to responsible gaming.

(3) Board's contact information.

(4) Information that allows for a patron to choose to be excluded from engaging in sports wagering.

(5) Comprehensive house rules governing wagering transactions with patrons. The house rules must be immediately available to patrons at a licensed facility's onsite, online and mobile application sportsbooks. The rules must include all of the following:

(i) The types of wagers accepted.

(ii) How winning wagers will be paid.

(iii) The effect of schedule changes.

(iv) The redemption period for winning tickets.

(v) The method of noticing odds or line changes to patrons.

§ 1408.6. Segregation of bank accounts.

(a) A sports wagering certificate holder or sports wagering operator licensee shall maintain a Commonwealth bank account for player's funds separate from all other operating accounts to ensure the security of funds held in the player's sports wagering accounts.

(b) The balance maintained in this account shall be greater than or equal to the sum of the daily ending cashable balance of all player sports wagering accounts and unpaid wagers.

(c) A sports wagering certificate holder or sports wagering operator licensee shall have unfettered access to all player sports wagering account and transaction data to ensure the amount of funds held in its independent account is sufficient. A sports wagering certificate holder's or sports wagering operator licensee's Chief Financial Officer shall file a monthly attestation with the Board, unless otherwise directed by the Board, that the funds have been safeguarded under this section.

§ 1408.7. Sports wagering certificate holder's or sports wagering operator licensee's organization.

(a) A sports wagering certificate holder's or sports wagering operator licensee's systems of internal controls must include organization charts depicting segregation of functions and responsibilities and descriptions of the duties and responsibilities for each position shown on each organization chart. Sports wagering certificate holder or sports wagering operator licensee shall be permitted, except as otherwise provided in this section, to tailor organizational structures to meet the needs or policies of a particular management philosophy. A sports wagering certificate holder's or sports wagering operator licensee's organization charts must provide for:

(1) A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility.

(2) The segregation of incompatible functions, duties and responsibilities so that no employee is in a position to both commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

(3) The performance of all functions, duties and responsibilities in accordance with sound financial practices by qualified personnel.

(4) The areas of responsibility which are not so extensive as to be impractical for an individual to monitor.

(b) In addition to other positions required as part of a sports wagering certificate holder's or sports wagering operator licensee's internal controls, a sports wagering certificate holder or sports wagering operator licensee must maintain an information technology department supervised by an individual and licensed as a key employee who functions, for regulatory purposes, as the information technology director. In addition, sports wagering certificate holder's or sports wagering operator licensee's must employ an information technology security officer and, if the certificate holder or licensee offers sports wagering online or through a mobile application, an interactive gaming manager, both of whom shall be licensed as a key employee.

(c) The information technology director shall be responsible for the items listed in § 465a.11 (relating to slot machine licensee's organization; jobs compendium) as well as the integrity of all data, the quality, reliability, and accuracy of all computer systems and software used by the sports wagering certificate holder or sports wagering operator licensee in the conduct of sports wagering activities, whether the data and software are located within or outside the certificate holder's or licensee's facility, including, without limitation, specification of appropriate com-

puter software, hardware, and procedures for security, physical integrity, audit and maintenance of:

(1) Access codes and other computer security controls used to insure appropriately limited access to computer software and data.

(2) Monitoring logs of user access, security incidents and unusual transactions.

(3) Logs used to document and maintain the details of any hardware and software modifications.

(4) Computer tapes, disks, or other electronic storage media containing data relevant to sports wagering operations.

(5) Computer hardware, communications equipment and software used in the conduct of sports wagering.

(d) The information technology security officer shall report to the information technology director and be responsible for:

(1) Maintaining access codes and other computer security controls used to insure appropriately limited access to computer software and data.

(2) Reviewing logs of user access, security incidents and unusual transactions.

(3) Coordinating the development of the sports wagering certificate holder's or sports wagering operator licensee's information security policies, standards and procedures.

(4) Coordinating the development of an education and training program on information security and privacy matters for employees and other authorized users.

(5) Ensuring compliance with all State and Federal information security policies and rules.

(6) Preparing and maintaining security-related reports and data.

(7) Working with internal and external audit personnel to ensure all findings are addressed in a timely and effective manner.

(8) Developing and implementing an Incident Reporting and Response System to address security breaches, policy violations and complaints from external parties.

(9) Serving as the official contact for information security and data privacy issues, including reporting to law enforcement.

(10) Developing and implementing an ongoing risk assessment program that targets information security and privacy matters by identifying methods for vulnerability detection and remediation and overseeing the testing of those methods.

(11) Remaining current with the latest information technology security and privacy legislation, rules, advisories, alerts, and vulnerabilities to ensure the sports wagering certificate holder's security program and security software is effective.

(e) The interactive gaming manager shall report to the information technology director, or other department manager as approved by the Board, and be responsible for ensuring the proper operation and integrity of interactive and mobile application sports wagering and reviewing all reports of suspicious behavior. The interactive gaming manager shall immediately notify the Bureau upon detecting any person participating in interactive and mobile application sports wagering who is:

(1) Engaging in or attempting to engage in, or who is reasonably suspected of cheating, theft, embezzlement, collusion, money laundering or any other illegal activities.

(2) A self-excluded person.

(3) A person that is prohibited by the sports wagering certificate holder or sports wagering operator licensee from sports wagering.

§ 1408.8. Risk management.

(a) A sports wagering certificate holder or sports wagering operator must implement risk management procedures. These procedures may be provided in-house or by an independent third party.

(b) A sports wagering certificate holder's or sports wagering operator's internal controls must contain a description of its risk management framework including all of the following:

- (1) Automated and manual risk management procedures.
- (2) User access controls for all sportsbook personnel.
- (3) Information regarding segregation of duties.
- (4) Information regarding fraud detection.
- (5) Controls ensuring regulatory compliance.
- (6) Description of anti-money laundering compliance standards.
- (7) Description of all software applications that comprise the sports wagering system.
- (8) Description of all types of wagers available to be offered by the sports wagering system.
- (9) Description of all integrated third-party systems.
- (10) Any other information required by the Board.

§ 1408.9. Integrity monitoring.

(a) A sports wagering certificate holder or sports wagering operator must implement integrity monitoring procedures. These procedures may be provided in-house or by an independent third party.

(b) A sports wagering certificate holder or sports wagering operator must share information in timely manner of unusual betting activity or other suspicious activity regarding sports wagering in this Commonwealth with:

- (1) Other sports wagering certificate holders or sports wagering operators.
- (2) The Board.
- (3) Applicable sports governing bodies/leagues.

(c) A sports wagering certificate holder or sports wagering operator must submit a yearly report to the Board detailing its integrity monitoring services and summarizing any unusual betting activity or other suspicious activity notifications issued during that time period.

(d) A sports wagering certificate holder or sports wagering operator receiving a report of unusual betting activity or suspicious activity is permitted to suspend wagering on events related to the report and may only cancel related wagers under procedures previously approved by the Board, or its designee.

(e) A sports wagering certificate holder or sports wagering operator must provide the Board with remote access to its integrity monitoring system which shall provide at a minimum:

- (1) Reports of unusual betting activity.

(2) If the activity was determined to be suspicious.

(3) The actions taken by the sports wagering certificate holder or sports wagering operator.

§ 1408.10. Mandatory logging.

A sports wagering certificate holder's or sports wagering operator's sports wagering system must comply with the mandatory logging requirements in Subpart L (relating to interactive gaming) of the Board's regulations.

§ 1408.11. Records/data retention requirements.

A sports wagering certificate holder's or sports wagering operator's sports wagering system must comply with the record/data retention requirements in Chapter 465a (relating to accounting and internal controls) and Subpart L (relating to interactive gaming) of the Board's regulations.

§ 1408.12. Required reports.

Nothing in this section shall be interpreted to prohibit an onsite sportsbook from accepting anonymous sports wagers at self-service kiosks or point of sale terminals. These wagers should be included in the required reports detailed in this section and identified as "anonymous player" or a similar identifier.

(a) A sports wagering certificate holder's or sports wagering operator's sports wagering system must comply with the reporting requirements in Subpart L (relating to interactive gaming) of the Board's regulations.

(b) A sports wagering certificate holder or sports wagering operator must generate reports specific to its sports wagering operations as specified by the Board that shall include, at a minimum:

- (1) The report title.
- (2) The date or time period of activity, or description "as of" a point in time.
- (3) The date and time the report was generated.
- (4) Page numbering, indicating the current page and total number of pages.
- (5) Subtotals and grand totals as required by the Board.
- (6) A description of any filters applied to the data presented in the document.
- (7) Column and row titles, if applicable.
- (8) The name of the sports wagering certificate holder or sports wagering operator licensee.

(c) All required reports shall be generated by the sports wagering certificate holder or sports wagering operator licensee, even if the period specified contains no data to be presented. The report generated shall indicate all required information and contain an indication of "No Activity" or similar message if no data appears for the period specified.

(d) The sports wagering certificate holder or sports wagering operator licensee shall provide a mechanism to export the data generated for any report to a format approved by the Board and as often as required by the Board.

(e) A sports wagering system shall generate, at a minimum, all of the following reports:

- (1) A "Sports Wagering Account Transaction Report" which shall include:
 - (i) Date of activity.

- (ii) Player's name and account number.
 - (iii) Date and time player's session started.
 - (iv) Unique transaction number.
 - (v) Type of event (for example, Super Bowl 2019).
 - (vi) Date and time of each transaction.
 - (vii) Amount of each transaction.
 - (viii) Type of each transaction (for example, deposit, withdrawal, adjustment, and the like).
 - (ix) Method of deposit/withdrawal (for example, cash, debit instrument, prepaid access instrument or credit card, personal check, cashier's check, wire transfer, money order and transfer to/from account).
 - (x) User ID and employee name handling the transaction, if assisting player.
 - (xi) Amount of outstanding account balance before and after each transaction.
 - (xii) Date and time player session ended.
 - (xiii) Subtotals by transaction type.
 - (xiv) Ending account balance at the end of the player's session.
- (2) A "Sports Wagering Account Balance Summary Report" which shall include:
- (i) Date of activity.
 - (ii) Player's name and account number.
 - (iii) Status of account (for example, active, inactive, closed, suspended, and the like).
 - (iv) Date account was opened.
 - (v) Date registration information was provided by player.
 - (vi) Date registration information was verified by the sports wager certificate holder or sports wagering operator licensee.
 - (vii) Date of last activity.
 - (viii) Amount of beginning account balance.
 - (ix) Total amount of deposit transactions.
 - (x) Total amount of withdrawal transactions.
 - (xi) Total amount of account adjustment transactions.
 - (xii) Amount of ending account balance.
- (3) A "Daily Sports Wagering Player's Funds Transaction Report" which shall include:
- (i) Player's name and account number.
 - (ii) Amount of beginning account balance.
 - (iii) Unique transaction number.
 - (iv) Date and time of deposit/withdrawal or account balance adjustment.
 - (v) Amount of deposit/withdrawal or account balance adjustment.
 - (vi) Nature of deposit/withdrawal (for example, cash, debit instrument, prepaid access instrument or credit card, personal check, cashier's check, wire transfer, money order and transfer to/from casino account).
 - (vii) Reason/description of adjustment to account balance, if applicable.
 - (viii) User ID and name of employee handling the deposit, withdrawal or account balance adjustment transaction, if assisting authorized player.

- (ix) User ID and name of supervisor authorizing an adjustment to account balance, if applicable.
 - (x) Totals for each type of transaction.
 - (xi) Amount of ending balance.
- (4) A "Daily Sports Wagering Account Adjustment Report" which shall include:
- (i) Player's name and account number.
 - (ii) Date and time of account balance adjustment.
 - (iii) Unique transaction number.
 - (iv) User ID and name of employee handling the account balance adjustment transaction, if applicable.
 - (v) User ID and name of supervisor authorizing an adjustment to account balance.
 - (vi) Amount of account balance adjustment.
 - (vii) Type of account adjustment.
 - (viii) Reason/description of adjustment to account balance.
- (5) A "Sports Wagering Game Play Report" which shall include all of the following:
- (i) Date of activity.
 - (ii) Sport event name.
 - (iii) Date and time session started for gaming day.
 - (iv) Date and time for each session transaction.
 - (v) Type of session transaction.
 - (vi) Amount of session transaction.
 - (vii) Compensation amount collected by sports wager certificate holder or sports wagering operator licensee.
 - (viii) Amount of jackpot win, if applicable.
 - (ix) Other amounts collected by sports wagering certificate holder or sports wagering operator licensee.
 - (x) Description of other amounts collected.
 - (xi) Amounts refunded.
 - (xii) Description of amounts refunded.
 - (xiii) Date and time session ended for gaming day.
 - (xiv) Total amount by transaction type.
- (6) A "Sports Betting Revenue Report" which shall include all of the following:
- (i) Date.
 - (ii) Type of event.
 - (iii) Total wagered.
 - (iv) Other amounts collected by sports wagering certificate holder or sports wagering operator licensee.
 - (v) Description of other amounts collected.
 - (vi) Amounts refunded.
 - (vii) Description of amounts refunded.
- (7) A "Sports Wagering Revenue Deposit Report" which shall include all of the following:
- (i) Month/year of activity.
 - (ii) Bank account number.
 - (iii) Date of deposit.
 - (iv) Amount of gaming day revenue collected by the sports wagering certificate holder or sports wagering operator licensee.

§ 1408.13. Player accounts.

A sports wagering certificate holder's or sports wagering operator's sports wagering system must comply with the player account requirements in Subpart L (relating to interactive gaming) of the Board's regulations.

**CHAPTER 1409. SPORTS WAGERING
ADVERTISEMENTS, PROMOTIONS AND
TOURNAMENTS—TEMPORARY REGULATIONS**

Sec.
1409.1. General requirements.

§ 1409.1. General requirements.

A sports wagering certificate holder or sports wagering operator licensee must comply with the advertisement, promotions and tournament provisions of Subparts C—E, I and L regarding its onsite, online and mobile application sportsbooks including those provisions that require certificate holders or licensees to submit all advertisements, promotions and tournament information to the Board.

**CHAPTER 1410. SPORTS WAGERING
COMPULSIVE AND PROBLEM GAMBLING
REQUIREMENTS—TEMPORARY REGULATIONS**

Sec.
1410.1. General requirements.

§ 1410.1. General requirements.

(a) A sports wagering certificate holder or sports wagering operator licensee must comply with the compulsive

and problem gambling provisions of Subpart I (relating to compulsive and problem gambling) and Subpart L (relating to interactive gaming) regarding its onsite, online and mobile application sportsbooks.

(b) A sports wagering certificate holder or sports wagering operator licensee may amend its current compulsive gaming plans, programs, and the like to include sports wagering activities.

**CHAPTER 1411. SPORTS WAGERING
SELF-EXCLUDED PERSONS—TEMPORARY
REGULATIONS**

Sec.
1411.1. General requirements.

§ 1411.1. General requirements.

(a) A sports wagering certificate holder or sports wagering operator licensee must comply with the self-exclusion provisions of Subpart I (relating to compulsive and problem gambling) and Subpart L (relating to interactive gaming) regarding its onsite, online and mobile application sportsbooks.

(b) A sports wagering certificate holder or sports wagering operator licensee may amend its current self-exclusion plans, programs, and the like to include sports wagering activities.

[Pa.B. Doc. No. 18-1449. Filed for public inspection September 14, 2018, 9:00 a.m.]

PROPOSED RULEMAKING

Title 7—AGRICULTURE

DEPARTMENT OF AGRICULTURE

[7 PA CODE CH. 39]

Frozen Desserts Standards; Intent to Rescind

The Department of Agriculture (Department) intends to rescind 7 Pa. Code Chapter 39 (relating to frozen desserts standards). Chapter 39 was promulgated under authority of The Frozen Dessert Law (act) (31 P.S. §§ 417-1—417-14).

The subject matter of Chapter 39 is addressed by other statutes and regulations administered by the Department, including 3 Pa.C.S. §§ 5701—5714 (relating to Retail Food Facility Safety Act), 3 Pa.C.S. §§ 5721—5737 (relating to Food Safety Act) and the Milk Sanitation Law (31 P.S. §§ 645—660g).

The act authorizes the Department to promulgate regulations as necessary to carry out the provisions and intent of that statute, but requires this be done “after public hearing.” (31 P.S. § 417-9(b)). In this instance—where the Department seeks to rescind an outdated regulatory chapter the subject matter of which is addressed by other Department-administered statutes and regulations—the Department believes convening a public hearing on the proposed regulatory rescission would be unnecessary and contrary to the public interest.

The Department hereby provides notice of its intention to rescind Chapter 39 without first convening a public hearing. The Department will consider any request for a public hearing that is made in writing and delivered by Friday, October 5, 2018, to the Department of Agriculture, Legal Office, 2301 North Cameron Street, Harrisburg, PA 17110.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 18-1450. Filed for public inspection September 14, 2018, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 147]

Special Permits; Guiding Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its July 31, 2018, meeting to add §§ 147.903.1 and 147.904.1 (relating to examination; and records and reports) and amend §§ 147.901—147.905 to enhance and expand the scope of the guide permit program.

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

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

This proposed rulemaking was made public at the July 31, 2018, meeting of the Commission. Comments can be sent until September 21, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Commission is proposing to add §§ 147.903.1 and 147.904.1 and amend §§ 147.901—147.905 to enhance and expand the scope of the guide permit program. These amendments will expand the scope of this program to cover all commercial guiding activities on State game lands and all commercial and noncommercial guiding activities for elk on all other lands and waters. This effort is intended to provide greater legitimacy to the holders of guiding permits within the Commonwealth by establishing minimum standards for the required knowledge base required to be a guide, including basic biology and identification of applicable game and wildlife species, methods of safe and ethical use of firearms, trap and other devices, applicable Federal and State laws concerning to hunting and trapping, basic land navigation, basic first-aid and CPR skills.

Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The addition of §§ 147.903.1 and 147.904.1 and amendments to §§ 147.901—147.905 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will add §§ 147.903.1 and 147.904.1 and amend §§ 147.901—147.905 to enhance and expand the scope of the guide permit program.

3. Persons Affected

Persons wishing to engage in any commercial guiding activities on lands designated as State game lands or engage in any commercial or noncommercial guiding activities for elk anywhere within this Commonwealth will be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

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

5. Effective Date

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

6. Contact Person

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

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-433. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter Y. GUIDING PERMIT

§ 147.901. Purpose and scope.

The purpose of this subchapter is to provide for the issuance of guiding permits to authorize eligible appli-

cants to serve as guides for persons hunting, trapping or otherwise taking [**certain designated species of] game or wildlife.**

§ 147.902. **Definitions.**

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

Commercial guiding activity—Any guiding activity provided by any person to another person for any fee, remuneration or other economic gain, including bartered goods or services.

Guide—A person who assists another person in any manner to hunt, trap or otherwise take [**certain designated species of] game or wildlife, including the use of dogs. This definition does not include the use of leashed tracking dogs for deer, bear, and elk.**

Guiding activity—

(i) The act of assisting or conspiring to assist another person in any manner to hunt, trap or otherwise take [**certain designated species of] game or wildlife by locating, calling or directing another person to the quarry, including the use of dogs. This definition does not include the use of leashed tracking dogs for deer, bear, and elk.**

(ii) The term is not intended to include or authorize the assistance taking the form of any overt act directly connected with harvesting **game or wildlife** by discharging a firearm, bow or crossbow or setting or resetting a trap or cable restraints.

§ 147.903. **Application.**

(a) Applications for guiding permits issued under this subchapter shall be made through the [**applicants' local district wildlife conservation officers] Commission's Special Permit Enforcement Division** on the appropriate form provided by the Commission.

(b) Each application must include the name, address, telephone number and date of birth of the applicant [, **as well as the specific eligible species of wildlife sought to be covered by the permit] . In addition, applications shall be accompanied by copies of any license(s) or training certifications required under subsection (c).**

(c) Applications for guiding permits will only be accepted from persons who possess a valid hunting or **furtaking** license [or qualify for license and fee exemptions under section 2706 of the act (relating to license and fee exemptions)], **possess a valid first aid and CPR training certifications from a nationally recognized source(s)** and have no prior record of violations of the act or this title or related license revocations within the previous 10 years.

(d) [**The fee for a guiding permit will be \$25 for residents and \$50 for nonresidents for each respective eligible species of wildlife to be covered by the permit.] Examination and permit fees.**

(1) **Examination fee. Each new application shall be accompanied by a nonrefundable \$50 examination fee and shall specify each applicable category of game and wildlife species the applicant is requesting certification to guide for. The eligible categories are big game, small game and furbearers.**

(2) **Permit fee.**

i. Commercial guiding permit. After the required examination is passed successfully for each applicable category of game and wildlife species, the applicant shall submit a permit fee in the amount of \$100 for each applicable category of game and wildlife species the applicant is requesting certification to guide for.

ii. Noncommercial elk guiding permit. The permit applicant shall submit a permit fee in the amount of \$25.

(e) Any guide whose permit is not renewed for a period of 1 or more years shall reapply as a new applicant.

(Editor's Note: The following section is proposed to be added and printed in regular type to enhance readability.)

§ 147.903.1. **Examination.**

(a) Any new applicants for a commercial guiding permit issued under this subchapter are required to pass a supervised written, oral and practical examination approved by the director. The minimum score to achieve passage is 80% correct.

(b) Examinations for new applicants for a commercial guiding permit will include all of the following subject matter:

(1) Biology, life history and habits of each applicable category of game and wildlife species.

(2) Identification of each applicable category of game and wildlife species.

(3) State and Federal laws and regulations applicable to the hunting, trapping and taking of each applicable category of game and wildlife species.

(4) Basic orienteering using map and compass.

(5) Safe and ethical operation of firearms, traps, cable restraints and other devices.

(c) *Inapplicability.* The examination requirements of this section shall not be construed to apply to persons that held a guide permit, in good standing, issued by the Commission, for the 5 previous permit years preceding the effective date of this section. Nothing in this section shall be construed to require an examination for applicants for a noncommercial guiding permit.

§ 147.904. **Permit.**

(a) *General rule.* A guiding permit issued under this subchapter is required for any person to engage in [**any commercial or noncommercial guiding activity for the following designated species of wildlife: elk and bobcat. A guiding permit is required for any person to engage in any commercial guiding activity for coyotes on State game lands.] either of the following activities:**

(1) Commercial guiding activities on lands and waters designated as State game lands.

(2) Commercial or noncommercial guiding activities for elk.

(b) *Additional permits.* Possession of a guiding permit issued under this subchapter does not diminish an individual's obligation to obtain any other applicable Federal, State or local permits concerning the guiding activities.

(c) *Guiding on State game lands.* Notwithstanding the general prohibitions of § 135.41 (relating to state game lands), a guiding permit issued pursuant to this

subchapter shall authorize its holder to engage in commercial guiding activities on State game lands [for an eligible species of wildlife].

