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Agencies in this issue

The Courts
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Labor and Industry
Department of Revenue
Department of Transportation
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Public Utility Commission
Philadelphia Parking Authority

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

No. 526, September 2018

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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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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THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1930]

Order Amending Rule 1930.4 of the Pennsylvania Rules of Civil Procedure; No. 686 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 12th day of September, 2018, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interest of efficient administration:

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1930.4 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on September 28, 2018.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1930. RULES RELATING TO DOMESTIC RELATIONS MATTERS GERNERALLY

Rule 1930.4. Service of Original Process in Domestic Relations Matters.

(a) *Persons Who May Serve.* Original process in all domestic relations matters, including Protection of Victims of Sexual Violence or Intimidation matters, may be served by the sheriff or a competent adult:

* * * * *

(c) *Service by Mail.*

(1) Except in Protection from Abuse and Protection of Victims of Sexual Violence or Intimidation matters, original process in all domestic relations matters may be served by mailing the original process, a notice or order to appear, if required, and other orders or documents, as necessary, to the defendant's last known address by both regular and certified mail.

[(a)](i) Delivery of the certified mail shall be restricted to the addressee only and a return receipt shall be requested.

[(b)](ii) If the certified mail is refused by the defendant, but the regular mail is not returned within 15 days, service may be deemed complete.

[(c)](iii) If the mail is returned with notation by the postal authorities that it was unclaimed, service shall be made by another means pursuant to these rules.

* * * * *

(h) *Proof of Service.* [Proof of service shall be made as follows:

(1) The person serving the original process shall complete a return of service without delay. If service has not been completed within the time allowed in subdivision (e) or (f), a return of no service shall be completed.

(2) Proof of service shall set forth the date, time, place, manner of service, the identity of the person served, and any other facts necessary for the court to determine whether proper service has been made.

(3) Proof of service by a person other than the sheriff shall be by affidavit. If a person other than the sheriff completes a return of no service, the affidavit shall set forth with particularity the efforts made to effect service.

(4) Proof of service by mail shall include a return receipt signed by the defendant or, if the defendant has refused to accept mail service, the returned letter with the notation that the defendant refused to accept delivery and an affidavit that the regular mail was not returned within 15 days after mailing.

(5) Proof of service or of no service shall be filed with the prothonotary.

(6) An executed Acceptance of Service shall be filed in lieu of a Proof of Service if the defendant or defendant's agent accepts service of the original process.]

(1) Proof of service shall state:

(i) the date and time of service;

(ii) the place of service;

(iii) the manner in which service was made;

(iv) the identity of the person served; and

(v) other facts necessary for the court to determine whether proper service has been made.

(2) Original Process Served.

(i) Personal Service Pursuant to Subdivision (a).

(A) The person serving the original process shall complete a proof of service.

(B) If a person other than a sheriff serves the original process, the proof of service shall be by an affidavit.

(C) The proof of service shall be filed in the appropriate filing office within 10 days of the date of service.

(ii) Service by Mail Pursuant to Subdivision (c).

(A) Proof of service by mail shall be by an affidavit that includes the certified mail return receipt signed by the defendant except as set forth in (B).

(B) If the defendant has refused to accept the certified mail, the proof of service shall include the returned envelope with the notation that the defendant refused to accept delivery and an affidavit stating that the regular mail was not returned within 15 days after mailing.

(C) The proof of service shall be filed in the appropriate filing office within 10 days of the date

the defendant signed the certified mail return receipt or after the passage of time set forth in subdivision (c)(1)(ii).

(iii) Acceptance of Service Pursuant to Subdivision (d).

(A) If the defendant or the defendant's authorized agent accepts service of the original process as set forth in subdivision (d), the defendant or the defendant's authorized agent shall sign an Acceptance of Service.

(B) The Acceptance of Service shall be filed in the appropriate filing office within 10 days of accepting service.

Official Note: See Pa.R.C.P. No. 402(b) for the prescribed form document.

(3) Original Process Not Served.

(i) If the defendant cannot be served within the time allowed in subdivision (e) or (f), the person attempting service shall complete a proof of no service promptly.