(d) [***Orientation.*** In any year the Commission establishes an orientation program for an eligible species of wildlife, the continuing validity of any guiding permit issued under this subchapter covering the eligible species, is premised upon the permit holder's completion of the orientation program prior to engaging in any guiding activities for the eligible species of wildlife.] ***Licenses, permits and stamps required.*** ***A guide shall maintain valid licenses, permits and stamps for all of the species for which they are conducting guiding activities, excepting only elk licenses, if applicable. A guide shall carry the licenses, permits and stamps required by this subsection on their person while conducting any guiding activities and shall produce same, upon demand, to any officer whose duty it is to enforce the title.***

(*Editor's Note:* The following section is proposed to be added and printed in regular type to enhance readability.)

§ 147.904.1. Records and reports.

(a) *Records.* A guide shall maintain legible, accurate and complete field records of all guiding activities conducted under the authority of the guiding permit on a

form supplied by the Commission. These field records shall be maintained and made available for inspection in accordance with section 2906 of the act (relating to records). A guide shall complete the field records form according to the instructions on the form and must contain all of the following information for each guiding activity:

- (1) Name, address and C.I.D. number for each client.
- (2) Date of guided activity.
- (3) Quantity and species of game or wildlife harvested by each client.
- (4) Name and guide permit number of any accompanying guide permit holder for each guided activity.

(b) *Reports.* All field records shall be submitted to the Commission annually in accordance with section 2907 of the act (relating to reports).

§ 147.905. Violations.

Violations of this subchapter will be prosecuted under applicable provisions of the act, including section 2908 of the act (relating to violations). The Director may deny, revoke or suspend any permit for any violation of this subchapter upon written notice to the permittee.

[Pa.B. Doc. No. 18-1451. Filed for public inspection September 14, 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 September 4, 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

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-4-2018	<i>From:</i> Counsel Trust Company York York County <i>To:</i> Counsel Trust Company York York County Conversion from a Pennsylvania State-chartered trust company to a Tennessee State-chartered trust company.	Effective

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-29-2018	Orrstown Financial Services, Inc. Shippensburg Cumberland County Application for approval to acquire 100% of Mercersburg Financial Corporation, Mercersburg, and thereby indirectly acquire 100% of First Community Bank of Mercersburg, Mercersburg.	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-29-2018	Orrstown Bank Shippensburg Cumberland County Application for approval to merge First Community Bank of Mercersburg, Mercersburg, with and into Orrstown Bank, Shippensburg.	Approved

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-29-2018	Landmark Community Bank Pittston Luzerne County	920 Northern Boulevard South Abington Township Lackawanna County	Approved
8-30-2018	Mifflinburg Bank and Trust Company Mifflinburg Union County	415 Mahoning Street Milton Northumberland County	Approved
8-30-2018	Mifflinburg Bank and Trust Company Mifflinburg Union County	901 State Route 522 Selinsgrove Snyder County	Filed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-30-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 628 Greenwiche Street Reading Berks County <i>From:</i> 956 North Ninth Street Reading Berks County	Filed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
8-30-2018	Noah Bank Elkins Park Montgomery County Amendment to Article Fifth of the institution's Articles of Incorporation provides for a 1-for-10 reverse stock split of the Bank's common stock and sets the number of authorized shares of common stock at 20 million.	Filed

CREDIT UNIONS**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-30-2018	Hidden River Credit Union Pottsville Schuylkill County	32 Mahanoy Avenue Tamaqua Schuylkill County	Approved

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 18-1452. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of October 2018

The Department of Banking and Securities (Department), under the authority in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of October 2018, is 5 1/2%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government

securities is 2.96 to which was added 2.50 percentage points for a total of 5.46 that by law is rounded off to the nearest quarter at 5 1/2%.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 18-1453. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Pennsylvania Housing Advisory Committee Meeting; 2019—2023 Consolidated Plan and 2019 Annual Action Plan; First Public Hearing

The Department of Community and Economic Development (Department) is preparing the Commonwealth's 2019—2023 Consolidated Plan and 2019 Annual Action Plan. Both documents must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth to receive funding under HUD's housing and community development programs of Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), Emergency Solutions Grant Program (ESG), Housing Opportunities for People with Aids (HOPWA) and National Housing Trust Fund (HTF). The Consoli-

dated Plan creates a unified strategy for these programs to address identified needs, as well as the necessary linkages for building successful neighborhoods and communities.

As part of the planning process, the Department conducts various opportunities for citizens from across this Commonwealth to discuss or make known needs for housing, homelessness, economic and community development issues and develops goals for the programs that may affect the method of distribution of the Fiscal Years 2019—2023 funding.

First Public Hearing

The first public hearing for the 2019—2023 Consolidated Plan and 2019 Annual Action Plan will be conducted electronically by means of the Internet on Thursday, September 27, 2018, at 2 p.m. This more widely available computer access will replace the onsite public hearing, though interested persons may attend the meeting in person at the Department offices on the 4th Floor, Commonwealth Keystone Building, E-Commerce Laboratory, Harrisburg, PA. The format will be more accessible than in an in-person hearing because those who wish to make comment or discuss policy may participate directly from their telephone, personal computer or from a computer located at their public library.

Any individual or organization may give testimony or comments by means of the Internet. Comments will be accepted about topics related to the needs of the Commonwealth in the following areas: community development; housing including special needs; homelessness; economic development; any changes to the method of distribution of the existing Federal programs; and the process by which the public input is gathered. In addition, a summary of the Fiscal Year 2017 accomplishments will be presented. The Commonwealth encourages public participation in this process.

There is no registration, but individuals may join the public hearing directly using either of the following methods:

Individuals can join the public hearing by going to <https://copa.webex.com/copa/k2/j.php?MTID=t1d146fc0591bbb5535b7f9e1253d75df>, then enter their name and e-mail address (or registration ID), then enter the session password: 4hV33E7?, then select “Join Now” and follow the instructions that appear on the screen. To view in other time zones or languages use <https://copa.webex.com/copa/k2/j.php?MTID=t0875f968323980356e38a917a588d1de>.

Individuals can join the public hearing by the phone only call-in toll number for the United States or Canada at (650) 479-3208. Global call-in numbers are at <https://copa.webex.com/copa/globalcallin.php?serviceType=TC&ED=722068897&tollFree=0>, then use access code: 648 670 503.

To add this public hearing to a calendar program, for example Microsoft Outlook, select <https://copa.webex.com/copa/k2/j.php?MTID=t06576ab9504149067efc7a609c63087c>. Individuals who cannot join the public hearing should use <https://collaborationhelp.cisco.com/article/qg8vzfb>.

This hearing will be recorded for public record. The hearing will be shortened if there is no one to testify or there is minimal response.

Written Comments

Written testimony, instead of Internet testimony, must be submitted by 5 p.m. on Friday, December 7, 2018, for review for consideration for the Consolidated Plan or Action Plan, or both. Submit comments to Megan Snyder, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225, RA-DCEDcdbg&homequestions@pa.gov.

Pennsylvania Housing Advisory Committee

The Pennsylvania Housing Advisory Committee (Committee) is responsible for reviewing: housing; community development and support services; needs and priorities; as well as advising the Department in the preparation of the Commonwealth's Consolidated Plan; annual action plans; and the coordination of Federal, State and local resources to manage the implementation of these plans in the Commonwealth.

As part of the planning process for the Consolidated Plan for 2019—2023 and 2019 Annual Action Plan, the Committee will be meeting in an open, public forum to discuss the needs of the Commonwealth in terms of housing including special needs, community development, homelessness and economic development. Reports from the six Department regions will be presented on the needs in their respective areas of this Commonwealth. There will also be a presentation of the performance of the 2017 Program Year for the CDBG, HOME, ESG, CDBG-Disaster Recovery, Neighborhood Stabilization Program (NSP 1 and 3), HOPWA programs and HTF.

Persons who wish to attend the Committee meeting may use the following information to join. There will be WebX capability to attend the meeting remotely, as well as conference calling.

Topic: PHAC Meeting

Host: DCED CHD

Date: Thursday, October 4, 2018

Time: 1:30 pm, Eastern Daylight Time (New York, GMT-04:00)

Where: Commonwealth Keystone Building, 1st Floor, Keystone Meeting Center, Desert Room, Harrisburg, PA 17120-0225

Session number: 646 365 374

Session password: QAUbVs\$4

Individuals can join the Committee meeting by going to <https://copa.webex.com/copa/k2/j.php?MTID=t638b6be1a60f990fc9eedc2de2c5bbf>, then enter their name and e-mail address, then enter the session password: QAUbVs\$4, then select “Join Now” and follow the instructions that appear on the screen. To view in other time zones or languages, use <https://copa.webex.com/copa/k2/j.php?MTID=t9ea3fb4a9dae2161ba60e42c4444ee50>.

Individuals can join the Committee meeting by phone only by the call-in toll number for the United States or Canada at (650) 479-3208. Global call-in numbers are at <https://copa.webex.com/copa/globalcallin.php?serviceType=TC&ED=722070597&tollFree=0>, then use access code: 646 365 374.

To add this Committee meeting to a calendar program, for example Microsoft Outlook, select <https://copa.webex.com/copa/k2/j.php?MTID=ta82c4b0f0228a4bdc1d191c6fb23b2c8>.

For assistance with either the public hearing or the committee meeting individuals can contact the Department CHD, kapossinge@pa.gov, (717) 720-7350.

Persons with a disability or limited English proficiency who wish to attend the public hearing or the Committee meeting and require an auxiliary aid, service or other accommodation to participate, should contact Megan Snyder, Department of Community and Economic Development, Center for Community Financing, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7404 or TDD (717) 346-0308, at a minimum of 72 hours before the meeting to discuss how the Department may best accommodate their needs.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 18-1454. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Index Calculation Required by Special Session Act 1 of 2006

Under section 333(1) of the Taxpayer Relief (53 P.S. § 6926.333(1)), the Department of Education (Department) has calculated the index for the Fiscal Year (FY) 2019-2020.

The index is the average of the percentage increase in the Statewide average weekly wage and the Employment Cost Index. For FY 2019-2020, the base index is 2.3%.

For school districts with a market value/income aid ratio greater than 0.4000, an adjusted index will be posted on the Department's web site at www.education.pa.gov by September 30, 2018.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 18-1455. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

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

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

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

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

I. NPDES Renewal Applications.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062570 (Sewage)	Covington Township Sewer Authority WWTP 1186 Drinker Turnpike Covington Township, PA 18444	Lackawanna County Covington Township	Roaring Brook (05A)	Yes
PA0065030 (Sewage)	Meshoppen Borough WWTP Sterling Street Meshoppen, PA 18630	Wyoming County Meshoppen Borough	Susquehanna River (4-G)	No
PA0070254 (Sewage)	Lynn Township Wastewater Treatment Plant PO Box 3348 1053 Spruce Road Allentown, PA 18106-0348	Lehigh County Lynn Township	Ontelaunee Creek (3-B)	Yes
PA0063011 (Water Diversion)	Hazleton City Authority Water Department 400 E Arthur Gardner Parkway Hazleton, PA 18201-7359	Luzerne County Hazle Township	Derek Creek Reservoir (2-B)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0248088 (sewage)	PA American Water Company— Franklin Wastewater Plant 852 Wesley Drive Mechanicsburg, PA 17055	Adams County/ Franklin Township	UNT Marsh Creek/ 13-D	Y
PA0087998 (sewage)	Urban Acres MHP 35 Ridge Drive Fleetwood, PA 19522	Berks County/ Alsace Township	Bernhart Creek/ 3-C	Y

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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0094846 (Sewage)	Somerset Estates MHP STP 1873 Husband Road Somerset, PA 15501	Somerset County Somerset Township	Unnamed Tributary to East Branch Coxes Creek (19-F)	Yes
PA0216739 (Industrial)	Route 356 Landfill 100 River Road Brackenridge, PA 15014-1537	Westmoreland County Allegheny Township	Unnamed Tributary to Allegheny River (18-A)	Yes
PA0205991 (Industrial)	Moon Township Municipal Authority 1700 Beaver Grade Road Suite 200 Moon Township, PA 15108-3109	Allegheny County Moon Township	Ohio River (20-G)	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.

PA0009458, Industrial, SIC Code 3231, **Pittsburgh Glass Works LLC**, 4408 E Pleasant Valley Boulevard, Tyrone, PA 16686. Facility Name: Pittsburgh Glass Works Tipton Auto Glass Manufacturing. This existing facility is located in Antis Township, **Blair 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), Little Juniata River, is located in State Water Plan watershed 11-A 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 0.266 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Quarterly	Maximum	
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Avg Qrtly Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Avg Qrtly Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Avg Qrtly Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.266 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Quarterly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	Inst Min XXX	Report Avg Mo	Report Daily Max	XXX
Total Suspended Solids	9.5	15.0	XXX	XXX	XXX	10.5
Oil and Grease	4.5	4.5	XXX	XXX	XXX	5.5
Total Phosphorus	8.5	8.5	XXX	XXX	XXX	9.5

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.

PA0084450, Industrial, SIC Code 4952, 9711, **Raven Rock Mountain Complex**, 1155 Defense Pentagon, Washington, DC 20301-1155. Facility Name: Raven Rock Mountain Complex Site R. This existing facility is located in Liberty Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Miney Branch and Miney Branch, is located in State Water Plan watershed 13-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Daily Maximum	Maximum	
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.051 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Daily Min			

<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>	
Temperature (deg F) (°F)						
Dec 1 - May 31	XXX	XXX	XXX	XXX	110	XXX
					Daily Max	
Jun 1 - 30	XXX	XXX	XXX	XXX	94	XXX
					Daily Max	
Jul 1 - 31	XXX	XXX	XXX	XXX	86	XXX
					Daily Max	
Aug 1 - 31	XXX	XXX	XXX	XXX	82	XXX
					Daily Max	
Sep 1 - 30	XXX	XXX	XXX	XXX	71	XXX
					Daily Max	
Oct 1 - Nov 30	XXX	XXX	XXX	XXX	65	XXX
					Daily Max	
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0

The proposed effluent limits for Outfall 003 are based on a design flow of 0.12 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily 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	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	XXX	XXX	XXX	Report	XXX	XXX
	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	XXX	XXX	XXX	Report	XXX	XXX
	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus (Total Load, lbs) (lbs)	XXX	XXX	XXX	Report	XXX	XXX
	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD.—Limits.

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

The proposed effluent limits for Outfall 005 are based on a design flow of 0 MGD.—Limits.

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

Sludge use and disposal description and location(s): Settled Sludge collected and trucked off site.

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

- For Outfall 001, 004, and 005: Stormwater BMPs and Petroleum Marketing Terminals.
- For Outfall 002: Temperature 2 degree Hourly Change, No net addition of pollutants for NCCW, No PCBs may be discharged, Cooling tower maintenance chemicals, chemical additives, and industrial stormwater requirements.
- For Outfall 003: Chesapeake Bay nutrients monitoring requirements, Solids management for non-lagoon system, Notification of designation of responsible operator, and chemical additives.

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.

PA0033995 A-1, Sewage, SIC Code 4952, **Berks County**, 633 Court Street, 16th Floor, Reading, PA 19601-4322. Facility Name: Berks County Prison & Rest Home. This existing facility is located in Bern Township, **Berks County**.

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

The receiving stream(s), Plum Creek, is located in State Water Plan watershed 3-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.—Interim Limits, until upgrade completed.

<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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.36	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	Report	Report	XXX	30.0	45.0	60
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	16.5	XXX	33
May 1 - Oct 31	Report	XXX	XXX	5.5	XXX	11
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.—Final 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.36	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Total Suspended Solids	Report	Report	XXX	30.0	45.0	60
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Dissolved Solids	Report	Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light intensity ($\mu\text{w}/\text{cm}^2$)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	16.5	XXX	33
May 1 - Oct 31	Report	XXX	XXX	5.5	XXX	11
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

The proposed reporting requirement for Internal Monitoring Point 101:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)						
Internal Monitoring Point	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				

The only proposed changes from the existing permit are to maintain Total Residual Chlorine limits after the treatment plant upgrade and to specify the Statistical Base Code as "Instantaneous Minimum" as applicable.

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.

PA0080845, Industrial, SIC Code 4911, **NRG REMA LLC**, 250 Power Plant Drive, Shawville, PA 16873. Facility Name: Williamsburg Closed Ash Site. This existing facility is located in Catharine Township, **Blair 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), Frankstown Branch Juniata River, is located in State Water Plan watershed 11-A 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 0.009 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>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.)	Avg Qrtly XXX	Daily Max XXX	6.0 Daily Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	50.0	XXX
Iron, Total	XXX	XXX	XXX	XXX	3.5	XXX

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

- Chemical additives conditions, Stormwater BMP conditions, and Landfill Leachate Conditions

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.

PA0087696, Sewage, SIC Code 6515, **GSP Management Company**, PO Box 677, Morgantown, PA 19543. Facility Name: Shadyback Acres MHP. 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 Manada Creek, is located in State Water Plan watershed 7-D 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 0.00275 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	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	0.49	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
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	1000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	XXX	XXX	XXX	7.5	XXX	15
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Daily Max Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Daily Max Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max Report	XXX

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

In addition, the permit contains the following major special conditions: Stormwater Prohibition, Approval Contingencies, Proper Waste/solids Management, and Chlorine minimization requirement.

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.

PA0011371, Industrial, SIC Code 3429, **Stanley Black & Decker**, 1000 Stanley Drive, New Britain, CT 06053-1675. Facility Name: Stanley Black & Decker Reading Facility Former Baldwin Hardware. This existing facility is located in Reading City, **Berks 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), Schuylkill River, is located in State Water Plan watershed 3-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.482 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
Trichloroethylene	Report	Report	Daily Min XXX	0.10	0.20	0.25

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.

PA0080730, Sewage, SIC Code 8211, **West Perry School District**, 2606 Shermans Valley Road, Elliptsburg, PA 17024. Facility Name: Blain Elementary School. This existing facility is located in Blain Borough, **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 Sherman Creek, is located in State Water Plan watershed 7-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.005 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	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.005 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 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
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	9.0	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

Sludge use and disposal description and location(s): The disposal location was Richard Farm under DEP Permit # PAG093528 with the type of disposal being agricultural utilization.

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.

PA0084034, Sewage, SIC Code 8211, **West Perry School District**, 2606 Shermans Valley Road, Ellittsburg, PA 17024. Facility Name: Carroll Elementary School. This existing facility is located in Carroll 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 Sherman Creek, is located in State Water Plan watershed 7-A 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 0.007 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 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.37	1.2 Avg Mo	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	15.0	XXX	30
May 1 - Oct 31	XXX	XXX	XXX	5.0	XXX	10

The proposed effluent limits for Outfall 001 are based on a design flow of 0.007 MGD.—Limits.

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

Sludge use and disposal description and location(s): The biosolids are disposed at Richard Farm at 65 Richard Lane, Landisburg, PA. The biosolids hauler is Advance Septic Services under PAG-093528.

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.

PA0085278, Sewage, SIC Code 8641, **Deerwood Community HOA**, 11375 Lafayette Road, Mercersburg, PA 17236. Facility Name: Deerwood Community STP. This existing facility is located in Montgomery Township, **Franklin County**.

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

The receiving stream(s), Unnamed Tributary to Licking Creek, is located in State Water Plan watershed 13-C 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 0.018 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.018 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		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	Daily Min 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.21	XXX	0.69
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
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	9.0	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6

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

PA0261611, Sewage, SIC Code 6514, 8811, **Plank Robert E**, 477 Herrs Ridge Road, Gettysburg, PA 17325-7253. Facility Name: Robert Plank Res. This existing facility is located in Cumberland Township, **Adams 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 Willoughby Run, is located in State Water Plan watershed 13-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

The EPA Waiver is in effect.

PA0083143, Industrial, SIC Code 4952, **Saxton Borough Municipal Authority Bedford County**, 707 9th Street, Saxton, PA 16678-1109. Facility Name: Saxton Borough Water System. This existing facility is located in Saxton Borough, **Bedford 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), Raystown Branch Juniata River, is located in State Water Plan watershed 11-D 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 0.006 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Total Phosphorus	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.006 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	75

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	10
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	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

PA0261262, Sewage, SIC Code 4952, **North Londonderry Township Authority Lebanon County**, 655 E Ridge Road, Palmyra, PA 17078-9308. Facility Name: North Londonderry Township STP. This existing facility is located in South Annville Township, **Lebanon 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), Killinger Creek, is located in State Water Plan watershed 7-D 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 1.5 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	250	375	XXX	20	30	40
May 1 - Oct 31	125	188	XXX	10	15	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	125	188	XXX	10	15	20
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	88	XXX	XXX	7.0	XXX	14
May 1 - Oct 31	31	XXX	XXX	2.5	XXX	5
Total Phosphorus	25	XXX	XXX	2.0	XXX	4
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	1.88	XXX	XXX	0.15	XXX	0.37
Toxicity, Chronic— Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	1.8 Daily Max	XXX	XXX

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

Effluent Limitations

Parameter	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	25,936	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	3,458	XXX	XXX	XXX	XXX

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

Sludge use and disposal description and location(s):

- Dewatered Sludge is hauled to Greater Lebanon Refuse Authority Landfill for disposal.

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

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

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

The EPA Waiver is not in effect.

PA0247421, Sewage, SIC Code 6514, **Francine & Rodney Groff**, 7723 Wertzville Road, Carlisle, PA 17013-9021. Facility Name: Groff Residence STP. 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 SRSTP Sewage.

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

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Mo	XXX	XXX

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

PA0255459, Sewage, SIC Code 8811, **Hastings Richard**, PO Box 1466, Andover, OH 44003-1466. Facility Name: Hastings SRSTP. This proposed facility is located in Nottingham Township, **Washington County**.

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

The receiving stream(s), Unnamed Tributary to Mingo Creek, is located in State Water Plan watershed 19-C and is classified for High Quality Waters—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 0.0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Semi-Annual Average	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Semi Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	5.0	XXX	10.0

Sludge use and disposal description and location(s): Municipal Sewage Treatment Plant.

The EPA Waiver is in effect.

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

PA0271659, Sewage, SIC Code 4952, 8800, **Larry Flick**, 207 Charleston Road, Sharpsville, PA 16150. Facility Name: Larry Flick SRSTP. This proposed facility is located in Jefferson Township, **Mercer County**.

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

The receiving stream is an Unnamed Tributary of Magargee Run, located in State Water Plan watershed 20-A and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

PA0271543, Sewage, SIC Code 4952, 8800, **John Cole**, 10475 Old Route 99, Mckean, PA 16426. Facility Name: John Cole SRSTP. This proposed facility is located in McKean Township, **Erie County**.

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

The receiving stream is an unnamed tributary to Lamson Run, located in State Water Plan watershed 15-A and classified for Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

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. 3518404, Sewage, **Waverly Township**, P.O. Box 8, Waverly, PA 18471-0008.

This existing facility is located in Waverly Township, **Lackawanna County**.

Description of Proposed Action/Activity: The project is for the replacement of two pump stations within the sewage conveyance system in Waverly Township. The existing packaged underground 9.5' diameter steel duplex dry pit pump station with a separate buried concrete wet well located on Oakford Road will be replaced with a self-contained package duplex self-priming station placed on top of the existing wet well. The existing packaged submersible duplex grinder pump station housed in a 4' diameter and 9' deep structure located on Clinton Street will be replaced in its entirety with a similar in-ground packaged submersible duplex grinder pump station. This new fiberglass station will incorporate a separate dry pit chamber to house the discharge piping and valves. The capacity of each pump station will not be changed.

WQM Permit No. 6618402, Sewage, **Aqua Pennsylvania Wastewater Inc.**, 1 Aqua Way, White Haven, PA 18861.

This proposed facility is located in Clinton Township, **Wyoming County**.

Description of Proposed Action/Activity: Repair work that replaces the Bunker Hill Sewage Treatment Plant's headworks and splitter box plus relocate the outfall line.

WQM Permit No. 6618403, Sewage, **Aqua Pennsylvania Wastewater Inc.—Rivercrest**, 1 Aqua Way, White Haven, PA 18861.

This proposed facility is located in Tunkhannock Township, **Wyoming County**.

Description of Proposed Action/Activity: A Permit for upgrades to the headworks and chlorination systems at an existing sewage treatment plant.

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

WQM Permit No. 0471201, Industrial waste, **NCI Group, Inc.**, 500 Perth Drive, Ambridge, PA 15003-4213.

This proposed facility is located in Ambridge Borough, **Beaver County**.

Description of Proposed Action/Activity:

Replacement in kind of an existing industrial wastewater treatment system, including unit processes for metals precipitation, flocculation and an inclined plate clarifier; with the addition of multimedia effluent filters and a filter press.

WQM Permit No. 0218408, Sewage, **Allegheny County Sanitary Authority ALCOSAN**, 3300 Preble Avenue, Pittsburgh, PA 15233-1025.

This proposed facility is located in Pittsburgh City, **Allegheny County**.

Description of Proposed Action/Activity: Installation of bar screens at Combined Sewer Outfalls A-62, A-64, M-18, M-43 and O-05 on the ALCOSAN Sewer System to control/capture floatables and solids.

WQM Permit No. 0278206 A-2, Industrial, **West View Borough Municipal Authority Allegheny County**, 210 Perry Highway, Pittsburgh, PA 15229-1862.

This existing facility is located in Neville Township, **Allegheny County**.

Description of Proposed Action/Activity: Installation of a temporary belt filter press will serve to dewater the clarifier sludge during lagoon maintenance. During operation of the belt filter press, liquid effluent from the press will be further processed through a media filtration trailer. After the lagoons are restored to service, the belt filter press structures and filtration trailer will be removed.

WQM Permit No. 6316200, Industrial, **Donora Dock LLC**, 11 Lloyd Avenue, Latrobe, PA 15650-1711.

This proposed facility is located in Carroll Township, **Washington County**.

Description of Proposed Action/Activity: Construction of two treatment ponds.

IV. NPDES Applications for Stormwater Discharges from MS4.

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

PAI136136, MS4, **Derry Township Westmoreland County**, 5321 State Route 982, Derry, PA 15627-2726. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Derry Township, **Westmoreland County**. The receiving stream(s), Loyalhanna Creek, McGee Run, Miller Run, Trout Run, and Saxman Run, are located in State Water Plan watershed 18-D and 18-C and are classified for Cold Water Fishes, Warm Water Fishes, High Quality Waters—Cold Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted A Pollutant Reduction Plan (PRP) with the application to reduce pollutant loads to impaired waters:

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

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

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD510032	Provco Penrose, LLC 795 East Lancaster Avenue Building No. 2, Suite 200 Villanova, PA 19085-1525	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF
PAD150086	Diane Herbert 432 Timber Lane Devon, PA 19333-1233	Chester	West Pikeland Township	Pickering Creek HQ
PAD0150084	Artisan Construction Group, LLC 110 Phoenixville Pike Malvern, PA 19355	Chester	East Whiteland Township	Unnamed Tributary to Valley Creek EV

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

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD390090	Liberty Property Trust 400 Boulder Dr Suite 200 Breinigsville, PA 18031	Lehigh	Lower Macungie Twp	Little Lehigh Creek (HQ-CWF, MF)

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD480059	County Of Northampton 669 Washington St Easton, PA 18042	Northampton	Bushkill Twp Plainfield Twp	Bushkill Creek (HQ-CWF, MF) UNT to Bushkill Creek (HQ-CWF, MF) Little Bushkill Creek (HQ-CWF, MF) EV Wetlands

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD010006	Kevin M Kauffman 160 Hoffman Road York Springs, PA 17372	Adams	Latimore Township	UNT Latimore Creek (CWF) Wetlands (EV)
PAD280005	Columbia Gas of PA 1600 Colony Road York, PA 17408	Franklin	Guilford Township	Falling Spring Branch (HQ/CWF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD140034	Penn State University 139J Physical Plant Bldg University Park, PA 16802	Centre	State College Boro	Thompson Run HQ-CWF, MF

Clearfield County Conservation District: 650 Leonard Street, Clearfield, PA 16830, (814) 765-2629.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD170002	Houtzdale Woodward Recreation Authority 276 Birch St Houtzdale, PA 16654	Clearfield	Woodward Twp	UNT Beaver Run HQ-CWF

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD180016 previously PAI041806003®	R.C. Boman, Inc 7436 Nittany Valley Drive Mill Hall, PA 17751	Clinton	Lamar Twp	Fishing Creek HQ-CWF

Columbia County Conservation District: 702 Sawmill Road, Suite 204, Bloomsburg, PA 17815, (570) 784-1310, X 102.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD190004	Aqua Pennsylvania, Inc 204 East Sunbury St Sunbury, PA 17872	Columbia	Conyngham Twp	Roaring Creek Little Catawissa Creek Shamokin Creek

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

PAG-12	CAFOs
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MS4 PAG-13 Notices of Intent Received.

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

NPDES

Permit No.	Applicant Name & Address	Municipality, County	Waiver Application Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAG136307	West Homestead Borough 456 W 8th Avenue West Homestead, PA 15120-1030	West Homestead Borough, Allegheny County	N	Y

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>
Timber Ridge Farms 9699 Timber Ridge Road Big Cove Tannery, PA 17212	Fulton	12	1,342.60	Swine	NA	Renewal
Kevin Martin 288 Shartlesville Rd Bernville PA 19506	Berks	42	399.70	Poultry (Broilers)	NA	Approved
Mark Leinbach 105 Hoover Lane Loysville, PA 17047	Perry	0	878.34	Swine	NA	Renewal

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5980.

Permit No. 1518517, Public Water Supply.
 Applicant **Tel Hai Retirement Community**
 1200 Tel Hai Circle
 P.O. Box 190
 Honey Brook, PA 19344
 Township Honey Brook
 County **Chester**
 Responsible Official David Shentz
 1200 Tel Hai Circle
 P.O. Box 190
 Honey Brook, PA 19344
 Type of Facility PWS
 Consulting Engineer Thomas J. Whitehall, P.E.
 Whitehall Consulting Engineer
 763 Conowingo Road
 Quarryville, PA 17566
 Application Received Date June 22, 2018
 Description of Action Addition of one (1) water supply well and one (1) water storage standpipe.

Permit No. 4618512, Public Water Supply.
 Applicant **Aqua Pennsylvania, Inc.**
 762 W. Lancaster Avenue
 Bryn Mawr, PA 19010
 Township Upper Merion
 County **Montgomery**
 Responsible Official Curt R. Steffy
 762 W. Lancaster Avenue
 Bryn Mawr, PA 19010
 Type of Facility PWS
 Consulting Engineer Peter J. Lusardi, P.E.
 GHD, Inc.
 1240 Mountain Road
 Harrisburg, PA 17112
 Application Received Date July 26, 2018
 Description of Action New granular activated carbon treatment room for removal of 1, 2, 3 trichloropropane.

Permit No. 4618511, Public Water Supply.
 Applicant **Aqua Pennsylvania, Inc.**
 762 W. Lancaster Avenue
 Bryn Mawr, PA 19010
 Township Multiple
 County **Montgomery, Delaware,
 Chester, Bucks**
 Responsible Official Curt R. Steffy
 762 W. Lancaster Avenue
 Bryn Mawr, PA 19010
 Type of Facility PWS
 Consulting Engineer Brennan Kelly
 762 W. Lancaster Avenue
 Bryn Mawr, PA 19010
 Application Received Date July 20, 2018
 Description of Action Permit approval of bulk water
 hauler trucks.

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

Application No. 4018521, Public Water Supply.
 Applicant **Hazleton City Authority**
 400 E. Arthur Gardner Parkway
 Hazleton, PA 18201
 [Township or Borough] City of Hazleton
 Responsible Official Randy Cahalan
 Hazleton City Authority
 400 E. Arthur Gardner Parkway
 Hazleton, PA 18201
 Type of Facility PWS
 Consulting Engineer John Synoski, PE
 Hazleton City Authority
 400 E. Arthur Gardner Parkway
 Hazleton, PA 18201
 Application Received Date 8/15/2018
 Description of Action The application proposes
 rehabilitating the Park Place
 Tank and upgrading the Barnes
 Run and Drifton water booster
 pumping stations.

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

Application No. 6318504, Public Water Supply.
 Applicant **Red Rooster Grill**
 557 Farra School Road
 Avella, PA 15312
 [Township or Borough] Hopewell Township
 Responsible Official George Zimmerman, Owner
 Red Rooster Grill
 557 Farra School Road
 Avella, PA 15312
 Type of Facility Water system
 Consulting Engineer GAI Consultants
 385 East Waterfront Drive
 Homestead, PA 15120

Application Received Date August 21, 2018
 Description of Action Approval for hauled potable
 water and a treatment system.
Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.
Permit No. 3718503, Public Water Supply.
 Applicant **PA American Water Company**
 Township or Borough Jackson Township
 County **Butler County**
 Responsible Official William Lage
 Type of Facility Public Water Supply
 Consulting Engineer Kurt Todd
 Gateway Engineers
 201 South Main Street
 Butler, PA 16001
 Application Received Date August 24, 2018
 Description of Action Installation of water booster
 station for Condominium
 Development.

WATER ALLOCATIONS

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

Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 1940, 484-250-5980.

WA-09-936-A, Water Allocations, **Hulmeville Municipal Authority**, 321 Main Street, Hulmeville, PA 19047, Hulmeville Borough, **Bucks County**. Subsidiary Water Allocation renewal for purchase of water from Bucks County Water and Sewer Authority.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the

intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

Inflection TLC Well Site, 448 Yeagle Road, Montoursville, Eldred Township, **Lycoming County**. GeoServices, Ltd, 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Inflection Energy (PA) LLC, 101 W. Third Street, Floor 5, Williamsport, PA 17701, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with produced water.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR046-NE001. Summit Anthracite, Inc., 196 Vista Road, Klingers-town, PA 17941. A permit renewal application for continued coverage under General Permit WMGR046 for the composting of waste paper and paper mill sludge for beneficial use as a soil amendment at the Feather

Stripping Site located in Porter Township, **Schuylkill County**. The application was received by the Department on August 17, 2018 and supplemental information was received on August 30, 2018. The application was deemed administratively complete by the Regional Office on August 30, 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.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an “integrated” plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department’s analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department’s Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E,

or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

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

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

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

54-00021A: Pine Grove Landfill, Inc (100 Brandywine Blvd, Suite 300, Newtown, PA 18940) for the installation and operation of one (1) new open flare to be added to the existing landfill gas collection system, which includes two (2) enclosed ground landfill gas flares currently installed at their facility in Pine Grove Township, **Schuylkill County**.

This change does not represent a reactivation of the closed landfill and no current emission limits in the facility Title V permit will change as a result of this modification. The Plan Approval will contain additional recordkeeping, testing, and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 54-00021. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00021A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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

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

10-281P: II-VI Incorporated (375 Saxonburg Blvd., Saxonburg, PA 16056), for the construction and initial operation of a zinc selenide/zinc sulfide chemical deposition furnace at their existing facility in Clinton Township, **Butler County**. Emissions from the deposition process will be reduced by particulate matter filtration and a scrubber. Potential emissions associated with the project are estimated to be: PM, less than 0.01 ton per year; Hydrogen Selenide, less than 0.01 tpy; Hydrogen Sulfide, less than 0.01 tpy.

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.

09-0197A: Hiossen Inc. (85 Ben Fairless Drive, Fairless Hills, PA 19030) to construct and operate an acid etching machine with two (2) scrubbers at an existing State-Only facility located in Falls Township, **Bucks County**. The project does not trigger applicability toward the Federal PSD regulation or the Department's NSR regulation. The potential emissions increase (in tons) from this project will be as follows: Hydrochloric Acid—0.26, Hydrofluoric Acid—0.0025, and Sulfuric Acid—0.26. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

AMS IP18-000169: Kinder Morgan Liquid Terminals, LLC—Point Breeze Terminal (6310 West Passyunk, Philadelphia, PA 19153) for the installation of a 902 actual cubic feet per minute (ACFM) hydrocarbon vapor recovery unit with a new volatile organic compound (VOC) continuous emissions monitoring system (CEMS) as a primary control device to control loading/unloading from the tank truck rack during gasoline and fuel grade ethanol loading. The facility's gasoline throughput will be reduced from 365,000,000 to 353,000,000 gallons per year. The plan approval includes a changes to the facility's

hourly and annual emission limits for gasoline loading. The potential emissions from the facility will be limited to less than 25 tons per rolling 12-month period of VOCs, 10 tons per rolling 12-month period of individual Hazardous Air Pollutants (HAPs), and 25 tons per rolling 12-month period of combined HAPs. The plan approval will contain operating, monitoring, testing, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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.

67-05001: Magnesita Refractories Company (425 S. Salem Church Road, York, PA 17408-5955) for approval of a Reasonably Available Control Technology 2 (RACT 2) plan to supersede the existing RACT 1 plan for the refractories manufacturing facility in West Manchester Township, **York County**, as a significant modification to the facility's Title V operating permit.

In accordance with 25 Pa. Code Sections 129.91 through 129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan to supersede the existing RACT 1 plan, to be submitted as part of the State Implementation Plan (SIP) for the above-mentioned facility.

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

The proposed RACT 2 plan and RACT 1 plan supersedure, if approved by DEP, will be issued as a significant modification to the facility's Title V operating permit (67-05001). The relevant RACT 2 requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT 2 approval will be excluded from the SIP submittal.

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

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

I. Rotary Kilns (Sources 405 and 415)

a. Emissions from the Rotary Kilns shall not exceed the following:

1. Kiln 1: 34.0 pounds of NO_x per ton of product
2. Kiln 2: 38.0 pounds of NO_x per ton of product

b. The permittee shall do the following O&M activities related to the Rotary Kilns:

1. Oxygen and carbon monoxide analyzers associated with the automated combustion control system on each rotary kiln shall be inspected for proper operation at least weekly, with corrective action taken if problems are noted.

2. Kiln feed controls on each rotary kiln shall be verified for proper calibration at least every six months, with adjustments made as necessary.

3. Fuel feed controls on each kiln shall be verified for proper calibration at least annually, with adjustments made as necessary.

4. Coal mill level controls on each kiln shall be verified for proper calibration at least annually, with adjustments made as necessary.

5. Thermocouples associated with the combustion control system on each rotary kiln shall be inspected and verified for proper calibration at least annually, with adjustments made or corrective actions taken as necessary.

6. The flame pattern on each kiln shall be visually inspected at least each week, with corrective actions taken as necessary.

7. The burner pipe on each kiln shall be inspected at least annually, with corrective actions taken as necessary.

c. The permitted shall keep records of the following for the Rotary Kilns:

1. Weekly oxygen and carbon monoxide analyzer inspections, plus records of any maintenance done in response to problems noted during the inspections

2. 6-month rotary kiln feed control calibration verifications, plus records of any adjustments made as a result of the verifications

3. Annual rotary kiln fuel feed control calibration verifications, plus records of any adjustments made as a result of the verifications

4. Annual rotary kiln coal mill level control calibration verifications, plus records of any adjustments made as a result of the verifications

5. Annual rotary kiln thermocouple inspections and calibration verifications are maintained, plus adjustments or maintenance performed as a result of the inspections or verifications

6. Weekly rotary kiln flame pattern inspections, plus records of any corrective actions taken as a result of each inspection.

7. Annual rotary kiln burner pipe inspections, plus records of any corrective actions taken as a result of each inspection.

- d. NO_x emissions from each of Sources 405 and 415 shall be verified one time in each 5-year calendar period. This testing shall be conducted in accordance with the provisions of Chapter 139 of the Department's rules and regulations.

II. Tunnel Kilns 5 and 6 (Sources 810 and 820), Kiln 7 (Source 830), Curing Oven (Source 801)

a. The permittee shall do the following O&M activities:

1. Visually inspect each Source 801 burner at least annually.
2. Visually inspect each burner on each kiln (Sources 810 and 820) at least once each week.
3. Physically inspect each burner on each kiln (Sources 810 and 820) at least once each calendar month, and adjust the air to fuel ratio if necessary.
4. Monthly change the filters for the combustion air and diffusion air (secondary air) for Source 830.
5. Physically inspect each burner for Source 830 at least every 500 hours of operation.

b. The permittee shall keep records of the following:

1. Periodic burner inspections for Sources 801, 810, 820 and 830.
2. All inspections, adjustments or maintenance related to burner or kiln operation for Sources 801, 810, 820 and 830.
3. Monthly filter changes for Source 830.

Note: The above conditions shall supersede the SIP-ed RACT 1 requirements for this facility, upon approval by EPA as a SIP revision.

Public Comment Details:

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to William Weaver, Air Quality Program Manager, Air Quality Program, at 909 Elmerton Avenue, Harrisburg, PA 17110. A 30-day comment period from the date of publication of this notice will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the RACT 2 condition, including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the RACT 2 approval.

Public hearing. A public hearing will be held on 10/23/18, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, please contact Dawne Wilkes at 717-705-4702. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be 10/16/18.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to William Weaver, at 909 Elmerton Avenue, Harrisburg, PA 17110.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review may be made by calling Dawne Wilkes at 717-705-4702.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Dawne Wilkes at 717-705-4702 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

13-00017: Mountain Crest Crematory, Inc. (10 E. Kline Road, McAdoo, PA 18237) The Department intends to issue a renewal State-Only (Natural Minor) Permit for the human crematory facility located in the Banks Township, **Carbon County**. The primary sources consist of one (1) crematory incinerator. The control device consists of an afterburner. The source is considered a minor emission source of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 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.

36-05157: Ivy Creek Custom Cabinetry, Inc. (99 Elmwood Avenue, Landisville, PA 17538-1305) to issue a State-Only Operating Permit for the operation of their wood furniture surface coating facility in East Hempfield Township, **Lancaster County**. Past actual emissions from the facility are estimated to be 2.42 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52.

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

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

60-00021: Iddings Quarry Inc. (900 Chestnut St., Mifflinburg, PA 17844) to issue a renewal State Only "Synthetic Minor" Operating Permit for their Limestone Township Quarry located in Limestone Township, Union County. The facility is currently operating under State Only "Synthetic Minor" Operating Permit 60-00021. The facility's main sources include a stone screening and crushing operation and four diesel-fired engines. Particulate emissions from the stone screening and crushing operation are controlled by a water spray dust suppression system.

The facility has potential emissions of 3.8 tons per year (TPY) of particulate matter, 5.7 TPY of nitrogen oxides, 1.2 TPY of carbon monoxide, 0.4 TPY of sulfur oxides, 0.5 TPY of volatile organic compounds, 0.1 TPY of hazardous air pollutants, and 213 TPY of greenhouse gases (carbon

dioxide equivalents). No emission or equipment changes are being proposed by this action.

The emission limits and work practice standards along with monitoring, record keeping 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 and 40 CFR Part 63 Subpart ZZZZ.

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.

30-00109: Equitrans, LP (EQT Plaza, 625 Liberty Ave., Suite 1700, Pittsburgh, PA, 15222).

The Department intends to issue a State Only Operating Permit renewal for the Rogersville Compressor Station in Center Township, **Greene County**. Equipment at this facility includes one (1) 83.4 bhp natural gas-fired emergency generator engine, one (1) 127 MMscfd triethylene glycol dehydration unit controlled by a 7.0 MMBtu/hr natural gas-fired enclosed ground flare, one (1) 0.77 MMBtu/hr natural gas-fired dehydration unit reboiler, one (1) condensate storage tank, one (1) glycol line heater, one (1) parts washer, blowdown emissions, and fugitive emissions. Potential annual emissions from this facility are as follows: 5.71 tons NO_x, 1.34 tons VOCs, and 5.66 tons CO, 0.42 ton PM₁₀, 0.42 ton PM_{2.5}, 0.18 ton sulfur oxides, 0.08 ton HAPs, and 7,721 tons of greenhouse gases. The facility is subject to the applicable requirements of Title 25 Pa. Code Chapters 121–145. The emergency generator engine is subject to 40 CFR Part 60, Subpart JJJJ, NSPS for Stationary Spark Ignition Internal Combustion Engines. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

65-00769: Raven Industries, Inc. (5049 Center Drive, Latrobe, PA 15650) Natural Minor Operating Permit is for a facility that produces toner and is located in Unity Township, **Westmoreland 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 various blending, milling, and extruding equipment, as well as machines for filling toner cartridges. These sources are controlled by nine different baghouses. Emissions at the facility are primarily particulate matter (PM₁₀) emissions and are based on material throughput. Emissions are projected to be 11.53 tons per year PM₁₀. The facility is required to conduct daily surveys of the site to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. 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 (65-00769) and a 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 above address. For additional information concerning the permit or the issuance procedure, contact Bradley Spayd at the same address above or phone at (412) 442-5227.

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

56-00164: George E. Mason Funeral Home, Inc. (1687 Tire Hill Road, Davidsville, PA 15928) Natural Minor Operating Permit is for a funeral home that operates two crematories and is located in Conemaugh Township, **Somerset 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 two crematories. The first is a propane-fired, 1.92 MMBtu/hr All Crematory Corporation (Model L-1701) with a capacity of 100 lbs/hr; the second is a propane-fired, 1.80 MMBtu/hr Matthews International (Model IE43-PPI) with a capacity of 150 lbs/hr. Emission estimates were provided using stack tests from identical units. Facility-wide emission estimates are projected to be 1.35 ton per year (TPY) SO₂, 1.90 TPY NO₂, 1.46 TPY VOC, 2.0 TPY PM, 2.0 TPY PM₁₀, 2.68 TPY CO, 0.28 TPY HAP, and < 0.001 TPY lead. The facility is required to conduct surveys of the site once per cremation cycle to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. 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 (32-00390) and a concise statement 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 above address. For additional information concerning the permit or the issuance procedure, contact Bradley Spayd at the same address above or phone at (412) 442-5227.