(ii) If a person other than a sheriff attempts service of the original process, the proof of no service shall be by an affidavit stating with particularity the efforts made to effect service.

(iii) The proof of no service shall be filed in the appropriate filing office within 10 days of the expiration of time allowed for service in subdivision (e) or (f).

Official Note: See Pa.R.C.P. No. 1910.4(a). The Domestic Relations Section is the filing office for child support, spousal support and alimony pendente lite cases.

See Pennsylvania Rule of Professional Conduct 7.3(b)(4). The timing of an attorney's solicitation of a prospective client in actions governed by the Family Court Rules, see Pa.R.C.P. No. 1931(a), and actions pursuant to the Protection of Victims of Sexual Violence or Intimidation Act, see 42 Pa.C.S. §§ 62A03—62A20, is restricted until proof of service appears on the docket.

(i) *Appearance at Hearing or Conference.* A party appearing for the hearing or conference will be deemed to have been served.

[Pa.B. Doc. No. 18-1521. Filed for public inspection September 28, 2018, 9:00 a.m.]

Title 252—ALLEGHENY COUNTY RULES

ALLEGHENY COUNTY

Pretrial Services Department Ignition Interlock Fees; No AD-2018 266 CR

Order of Court

And Now, this 10th day of September 2018, upon review of the request to increase Ignition Interlock fees, the Court finds the following:

1. That the Court established an ignition interlock program in 2001.

2. That the ignition interlock program has not amended its fees since 2012.

3. That the Pretrial Services Department expends significant time and resources administering its ignition interlock program, and the costs associated with administering this service have increased. Specifically Act 33 of 2016 and Act 30 of 2017 amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes mandate positive ID technology on all interlock devices effective September 1, 2018. This will increase our cost per unit. These Acts also expand the number of people eligible for interlock licensing. Additionally, rent and staff have increased over the past six years.

4. That the ignition interlock program is a safe, cost-effective alternative to other transportation methods for offenders in Allegheny County, and said ignition interlock program provides a significant benefit to those who utilize the program.

5. That the Court, through the Pretrial Services Department, can no longer continue to administer the ignition interlock program under the current fee structure, and that it is fair and reasonable to assess the amended ignition interlock fees against offenders for the purpose of more effectively defraying the costs of administering the ignition interlock program.

It is, therefore, *Ordered* that the following ignition interlock fee schedule be and is hereby adopted and shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin* and applied only to offenders sentenced or placed on the interlock program on or after the publication requirement has been satisfied.

By the Court

JEFFREY A. MANNING,
President Judge

Allegheny County Ignition Interlock Fees

Price Schedule for all Installs or re-install on or after 9/1/2018	
<i>Service</i>	<i>Price</i>
Total Installation Charge with One Month Service	\$175.00
Total Monthly Charge (calibration/Download)	\$115.00
Total Bi-Monthly Charge	\$200.00
Voluntary Client Discount Per Monthly or Bi-Monthly Service	(-\$10)
<i>Breakdown of Monthly Charges & Fees</i>	
Installation at Service Center	\$80.00
Monthly Lease Payment	\$85.00
Monthly Damage Protection	\$10.00
Office Charge Per Appointment (not charged at Install)	\$20.00
Lockout Reset At Service Center	\$50.00
Service Call	\$150.00
Tamper Bypass Activation	\$100.00
Reconnect Fee	\$75.00
Early Termination of Program	\$80.00
De-installation/Removal At Service Center	\$75.00

Price Schedule for all Installs or re-install on or after 9/1/2018	
Vehicle Swap	\$155.00
Out Of County/State 60 day Compliance Fee	\$40.00
Bounced Check Fee	\$30.00
Missed Appointment without 24 Hour Notice	\$25.00
Missed Appointment with 24 Hour Notice	no charge
Compliance Check	no charge
Prorated Fee per day	\$3.83
Self Certification	\$150.00

MAKE ALL CHECKS/MONEY ORDERS PAYABLE TO
"ALLEGHENY COUNTY"

*Prices effective September 1, 2018

Daily Prorate Price	Install On or after 9/1/2018
Day	Amount
1	\$3.83
2	\$7.67
3	\$11.50
4	\$15.33
5	\$19.17
6	\$23.00
7	\$26.83
8	\$30.67
9	\$34.50
10	\$38.33
11	\$42.17
12	\$46.00
13	\$49.83
14	\$53.67
15	\$57.50
16	\$61.33
17	\$65.17
18	\$69.00
19	\$72.83
20	\$76.67
21	\$80.50
22	\$84.33
23	\$88.17
24	\$92.00
25	\$95.83
26	\$99.67
27	\$103.50
28	\$107.33
29	\$111.17
30	\$115.00
31	\$118.83

[Pa.B. Doc. No. 18-1522. Filed for public inspection September 28, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BLAIR COUNTY

Adoption of New Rule of Judicial Administration Uniform Rules Regarding Broadcasting, Taking of Sound Recording, Photographs, Audio, Video or Motion Pictures of Judicial Proceedings in the Hearing Room or Courtroom or its Environs; Local Rule of Judicial Administration; No. 58 of 2018

Order

And Now, this 6th day of September, 2018, It Is Hereby Ordered and Decreed that the Blair County Court of Common Pleas adopts the following local rule governing uniform rules regarding broadcasting, taking of sound recording, photographs, video, or motion pictures of judicial proceedings in the hearing room or courtroom or its environs for the 24th Judicial District of the Commonwealth of Pennsylvania:

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

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

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

3) Publish these Rules on the Blair County Court website at www.blairco.org.

4) File one (1) copy which shall be kept continuously available for public inspection and copying in the Office of Prothonotary of Blair County and the Blair County Law Library.

Said Local Rule of Judicial Administration shall be effective in the 24th Judicial District of the Commonwealth of Pennsylvania thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Blair County website.

By the Court

ELIZABETH A. DOYLE,
President Judge

Blair Co.R.Jud.A. 1910; Uniform Rules Regarding Broadcasting, Taking of Sound Recording, Photographs, Video, or Motion Pictures of Judicial Proceedings in the Hearing Room or Courtroom or its Environs

Rule 1910. Broadcasting, Taking of Sound Recording, Photographs, Video or Motion Pictures.

1. No sound recording, photograph, video recording, cellular phone recording, or motion picture of any type may be made or taken of any judicial proceeding, which includes during, immediately before or immediately after said proceeding or in any hearing room or courtroom or in the area immediately surrounding the entrances or exits of such rooms, without the prior permission of the presiding judge, the presiding hearing officer, or the designee of the presiding judge or the presiding hearing officer.

2. All electronic devices, including, but not limited to, cellular phones, tablets, laptops and cameras, shall be

powered off (not simply muted) in all hearing rooms, courtrooms and in the area immediately surrounding the entrances and exits of such rooms unless permission to activate such device has been first obtained in advance from the presiding judge, the presiding hearing officer or the designee of the presiding judge or the presiding hearing officer. This directive specifically includes the public, parties, witnesses, support staff of participants, and attorneys. This provision does not apply to any Deputy Sheriff.

3. No sound recording, video recording, photograph, cellular phone recording or motion picture of any party, witness, juror, police officer, judge or judicial officer connected to a pending judicial proceeding may be taken or made in the courthouse or in any building housing a courtroom or hearing room, whether or the court is actually in session, without the prior permission of the presiding judge, the presiding hearing officer or the designee of the presiding judge or presiding hearing officer.

4. The transmission in any form by any means of any conversation or testimony taken by any electronic means during or anytime thereafter any judicial proceeding without the prior permission of the presiding judge, the

presiding hearing office or the designee of the presiding judge or presiding hearing officer is strictly prohibited.

5. Violation of this Order may constitute contempt of court and result in the confiscation of such device and the deletion of any offending data or material on such device, the imposition of a fine of up to \$1,000.00 and/or imprisonment of up to six (6) months upon a finding of contempt of this rule.

6. The presiding judge, the presiding hearing officer, the District Court Administrator, the designee of the presiding judge, the presiding hearing officer or the District Court Administrator, including the courtroom staff of the presiding judge or presiding hearing officer and the Sheriff of Blair County or his deputy, are authorized to enforce this Order, including taking immediate possession of any offending device.