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

PLAN APPROVALS

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

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

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

48-00044A: Just Born, Inc. (1300 Stefko Blvd, Bethlehem, PA 18017) for their facility located in City of Bethlehem, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Just Born, Inc. (1300 Stefko Blvd, Bethlehem, PA 18017) for their facility located in City of Bethlehem, Northampton County. This Plan Approval No. 48-00044A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-00044A is for the insulation and operation of a new sugar dust filter system. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and 25 Pa. Code §§ 127.1 and 127.12 for particulate matter. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00044A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania*

Bulletin or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

35-00003B: General Dynamics Ordinance and Tactical Systems (156 Cedar Avenue, Scranton, PA 18505-1138) for their facility located in Scranton, **Lackawanna County**.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **General Dynamics Ordinance and Tactical Systems** (156 Cedar Avenue, Scranton, PA 18505-1138) for their facility located in Scranton, **Lackawanna County**. This Plan Approval No. 35-00003B will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 35-00003B is for the operation of a welding line with fume hood and two Descaling shot blast booths with dust collectors to control emissions at their facility. Particulate emissions will not exceed 0.04 grain/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments; identification of the proposed permit No.: 35-00003B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Con-

rol Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

Coal Applications Received

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

17051601 and NPDES No. PA02351601. Junior Coal Contracting, Inc. (2330 Six Mile Road, Phillipsburg, PA 16866). To renew the Leslie Tipple in Decatur Township, **Clearfield County**. No additional discharges. The application was considered administratively complete on August 27, 2018. Application received: February 12, 2018.

26970702 and NPDES No. PA0215112. Matt Canestrone Contracting, Inc., (P.O. Box 234, Belle Vernon, PA 15012). To renew the permit for the LaBelle Site in Luzerne Township, **Fayette County**. No additional discharges. The application was considered administratively complete on August 28, 2018. Application received: December 12, 2017.

30831303 and NPDES No. PA0013511. Cumberland Contura, LLC, (158 Portal Road, P.O. Box 1020,

Waynesburg, PA 15370). To renew the permit for the Cumberland Mine in Center, Franklin, Greene, Jackson, Perry, Richhill, Wayne, and Whiteley Townships, **Greene County**. No additional discharges. The application was considered administratively complete on August 28, 2018. Application received: November 8, 2017.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 56020104, Rosebud Mining Co., 301 Market Street, Kittanning, PA 16201, commencement, operation and restoration of a bituminous surface mine to change land use from Unmanaged Natural habitat and from Forestland to Industrial/Commercial and from Forestland to Unmanaged Natural Habitat in Brothersvalley Township, **Somerset County**, affecting 128.8 acres. Receiving stream: unnamed tributary to Buffalo Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 29, 2018.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

61980103 and NPDES Permit No. PA0227846. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215) Renewal of an existing bituminous surface mine and associated NPDES permit in Irwin Township, **Venango County** affecting 111.0 acres. Receiving streams: Scrubgrass Creek classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: August 27, 2018.

16090102. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242). Revision to an existing bituminous surface and auger mine to change the post-mining land use from forestland and forestland abandoned surface mine to unmanaged natural habitat on the Jack A. and Paulette C. Schultz and Edward Jay Baer and Dorothy Marie Divelbiss properties in Porter Township, **Clarion County**. Receiving streams: Three unnamed tributaries to Leisure Run, Leisure Run, and one unnamed tributary to Long Run, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is New Bethlehem Borough. Application received: August 27, 2018.

24080101 and NPDES Permit No. PA0258555. RES Coal, LLC (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920) Renewal of an existing bituminous surface and auger mine and associated NPDES permit in Fox Township, **Elk County** affecting 225.0 acres. Receiving streams: One unnamed tributary to Kyler Run and Kyler Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 27, 2018.

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

17060112. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Permit revision in land use change from forestland to unmanaged natural habitat to a bituminous surface and auger mine in Bell Township, **Clearfield County** affecting 367.0 acres. Receiving streams: Laurel Run and Lost Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 21, 2018.

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

02070104 and NPDES Permit No. PAPA0251224. Collier Land & Coal Development, LP (223 Fourth Avenue, 4th Floor, Pittsburgh, PA 15222). Renewal application for continued mining to an existing bituminous surface mine, located in Collier Township, **Armstrong County**, affecting 33.3 acres. Receiving streams: un-

named tributaries to Robinson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: August 24, 2018.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 7474SM1A1C14 and NPDES Permit No. PA119253. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc., (3724 Crescent Court West, Suite 200, Whitehall, PA 18052), correction to move NPDES Point 001 on existing NPDES Permit for discharge of treated mine drainage in Palmer, Upper and Lower Nazareth Townships, **Northampton County** affecting 140.4 acres, receiving stream: unnamed tributary to Schoeneck Creek, classified for the following uses: warm water and migratory fishes. Application received: August 6, 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

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

NPDES No. PA0243485 (Mining permit no. 17030107), Swisher Contracting, Inc., P.O. Box 1223, Clearfield, PA 16830, renewal of an NPDES permit for surface coal mining with passive treatment facilities only in Lawrence Township, **Clearfield County** affecting 3.5 acres. Receiving stream(s): Unnamed Tributary to Moose Creek, classified for the following use(s): CWF, MF. Moose Creek TMDL. Application received: July 25, 2018.

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code § 87.201, effluent limits for those discharges will be based upon existing baseline pollution load or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

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 outfall discharges to Unnamed Tributary to Moose Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
004	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 ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		6.7	13.4	16.8
Aluminum (mg/l)		7.6	7.6	7.6
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

Noncoal NPDES Draft Permits

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

NPDES No. PA0122629 (Mining Permit No. 5074SM1), New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, new NPDES permit for noncoal surface mining in Guilford Township, **Franklin County**, affecting 396.92 acres. Receiving stream: Intermittent unnamed tributary to Conococheague Creek, classified for the following use: warm water fishes. Application received: July 19, 2018.

The following outfalls require a non-discharge alternative:

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

The proposed effluent limits for the emergency spillways are as follows:

Outfalls: 002 & 003

<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

NPDES No. PA0258318 (Permit No. 24070301). Advanced Disposal Services Greentree Landfill, LLC (635 Toby Road, Kersey, PA 15846) Renewal of an existing NPDES permit for a large industrial minerals surface mine in Fox Township, **Elk County**, affecting 227.0 acres. Receiving streams: Unnamed tributaries to Bear Run, classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: July 6, 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 noncoal mining activities.

The following outfalls discharge to unnamed tributaries to Bear Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	N
TP3	N
TP6	N

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>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
¹ The parameter is applicable at all times.				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35	70	90

The following outfalls discharge to unnamed tributaries to Bear Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP1	N
SP2	N
SP3	N
SP6	N

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>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
¹ The parameter is applicable at all times.				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35	70	90

The following outfall discharges to unnamed tributaries to Bear Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP4	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 ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
¹ The parameter is applicable at all times.				
Iron (mg/l)		2.2	4.4	5.5

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Manganese (mg/l)		1.3	2.6	3.25
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35	70	90

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

NPDES No. PA0237825 (Mining permit no. 14980301), Graymont (PA) Inc., 965 East College Avenue, State College, PA 16823, renewal of an NPDES permit for industrial minerals deep mine noncoal operation in Spring Township, **Centre County** affecting 481.1 acres. Receiving stream(s): Logan Branch (Spring Creek), classified for the following use(s): CWF. Application received: June 29, 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 noncoal mining activities.

The following outfalls discharge to Logan Branch:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Location</i>
001	N	Eby Sink
002	N	Eby Sink
003	N	McJunkin Injection Site
001B	N	Whiterock Sink
002B	N	Agway Sink
005B	N	Smeltzer Farm

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>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.75
Manganese (mg/l)		1.0	2.0	2.5
Total Suspended Solids (mg/l)		25.0	45.0	62.5

*As measured one time per day, when discharging, at the following sampling locations: final discharge point from the ponds at Gentzel Quarry (when discharging to the Eby sink (002) or McJunkin Injection Site (003) or from pipeline monitoring port located at the holding tank near the Whiterock sink hole for Eby Sink (001), Whiterock Sink (001-B), Agway Sink (002-B) or Smeltzer Farm (005-B)).

The following outfall discharges to Logan Branch:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Location</i>
010B	N	Logan Branch pipeline

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 ¹ (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.75
Manganese (mg/l)		1.0	2.0	2.5
Total Suspended Solids (mg/l)		35	70	90

*As measured one time per day, when discharging, at pipeline monitoring port located between the holding tank near the Whiterock sinkhole and the final pipeline discharge.

<i>Parameter</i>	<i>Period</i>	<i>Measurement Frequency</i>	<i>Instant. Maximum</i>
Temperature (°F)	June 15—September 30	Once per hour when discharging at outfall at Logan Branch	Monitor Only

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.

E40-812. Ken Churchill, 906 Lakeside Drive, Harveys Lake, PA 18612, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To remove an existing dock and boathouse and to construct and maintain a 1,062 sq. ft., pile-supported dock and boathouse within the basin of Harveys Lake (HQ-CWF). The project is located at Pole # 88 along Lakeside Drive (S.R. 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 22' 35"; Longitude: -76° 1' 48") in Harveys Lake Borough, Luzerne County. (Harveys Lake, PA Quadrangle, Latitude: 41°22'35"; Longitude: -76°1'48").

Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

E10-517, PA Department of Transportation, District 10-0, 2550 Oakland Ave., Indiana PA 15701. Shawood Pipe Replacement, in Muddy Creek Township, **Butler County**, ACOE Pittsburgh District (Portersville, PA Quadrangle N: 40°, 57', 48"; W: 80°, 08', 14").

To remove and/or grout shut the existing 1,211-ft long corrugated metal pipe and to construct and maintain a 521-ft long, 7.5-ft diameter reinforced concrete pipe under the Ramp Q infield area and SR 0422. The project will result in daylighting of approximately 858-ft of UNT Muddy Creek by constructing a designed stream channel to the inlet of the proposed concrete pipe. The project will result in 1,280-ft of permanent impact to UNT Muddy Creek, which includes 858-ft of stream daylighting and the proposed concrete pipe, and a total of 1,416-ft of temporary stream impacts to UNT Muddy Creek. Additionally, the project will result in 0.495-ac of permanent wetland impacts (0.243-ac to PEM; 0.192-ac to PSS; 0.060-ac to PFO) which will be offset by the creation of 0.553-ac of wetland (0.255-ac PEM; 0.216-ac PSS; 0.082-ac PFO) to be constructed along the proposed floodplain bench area on the left descending bank of the daylighted portion of UNT Muddy Creek.

Northwest Region: District Oil and Gas Office, 230 Chestnut Street Meadville PA 16335, 814-332-6860.

E16-08-004, Laurel Mountain Production, LLC, 61 McMurray Road, Suite 300, Pittsburgh, PA 15241. Windy Oakland Major Modification to ESG17-031-0003, in Perry Township, **Clarion County**, ACOE Pittsburgh District, Parker, PA Quadrangle N: 41°, 07', 20"; W: 79°, 38', 38".

The project involves the widening of McNany Road to accommodate additional heavy truck traffic associated with the construction of the Windy Oakland Well Pad and future drilling activities. The proposed project impacts in Clarion County include a total of 43 linear feet of permanent impacts to a UNT of Clarion River WWF. The project also has 0.03 acre of permanent impact to Palustrine Emergent (PEM) wetland(s). One floodway will be impacted having 0.105 acre of permanent impacts.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) 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.

I. NPDES Renewal Permit Actions.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0086673 SEW	Marklesburg Borough Authority P.O. Box 24 3322 Old Mountain Road Suite B James Creek, PA 16657-0024	Marklesburg Borough, Huntingdon County	Unnamed Tributary to James Creek in Watershed(s) 11-D	Y
PA0042528 SEW	Margaretta MHP 1446 Prayer Mission Road York, PA 17406-8624	Lower Windsor Township, York County	Cabin Creek in Watershed(s) 7-I	Y
PA0087050 SEW	Valley Creek Estates Home Owners Association 20475 Route 19, # 4 Cranberry Township, PA 16066	Montgomery Township, Franklin County	Licking Creek in Watershed(s) 13-C	Y
PA0030171 SEW	Llewellyns Manufactured Home Community Inc. 4550 Bull Road Dover, PA 17315-2025	Conewago Township, York County	Unnamed Tributary of Little Conewago Creek in Watershed(s) 7-F	Y
PA0261793 SEW	Laura Lee Kauffman & William S Kauffman 110 Union Hall Road Carlisle, PA 17013	North Middleton Township, Cumberland County	Unnamed Tributary to Conodoguinot Creek in Watershed(s) 7-B	Y
PA0046302 IW	PA American Water Company 800 W Hershey Park Drive Hershey, PA 17033-2400	South Hanover Township, Dauphin County	Manada Creek and Swatara Creek in Watershed(s) 7-D	Y
PA0086215 SEW	Peifer Brothers P.O. Box 247 Silver Spring, PA 17575-0247	Lower Windsor Township, York County	Unnamed Tributary to Cabin Creek in Watershed(s) 7-I	Y
PA0082465 SEW	Camp Penn Susquehanna Conference of U.M. Church P.O. Box 511 8005 Old Forge Road Waynesboro, PA 17268	Quincy Township, Franklin County	Trucker Run in Watershed(s) 13-C	Y
PA0081795 SEW	TKSM LLC 1190 Wyndsong Drive York, PA 17043	Monroe Township, Cumberland County,	Yellow Breeches Creek in Watershed(s) 7-E	Y

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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0253588 A-1 (Industrial)	Crooked Creek Treatment Facility 1000 Consol Energy Drive Canonsburg, PA 15317-6506	Armstrong County South Bend Township	Crooked Creek (17-E)	No
PA0254231 (Storm Water)	Ingram Barge Co. Monongahela Mile Marker 22.2 P.O. Box 238 100 Atlantic Avenue Elizabeth, PA 15037-0238	Allegheny County Elizabeth Borough	Monongahela River (19-C)	Yes
PA0097110 (Industrial)	Shade Landfill 1176 No 1 Road Cairnbrook, PA 15924-8406	Somerset County Shade Township	Dark Shade Creek and Laurel Run (18-E)	No
PA0090948 (Industrial)	Chestnut Valley Landfill 1184 McClellandtown Road McClellandtown, PA 15458	Fayette County German Township	Unnamed Tributary of Dunlap Creek (19-C)	Yes

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

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

NPDES Permit No. PA0032352, Sewage, SIC Code 8211, **Williamsport Area School District**, 1400 W 3rd Street, Williamsport, PA 17701-7898.

This existing facility is located in Hepburn Township, **Lycoming County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated Sewage.

NPDES Permit No. PA0008443, Industrial, SIC Code 1795, 2999, 4911, **Montour LLC**, 18 McMichael Rd, Washingtonville, PA 17884.

This existing facility is located in Derry Township, **Montour County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater.

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

NPDES Permit No. PA0035360, Sewage, SIC Code 4952, **Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15239-1197.

This existing facility is located in Plum Borough, **Allegheny County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated sewage.

NPDES Permit No. PA0254983, Storm Water, SIC Code 4491, **Donora Dock LLC**, 11 Lloyd Avenue, Suite 200, Latrobe, PA 15650-1711.

This proposed facility is located in Carroll Township, **Washington County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

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

NPDES Permit No. PA0265829, Sewage, SIC Code 5541, **Loves Travel Stops & Country Stores Inc.**, 10601 N Pennsylvania Avenue, Oklahoma City, OK 73120-4108.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0271659, Sewage, SIC Code 8800, **Larry Flick**, 207 Charleston Road, Sharpsville, PA 16150.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0271543, Sewage, SIC Code 8800, **John Cole**, 10475 Old Route 99, McKean, PA 16426

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

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

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

WQM Permit No. 2118401, Sewerage, **Rodney Groff**, 7723 Wertzville Road, Carlisle, PA 17013.

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

Description of Proposed Action/Activity:

This permit approves the construction/operation of a single residence sewage treatment system to serve their single-family residence located on 7725 Wertzville Road, Carlisle, PA 17013.

WQM Permit No. WQG01211801, Sewerage, **Shannon L. Dunlap-Mullin**, 128 Woods Road, Newville, PA 17241.

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

Description of Proposed Action/Activity:

This permit approves the construction/operation of a single residence sewage treatment system to serve their single-family residence located on 695 Brandy Run Road, Newville, PA 17241.

WQM Permit No. WQG01501801, Sewerage, **Abram K Beiler**, 1766 Valentine Road, Ickesburg, PA 17037.

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

Description of Proposed Action/Activity:

This permit approves the construction and operation of a Small Flow Treatment Facilities designed according to the Small Flow Treatment Facilities Manual DEP ID 362-0300-002.

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

WQM Permit No. 4104401 A-3, Sewage, SIC Code 8211, **Williamsport Area School District**, 1400 W 3rd Street, Williamsport, PA 17701-7898.

This existing facility is located in Hepburn Township, **Lycoming County**.

Description of Proposed Action/Activity: Permit issued authorizing the conversion of chlorine contact tank to effluent holding tank with pump station, installation of flow meter, effluent filter and UV disinfection system to replace existing erosion chlorination.

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

WQM Permit No. 4318406, Sewage, **Shenango Township Municipal Authority Mercer County**, 155 Campground Road, West Middlesex, PA 16159-2803.

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

Description of Proposed Action/Activity: Pump station and force main to convey sewage flows from Oak Tree subdivision to Shenango Township Municipal Authority sewage treatment plant.

WQM Permit No. 2410402 A-2, Sewage, **Benezette Township Elk County**, P.O. Box 10, Benezette, PA 15821-0010.

This existing facility is located in Benezette Township, **Elk County**.

Description of Proposed Action/Activity: Wastewater treatment plant improvements.

WQM Permit No. 1018406, Sewage, **Loves Travel Stops & Country Stores Inc.**, 10601 N Pennsylvania Avenue, Oklahoma City, OK 73120-4108.

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

Description of Proposed Action/Activity: New WQM permit for a new travel stop business.

IV. NPDES Stormwater Discharges from MS4 Permit Actions.

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 & 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>
PAI132266	Smithfield Township 1155 Red Fox Road East Stroudsburg, PA 18301	Smithfield Township, Monroe	Brodhead Creek (TSF/MF, CWF/MF existing use) and Sambo Creek (CWF/MF)	N	Y

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

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality County</i>	<i>Receiving Waters/ User</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI136141	Upper St. Clair Township 1820 McLaughlin Run Road Upper Saint Clair, PA 15241	Upper Saint Clair Township, Allegheny	Unnamed Tributaries of Painters Run, Painters Run, Unnamed Tributaries of Brush Run, Unnamed Tributaries of Chartiers Creek, Chartiers Creek, Unnamed Tributaries of McLaughlin Run, McLaughlin Run, and Greasers Run/ WWF	Y	Y

V. NPDES Waiver Stormwater Discharges from MS4 Actions.

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 & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/ Use(s)</i>
PAG136157	Big Beaver Borough 114 Forest Drive Darlington, PA 16115-3206	Big Beaver Borough, Beaver	Beaver River/WWF
PAG136371	Penn State Beaver Campus 100 University Drive Monaca, PA 15061-2764	Monaca Borough, Beaver	Unnamed Tributary to Ohio River and Unnamed Tributary to Moon Run/WWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/ Use</i>
PAD090010	St. Luke's Quakertown Hospital 1021 Park Avenue Quakertown, PA 18951-0130	Bucks	Milford Township	Unnamed Tributary 01396 and 01397 to Unami Creek HQ-TSF-MF
PAD090030	Rebecca River Road, LLC 190 Witherspoon Street Princeton, NJ 08542	Bucks	New Hope Borough	Aquetong Creek HQ-CWF-MF
PAD150094	Stoltzfus Enterprises, Inc. 23 East Main Street Elverson, PA 19520	Chester	East Nantmeal Township	South Branch French Creek EV-MF
PAD150057	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341	Chester	Uwchlan Township	Shamona and Marsh Creeks HQ-TSF-MF
PAD230028	Melmark 2600 Wayland Road Berwyn, PA 19312-2307	Delaware	Newtown Township	Crum Creek HQ-CWF-MF
PAD460017	Toll PA III, L.P. 250 Gibraltar Road Horsham, PA 19044	Montgomery	Lower Moreland Township	POI A—Pennypack Creek Tributary TSF-MF

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510010	City of Philadelphia, Division of Aviation (DOA) Philadelphia International Airport Terminal D, Third Floor Philadelphia, PA 19153	Philadelphia	City of Philadelphia	Pennypack Creek TSF-MF
PAD510023	Philaport, the Port of Philadelphia 3460 North Delaware Avenue Philadelphia, PA 19134	Philadelphia	City of Philadelphia	Delaware River WWF

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

Lackawanna County Conservation District, 1038 Montdale Road, Scott Township, PA 18447.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD350007	Lackawanna Heritage Valley National and State Heritage Area 213 South 7th Avenue Scranton, PA 18505	Lackawanna	Dickson City Borough	Lackawanna River (CWF, MF) EV Wetlands

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD350063	Bruce Fosselman Lower Macungie Twp 3400 Brookside Rd Macungie, PA 18062	Lehigh	Lower Macungie Township	Little Lehigh Creek (HQ-CWF, MF)

Susquehanna County Conservation District, 88 Chenango Street, Montrose, PA 18801.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD580006	Elk Mountain Ski Resort, Inc. RR2, Box 3328 Union Dale, PA 18470	Susquehanna	Herrick Township	East Branch Tunkhannock Creek (HQ-CWF, MF)

VII. Approvals to Use NPDES and/or Other General Permits.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types.

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Bedminster Township Bucks County	PAC090171	Mariusz Jastrzebski 17 Candlewood Road Williamstown, NJ 08094-9133	WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAC090186	MDG No. 4, LLC 1030 Reed Avenue Wyomissing, PA 19610	TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Makefield Township Bucks County	PAC090185	Caddis Acquisition Partners, LLC 5910 North Central Expressway Suite 1400 Dallas, TX 75206	WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Southampton Township Bucks County	PAC090162	Oliver Healthcare Packaging, Inc. 3840 Symmes Road Hamilton, OH 45015	TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAC090187	Dorothy W. Ball 981 Lower State Road Chalfont, PA 18914	TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAC090197	Toll Bros. Inc. 250 Gibraltar Road Horsham, PA 19044-2323	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.