7. Any device confiscated pursuant to this Order that is not claimed by its lawful owner within seven (7) business days of such confiscation shall be deemed forfeited to the County of Blair.

[Pa.B. Doc. No. 18-1523. Filed for public inspection September 28, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 34—LABOR AND INDUSTRY

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CHS. 401 AND 403]

Uniform Construction Code

In accordance with section 304 of the Pennsylvania Construction Code Act (act) (35 P.S. § 7210.304), the Department of Labor and Industry (Department) amends §§ 401.1, 403.1, 403.21, 403.23, 403.26—403.28, 403.42, 403.42a, 403.44—403.46 and 403.103 to read as set forth in Annex A.

Statutory Authority

This final-omitted rulemaking is issued under the authority of section 304(a)(1) and (2) of the act. Section 304(a)(1) provides that, effective October 1, 2018, the Department “shall promulgate final-omitted regulations” adopting the revisions provided in a report issued by Uniform Construction Code Review and Advisory Council (RAC) to the Secretary of Labor and Industry specifying the 2015 code revisions of the International Code Council (ICC) codes. The Department must adopt the RAC’s revisions “without change.” Section 304(a)(2) exempts the regulations from section 205 of the Commonwealth Documents Law (45 P.S. § 1205), and sections 204(b) and 301(10) (71 P.S. §§ 732-204(b) and 732-301(10)).

Background

In 1999, the Legislature established the act and directed the Department to promulgate regulations adopting certain building codes as the Uniform Construction Code (UCC). See 35 P.S. §§ 7210.102(a)(3) and 7210.301. Since then, various codes issued by the ICC, including the International Building Code (IBC), the International Energy Conservation Code (IECC), the International Existing Building Code (IEBC), the International Fire Code (IFC), the International Fuel Gas Code (IFGC), International Mechanical Code (IMC), International Performance Code, International Plumbing Code (IPC), International Residential Code (IRC) and International Wildland-Urban Interface Code (IWUIC) have been adopted, in whole or in part, by reference into the UCC. See 34 Pa. Code §§ 403.1 and 403.21. Every 3 years, the ICC publishes revisions to these codes.

In Act 106 of 2008, the General Assembly established the RAC whose members represent industry sectors that participate in the various aspects relating to building construction including building component design, construction, building code enforcement and local government representation. The RAC is charged to review the periodic changes to the revised ICC codes prior to adoption into the UCC. See 35 P.S. § 7210.107.

Three years ago, for the 2015 review cycle, the RAC decided only to adopt 16 provisions in all the 2015 ICC codes. This was subsequent to the RAC’s 2012 decision to not adopt any portion of the 2012 ICC codes. As a result, the legislature amended the adoption procedure. Act 36 of 2017 directed the RAC to conduct a complete review of the 2015 ICC codes, disregarding the RAC’s previous action on the 2015 Codes. 35 P.S. § 7210.108(a)(1)(i). For this review, the RAC was required to hold only one public meeting, 35 P.S. § 7210.108(a)(1)(ii)(B), with a 30-day public comment period. 35 P.S. § 7210.108(a)(1)(ii)(A). The RAC was also permitted to rely on the technical

analysis of the 2015 edition of the ICC codes performed during the previous review of the 2015 codes. 35 P.S. § 7210.108(a)(1)(ii)(D). If the 2015 ICC Codes updated the 2012 ICC Code provisions, then the RAC was free to consider those updated provisions. However, the RAC was to review any sections of the 2015 ICC codes that did not update the 2012 ICC sections only if two-thirds of the RAC determined a review to be necessary. 35 P.S. § 7210.108(a)(1)(iii).

In its review, the RAC was required to consider: 1) the impact that the section may have upon the health, safety and welfare of the public; 2) the economic and financial impact of the section, including impact on the end consumer; and 3) the technical feasibility of the section. 35 P.S. 7210.108(a)(2).

For the 2015 code review, the RAC was required to submit a report to the Secretary of Labor and Industry outlining the ICC codes that the RAC was adopting or modifying. 35 P.S. § 7210.108(b). The recommendations of the RAC must be adopted by the Department “without change,” 35 P.S. § 7210.304(a)(1), and are to be effective on October 1, 2018. 35 P.S. § 7210.108(a)(1)(i)(B).