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Allentown City Lehigh County	PAC390036	Allentown School District 31 S Penn St Allentown, PA 18102	Jordan Creek (TSF, MF)	Lehigh County Conservation District 610-391-9583
Whitehall Twp Lehigh County	PAC390050	PA CVS Pharmacy LLC C/O Summit Realty Advisors LLC 201 S Maple Ave Ste 100 Ambler, PA 19002	Lehigh River (CWF, MF)	Lehigh County Conservation District 610-391-9583
Plains Twp Wilkes-Barre City Luzerne County	PAC400035	Wilkes-Barre Veterans Affairs Medical Center Chris Colegrove 1111 East End Blvd Wilkes-Barre, PA 18711	Mill Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991
Pringle Boro Luzerne County	PAC400077	Double U Developers Joseph Usefara 68 Pettibone St Swoyersville, PA 18704	Tobys Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991
West Easton Boro Northampton County	PAC480052	Peter J Rossi 1105 Appleblossom Rd Easton, PA 18040	Lehigh River (WWF, MF)	Northampton County Conservation District 610-829-6276

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water/Use*

*Contact Office &
Phone No.*

West Mahanoy Twp
Schuylkill County

PAC540024

John Rampolla
GCC Realty
10 Gilberton Rd
Gilberton, PA 17934

Mill Creek
(CWF, MF)
Stoney Creek
(CWF, MF)
Mahanoy Creek
(WWF, MF)

Schuylkill County
Conservation District
570-622-3742

John Rampolla
Gilberton Power Co
81 Eleanor Ave
Frackville, PA 17931

Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Phillips, Section Chief, 717.705.4802.

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water/Use*

*Contact Office &
Phone No.*

East St. Clair
Township
Bedford County
Issued

PAC050024

New Paris DPP, LLC
9010 Overlook Boulevard
Brentwood, TN 37027

UNT Dunning Creek
(WWF)

Bedford County
Conservation District
702 West Pitt Street
Suite 4
Bedford, PA 15522
814.623.7900, ext. 4

Bedford Township
Bedford County
Issued

PAC050026

Hoss's Steak and
Seahouse Corporation HQ
170 Patchway Road
Duncansville, PA 16635

Raystown Branch
Juniata River
(TSF)

Bedford County
Conservation District
702 West Pitt Street
Suite 4
Bedford, PA 15522
814.623.7900, ext. 4

Tyrone Borough
Blair County
Issued

PAC070037

Albemarle Corporation
2858 Black Vail Road
Tyrone, PA 16686

UNT S. Bald Eagle
Creek
(TSF, MF)

Blair County
Conservation District
1407 Blair Street
Holidaysburg, PA 16648
814.696.0877, ext. 5

Upper Allen
Township
Cumberland County
Issued

PAC210081

Upper Allen &
Shepherdstown
Elementary Schools
100 East Elmwood
Avenue
2nd Floor
Mechanicsburg, PA 17055

UNT Yellow
Breeches Creek
(CWF, MF)

Cumberland County
Conservation District
310 Allen Road
Suite 301
Carlisle, PA 17013-9101
717.240.7812

Chambersburg
Borough
Franklin County
Issued

PAC280046

Rande LLC
420 Lindman Drive
Chambersburg, PA 17202

Conococheague
Creek
(WWF, MF)

Franklin County
Conservation District
185 Franklin Farm Lane
Chambersburg, PA 17202
717.264.5499

Greene Township
Franklin County
Issued

PAC280077

Kirk Martin
4961 Cumberland
Highway
Chambersburg, PA 17202

UNT East Branch
Conococheague
Creek
(CWF)

Franklin County
Conservation District
185 Franklin Farm Lane
Chambersburg, PA 17202
717.264.5499

Letterkenny
Township
Franklin County
Issued

PAC280103

LIDA
5540 Coffey Avenue
Chambersburg, PA 17201

Rocky Springs
(TSF)

Franklin County
Conservation District
185 Franklin Farm Lane
Chambersburg, PA 17202
717.264.5499

Guilford Township
Franklin County
Issued

PAC280108

Willis Leshner
1153 Swamp Fox Road
Chambersburg, PA 17201

UNT Conococheague
Creek
(WWF)

Franklin County
Conservation District
185 Franklin Farm Lane
Chambersburg, PA 17202
717.264.5499

NOTICES

5785

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Southampton Township Franklin County Issued	PAC280086	Jay P. Zimmerman 3670 Roxbury Road Shippensburg, PA 17257	UNT Conodoguinet Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280101	Jeryl Martin 4961 Cumberland Highway Chambersburg, PA 17202	Back Creek (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Chambersburg Borough Franklin County Issued	PAC290100	Jonathan Stahl 6259 Reynolds Mill Road Seven Valleys, PA 17260	Falling Springs Branch (YTSF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Chambersburg Borough/ Green Township Franklin County Issued	PAC280034	Hugh Davis 2011 Scotland Avenue Chambersburg, PA 17201	Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County Issued	PAC280097	Ronnie Martin 1400 East Main Street Waynesboro, PA 17268	West Branch Antietam Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Delaware Township Juniata County Issued	PAC340018	Kurtz Valley Energy, LLC 396 Dairy Lane Mifflintown, PA 17059	UNT Delaware Creek-Intermittent (TSF, MF)	Juniata County Conservation District 146 Stoney Creek Drive Suite 4 Mifflintown, PA 17059-8709 717.436.8953, ext. 5
Union Township Lebanon County Issued	PAC380076	Debra A. Shuey 30 Bohn Lane Jonestown, PA	Forge Creek (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
West Manchester Township York County Issued	PAC670006	UPMC Pinnacle Memorial Paul Toburen 205 South Front Street Harrisburg, PA 17101	Willis Run/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Conewago Township York County Issued	PAC670096	Adept Corporation Walter E. Gropp 4601 Susquehanna Trail North York, PA 17406	Billion Run/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Franklin Township York County Issued	PAC670134	Heavenwood Farm Land Holdings LLC William K. Wilkison 6256 Stirrup Court Harrisburg, PA 17111	NB Bermudian Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
York Township York County Issued	PAC670178	Kehinde & Sholayida Adebayo c/o Shane Baldwin 2525 Eastern Blvd York, PA 17402	Inners Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
West Mead Township, Crawford County	PAC200045	Meadville (322) DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	UNT to French Creek WWF	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
Lawrence Park Township, Erie County	PAC250054	GE Transporation 2901 East Lake Road Erie, PA 16531	UNT Four Mile Creek WWF; UNT Lake Erie WWF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Borough of Grove City, Mercer County	PAC430026	McDonald's USA, LLC 200 West Main Street Grove City, PA 16127	Wolf Creek CWF	Mercer County Conservation District 747 Greenville Road Mercer, PA 16137 724-662-2242

General Permit Type—PAG-3

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
New Castle City Lawrence County	PAG038372	Ellwood Remelt Steel LLC 40 Furnace Street New Castle, PA 16101	Shenango River—20-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942
Jenkins Township Luzerne County	PAG032246	IDC Property, LP 4 Radnor Corporate Center Suite 105 Radnor, PA 19087	Lampblack Creek—5-B CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Harford Township Susquehanna County	PAR212224	Herb Kilmer & Sons, Inc. P.O. Box 129 Kingsley, PA 18826	Tower Branch—4-F CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

General Permit Type—PAG-4

Facility Location & Municipality

<i>Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Cumberland County/ Upper Mifflin Township	PAG043969	Shannon L. Dunlap-Mullin 128 Woods Road Newville, PA 17241	Brandy Run/ CWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Cumberland County/ Upper Middlesex Township	PAG043968	Rodney Groff 7723 Wertzville Road Carlisle, PA 17013	UNT Conodoguinet Creek/WWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Perry County/ Northeast Madison Township,	PAG043970	Abram Beiler 1766 Valentine Road Ickesburg, PA 17037	UNT to Bixler Run which is listed in Watershed 7-A	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-05

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Pittsburgh City Allegheny County	PAG056268	7 Eleven Inc. P.O. Box 711 (Loc 0148) Dallas, TX 75221-0711	Unnamed Tributary to Yellow Creek— 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-8 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Tupper Sverduk Farm Tiger Alloy Mount Wolf, PA 17347	PAG08	Jesse Boro, Inc. 157 Quarry Road Douglasville, PA 19518	Tupper Sverduk Farm Tiger Alloy Mount Wolf, PA 17347	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
East Manchester Township/ York County				

General Permit Type—PAG-9

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
W. Chillisquaque Twp, Northumberland County	PAG094836	Mark C. Cromley 69 Campbell Mill Rd. Lewisburg, PA 17837	Mark Cromley Farm Chillisquaque Twp Northumberland County	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

General Permit Type—PAG-13

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Coraopolis Borough Allegheny County	PAG136162	Borough of Coraopolis and Coraopolis Water and Sewer Authority Allegheny County 1301 Fourth Avenue Suite 1 Coraopolis, PA 15108	Montour Run McCabe Run, and the Ohio River— 20-G TSF and WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Rochester Township Beaver County	PAG136298	Rochester Township 1013 Elm Street Rochester, PA 15074-1357	Beaver River, Unnamed Tributary to Beaver River, Lacock Run, McKinley Run, and Dutchman Run— 20-G and 20-B	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

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 (35 P.S. 721.1—721.17).

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

Permit No. 1518503, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402

Township East Caln

County **Chester**

Type of Facility PWS

Consulting Engineer GHD
1240 Mountain Road

Permit to Construct August 10, 2018
Issued

Permit No. 1518506, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402

Township Upper Uwchlan

County **Chester**

Type of Facility PWS

Consulting Engineer GHD, Inc.
1240 Mountain Road
Harrisburg, PA 17112

Permit to Construct August 21, 2018
Issued

Permit No. 1518507, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402

Township East Caln

County **Chester**

Type of Facility PWS

Consulting Engineer GHD, Inc.
1240 Mountain Road
Harrisburg, PA 17112

Permit to Construct August 21, 2018
Issued

Permit No. 1518508, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402

Township West Whiteland

County **Chester**

Type of Facility PWS

Consulting Engineer GHD, Inc.
1240 Mountain Road
Harrisburg, PA 17112

Permit to Construct August 21, 2018
Issued

Permit No. 1518509, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402

Township West Whiteland

County **Chester**

Type of Facility PWS

Consulting Engineer GHD, Inc.
1240 Mountain Road
Harrisburg, PA 17112

Permit to Construct August 21, 2018
Issued

Permit No. 1518510, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402

Township West Whiteland

County **Chester**

Type of Facility PWS

Consulting Engineer GHD, Inc.
1240 Mountain Road
Harrisburg, PA 17112

Permit to Construct August 21, 2018
Issued

Permit No. 0918510, Public Water Supply.

Applicant **Warminster Municipal Authority**
415 Gibson Avenue
Warminster, PA 18974

Township Warminster

County **Bucks**

Type of Facility PWS

Consulting Engineer CKS Engineering, Inc.

Permit to Construct August 3, 2018
Issued

Permit No. 1518505, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402

Township Upper Uwchlan

County **Chester**

Type of Facility PWS

Consulting Engineer GHD, Inc.
1240 Mountain Road
Harrisburg, PA 17112

Permit to Construct August 1, 2018
Issued

Operations Permit No # 2317502 issued to: **Chester Water Authority**, 415 Welsh Street, P.O. Box 467, Chester, PA 19016, **PWS ID # 1230004**, Aston Township, **Delaware County**, on August 10, 2018 for the operation of the Village Green Tank No. 6 Interior Painting and PAX Mixer, approved under construction permit # 2317502.

Operations Permit # 0918502 issued to: **Perkasie Regional Authority**, 150 Ridge Road, Sellersville, PA 18960, **PWS ID # 1090046**, East Rockhill Township, **Bucks County** on March 14, 2018 for the operation of Perkasie Regional Authority-East Rockhill System facilities approved under construction permit # 0918502.

Operations Permit # 0916511 issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, **PWS ID # 1460073**, Middletown Township, **Bucks County** on March 23, 2018 for the operation of transmission main from Bristol WTP Neshaminy WTP and Neshaminy transfer station facilities approved under construction permit # 0916511.

Operations Permit # 0917516 issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 **PWS ID # 1090001**, Bristol Borough, **Bucks County** on March 27, 2018 for the operation of the relocated chlorine dioxide generator, sodium chlorine bulk storage tanks, and abandonment of potassium permanganate feed system Bristol Water Treatment Plant facilities approved under construction permit # 0917516.

Operations Permit # 4616521 issued to **Aqua Pennsylvania, Inc.**, 1885 Swamp Pike, Suite 109, Gilbertsville, PA 19525, **PWS ID # 1460085**, Douglass Township, **Montgomery County** on August 1, 2018 for the operation of the Well SWC-14, Disinfection and Certification of 4-log Treatment of Viruses approved under construction permit # 4616521.

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

Permit No. 4518508MA, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 W. Hershey Park Dr.
Hershey, PA 17033

[Borough or Township] Hamilton Township
County **Monroe**

Type of Facility PWS

Consulting Engineer Scott Thomas, PE
PAWC
852 Wesley Dr.
Mechanicsburg, Pa 17055

Permit to Construct 8/15/2018
Issued

Permit No. 3130012, Operations Permit, Public Water Supply.

Applicant **Mr Barry Scherer**
Public Works Supervisor &
Certified Operator
Palmerton Municipal Authority
443 Delaware Avenue
Palmerton PA 18071

[Borough or Township] Palmerton Borough
County **Carbon**

Type of Facility PWS

Consulting Engineer Mr Eric Snyder PE
Keystone Consulting Engineers
Inc
863 Interchange Rd, Suite 101
P.O. Box 639
Kresgeville, PA 18331

Permit to Operate 8/9/2018
Issued

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

Permit No. 28189507, Public Water Supply.

Applicant **Rutter's**
Municipality Quincy Township
County **Franklin**

Responsible Official Tim L. Rutter, President
2295 Susquehanna Trail Road
Suite C
York, PA 17404

Type of Facility Installation of 4-log Treatment of
Viruses at Store No. 78.

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

Permit to Construct 8/23/2018
Issued

Permit No. 2818508 MA, Minor Amendment, Public Water Supply.

Applicant **Bear Valley, Franklin County, Pennsylvania Joint Authority**

Municipality Peters Township
County **Franklin**

Responsible Official Wayne Henry, Chairman
218 School House Road
St. Thomas, PA 17752-0308

Type of Facility Repairs to the existing
sedimentation basin effluent
channel concrete.

Consulting Engineer Christopher M. Echenrode, P.E.
Gwin, Dobson & Foreman, Inc.
3121 Fairway Drive
Altoona, PA 16602

Permit to Construct 8/29/2018
Issued

Operation Permit No. 3117505 MA issued to: **Mount Union Municipal Authority (PWS ID No. 4310016)**, Shirley Township, **Huntingdon County** on 8/29/2018 for facilities approved under Construction Permit No. 3117505 MA.

Transferred Comprehensive Operation Permit No. 7220048 issued to: **Mr. Jason Ficks (PWS ID No. 7220048)**, Washington Township, **Dauphin County** on 8/30/2018. Action is for a Change in Ownership for Short Mountain Village MHP, Dauphin County for the operation of facilities previously issued to J & T Rentals.

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

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (**PWSID # 5320109**) Conemaugh Township, **Indiana County** on August 28, 2018 for the operation of facilities approved under Construction Permit # 3217520MA.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (**PWSID # 5320048**) Center Township, **Indiana County** on August 22, 2018 for the operation of facilities approved under Construction Permit # 3217506-A1.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (**PWSID # 5320109**) Center Township, **Indiana County** on August 23, 2018 for the operation of facilities approved under Construction Permit # 3217519-A1.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (**PWSID # 5320048**) Center Township, **Indiana County** on August 23, 2018 for the operation of facilities approved under Construction Permit # 3217505-A1.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (**PWSID # 5320109**) Conemaugh Township, **Indiana County** on August 23, 2018 for the operation of facilities approved under Construction Permit # 3217521-A1.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (**PWSID # 5320025**) White Township, **Indiana County** on August 23, 2018 for the operation of facilities approved under Construction Permit # 3218510.

Operations Permit issued to: **Latrobe Municipal Authority**, 104 Guerrier Street, Latrobe, PA 15650, (**PWSID # 5650060**) Derry Township, **Westmoreland County** on August 29, 2018 for the operation of facilities approved under Construction Permit # 6517502MA.

Permit No. 0218513MA, Minor Amendment. Public Water Supply.

Applicant	Monroeville Municipal Authority 219 Speelman Lane Monroeville, PA 15146
[Borough or Township]	Monroeville Borough
County	Allegheny
Type of Facility	Monroeville Boulevard waterline

Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
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Permit to Construct Issued	August 23, 2018
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Permit No. 6518503MA, Minor Amendment. Public Water Supply.

Applicant	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
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[Borough or Township]	Conemaugh Township
County	Indiana
Type of Facility	Speranza/Elders Ridge Road waterline

Consulting Engineer	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
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Permit to Construct Issued	August 28, 2018
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Permit No. 6518511MA, Minor Amendment. Public Water Supply.

Applicant	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
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[Borough or Township]	Murrysville Borough
County	Westmoreland
Type of Facility	Trafford Road waterline

Consulting Engineer	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
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Permit to Construct Issued	August 29, 2018
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Permit No. 2618514MA, Minor Amendment. Public Water Supply.

Applicant	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
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[Borough or Township]	Hempfield Township
County	Westmoreland
Type of Facility	Trafford Road waterline

Consulting Engineer	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
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Permit to Construct Issued	August 31, 2018
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Permit No. 3018501MA, Minor Amendment. Public Water Supply.

Applicant	Southwestern Pennsylvania Water Authority P.O. Box 187 1442 Jefferson Road Jefferson, PA 15344
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[Borough or Township]	Franklin Township
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County **Greene**
 Type of Facility Elm Drive waterline
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024
 Permit to Construct August 30, 2018
 Issued

Permit No. 3018503MA, Minor Amendment. Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**
 P.O. Box 187
 1442 Jefferson Road
 Jefferson, PA 15344
 [Borough or Township] Cumberland Township
 County **Greene**
 Type of Facility Renaissance Energy Center waterline
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024
 Permit to Construct August 31, 2018
 Issued

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

Permit No. 2084504-T2-MA2, Public Water Supply.

Applicant **Conneaut Lake Trustees**
 Township or Borough Summit Township
 County **Crawford County**
 Type of Facility Public Water Supply
 Consulting Engineer Hugh Haire
 Pittsburgh Tank And Tower Group
 1 Watertank Place
 Henderson KY 42419
 Permit to Construct August 27, 2018
 Issued

Permit No. 4296502-T2-MA1, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 Township or Borough Mt. Jewett Borough
 County **McKean County**
 Type of Facility Public Water Supply
 Consulting Engineer Robert Horvat
 Entech Engineering
 400 Rouser Road
 Coraopolis, PA 15108
 Permit to Construct August 27, 2018
 Issued

Operation Permit issued to **Aiken Water Treatment Plant, PWSID No. 6420010,** Keating Township, **McKean County.** Permit Number 4297502-MA3 issued August 27, 2018 for the operation of the newly installed liquid sodium hypochlorite feed system. This permit is

issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on August 2, 2018.

Interim Operation Permit issued to **PA American Water Company, PWSID No. 6370011,** Wayne Township, **Lawrence County.** Permit Number 3716502-Interim 1 issued August 31, 2018 for the operation of the 24" waterline along Wampum Road.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. 4918503MA—Construction—Public Water Supply.

Applicant **Aqua Pennsylvanian, Inc.**
 Township/Borough Coal Township
 County **Northumberland County**
 Responsible Official Mr. Chad M. Angle
 GHD, Inc.
 1240 North Mountain Road
 Harrisburg, PA 17112
 Type of Facility Public Water Supply—Construction
 Consulting Engineer Mr. Patrick R. Burke
 Director of Operations
 Aqua Pennsylvania, Inc.
 204 E. Sunbury Street
 Shamokin, PA 17872
 Permit Issued August 29, 2018

Description of Action Authorizes Aqua Pennsylvania, Inc—Roaring Creek Division to install a temporary carbon-feed system at the Roaring Creek Water Treatment Plant until a full carbon-feed system is designed, permitted and built.

Permit No. 1718503MA—Operation—Public Water Supply.

Applicant **Aqua Pennsylvania, Treasure Lake Division**
 Township/Borough Sandy Township
 County **Clearfield County**
 Responsible Official Mr. Patrick Burke
 Director of Operations
 Aqua Pennsylvania, Inc.
 204 E. Sunbury Street
 Shamokin, PA 17872
 Type of Facility Public Water Supply—Operation
 Consulting Engineer Mr. Robert Horvat
 Entech Engineering, Inc.
 400 Rouse Road
 Building 2, Suite 200
 Coraopolis, PA 15108
 Permit Issued September 4, 2018

Description of Action Authorizes Aqua Pennsylvania, Treasure Lake Division to operate the sodium hypochlorite-based disinfection system installed at N-4 Well Station.

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. § 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

WA 07-331C, Water Allocations. **Bellwood Borough Authority (PWS ID No. 4070009), Blair County.** The Authority is requesting a subsidiary water allocation permit for the right to purchase 0.45 million gallon per day (MGD), based on a 30-day average, from the Altoona Water Authority. Permittee Contact: Jennifer Eger, Secretary/Treasurer, Bellwood Borough Authority, 516 Main Street, P.O. Box 96, Bellwood, PA 16617. Permit Issued: 8/23/2018.

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

WA 17-106B, Water Allocations. **Houtzdale Municipal Authority, 561 Kirk Street, Houtzdale, PA 16651, Clearfield County.** Maximum 700,000-gallons-per-day Water Allocation Permit.

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

WA-15-228-B, Water Allocations, **Borough of Phoenixville, 351 Bridge Street, 2nd Floor, Phoenixville, PA 19460 Borough of Phoenixville, Chester County.** Granting the right to withdraw 5,881,000 per day of water from the Schuylkill River, in Chester County.

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>
South Annville Township	1042 Horseshoe Pike Lebanon, PA 17042	Lebanon

Plan Description: Approval is granted for an update to the Official Plan of South Annville Township, Lebanon County. The project is known as the Act 537 Sewage Facilities Plan for South Annville Township, Lebanon County (DEP Code No. B3-38920-ACT). The plan provides for the installation of a collection and conveyance system to serve the residents of the Horseshoe Drive area of the Township with sewage disposal and treatment at the South Londonderry Township Municipal Authority's Campbelltown East Wastewater Treatment Facility within five years of this Act 537 Plan approval. The Plan also provides for the continued implementation of an on-lot sewage disposal system (OLDS) management program with a three-year septic tank inspection and pumping schedule; and the continued operation of the public sewer system serving the areas of the Township known as the Fink Development, Valley Estates, Behney Development, the Spruce Road area, and the proposed developments in the northern growth area. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or

WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act (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>
Wheatfield Township	1280 New Bloomfield Road New Bloomfield, PA 17068	Perry

Plan Description: The planning exemption for Roush Estate, DEP Code No. A3-50930-461-2E, APS Id 975283, consisting of one new residential lot using an individual onlot sewage disposal system, is disapproved. The proposed development is located on Roseglen Road. This plan is disapproved because the 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 in an area within a high quality or exceptional value watershed as per Chapter 71, Section 71.51(b)(1)(iii).