After its review of the 2015 ICC codes was complete, the RAC submitted its report to the Secretary on May 1, 2018, outlining 37 different recommendations. On June 12, 2018, and July 23, 2018, the RAC submitted amended reports. Under section 304(a)(1) of the act the Department is required to promulgate final-omitted regulations adopting, “without change” the provisions of the ICC Codes outlined in the RAC’s July 23, 2018, amended report. 35 P.S. § 7210.304(a)(1).

Compliance with Executive Order 1996-1, Regulatory Review and Promulgation

On February 13, 2018, the RAC held a public hearing to consider the adoption of the 2015 ICC codes at which the RAC solicited public comment. This public outreach was in addition to that conducted during the RAC’s original consideration of the 2015 ICC Code in 2014-2015. As part of its original review of the 2015 updates, the RAC held three public hearings—on November 19, 2014; January 14, 2015; and February 11, 2015—and solicited public comment.

Purpose

The purpose of this final-omitted rulemaking is to amend 34 Pa. Code §§ 401.1, 403.21 and 403.26 (relating to definitions; Uniform Construction Code; and swimming pools) to adopt the revisions specified in the RAC’s July 23, 2018, report, as required by section 304(a)(1) of the act.

Summary of Proposed Rulemaking

§ 401.1. Definitions.

This section changes the definitions for the IBC, the IECC, the IEBC, the IFC, the IFGC, the IMC, the International Performance Code, the IPC, the IRC, the IWUIC, National Electric Code and Uniform Construction Code to replace “the” with “a” or “an” and remove any reference to the year the ICC code was published. This was done because multiple printings of the ICC codes are being incorporated into the regulations and, as such, the definitional section is no longer appropriate to identify the year a particular ICC code was published.

The section also adds a definition for International Swimming Pool and Spa Code as this code sets the standards for swimming pools and spas for both residential and commercial properties and is incorporated by reference by both the IBC of 2015 and the IRC of 2015.

§ 403.1. *Scope.*

This Department is amending paragraph to reflect that coal-fired boilers are subject to the IRC of 2015. This is being done because the definitional section for the IRC no longer contains a specific year.

§ 403.21. *Uniform Construction Code.*

The RAC voted to adopt Chapters 2—10, 12—29 and 31—35 of the IBC of 2015 except the RAC voted to retain the exceptions regarding the maximum riser height and minimum tread depth in occupancies in Use Group R-3 and within dwelling units in occupancies in Use Group R-2. The RAC also voted to retain the requirement regarding nosing on stairways with solid risers. As such, the Department is amending paragraph (a)(1) to take this language out of the main body of paragraph (a)(1) and add a new subparagraph (a)(1)(i) which will list the requirements for riser heights, tread depths and nosing on stairways with solid risers. The amendment also eliminates the word “that” to make it more readable. In addition, the RAC voted to exclude Section 913.2.2 of the IBC of 2015 (relating to circuits supplying fire pumps). Second, in Section 2609.4 of the IBC of 2015 (relating to area limitations and greenhouses), the RAC voted to modify exception three to include “or maintaining plants.” As such, the Department is adding subparagraphs (a)(1)(ii) and (iii) to add these exceptions from the IBC of 2015. In addition, the Department is amending paragraph (a)(1) to delete subparagraphs (i)—(xix) in the current regulation because those subparagraphs contained previous adoptions of the IBC of 2015 and are now incorporated in the main body of paragraph (a)(1).

The RAC voted to adopt the IMC of 2015 in its entirety. As such, the Department is amending paragraph (a)(3) to incorporate the entirety of the IMC of 2015. In addition, the Department is deleting language referring to section 507.2 of the IMC of 2015 because that language is redundant as this provision was a previous adoption of the IMC of 2015 and is incorporated into the main body of paragraph (a)(3).

The RAC voted to adopt the IFGC of 2015 in its entirety except section 310.3 of the IFGC of 2018 (relating to arc-resistant CSST). The RAC had the authority to adopt portions of the 2018 ICC Codes because it can modify the 2015 Codes. 35 P.S. § 7210.108(a)(3)(ix)(B). As such, the Department is amending paragraph (a)(4) to incorporate the entirety of the IFGC of 2015 with the exception regarding arc-resistant CSST.

The RAC did not vote to adopt the International Performance Code of 2015. As such, the Department is amending paragraph (a)(5) of the UCC to clarify that the International Performance Code of 2009 remains in effect.

The RAC voted to adopt the IPC of 2015 in its entirety. As such, the Department is amending paragraph (a)(6) to incorporate the entirety of the IPC of 2015.

The RAC voted to adopt the IRC of 2015 except the RAC voted to exclude the following sections: Section R302.5.1 (relating to opening protection); Section R322.2.1 (relating to elevation requirements for flood hazard areas); Section R322.3.2 (relating to elevation requirements for coastal high hazard areas); Section R325.5 (relating to openness); Table R507.6 (relating to deck beam span

lengths); Table R602.7.5 (relating to minimum number of full height studs at each end of headers in exterior walls); Section N1101.4 (relating to above code programs); Section N1103.3.5 (relating to building cavities); Section N1103.5.2 (relating to demand recirculation systems); Table N1106.4 (relating to maximum energy rating index); Section P2503.5.1 (relating to rough plumbing); and Section E3901.7 (relating to outdoor outlets). The Department amended the main paragraph of (a)(7) to incorporate the entirety of the IRC of 2015 except for the portions the RAC voted to exclude or modify. The Department also deleted current clauses (a)(7)(iii)(A)—(BB) because those clauses refer to provisions of the 2015 IRC the RAC previously adopted and are addressed in other parts of paragraph (a)(7). The Department replaced them with new paragraphs and subparagraphs (a)(7)(iii)(A)—(L) to indicate the portions of the IRC of 2015 that the RAC did not adopt. Furthermore, the Department is adding paragraphs and subparagraphs (a)(7)(v)(A)—(G) to indicate the portions of the IRC of 2009 that remain in effect.

In addition, the RAC voted to modify the following provisions of the IRC of 2015: Section N1101.6 (relating to defined terms) by adding the definition of “framing factor” as the fraction of the total building component area that is structural framing; Table 1102.1.2 (relating to insulation and fenestration criteria) by adding “or 18 + 6.5^H” to climate zone 6 wood frame wall R-value; Table N1102.1.2 (relating to insulation and fenestration requirements by components) by adding footnote j which permits R-18 insulation to be permitted in place of R-20 requirement provided the wall framing factor is 20% or less or exterior walls with 24” o.c. nominal vertical stud spacing; Section N1102.4.1.2 (relating to testing) by having an air leakage rate not exceeding five air changes per hour for all climate zones; Section N1105.2 (relating to mandatory requirements) by requiring compliance with the mandatory provisions of section N1102.4.1.2; Section M1601.4.1, exception 3 (relating to joints, seams, and connections) by excluding this exception for snap-lock and button-lock type joints and seams located outside of conditioned spaces; Section M1602.2 item 2 (relating to return air openings) by adding the word perimeter before the first use of the word room; and Section E3901.11 (relating to foyers) by replacing 3 feet (914 mm) with 6 feet (1,829 mm) and a minimum of one receptacle. As such, the Department is adding new paragraphs and subparagraphs (a)(7)(iv)(A)—(H).

Furthermore, the RAC voted to adopt the following provisions of the IRC of 2018: Section R325.5 (relating to openness) except for exception 2; Table R507.5 (relating to deck beam span lengths); Section R602.3.1 (relating to stud size, height, and spacing) exception 3; Table R602.3(6) (relating to alternate wood bearing wall stud size, height, and spacing); Table R602.7.5 (relating to minimum number of full height studs at each end of headers in exterior walls); Section N1103.3.6 (relating to ducts buried within ceiling insulation); Section N1103.3.7 (relating to ducts located in conditioned space); and Table N1106.4 including footnote “a” (relating to maximum energy rating index). As such, the Department is adding new paragraphs and subparagraphs (a)(7)(vi)(A)—(H).