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Carroll Township	50 Rambo Hill Road Shermans Dale, PA 17090	Perry

Plan Description: The planning exemption for Harry Conrad, DEP Code No. A3-50905-461-2E, APS Id 975209, consisting of one new residential lot using an individual onlot sewage disposal system, is disapproved. The proposed development is located on Fox Hollow Road. This plan is disapproved because the 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 in an area underlain by carbonate geology as per Chapter 71, Section 71.51(b)(1)(ii).

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the

selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Wallenpaupack Energy and Home Center, 2587 US Route 6, Palmyra Township, **Pike County**. Bluestone Environmental Inc., 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of The Dime Bank, 120 Sunrise Avenue, Honesdale, PA 18431, submitted a final report concerning remediation of site soils and groundwater contaminated with heating oil from underground storage tanks. 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.

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 Final Report concerning site soil contaminated with semi-volatile organic compounds. The Report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

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

Penelec—Former Sayre District Office, Sayre Borough, **Bradford County**. SE Technologies, LLC, 98 Vanadium Road, Bridgeville, PA 15017, on behalf of Penelec/First Energy Corp., 1900 Centre Avenue, Reading, PA 19601, has submitted a Final Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with lead and pentachlorophenol. The Final Report and Cleanup Plan are intended to document remediation of the site to meet the Background and Site-Specific Standards.

Eagle Express Lines/Hoovestol, Inc. Diesel Spill Cleanup, I-80 at MM 215.7E, Milton, Turbot Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Eagle Express Lines/Hoovestol, Inc., 925 175th Street, Homewood, IL 60430, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

IAC Carlisle LLC/Former Masland Carpets, 50 Spring Road, Carlisle, PA 17013, Borough of Carlisle, **Cumberland County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Carlisle Auto Industries, Inc., 10000B Bryn Mawr Road, Carlisle, PA 17013, submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with metals, volatile organic and semi-volatile compounds. The Final Report demonstrated attainment of the Site Specific and Background Standards, and was approved by the Department on August 27, 2018.

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

MyTBIInv 6076 Natural Gas Well Pad, 302 Doan Road, Knoxville, Deerfield Township, **Tioga County**. SWEPI, LP, 12880 Route 6, Wellsboro, PA 16901, has submitted a Final Report concerning remediation of site soil contaminated with produced water. The Final Report demonstrated attainment of the Background and State-wide Health Standards and was approved by the Department on August 17, 2018.

Harlan BRA Pad, Dibble Road, New Albany, Albany Township, **Bradford County**. Leidos, Inc., 180 Gordon Drive, Suite 109, Exton, PA 19341, on behalf of Chesapeake Appalachia, LLC, 300 N. 2nd Street, 5th Floor, Harrisburg, PA 17101, has submitted a Final Report concerning remediation of site soil contaminated with produced water. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 28, 2018.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

ARG Refinery, 77 North Kendall Avenue, City of Bradford, **McKean County**. Wood Environmental & Infrastructure Solutions, Inc, 4600 J. Barry Court, Suite 210, Canonsburg, PA 15317, on behalf of American Refining Group, 77 North Kendall Avenue, Bradford, PA 16701, submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene, benzene, toluene, total xylenes, 2-methylnaphthalene, benzo[a]anthracene, anthracene, chrysene, benzidine, dibenzo[a,h]anthracene, naphthalene, benzo[a]pyrene, dibenzofuran, fluorene, antimony, arsenic, iron, lead, manganese, thallium, mercury, zinc and site groundwater contaminated with 1,1-dichloroethane, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2-butanone (MEK), 2-hexanone, benzene, chloroform, cis-1,2-dichloroethene, ethylbenzene, isopropylbenzene, methyl tert-butyl ether, n-propylbenzene, tetrachloroethene, toluene, total xylenes, trichloroethene, vinyl chloride, 2-methylnaphthalene, benzidine, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, bis[2-ethylhexyl]phthalate, dibenzofuran, indeno[1,2,3-cd]pyrene, naphthalene, pentachlorophenol, pyrene, aluminum, antimony, arsenic, barium, beryllium, cobalt, copper, iron, manganese, mercury, nickel (oxides), thallium, vanadium, and zinc. The Report was disapproved by the Department on July 3, 2018.

Lord Corporation West 12th Street Erie Facility, 1635 West 12th Street, City of Erie, **Erie County**, Wood

Environment & Infrastructure Solutions Inc., 4600 J. Barry Court, Suite 210, Canonsburg, PA 15317, on behalf of Lord Corporation, 2455 Robison Road West, Erie, PA 16509, submitted a Final Report concerning the remediation of site soil contaminated with acetone, chloroform, toluene, tetrachloroethene, trichloroethene, xylenes (total), acenaphthene, acenaphthylene, acetophenone, anthracene, benzaldehyde, benzo[a]anthracene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[g,h,i]perylene, benzo[a]pyrene, bis[2-chloroethoxy]methane, bis[2-ethylhexyl]phthalate, butyl benzyl phthalate, 1,1-biphenyl, carbazole, chrysene, methylnaphthalene, 2-, dibenz[a,h]anthracene, dibenzofuran, di-n-butyl phthalate, fluoranthene, fluorene, indeno[1,2,3-CD]pyrene, naphthalene, pyrene, phenanthrene, polychlorinated biphenyl compound-1254, polychlorinated biphenyl compound-1260, silver, aluminum, arsenic, barium, beryllium, calcium, cadmium, cobalt, chromium, copper, iron, potassium, magnesium, manganese, sodium, nickel, lead, antimony, selenium, thallium, vanadium, zinc, mercury; site groundwater contaminated with acetone, benzene, bromodichloromethane, 2-butanone (MEK), chlorobenzene, chloroform, dibromochloromethane, dichloroethane, 1,1-, dichloroethene, 1,1-, dichloroethene, cis-1,2-, dichloroethene, trans-1,2-, methylene chloride, 4-methyl-2-pentanone (MIBK), tetrachloroethene, toluene, trichloroethene, vinyl chloride, xylenes (total), acenaphthene, acetophenone, bis[2-ethylhexyl]phthalate, butyl benzyl phthalate, dimethylphenol, 2,4-, methylnaphthalene, 2-, methylphenol, 3 & 4, diethyl phthalate, fluoranthene, fluorene, naphthalene, pyrene, phenol, phenanthrene, silver, aluminum, arsenic, barium, beryllium, calcium, cadmium, cobalt, chromium, copper, iron, potassium, magnesium, manganese, sodium, nickel, lead, antimony, selenium, thallium, vanadium, zinc, mercury, cyanide (total); and site surface water contaminated with acetone, chloroform, tetrachloroethene, trichloroethene, dichloroethene, cis-1,2-, dichloroethene, trans-1,2-, vinyl chloride, chlorodibromomethane, and dichlorobromomethane. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on August 24, 2018.

NWREC Mineral Oil Release (11297 Prenatt Road), 11297 Prenatt Road, East Mead Township, **Crawford County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Northwestern Rural Electric Company Association, 22534 Highway 86, Cambridge Springs, PA 16403, submitted a Final Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, PCB-1016, PCB-1221, PCB-1232, PCB-1242, PCB-1248, PCB-1254, PCB-1260. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on August 29, 2018.

Sheetz Store No. 613, 2 Bolivar Drive, Foster Township, **McKean County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of MBC Properties, LP, 950 East Main Street, Schuylkill Haven, PA 17972, submitted a combined Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil and site groundwater contaminated with 1,2,4-trimethylbenzene, toluene, ethylbenzene, xylenes, benzene, cumene, naphthalene, methyl tert-butyl ether, 1,3,5-trimethylbenzene, 1,2-dibromoethane, 1,2-dichloroethane, and lead. The Risk Assessment Report/Remedial Investigation Report/Cleanup Plan was disapproved by the Department on August 29, 2018.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Former Jeannette Glass Plant Site, Bullitt Ave. & South 2nd St, City of Jeanette, **Westmoreland County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Westmoreland County Industrial Development Corp., 5th Floor, Suite 520, 40 North Pennsylvania Avenue, Greensburg, PA 15601 has submitted a Final Report for the site where elevated concentrations of hazardous constituents including petroleum products, arsenic, lead and PCBs from historic use have impacted soil and groundwater. The Department approved the report on August 24, 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.

New Applications Received

Northridge Group, Inc., 254 Reitz Ave., Winfield, PA 17889. License No. PA-AH 0878. Effective Aug. 30, 2018.

Subsurface Technologies Inc., 1301 Avondale Rd., New Windsor, MD 21776. License No. PA-AH 0877. Effective Aug. 22, 2018.

Renewal Applications Received

Bionomics, Inc., P.O. Box 817, Kingston, TN 37763. License No. PA-AH 0730. Effective Aug. 27, 2018.

Cousins Waste Control, LLC, 1701 East Matzinger Road, Toledo, OH 43612. License No. PA-AH 0344. Effective Aug. 24, 2018.

Eldredge, Inc., 898 Fern Hill Road, West Chester, PA 19380. License No. PA-AH 0056. Effective Aug. 24, 2018.

Midwest Sanitary Service, Inc, P.O. Box 83, Wood River, IL 62095. License No. PA-AH 0872. Effective Aug. 22, 2018.

Westmoreland Sanitary Landfill, 111 Conner Lane, Belle Vernon, PA 15012. License No. PA-AH 0874. Effective Aug. 27, 2018.

Hazardous Waste Transporter License Issued

Midwest Sanitary Service, Inc, P.O. Box 83, Wood River, IL 62095. License No. PA-AH 0872. Effective Aug. 22, 2018.

Westmoreland Sanitary Landfill, 111 Conner Lane, Belle Vernon, PA 15012. License No. PA-AH 0874. Effective Aug. 27, 2018.

Hazardous Waste Transporter License Reissued

Cousins Waste Control, LLC, 1701 East Matzinger Road, Toledo, OH 43612. License No. PA-AH 0344. Effective Aug. 24, 2018.

Eldredge, Inc., 898 Fern Hill Road, West Chester, PA 19380. License No. PA-AH 0056. Effective Aug. 24, 2018.

Hazardous Waste Transporter License Voluntarily Terminated

Med-Flex, Inc., P.O. Box 365, Hainesport, NJ 08036. License No. PA-AH 0847. Effective Aug. 23, 2018.

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: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP3-39-008B: Northledge LLC (930 East Market Street, Bethlehem, PA 18017) on August 27, 2018, for the operation of a portable stone crushing plant at the facility located in Whitehall Township, **Lehigh County**.

GP3-40-026: Kriger Construction, Incorporated (7 Oakwood Drive, Scranton, PA 18504) on August 23, 2018, for the construction and operation of a portable stone crushing plant at the facility located in Jenkins Township, **Luzerne County**.

GP9-45-009A: Pocono Shredding LLC (2213 Shafer Road, Stroudsburg, PA 18360) on August 17, 2018 for the installation of an additional Diesel IC Engine at the site located in Hamilton Twp., **Monroe County**.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

GP3-08-386A: Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on August 23, 2018, for the authorization to relocate and operate a 2006 Terex Pegson model XR400 portable crushing plant, a 2010 Terex Pegson model XR400S portable crushing plant, a 2010 Terex Pegson model XA400 portable crushing plant, a 2012 Terex Pegson model 1300 Maxtrak portable crushing plant, a 2011 Terex Pegson model XA400 portable crushing plant, a 2005 Terex Powerscreen Chieftain 1800 portable screening plant, a 2008 Terex Powerscreen Warrior 1800 portable screening plant, a 2010 Terex Powerscreen Chieftain 2100 portable screening plant, a 2010 Terex Powerscreen Warrior 2400 portable screening plant and two Telestacker conveyor/stackers pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Ward Quarry located in West Burlington Township, **Bradford County**.

GP9-08-386A: Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on August 23, 2018, for the authorization to relocate and operate three (3) 275 bhp Cat C9 DITA, one (1) 350 bhp Scania DC13, one (1) 300 bhp Scania DC9, two (2) 111 bhp Cat C4.4, and one (1) 192 bhp Deutz BF4M2012 diesel-fired engines pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) along with plan approval exemption of one (1) 96 bhp Deutz BF4M201296 and two (2) 40 bhp Deutz D2011L02i diesel-fired engines to power portable non-metallic portable crushers, screeners and stacker/conveyors at the Ward Quarry located in West Burlington Township, **Bradford County**.

GP3-08-355B: Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on August 23, 2018, for the authorization to relocate and operate a 2006 Terex Pegson model XR400 portable crushing plant, a 2010 Terex Pegson model XR400S portable crushing plant, a 2010 Terex Pegson model XA400 portable crushing plant, a 2012 Terex Pegson model 1300 Maxtrak portable crushing plant, a 2011 Terex Pegson model XA400 portable crushing plant, a 2005 Terex Powerscreen Chieftain 1800 portable screening plant, a 2008 Terex Powerscreen Warrior 1800 portable screening plant, a 2010 Terex Powerscreen Chieftain 2100 portable screening plant, a 2010 Terex Powerscreen Warrior 2400 portable screening plant and two Telestacker conveyor/stackers pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Windham Quarry located in Windham Township, **Bradford County**.

GP9-08-355B: Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on August 23, 2018, for the authorization to relocate and operate three (3) 275 bhp Cat C9 DITA, one (1) 350 bhp Scania DC13, one (1) 300 bhp Scania DC9, two (2) 111 bhp Cat C4.4, and one (1) 192 bhp Deutz BF4M2012 diesel-fired engines pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) along with plan approval exemption of one (1) 96 bhp Deutz BF4M201296 and two (2) 40 bhp Deutz D2011L02i diesel-fired engines to power portable non-metallic portable crushers, screeners and stacker/conveyors at the Windham Quarry located in Windham Township, **Bradford County**.

GP3-57-054D: Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on August 23, 2018, for the authorization to relocate and operate a 2006 Terex Pegson model XR400 portable crushing plant, a 2010 Terex Pegson model XR400S portable crushing plant, a 2010 Terex Pegson model XA400 portable crushing plant, a 2012 Terex Pegson model 1300 Maxtrak portable crushing plant, a 2011 Terex Pegson model XA400 portable crushing plant, a 2005 Terex Powerscreen Chieftain 1800 portable screening plant, a 2008 Terex Powerscreen Warrior 1800 portable screening plant, a 2010 Terex Powerscreen Chieftain 2100 portable screening plant, a 2010 Terex Powerscreen Warrior 2400 portable screening plant and two Telestacker conveyor/stackers pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Quarry # 2 located in Forks Township, **Sullivan County**.

GP9-57-054D: Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on August 23, 2018, for the authorization to relocate and operate three (3) 275 bhp Cat C9 DITA, one (1) 350 bhp Scania DC13, one (1) 300 bhp Scania DC9, two (2) 111 bhp Cat C4.4, and one (1) 192 bhp Deutz BF4M2012 diesel-fired engines pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) along with plan approval exemption of one (1) 96 bhp Deutz BF4M201296 and two (2) 40 bhp Deutz D2011L02i diesel-fired engines to power portable non-metallic portable crushers, screeners and stacker/conveyors at the Quarry # 2 located in Forks Township, **Sullivan County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

10-028K: Armstrong Cement & Supply (100 Clearfield Rd., Cabot, PA 16023), on August 29, 2018 issued a Plan Approval for the installation of an SNCR control device in Winfield Township, **Butler County**. This is a Title V facility.

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

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

OP18-000016: Eastern Crematory, Inc. (2215 West Hunting Park Avenue, Philadelphia, PA 19140) for the operation of a human crematory in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) natural gas fired 150 pounds per hour cremation unit with 1.5 MMBtu/hr natural gas burners.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) 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.

23-0113A: AT&T Communications of PA LLC (P.O. Box 5095, Room 4W200M) On August 22, 2018, for modification to certain requirements specified in State Only Operating Permit No. and corresponding requirements in Radnor Township, **Delaware County**.

15-0013C: Infiana USA, Inc. (2400 Continental Blvd, Malvern, PA 19355-2326) On August 28, 2018 for manufacturing, bags, and laminated and coated material in Tredyffrin Township, **Chester County**.

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

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

08-00009A: Tennessee Gas Pipeline Company LLC (1001 Louisiana Street, Houston, TX 77002): was issued on an extension to plan approval for an additional 180 days from August 27, 2018, to February 23, 2019, to permit continued operation of their Solar Titan 130 Gas Turbine (Source ID P201) pending completion of the compliance evaluation on the source. The source is located in Wyalusing Township, **Bradford County**.

49-00064B: Milton Sewer Regional Authority (5585 State Route 405, P.O. Box 433, Milton, PA 17847), on August 30, 2018, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from September 18, 2018, to March 17, 2019, at

their facility located in West Chillisquaque Township, **Northumberland County**. The plan approval has been extended.

17-00063D: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on August 27, 2018, to extend the authorization an additional 180 days until February 25, 2019, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the grain storage silos located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

55-00026A: Panda Hummel Station LLC (5001 Spring Valley Road, Suite 1150, West, Dallas, TX 75244) on August 27, 2018, to extend the authorization an additional 180 days until February 22, 2019, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources located in the Borough of Shamokin Dam, **Snyder County**. The plan approval has been extended.

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

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

26-00535B: Dynegy Fayette II, LLC (100 Energy Drive, Masontown, PA 15461) Extension effective August 28, 2018, to allow continued temporary operation of the modified combustion gas turbines (“CGT”) at Fayette Energy Center located in Masontown Borough, **Fayette County**. Components of the turbine section have been replaced and combustion control logic change to increase combustion air flow.

65-00979A: Laurel Mountain Midstream Operating, LLC (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) Extension effective August 28, 2019 to extend the period of temporary operation of the Caterpillar G3612LE lean burn natural gas-fired compressor engine rated at 3,550 bhp and controlled by an oxidation catalyst authorized under plan approval PA-65-00979A at the Herminie Compressor Station located in South Huntingdon Township, **Westmoreland County**.

26-00588: Laurel Mountain Midstream Operating, LLC (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) Extension effective August 28, 2018, to extend the period of temporary operation of the three Caterpillar G3516B natural gas-fired compressor engines rated at 1,380 bhp each and controlled by oxidation catalysts, and a Solar Mars 100 gas-fired turbine rated at 15,525 bhp authorized under plan approval PA-26-00588 at Shamrock Compressor Station located in German Township, **Fayette County**.

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

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

16-148B: RV Burns Crematorium Inc. (638 Wood St., Clarion, PA 16214) on August 28, 2018, effective July 31, 2018, has issued a plan approval extension to continue operation of an existing human crematory without installing a door interlock system in Clarion Township, **Clarion County**. This will expire on January 31, 2019.

43-182D: Wheatland Tube Co., Council Avenue Plant (700 S Dock Street, Sharon, PA 16146) on August

28, 2018, effective August 31, 2018, has issued a plan approval extension for the construction and operation of a venture scrubber in Wheatland Borough, **Mercer County**. This is a Title V facility. This will expire on February 28, 2019.

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

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

AMS IP18-000312: Philly Shipyard, Inc., (2100 Kitty Hawk Ave, Philadelphia, PA 19112) to modify Condition 34(c) of Plan Approval IP17-000074 dated December 20, 2017. Condition 34(c) of Plan Approval IP 17-000074 stated;

VOC and HAP emissions from Painting Operations shall be determined using material balance calculations based on material usage and VOC and HAP content. The Permittee shall monitor and record these emissions in accordance with Conditions 9 and 27-33 of this plan approval and the November 2003 NESHAP Implementation Plan or successor MACT Implementation Plan approved by both AMS and EPA.

The proposed modification of the above monitoring and recordkeeping requirement under Condition 34(c) is as follows;

VOC and HAP emissions from Painting Operations shall be determined using material balance calculations based on material usage and VOC and HAP content. The Permittee shall monitor and record these emissions in accordance with Conditions 9 and 27-33 of this plan approval. The Permittee shall certify that the monthly VOC and HAP emissions calculations include all VOC and HAP materials used during the month. This certification shall be provided as part of the semi-annual monitoring report required pursuant to 25 Pa. Code § 127.511(c) and 40 CFR 63.788(c).

The plan approval will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

Anyone affected by the proposed plan approval amendment may submit written comments or a request for a public hearing by mail to Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, Attn: Debra Williams within thirty (30) days from today. Comments received by facsimile will not be accepted.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) 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.

09-00030: Brightsmith LLC (120 Enterprise Ave, Morrisville, PA 19067-3703) On February 2, 2017 for the renewal of their Title V Operating Permit for their metal coil coating operation located in Falls Township, **Bucks County**.

23-00021: Congoleum Corp. (4401 Ridge Rd, Trainer, PA 19061) August 22, 2018 for the renewal of their Title V operating permit for operation of boilers, rotogravure printing presses/coaters and a thermal oxidizer at their facility located in Trainer Borough, **Delaware 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.

67-05027: York Wallcoverings, Inc. (750 Linden Avenue, York, PA 17404) on August 31, 2018, for their wallpaper manufacturing facility in York City, **York County**. The Title V permit was renewed.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) 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.

23-00110: Bryn Hill IND, (407 Industrial Park Dr, Yeadon, PA 19050) On August 22, 2018 for renewal of a State-Only Operating Permit for their urethane foam manufacturing facility located in Yeadon Borough, **Delaware County**.

09-00216: B. Blair Corporation (95 Louise Drive, Ivyland, PA 18974) On August 23, 2018 for renewal of a State Only Operating Permit for the operation of a portable crusher in Northampton Township, **Bucks County**.

23-00031: Mercy Fitzgerald Hospital (1500 Lansdowne Avenue, Darby, PA 19023-1291) On August 22, 2019 for renewal of a State Only Operating Permit for the operation of three boilers and three emergency generators at their facility located in Darby Borough, **Delaware County**.

09-00062: Oldcastle Precast, Inc. (200 Keystone Drive, Telford, PA 18969) On August 21, 2018 for renewal of a State Only Operating Permit for a concrete casting and coating company located in West Rockhill Township, **Bucks County**.

15-00018: Vanguard Group/Frazer, (1200 Brennan Blvd, Malvern, PA 19087) August 28, 2018 for renewal of a State-Only Operating Permit for the operation of boilers and generators at their facility located in East Whiteland Township, **Chester 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.

22-03022: Wenger's Feed Mill, Inc. (101 W. Harrisburg Avenue, Rheems, PA 17570) on August 29, 2018 for the animal feed mill in Lykens Township, **Dauphin County**. The State-only permit was renewed.

21-05037: Union Quarries, Inc. (P.O. Box 686, Carlisle, PA 17013-0686) on August 29, 2018 for the Bonny Brook stone crushing and batch asphalt plants in South Middleton Township, **Cumberland County**. The State-only permit was renewed.

21-05067: Carlisle Syntec, Div. Carlisle Construction Materials, LLC (P.O. Box 7000, Carlisle, PA 17013-

0925) on August 23, 2018, for the rubber sheet roofing manufacturing facility located in Carlisle Borough, **Cumberland County**.

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

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

63-00874: Therm-O-Rock East, Inc./Plant II (85 Washington Street, Donora, PA 15033) on August 28, 2018, the Department of Environmental Protection (DEP) authorized a renewed a State-Only Operating Permit for the above-mentioned facility that blends and bags various materials which include cement, lime, sand, perlite, vermiculite, and other minerals. The permit includes operating requirements, monitoring requirements, and record-keeping requirements for the site.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

10-00281: II VI Inc., (375 Saxonburg Boulevard, Saxonburg, PA 16056-9430), on August 22, 2018, the Department issued the renewal of the Synthetic Minor State-Only Operating Permit to a facility which manufactures specialized engineered materials and optoelectronic components for military, communications and semiconductor industries. This facility is located in Clinton Township, **Butler County**. The primary sources at the facility are miscellaneous combustion sources, a batch vapor degreaser, chemical vapor deposition units, hydrogen selenide gas production, H₂Se Transfer Process, thin film production, diesel generators, natural gas generators and a spray booth. Potential emissions for the site are below Title V permitting thresholds for all criteria pollutants, after taking limits. Facility NO_x potential emissions are 15.73 tons per year (tpy) and HAPs potential emissions are 4.6 tpy. The permit contains emission restrictions, along with testing, monitoring, recordkeeping, reporting, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

16-00122: Northwestern PA Crematory (330 Wood Street, Clarion, PA 16214-1341), on August 28, 2018, the Department issued a renewal of the Natural Minor Operating Permit to operate a human cremator in Clarion Borough, **Clarion County**. The facility's primary emission source is a cremator installed in June 1982. The conditions of the previous plan approval and operating permit were incorporated into the renewal permit. The cremator is fired with natural gas and is controlled by an afterburner rated at 1.4 MMBtu/hr. Particulate matter from the exhaust is restricted to 0.1 grain per dry standard cubic foot, corrected to 12% carbon dioxide.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

46-00167: Parkhouse Operating LLC (1600 Black Rock Road, Royersford, PA 19468-3109) On August 21, 2018, an Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 for the change of ownership from Parkhouse Nursing and Rehabilitation Center, L.P. to Parkhouse Operating LLC. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements. The facility is located in Upper Providence Township, **Montgomery County**.

46-00142: Custom Processing Services LLC, (461 State Street, East Greenville, PA 18041) On August 17, 2018 for an Administrative Amendment of the Natural Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 to incorporate the conditions of Plan Approval 46-0142E for the replacement of an existing dust collector with a new cyclone and new dust collector in series on the Coarse System into their State Only Operating Permit. Custom Processing Services LLC is located in East Greenville Borough, **Montgomery County**. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

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

59-00017: Waupaca Foundry, Inc. (18986 Route 287, Tioga, PA 16946), issued a revised State only (synthetic minor) operating permit on August 24, 2018, for a change in responsible official. The Plant Manager is Mr. Joseph Smith. This facility is located in Lawrence Township, **Tioga County**. This revised State only (synthetic minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

18-00006: Dominion Energy Transmission, Inc (5000 Dominion Boulevard Glen Allen, VA 23060-3308) was issued a revised Title V operating permit on August 24, 2018, for the significant modification to the Title V operating permit TVOP 18-00006 for the incorporation of Reasonably Available Control Technology (RACT II) requirements pursuant to 25 Pa. Code §§ 129.96—129.100 in accordance with the significant operating permit modification requirements of 25 Pa. Code § 127.541 at the Leidy Station facility located in Leidy Township, **Clinton County**. The revised Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

11-00434: New Enterprise Sand & Stone, Inc (P.O. Box 77, New Enterprise, PA 16664) on August 24, 2018 an administrative amendment to change the name of the owner from Laurel Sand & Stone, Inc./Vintondale Quarry to New Enterprise Sand & Stone, Inc./Vintondale Quarry in the Permit. The facility is in Jackson Township, **Cambria County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 56763114 and NPDES No. PA0608238, Svonavec Inc., 2555 New Centerville Road, Rockwood, PA 15557, commencement, operation and restoration of a bituminous surface mine to change the land use from cropland and forest land to industrial commercial in Milford Township, **Somerset County**, affecting 96.8 acres. Receiving streams: unnamed tributaries to/and South Glade Creek classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 1, 2018. Permit Issued: August 27, 2018.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

10970105 and NPDES No. PA0227625. State Industries, Inc. (P.O. Box 1022, Kittanning, PA 16201). Renewal of an existing bituminous surface and auger mine in Concord and Fairview Townships, **Butler County** affecting 4.8 acres. Receiving streams: Unnamed tributary to Bear Creek and Bear Creek. Application received: April 13, 2018. Permit issued: August 28, 2018.

10820122 and NPDES No. PA0604852. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Renewal of an existing bituminous surface and auger mine in Marion and Mercer Townships, **Butler County** affecting 598.6 acres. Receiving streams: Unnamed tributaries to North Branch Slippery Rock Creek and North Branch Slippery Rock Creek. Application received: April 9, 2018. Permit issued: August 28, 2018.

Noncoal Permits Issued

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

25082802. Hull Excavating, Incorporated (12417 Davis Road, North East, PA 16428). Final bond release for a small industrial minerals surface mine in Greenfield Township, **Erie County**. Restoration of 5.0 acres completed. Receiving streams: West Branch French Creek. Application Received: June 11, 2018. Final bond release approved: August 16, 2018.

16030302. IA Construction Corp. (24 Gibb Road, P.O. Box 568, Franklin, PA 16323). Renewal of NPDES Permit No. PA0242365 in Richland and Licking Townships, **Clarion County**. Receiving streams: Unnamed tributary to Turkey Run and unnamed tributaries to Clarion River. Application received: May 30, 2018. NPDES Renewal Permit issued: August 28, 2018.

10070303. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Renewal of NPDES Permit No. PA0258440 in Slippery Rock Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek and unnamed tributaries to Wolf Creek. Application received: May 2, 2018. NPDES Renewal Permit issued: August 28, 2018.

3074SM13. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Renewal of NPDES Permit No. PA0107433 in Slippery Rock Borough, Slippery Rock and Worth Townships, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek and Slippery Rock Creek, and unnamed tributaries to Wolf Creek. Application received: May 29, 2018. NPDES Renewal Permit issued: August 28, 2018.

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

Permit No. 40180801. Piacenti Trucking & Excavating, Inc., (Rear 538 Putnam Street, West Hazleton, PA 18202), commencement, operation and restoration of a quarry operation in Hazle Township, **Luzerne County** affecting 2.0 acres, receiving stream: unnamed tributary to Black Creek. Application received: May 22, 2018. Permit issued: August 28, 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. 40184106. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Resubmit Pittston Warehouse (119-09-00545) in Jenkins Township, **Luzerne County** with an expiration date of August 16, 2019. Permit issued: August 29, 2018.

Permit No. 40184105. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Hanover 9 Warehouse in Hanover Township, **Luzerne County** with an expiration date of August 17, 2019. Permit issued: August 29, 2018.

Permit No. 46184109. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Gwynedd Ridge in Upper Gwynedd Township, **Montgomery County** with an expiration date of October 31, 2019. Permit issued: August 30, 2018.

Permit No. 46184110. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Ragusa Development in Lower Frederick

Township, **Montgomery County** with an expiration date of August 29, 2019. Permit issued: August 30, 2018.

Permit No. 58184107. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for GI Parish Trench for new barn in Bridgewater Township, **Susquehanna County** with an expiration date of December 31, 2018. Permit issued: August 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.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E40-807. Michael and Meg Cramton, 10 Highwoods Road, Wyoming, PA 18644, Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain the following water obstructions and encroachments at Pole # 306 in Harveys Lake:

1) To remove an existing retaining wall and to construct and maintain a 50-ft long, 5.5-ft high concrete block retaining wall on the shoreline of Harveys Lake (HQ-CWF).

2) To construct and maintain a 755 sq. ft., pile-supported dock having a 200 sq. ft. boat slip within the basin of Harveys Lake (HQ-CWF).

The project is located approximately 200-ft northwest of the intersection of Lakeside Drive (S.R. 415) and Sunset Terrace (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 8.4"; Longitude: -76° 2' 10.13"). Subbasin 5B.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E06-724: PennDOT Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101-1013 in Maxatawny Township, **Berks County**, U.S. Army Corps of Engineers Baltimore District.

To (1) remove existing structure and restore the channel and (2) to install and maintain a 42-linear foot 10-foot x 4-foot box culvert with 1-foot depression in UNT Sacony Creek (TSF, MF) for the purpose of improving traffic safety. The project will permanently impact 102 linear feet of stream channel and temporarily affect 48 linear feet. The project is located along SR 0737 (40.5328°, -75.7836°) in Maxatawny Township, Berks County. The permit was issued on August 29, 2018.

E22-639: Vanguard Realty Group, Inc., 4090 Continental Drive, Harrisburg, PA 17112 in Lower Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To place and maintain fill in 0.422 acre of palustrine emergent wetlands for the purpose of constructing a commercial retail center. No stream or floodway impacts are proposed. The project is located at 4220 Linglestown Road (Latitude 40°20'15.5", Longitude -76°49'37.7") in Lower Paxton Township, Dauphin County. To compensate for wetland impacts, the permittee is required to create 0.422 acre of palustrine emergent wetlands. The permit was issued on August 28, 2018.

E67-939: Endurance Real Estate Group, LLC, 4 Radnor Corporate Center, Suite 105, Radnor, PA 19087, in Springettsbury Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

To relocate approximately 997 feet of an unnamed tributary to Mill Creek (WWF, MF) for the purpose of constructing a warehouse facility at 693 North Hills Road (York, PA Quadrangle, Latitude: 39.979433 Longitude: -76.692347) in Springettsbury Township, York County. The permit was issued on August 31, 2018.

E36-970: Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Boulevard, Level 11, Houston, Texas 77056 in **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

Giving its consent to install and maintain a 42.0-inch diameter, cathodically protected, welded metal gas pipe line in and across the following water resource impacts:

1) Open Cut across Wissler Run (HQ-WWF, MF) and its floodway, permanently impacting 1 square foot of Exceptional Value Palustrine Emergent Wetland (Latitude: 39.8236, Longitude: -76.2751);

2) Open Cut across Fishing Creek (HQ-CWF, MF) and its floodway, permanently impacting 0.10 acre of Exceptional Value Wetland (Latitude: 39.8372, Longitude: -76.2511);

3) Open Cut across an unnamed tributary to Fishing Creek (HQ-CWF, MF) and its floodway, permanently impacting 0.19 acre of Exceptional Value Palustrine Emergent Wetland, and 217 square feet of Exceptional Value Palustrine Scrub Shrub Wetland (Latitude: 39.8487, Longitude: -76.2286);

4) Open Cut across an unnamed tributary to Conowingo Creek (HQ-CWF, MF) and its floodway, permanently impacting 0.43 acre of Exceptional Value Palustrine Emergent Wetland, 122 square feet of Exceptional Value Palustrine Scrub Shrub Wetland, and 0.03 acre of Exceptional Value Forested Wetland (Latitude: 39.8543, Longitude: -76.2168);

5) Open Cut across Conowingo Creek (HQ-CWF, MF) and its floodway (Latitude: 39.8603, Longitude: -76.2044);

6) Open Cut across an unnamed tributary to Conowingo Creek (HQ-CWF, MF) (Latitude: 39.8611, Longitude: -76.2018);

7) Open Cut across an unnamed tributary to Conowingo Creek (HQ-CWF, MF) and its floodway, permanently impacting 0.04 acre of Exceptional Value Palustrine Emergent Wetland (Latitude: 39.8670, Longitude: -76.1907);

8) Open Cut across Palustrine Emergent Wetlands, permanently impacting 0.07 acre of wetland (Latitude: 39.8725, Longitude: -76.1794);

9) Open cut across an unnamed tributary to Stewart Run (HQ-CWF, MF) and its floodway, permanently impacting 0.36 acre of Exceptional Value Palustrine Emergent Wetland and 0.02 acre of Exceptional Value Palustrine Scrub Shrub Wetland (Latitude: 39.8754, Longitude: -76.1737);

10) Open Cut across Palustrine Emergent Wetlands, permanently impacting 0.15 acre of Wetland (Latitude: 39.8776, Longitude: -76.1698);

11) Conventional bore across an unnamed tributary to Stewart Run (HQ-CWF, MF) and its floodway, permanently impacting 0.01 acre of palustrine emergent wetland (Latitude: 39.8822, Longitude: -76.1597);

12) Open Cut across an unnamed tributary to Bowery Run (HQ-CWF, MF) and its floodway, permanently impacting 0.06 acre of Palustrine Emergent Wetland (Latitude: 39.8920, Longitude: -76.1422);

13) Open Cut, permanently impacting 0.31 acre of Palustrine Emergent Wetlands (Latitude: 39.8956, Longitude: -76.1364);

All impacts are associated with the 10.17-mile Northeast Supply Enhancement Project—Quarryville Loop. No wetland acreage loss is proposed and wetland replacement is not required. The permit was issued on August 30, 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 # ESX17-129-0011 Major Modification
Applicant Name Huntley & Huntley Energy Exploration, LLC

Contact Person Jennifer Hoffman
Address 501 Technology Drive, Suite 1200
City, State, Zip Canonsburg, PA 15317
County Westmoreland County
Township(s) Penn Township
Receiving Stream(s) and Classification(s) Tributary 37295 to Bushy Run (TSF), Bushy Run (TSF)

ESCGP-2 # ESX18-125-0023
Applicant Name EQM Gathering OPCO, LLC
Contact Person Cory Harris
Address 2200 Energy Drive
City, State, Zip Canonsburg, PA 15317
County Washington County
Township(s) East Finley Township
Receiving Stream(s) and Classification(s) Tributaries 32732 & 32733 to Templeton Fork (TSF) and Templeton Fork (TSF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESX13-073-0009—Pulaski Mijavec Well Pad
Applicant Hilcorp Energy Company
Contact Ms. Stephanie McMurray
Address 1111 Travis Street
City Houston State TX Zip Code 77002
County Lawrence Township(s) Pulaski
Receiving Stream(s) and Classification(s) Coffee Run (WWF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESG29-035-16-0003(01)
Applicant Name Dominion Transmission Inc
Contact Person Jason Bach
Address 925 White Oaks Blvd
City, State, Zip Bridgeport, WV 26330
County Clinton
Township(s) Leidy
Receiving Stream(s) and Classification(s) Painter Hollow (EV)
Secondary—Kettle Ck (EV)

ESCGP-2 # ESX29-015-18-0022
Applicant Name SWN Production Co LLC
Contact Person Nicki Atkinson
Address 917 SR 92 N
City, State, Zip Tunkhannock, PA 18657
County Bradford
Township(s) Stevens
Receiving Stream(s) and Classification(s) UNT to Wyalusing Ck (WWF, MF); Rockwell Ck (WWF, MF)
Secondary—Wyalusing Ck

ESCGP-2 # ESG29-015-18-0037
Applicant Name Repsol Oil & Gas USA LLC
Contact Person Lance Ridall
Address 337 Daniel Zenker Dr
City, State, Zip Horseheads, NY 14845
County Bradford
Township(s) Troy
Receiving Stream(s) and Classification(s) UNT to North Branch Sugar Ck (TSF, MF)
Secondary—North Branch Sugar Ck

ESCGP-2 # ESX29-117-18-0008(01)
Applicant Name Repsol Oil & Gas USA LLC
Contact Person Lance Ridall
Address 337 Daniel Zenker Dr
City, State, Zip Horseheads, NY 14845
County Tioga
Township(s) Ward
Receiving Stream(s) and Classification(s) Fall Brook (CWF)

ESCGP-2 # ESG29-117-18-0019
Applicant Name UGI Texas Ck LLC
Contact Person Amber Holly
Address One Meridian Blvd, Suite 2C01
City, State, Zip Wyomissing, PA 19610
County Tioga
Township(s) Liberty
Receiving Stream(s) and Classification(s) Brion Ck (EV)

ESCGP-2 # ESX29-115-18-0057
Applicant Name Chesapeake Appalachia LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840
County Susquehanna
Township(s) Rush
Receiving Stream(s) and Classification(s) Elk Lake Stream (CWF, MF)

ESCGP-2 # ESX29-115-18-0056
Applicant Name Matt Anderson
Contact Person Williams Field Svcs Co LLC
Address 310 SR 29 N
City, State, Zip Tunkhannock, PA 18657
County Susquehanna
Township(s) Harford
Receiving Stream(s) and Classification(s) UNT to Butler Ck (CWF, MF) and Nine Partners Ck (CWF, MF)

ESCGP-2 # ESG29-018-18-0026
 Applicant Name Inflection Energy PA LLC
 Contact Person Gregg Saunders
 Address 101 W Third St, 5th Fl
 City, State, Zip Williamsport, PA 17701

County Lycoming
 Township(s) Gamble
 Receiving Stream(s) and Classification(s) UNT to Calebs
 Run (EV)
 Secondary—Calebs Run (EV)

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of August 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 persons to perform radon-related activities in this Commonwealth. The period of certification is 2 years. (For a complete list of persons currently certified to perform radon-related activities in this Commonwealth 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>
Keith Angelitis	14501 George Carter Way Suite 110 Chantilly, VA 20151	Testing
Michael Biechler	2466 Roundtop Road Middletown, PA 17057	Testing
Jeffrey Biondo	443 Second Street Blakely, PA 18447	Testing
Vilas Godbole	307 Dogwood Lane Wallingford, PA 19086	Mitigation
Melanie Heying	1936 Butler Bridge Road Mills River, NC 28759	Laboratory Analysis
Home Team Inspection Service	1216 Edgewood Drive West Homestead, PA 15720	Testing
Judith Hood-Scheidler Alltech Inspection Services	5225 Library Road Bethel Park, PA 15102	Testing
Kevin Kenny	47 Cook Road Duncannon, PA 17020	Testing
Daniel Keogh	518 Kimberton Road PMB311 Phoenixville, PA 19460	Testing
Harry Lehman Alpha Radon Reduction, LLC	375 Ivyland Road, Unit 26 Warminster, PA 18974	Mitigation
Christopher Marshall	4638 Curly Hill Road Doylestown, PA 18902	Testing
Tony McDonald	7681 Tim Avenue NW North Canton, OH 44720	Testing & Mitigation
David Murdick	127 South Woodlawn Road Butler, PA 16001	Testing
Troy Rudy	P.O. Box 4214 Lancaster, PA 17604	Mitigation
Dennis Skladanowski	5140 Amherst Road Erie, PA 16506	Testing
Jeffrey Smith	1213 Allie Buck Road Nanty Glo, PA 15943	Testing
Michael Stoehr	441 Mars Valencia Road Valencia, PA 16059	Testing
Justin Weber	19 Chelsey Drive Mountain Top, PA 18707	Testing
John White	8 Redwood Drive Lewistown, PA 17044	Testing

Chapter 102, Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2), Notice of Intent (NOI) under Technical Review for Transcontinental Gas Pipe Line Company, LLC's Northeast Supply Enhancement Project—Compressor Station 200 Modifications

The Department of Environmental Protection (Department) provides notice that the Chapter 102, Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2), Notice of Intent (NOI) is currently under technical review for Transcontinental Gas Pipe Line Company, LLC's Northeast Supply Enhancement Project—Compressor Station 200 Modifications, including ancillary earth disturbance activities.

This authorization of coverage is required for earth disturbance activities associated with oil and gas exploration, production, processing or treatment operations or transmission facilities when earth disturbance is 5 acres or greater. Review of this application is being coordinated by the Southeast Regional Office and with the Chester County Conservation District.

The ESCGP2 application under review is as follows:

<i>ESCGP2 Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG00029170005	Transcontinental Gas Pipe Line Company, LLC 2800 Post Oak Boulevard Level 11 Houston, TX 77056	Chester	East Whiteland Township	Valley Creek (EV-CWF, MF)

More detailed information regarding the ESCGP-2 NOI related to this proposed project is available in the Department regional office. Contact the Department Southeast Region File Review Coordinator at (484) 250-5910 to request a file review of this ESCGP-2 NOI. The Department will accept written comments on this ESCGP-2 NOI through June 5, 2018. Comments on the NOI can be e-mailed or sent by postal mail to the Department of Environmental Protection, Southeast Regional Office, Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, ra-epww-sero@pa.gov.

Chapter 102, Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2), Notice of Intent (NOI) under Technical Review for Transcontinental Gas Pipe Line Company, LLC's Northeast Supply Enhancement Project—Quarryville Loop

The Department of Environmental Protection (Department) provides notice that the Chapter 102, Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2), Notice of Intent (NOI) is currently under technical review for Transcontinental Gas Pipe Line Company, LLC's Northeast Supply Enhancement Project—Quarryville Loop, including the associated valve sites, access roads and other ancillary earth disturbance activities.

This authorization of coverage is required for earth disturbance activities associated with oil and gas exploration, production, processing or treatment operations or transmission facilities when earth disturbance is 5 acres or greater. Review of this application is being coordinated by the Southcentral Regional Office and with the Lancaster County Conservation District.

The ESCGP2 application under review is as follows:

<i>ESCGP2 Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG3617801(1)	Transcontinental Gas Pipe Line Company, LLC 2800 Post Oak Boulevard Level 11 Houston, TX 77056	Lancaster	Drumore Township East Drumore Township Eden Township	Wissler Run (HQ-WWF, MF) Fishing Creek (HQ-CWF, MF) Exceptional Value Wetlands UNT to Fishing Creek (HQ-CWF, MF) UNT to Conowingo Creek (HQ-CWF, MF) Conowingo Creek (HQ-CWF, MF) UNT to Conowingo Creek (HQ-CWF, MF) UNT to Conowingo Creek (HQ-CWF, MF) Stewart Run (HQ-CWF, MF)

ESCGP2
Permit No.

Applicant Name & Address

County

Municipality

Receiving Water/Use

UNT to Stewart Run
(HQ-CWF, MF)
UNT to Stewart Run
(HQ-CWF, MF)
UNT to Bowery Run
(HQ-CWF, MF)

More detailed information regarding the ESCGP-2 NOI related to this proposed project is available in the Department regional office. Contact the Department Southcentral Region File Review Coordinator at (717) 705-4732 to request a file review of this ESCGP-2 NOI. The Department will accept written comments on this ESCGP-2 NOI through June 4, 2018. Comments on the NOI can be e-mailed or sent by postal mail to the Department of Environmental Protection, Southcentral Regional Office, Waterways and Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, ra-epww-scro@pa.gov.

[Pa.B. Doc. No. 18-1456. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of the Fiscal Year Report for the Reclamation Fee O & M Trust Account

The Department of Environmental Protection (Department) announces the availability of a draft Fiscal-Year Report (report) for the Reclamation Fee O & M Trust Account. This account was established to provide money for the operation and maintenance of mine drainage treatment facilities at mine sites with post-mining discharges at ABS Legacy Sites as defined in 25 Pa. Code § 86.1 (relating to definitions). As required by the regulations in 25 Pa. Code § 86.17(e) (relating to permit and reclamation fees) this report contains a financial analysis of the revenue and expenditures from the account for Fiscal Year (FY) 2017-2018 and provides projections for the FY 2018-2019.