The RAC voted to adopt the IFC of 2015 in its entirety. As such, the Department is amending paragraph (a)(8) to incorporate the entirety of the IFC of 2015. In addition, the Department is adding language currently found in subparagraph (a)(8)(i) into the main body of paragraph (a)(8). This is being done because the Department is eliminating subparagraph (ii) because that language is

redundant so there are no longer multiple subparagraphs. Current subparagraph (a)(8)(ii) is being eliminated because these clauses are incorporated in the main body of paragraph (a)(8).

The RAC voted to adopt the IECC of 2015 in its entirety except: Section R102.1.1 (relating to above code programs); Section C104.2.6 (relating to final inspection); Section R403.3.5 (relating to building cavities); Section R403.5.2 (relating to demand recirculation systems); Table R406.4 (relating to maximum energy rating index); and Section C408.2.4 (relating to preliminary commissioning report). As such, the Department amended the main paragraph of (a)(9) to incorporate the entirety of the IECC of 2015 except for the portions the RAC voted to exclude or modify. As such, the Department is deleting current subparagraphs (a)(9)(i)—(v) because they are redundant because these clauses referred to provisions of the IECC of 2015 the RAC previously voted to adopt and are now incorporated into the main body of the paragraph (a)(9). In addition, the Department is replacing them with new clauses (a)(9)(i)(A)—(F) to indicate the portions of the IECC of 2015 that the RAC did not adopt. Furthermore, the Department is adding new clauses (a)(9)(iii)(A)—(C) to indicate the portions of the IECC of 2009 that remain in effect.

The RAC also voted to modify the following provisions of the IECC of 2015: Chapter RE 2 by adding the definition of “framing factor” as the fraction of the total building component area that is structural framing; Table R402.1.2 (relating to insulation and fenestration criteria) by adding “or 18 + 6.5^{ft}” to climate zone 6 wood frame wall R-value; Table R402.1.2 (relating to insulation and fenestration requirements by components) by adding footnote j which permits R-18 insulation to be permitted in place of R-20 requirement provided the wall framing factor is 20% or less or exterior walls with 24” o.c. nominal vertical stud spacing; Section R402.4.1.2 (relating to testing) by having an air leakage rate not exceeding five air changes per hour for all climate zones; and Section 405.2 (relating to mandatory requirements) to require compliance with the mandatory provisions of section R402.4.1.2 (relating to testing). As such, the Department is adding new clauses (a)(9)(ii)(A)—(E).

In addition, the RAC voted to adopt the following provisions of the IECC of 2018: Section R403.3.6 (relating to ducts buried within ceiling insulation); Section R403.3.7 (relating to ducts located in conditioned space); and Table R406.4 including footnote “a” (relating to maximum energy rating index). As such, the Department is adding new clauses (a)(9)(iv)(A)—(C).

The RAC voted to adopt the IEBC in its entirety except that it voted to modify Section 101.2 (relating to scope) to add an exception for detached residential buildings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures to comply with either the IEBC of 2015 or the IRC of 2015. As such, the Department is amending paragraph (a)(10) to incorporate the IEBC of 2015 with the exception regarding detached residential buildings and townhouses no more than three stories above grade plane in height with a separate means of egress. In addition, the Department is deleting subparagraphs (a)(10)(i) and (ii), which are now redundant because these clauses represented a previous decision to adopt portions of the IEBC of 2015 and are now incorporated in the main body of paragraph (a)(10).

The RAC voted to adopt the IWUIC of 2015 in its entirety. As such, the Department is amending paragraph (a)(11) to reflect the RAC’s decision to adopt the IWUIC.

The RAC did not vote to adopt Appendix H of the IBC of 2015. As such, the Department is amending paragraph (a)(13) to clarify that Appendix H of the IBC of 2009 remains in effect.

The Department is deleting paragraph (a)(14) because the language is redundant since it is incorporated as part of the International Swimming Pool and Spa Code of 2015, which is incorporated by reference by the IBC of 2015 and the IRC of 2015.

The Department is amending subsection (b) to fix a typographical error.

The Department is amending subsection (c) to reflect the Appendices that are being adopted under the RAC’s vote.