The report is available at <https://www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Reports/Pages/default.aspx>.

The Department will accept comments on this draft report through Monday, October 15, 2018. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment system at www.ahs.dep.pa.gov/eComment. Written comments may also be submitted by e-mail to ecomment@pa.gov, or by mail to the Policy Office, Department of Environmental Protection, 400 Market Street, Harrisburg, PA 17101.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1457. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 02(0459)102.1, Abandoned Mine Reclamation Project, Chalfant Run, Churchill Borough, Allegheny County. The principal items of work and approximate quantities include: cast-in-place inlet box, 1 each;

subsurface drains—tie-in to existing concrete inlet, 1 lump sum; 12" N-12 dual wall HDPE solid pipe, 32 linear feet; 8" PVC SDR-35 solid pipe, 42 linear feet; 8" PVC SDR-35 perforated pipe with cleanouts, 240 linear feet; removal and disposal of excavated material, 1 lump sum; in-kind replacement, 1 lump sum; and pavement replacement, 1 lump sum.

This bid issues on September 28, 2018, and bids will be opened on October 25, 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. 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 for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1458. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Health Advisory Board Meeting

The Department of Health gives notice that the Health Advisory Board will meet on Tuesday, September 18, 2018, at 10:30 a.m. in Room 812, Health and Welfare Building, 625 Forster Street, Harrisburg, PA to review and approve proposed amendments to the communicable and noncommunicable disease regulations, relating to complete reporting of CD4 T-lymphocyte, viral load and genotyping test results relating to Human Immunodeficiency Virus.

For further information regarding the meeting or to obtain a copy of the draft regulations, interested persons should contact Erik Huet, Department of Health, Office of Policy, 8th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3311.

Persons with a disability who wish to attend the meeting, and require an auxiliary aid, service or other accommodation to do so, or who require a copy of this

notice or the draft regulations in an alternative format (for example, large print, audiotape, Braille) should contact Erik Huet at the previously listed address or telephone number, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-1459. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Hospital Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2017-2018 disproportionate share hospital payments to qualifying Medical Assistance (MA) enrolled acute care general hospitals that promote access to comprehensive inpatient services for MA eligible persons by providing an adequate supply of health care professionals who have been trained in high volume MA enrolled hospital settings. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 48 Pa.B. 3492 (June 9, 2018). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$54.398 million (\$26.209 million in State general funds and \$28.189 million in Federal funds).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1268. (1) General Fund;

(7) MA—Academic Medical Centers; (2) Implementing Year 2017-18 is \$1,000,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$21,181,000; 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000;

(7) MA—Fee-for-Service (2) Implementing Year 2017-18 is \$23,709,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000;

(7) MA—Physician Practice Plans (2) Implementing Year 2017-18 is \$1,500,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$10,071,000; 2015-16 Program—\$9,571,000; 2014-15 Program—\$9,071,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1460. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2017-2018 disproportionate share hospital payments to qualifying hospitals that provide a high volume of services to the Medical Assistance population to promote continued access to inpatient and ancillary outpatient services in this Commonwealth and to support academic medical programs that provide integrated patient-centered medical services. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 48 Pa.B. 3171 (May 26, 2018). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, is \$16.634 million (\$8.014 million in State general funds and \$8.620 million in Federal funds).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1269. (1) General Fund;

(7) Medical Assistance—Academic Medical Centers; (2) Implementing Year 2017-18 is \$4,500,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$21,181,000; 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000;

(7) Medical Assistance—Fee-for-Service (2) Implementing Year 2017-18 is \$3,514,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1461. Filed for public inspection September 14, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by the Egan Family Trust, 241 North Plum Street, Lancaster, PA 17602 seeking to lease highway right-of-way located at the northeast corner of SR 6023 and Ranck Avenue, Lancaster, PA 17602, 16,000.00 square feet, adjacent to SR 6023 for the purpose of parking.

Interested persons are invited to submit, within 30 days of the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections

regarding the approval of this application to Michael Keiser, PE, District Executive, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103.

Questions regarding this application or the proposed use may be directed to Jon P. Murdoch, Real Estate Specialist, 2140 Herr Street, Harrisburg, PA 17103, (717) 783-3125.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 18-1462. Filed for public inspection September 14, 2018, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Three Rivers Waterkeeper and Sierra Club v. Department of Environmental Protection and NRG Power Midwest LP; EHB Doc. No. 2018-088-R

Three Rivers Waterkeeper and Sierra Club have appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0001627 to NRG Power Midwest LP, for its facility located in Springdale Borough, Allegheny 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. 18-1463. Filed for public inspection September 14, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
57-320	Pennsylvania Public Utility Commission Minimum Insurance Requirements for Motor Carriers of Passengers 48 Pa.B. 3951 (July 7, 2018)	8/6/18	9/5/18
16A-7022	State Board of Certified Real Estate Appraisers Federally-Mandated Revisions 48 Pa.B. 3955 (July 7, 2018)	8/6/18	9/5/18

Pennsylvania Public Utility Commission Regulation # 57-320 (IRRC # 3204)

Minimum Insurance Requirements for Motor Carriers of Passengers

September 5, 2018

We submit for your consideration the following comments on the proposed rulemaking published in the July 7, 2018 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

Section 32.11. Passenger carrier insurance.—Reasonableness; Need; Fiscal impact; Less costly or less intrusive method of achieving the goal of the regulation for small businesses; implementation procedures.

This proposed rulemaking will increase the amount of liability insurance a common or contract carrier of passengers (carriers) must maintain on each vehicle capable of transporting fewer than 16 passengers from \$35,000 to \$125,000 to cover liability for bodily injury, death or property damage incurred in an accident arising from authorized service.

The PUC has explained that the increase “will ensure that the public is adequately protected in the event of an accident while not imposing an insurmountable burden on passenger carriers operating smaller vehicles.” In support

of this proposal, the PUC reviewed the minimum insurance requirements in other jurisdictions and concluded that the current minimum of \$35,000 is too low. The PUC also asserts that the increase will bring these minimum insurance requirements in line with requirements for transportation network companies (TCNs) in Pennsylvania.

As the PUC prepares the final-form rulemaking, we ask that the following questions and concerns be addressed. First, we acknowledge that existing minimum liability amounts are lower than those of other states, TCNs and federal requirements. How do the minimum liability amounts compare to the amounts required for carriers that operate under the jurisdiction of the Philadelphia Parking Authority? This information will assist this Commission in determining the reasonableness of the proposed regulation.

Second, a commentator has asked if the existing rates have caused any problems or are inadequate for the riding public. Does the PUC have data that demonstrates the inadequacy of the existing rates?

Third, a commentator is concerned that the proposed increase could force some carriers out of business and also raise rates for the riding public. Of particular concern are small and rural carriers that do not have the volume of rides that larger and urban carriers have on a regular basis. A less costly or less intrusive alternative for achieving the goal of the regulation could be to phase in the increase over a period of time. This would lessen the immediate fiscal impact that carriers would experience. We ask the PUC to consider this approach as it develops the final-form rulemaking. In addition, we ask the PUC to quantify and consider the potential increase in price for the riding public.

Fourth, Question 29 of the Regulatory Analysis Form (RAF) indicates that the effective date of the new requirement is when the final rulemaking is published in the *Pennsylvania Bulletin*. We question if this implementation schedule is reasonable. Has the PUC considered providing a later effective date to allow carriers to obtain the additional insurance coverage? If the PUC wants to require compliance upon publication of the final rulemaking, we ask the PUC to explain what steps will be taken to ensure the carriers have sufficient time to meet the new requirements.

Finally, the PUC states in the RAF and Preamble that existing Form-E is used to certify compliance with minimum liability insurance requirements. How will the PUC ensure that carriers are meeting the new minimum liability insurance requirements? Will a new or amended Form-E have to be filed with the PUC once additional insurance coverage is obtained? We ask the PUC to explain how it will implement the new requirement as it pertains to compliance.

**State Board of Certified Real Estate Appraisers
Regulation # 16A-7022 (IRRC # 3205)**

Federally-Mandated Revisions

September 5, 2018

We submit for your consideration the following comments on the proposed rulemaking published in the July 7, 2018 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the State Board of Certified Real Estate Appraisers (Board) to respond to all comments received from us or any other source.

1. Section 36.11. Qualifications for certification as residential real estate appraiser. Section 36.12. Qualifications for certification as general real estate appraiser.—Protection of public health, safety and welfare; Reasonableness of requirements.

In the Preamble, the Board states that it proposes to maintain its current requirement in Section 36.11(e)(2) that at least 50 percent of the total number of hours of the experience acquired by the applicant shall be in the actual preparation of real estate appraisal reports. The Board states that this provision is not required by the Appraiser Qualifications Board (AQB), but the Board “continues to believe that appraisal report writing is a critical component of experience and thus has determined that this requirement is appropriate.” The Board makes these same statements about the value of appraisal report writing in regards to Section 36.12(e)(2).

Existing Section 36.11(e)(1) relating to qualifications for residential real estate appraisers requires at least 1,250 hours in actual preparation of real estate appraisal reports. However, the Board’s proposed adoption of the AQB Qualification Criteria for total experience hours will result in reducing the requirement for actual preparation of real estate appraisal reports to 750 hours.

In Section 36.12 relating to qualifications for general real estate appraisers, the Board proposes to change the existing requirement of “at least 1,500 hours” of experience in actual preparation of real estate appraisal reports to the AQB Qualification Criteria of “at least 50 percent” of the total experience. However, unlike Section 36.11, the proposed language in Section 36.12 would not change the required number of hours since the AQB Qualification Criteria requires 3,000 hours of experience in total (equating to 1,500 hours of actual preparation).

As noted above, the Board places significant emphasis on experience in actual preparation of real estate appraisal reports as a critical component of qualifications for both residential and general real estate appraisers. However, the Board doesn’t explain why it is rather significantly reducing the number of hours of preparation of appraisal reports for residential real estate appraisers. In light of a comment from the Coalition of Pennsylvania Real Estate Appraisers that the Board should, in fact, require 75 percent of the experience to be acquired by the actual preparation of appraisals for both residential and general real estate appraisers, we find the proposed regulation concerning. Did the Board consider requiring a higher percentage of actual preparation hours to account for the lower number of total hours required by the AQB Qualification Criteria?

In the Preamble of the final regulation, we ask the Board to explain why the number of hours of actual preparation of real estate appraisal reports required for both residential and general real estate appraisers is reasonable to protect the public health, safety and welfare.

2. Clarity and lack of ambiguity.

We have one additional concern related to the lack of notification to the regulated community and applicants when there is a change in the AQB Qualification Criteria. Did the Board consider a mechanism for notification? We ask the Board to clarify how the regulated community will be notified of changes to the AQB Qualification Criteria by including in the final regulation a notification requirement such as publication in the *Pennsylvania*

Bulletin within a certain period of time, prominent notice on the Board's Web site, links to the AQB Qualification Criteria and/or offering a subscription service.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1464. Filed for public inspection September 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Redomesticate from the Commonwealth of Pennsylvania by 21st Century Security Insurance Company

21st Century Security Insurance Company, a domestic stock casualty insurance company, has filed for approval of a plan of redomestication whereby the state of domicile would change from the Commonwealth of Pennsylvania to New Jersey. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P.S. § 477e).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1465. Filed for public inspection September 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Geisinger Quality Options (GSHP-131627452); Individual PPO—Grandfathered Filing

Geisinger Quality Options submitted a rate filing to increase the premium rates for its Individual PPO Grandfathered Plans. The filing proposes a rate increase of 19.8% and will affect approximately 740 members. The proposed rate increase will generate an annualized revenue of approximately \$487,000 and will be effective January 1, 2019.

Unless formal administrative action is taken prior to November 29, 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 (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1466. Filed for public inspection September 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Geisinger Quality Options (GSHP-131628494); Individual PPO—Transitional Filing

Geisinger Quality Options submitted a rate filing to increase the premium rates for its Individual PPO Non-Grandfathered Plans. The filing proposes a rate increase of 8.4% and will affect approximately 1,791 members. The proposed rate increase will generate an annualized revenue of approximately \$551,000 and will be effective January 1, 2019.

Unless formal administrative action is taken prior to November 29, 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 (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1467. Filed for public inspection September 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Steven Morgan Kifer; License Denial Appeal; Doc. No. AG18-08-026

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Steven Morgan Kifer has appealed the denial of the application for a 1033 Written Waiver to engage in the business of insurance. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for October 11, 2018, at 9:30 a.m. Each

party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before October 9, 2018. A hearing shall occur on October 25, 2018, at 9:30 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before September 27, 2018, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to preliminary motions, protests, petitions to intervene or notices of intervention, if any shall be filed on or before October 9, 2018.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1468. Filed for public inspection September 14, 2018, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-18-009, Dated August 7, 2018. Authorizing the side letter between the Commonwealth and AFSCME concerning the salary, working conditions and the Articles of the Master Agreement which are applicable to all temporary clerical pool employees and temporary adjunct custodial pool employees for the period July 1, 2016 through June 30, 2019.

Governor's Office

Manual No. 110.1—2019-20 Budget Instructions, Amended August 15, 2018.

Management Directive No. 215.16—Contract Compliance Program, Amended August 2, 2018.

DUANE M. SEARLE,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 18-1469. Filed for public inspection September 14, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pro Forma Consolidation and Abandonment of Competitive Access Services

A-2018-3004385; A-2018-3004387, A-2018-3004388. TVC Albany, Inc., Finger Lakes Technology Group, Inc. and ION Holdco, LLC. Joint application of TVC Albany, Inc., Finger Lakes Technology Group, Inc. and ION Holdco, LLC for approval of: (1) the pro forma consolidation of Finger Lakes Technology Group, Inc. and ION Holdco, LLC into TVC Albany, Inc.; and (2) the abandonment of competitive access services by Finger Lakes Technology Group, Inc. and ION Holdco, LLC and interexchange and competitive local exchange services by Finger Lakes Technology Group, Inc. upon completion of the pro forma consolidation.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 1, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Joint Applicants: TVC Albany, Inc.; Finger Lakes Technology Group, Inc.; ION Holdco, LLC

Through and By Counsel: Anthony C. DeCusatis, Esquire, Catherine G. Vasudevan, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921; Catherine Wang, Esquire, Danielle Burt, Esquire, Morgan, Lewis & Bockius, LLP, 1111 Pennsylvania Avenue, NW, Washington, DC 20004-2541

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1470. Filed for public inspection September 14, 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 October 1, 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-2018-3003343. Samuel Groff, t/a A & M Community Travel (10793 State Route 44, Watsonstown, Northumberland County, PA 17777) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the Counties of Centre, Clinton, Columbia, Dauphin, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Perry, Snyder and Union.

A-2018-3003974. Best at Home Senior Care, LLC, t/d/b/a Best at Home Senior Care, d/b/a On Point Transportation (101 Route 130, Suite 6, Cinnaminson, NJ 08077-2843) in paratransit service between points in the City and County of Philadelphia.

A-2018-3004114. All State Limo Service, LLC (3400 Eastern Boulevard, Apartment E3, York, York County, PA 17402) in limousine service, between points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.

A-2018-3004115. Network Connect Tours, LLC (336 Jackson Street, Apartment A, Olyphant, Lackawanna County, PA 18447) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, and persons in wheelchairs, from the Counties of Carbon, Delaware, Lackawanna, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Philadelphia, Schuylkill, Susquehanna and Wyoming, to points in Pennsylvania, and return.

Application of the following for amendment to the permit approving the operation of motor vehicles as contract carriers for transportation of persons as described under the application.

A-2018-3004463. Zenride, LLC (122 Chestnut Street, Suite 300B, Philadelphia, Philadelphia County, PA 19106) for Medical Transportation Management, Inc. between points in Pennsylvania.

Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of household goods as described under the application.

A-2018-3004237. Keystone Moving & Junk Removal, LLC (207 West Maplewood Avenue, Mechanicsburg, Cumberland County, PA 17055) household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1471. Filed for public inspection September 14, 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 October 1, 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. Circle S Transport, Inc.; Docket No. C-2018-3002700

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 Circle S Transport, Inc., (respondent) is under suspension effective June 03, 2018 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 4701 Olentangy River Rd, Suite 204, Columbus, OH 43214.
3. That respondent was issued a Certificate of Public Convenience by this Commission on February 08, 2011, at A-8913090.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8913090 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: 7/23/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Arrive In Class Limousine Service, LLC; Docket No. C-2018-3003407

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 Arrive In Class Limousine Service, LLC, (respondent) is under suspension effective July 02, 2018 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 404 Schrader St., Taylor, PA 18517.
3. That respondent was issued a Certificate of Public Convenience by this Commission on February 16, 2017, at A-6419550.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The

Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6419550 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: 7/25/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Rudy's Trucking, Inc.; Docket No. C-2018-3003413

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 Rudy's Trucking, Inc., (respondent) is under suspension effective July 05, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 297 Felker Hill Road, Lindley, NY 14858.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 17, 2011, at A-8913064.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8913064 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: 7/25/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

—————

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Nairn Transfer and Storage, LLC; Docket No. C-2018-3003711

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 Nairn Transfer and Storage, LLC, (respondent) is under suspension effective July 21, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 169 Hallman Road, Douglassville, PA 19518.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 01, 2018, at A-8919975.

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-8919975 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: 7/31/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Ronald E. Fink; Docket No. C-2018-3003718

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 Ronald E. Fink, (respondent) is under suspension effective July 21, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 20 West Orange Street, Shippensburg, PA 17257.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 21, 2008, at A-899903.

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-899903 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: 7/31/2018

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1472. Filed for public inspection September 14, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications Services

A-2018-3004320. TVC Albany, Inc., d/b/a FirstLight Fiber. Application of TVC Albany, Inc., d/b/a FirstLight Fiber for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company, Frontier Communications of Pennsylvania, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, Frontier Communications of Lakewood, LLC and Frontier Communications of Oswayo River, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 1, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: TVC Albany, Inc., d/b/a FirstLight Fiber

Through and By Counsel: Anthony C. DeCusatis, Esquire, Catherine G. Vasudevan, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1473. Filed for public inspection September 14, 2018, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than October 1, 2018. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-18-09-01. G & M Virk Carrier, Inc. (33 North Harwood Avenue, Upper Darby, PA 19082): An application for a medallion taxicab certificate of public

convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-18-09-02. T & G Trans, Inc. (819 Tyson Avenue, Philadelphia, PA 19111): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 18-1474. Filed for public inspection September 14, 2018, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Taxicab and Limousine Division Formal Complaint

Philadelphia Parking Authority, Taxicab and Limousine Division v. Christopher De La Paz; Doc. No. C-18-07-111

Attention Christopher De La Paz, last known address of 710 South 10th Street, Allentown, PA 18103: Citation T-24904 has been issued to you by first-class proof-of-mail on July 18, 2018, by the Enforcement Department of the Philadelphia Parking Authority's Taxicab and Limousine Division (TLD) citing you have committed a violation of 53 Pa.C.S. § 57A09 for "any violation of the PennDot Inspection Code—Inspection Sticker Missing or Expired," which carries a recommended penalty of \$100. Pursuant to 52 Pa. Code § 1005.13(b) (relating to answer to citations), an answer to the Citation was due no later than August 6, 2018.

However, the Citation was mailed to you at your last known address referenced above but has been returned to the TLD by the United States Postal Service marked as "return to sender, attempted, moved, unable to forward." Therefore, this notice is being published pursuant to 52 Pa. Code § 1001.51(e) (relating to alternative service). To avoid a default order being entered against you, including possible disbarment from providing Transportation Network Company (TNC) service in Pennsylvania, within 15 days after the date of this publication, you shall answer the Citation by doing one of the following:

(1) Plead liable and remit payment of the full penalty amount identified in the Citation as referenced above and in a form as provided in 52 Pa. Code § 1001.42 (relating to mode of payment), payable to the Philadelphia Parking Authority; or

(2) Plead not liable by filing a hearing request as provided in 52 Pa. Code § 1005.13(b).

The payments and/or hearing request shall be filed with the TLD Clerk at: Philadelphia Parking Authority, Taxicab and Limousine Division, Attn: Office of the Clerk, 2415 S. Swanson Street, Philadelphia, PA 19148-4113.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 18-1475. Filed for public inspection September 14, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Rochelle Marisa Armendariz, RN, Respondent; File No. 17-51-06594; Doc. No. 1828-51-17

Notice to Rochelle Marisa Armendariz, RN:

On September 22, 2017, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Professional Nursing Law, Act of May 22, 1951, P.L. 317, ("Act"). Pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, the State Board of Nursing has issued an Order authorizing service of process upon you by publication.

Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-1476. Filed for public inspection September 14, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Angie Kromah, RN, Respondent; File No. 17-51-07500; Doc. No. 2119-51-17

Notice to Angie Kromah, RN:

On October 31, 2017, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Professional Nursing Law, Act of May 22, 1951, P.L. 317, ("Act"). Pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, the State Board of Nursing has issued an Order authorizing service of process upon you by publication.

Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-1477. Filed for public inspection September 14, 2018, 9:00 a.m.]

STATE HORSE RACING COMMISSION

Claiming Regulations and Procedures; Standardbred Horse Racing

The State Horse Racing Commission (Commission) provides notice that on August 28, 2018, at its regularly scheduled public meeting, it issued an Order adopting, as a temporary regulation, an amendment to its existing standardbred claiming rules and regulations in 58 Pa. Code § 183.151(l) (relating to claiming regulations and procedures) by changing the present 30-day time period to a 60-day time period for a subsequent transfer or sale of the horse. Entry of one's horses in claiming races and the ability to claim (that is, purchase) horses from out of those races is part of a voluntary program. Licensed individuals participating in claiming races understand the provisions, requirements and significant restrictions within claiming procedures. This Order was adopted under authority of 3 Pa.C.S. §§ 9311(h) and 9312(6)(i) (relating to State Horse Racing Commission; and additional powers of Commission), under Administrative Doc. No. 2018-8.

The general purpose of the Order is: (1) to increase the time period within which a properly claimed horse may be subsequently sold or transferred; (2) to maintain a steady and consistent horse population at each licensed standardbred racetrack by increasing the horse's presence at the particular racetrack; and (3) to create uniformity and consistency between existing "house" rules presently in place at licensed standardbred racetracks within the Commonwealth.

This Order and the Annex A will take effective upon publication in the *Pennsylvania Bulletin*. In addition, the Order and specific provisions have been posted and published on the Commission's web site at <http://www.agriculture.pa.gov/Animals/RacingCommission/commission/Pages/Publications.aspx>. The Commission will also provide copies of the Order upon request directed to (717) 787-5539.

BRETT REVINGTON,
Director
Bureau of Standardbred Horse Racing

[Pa.B. Doc. No. 18-1478. Filed for public inspection September 14, 2018, 9:00 a.m.]