§ 403.23. *Child day care facilities.*

The Department is amending paragraph (d) to reflect that day care facilities are subject to the IBC of 2015. This is being done because the definitional section for the IBC no longer contains a specific year.

§ 403.26. *Swimming pools.*

The Department is amending subsection (a) to reflect the RAC’s vote to adopt portions of the IRC of 2015, which incorporates by reference the International Swimming Pool and Spa Code of 2015. The Department is deleting old paragraphs (a)(1)—(4) because they are no longer pertinent.

The Department is amending subsection (b) to reflect the RAC’s vote to adopt portions of the IBC of 2015, which incorporates by reference the International Swimming Pool and Spa Code of 2015.

The Department is deleting subsection (c) (relating to hot tubs or spas) because hot tubs and spas are governed by the International Swimming Pool and Spa Code, which are incorporated by reference by the IBC of 2015 and IRC of 2015.

§ 403.27. *Applicability and use of standards.*

The Department is amending subparagraphs (a)(1)—(4) to reference that IBC of 2015, IRC of 2015, IPC of 2015 and IMC of 2015 are incorporated by reference. This is being done because the definitional sections of the IBC, IRC, IPC and IMC no longer contain a specific year.

The Department is amending paragraph (b) to reflect that the IBC of 2015 and IEBC of 2015 apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings no more than three stories in height with a separate means of egress and their accessory structures. This is being done because the definitional section for the IBC and IEBC no longer contains a specific year.

The Department is amending paragraph (f) to reflect that IMC of 2015 does not apply if the provision conflicts with the Boiler and Unfired Pressure Vessel Law (35 P.S. §§ 1331.1—1331.9). This is being done because the definitional section for the IMC no longer contains a specific year.

§ 403.28. *Uncertified buildings.*

The Department is amending subparagraph (b)(1) to reflect that the IBC of 2015 applies to maximum story

height, minimum allowable construction type based on floor area, vertical opening and shaft protection requirements, means of egress requirements pertaining to minimum number of exits, maximum travel distances to exits, means of egress illumination, minimum egress widths and heights for exit doors, exit stairs, exit ramps and exit corridors requirements for uncertified buildings for which the Department has jurisdiction. This is being done because the definitional section for the IBC no longer contains a specific year.

The Department is amending subparagraph (b)(2) to reflect that the fire safety requirements of the IBC of 2015 applies to fire alarms, fire extinguishers, heat and smoke detectors, automatic sprinkler systems and occupancy and incidental use separations for uncertified buildings for which the Department has jurisdiction. This is being done because the definitional section for the IBC no longer contains a specific year.

The Department is amending subparagraphs (b)(3)(ii)-(iii) to reflect that the accessibility requirements for uncertified buildings for which the Department has jurisdiction must comply with the IBC of 2015. This is being done because the definitional section for the IBC no longer contains a specific year.

The Department is amending subparagraph (b)(4) to reflect that structural requirements for uncertified building for which the Department has jurisdiction will not be imposed unless the Department determines that the building or a portion of the building has defects that are defined as dangerous in section 202 of the IEBC of 2015. This is being done because the definitional section for the IEBC no longer contains a specific year.

The Department is amending subparagraph (c)(1) to reflect that a construction code official shall grant a certificate of occupancy for an uncertified building for which the Department does not have jurisdiction if that building meets the requirements of the latest version of the IEBC of 2015 or Chapter 34 of the IBC of 2015. This is being done because the definitional sections for the IEBC and IBC no longer contains specific years.

§ 403.42. *Permit requirements and exemptions.*

The Department is amending subparagraph (c)(1)(xi) to reflect that a permit is not required for window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of group R-3 as applicable in the IBC of 2015 and Group U occupancies. This is being done because the definitional section for the IBC no longer contains a specific year.

§ 403.42a. *Permit application.*

The Department is amending subparagraph (f)(3)(ii) to reflect that permit applicants must submit shop drawings that contain referenced installation standards found in the IBC of 2015. This is being done because the definitional section for the IBC no longer contains a specific year.

The Department is amending paragraph (i) to reflect that permit applicants shall submit certifications required in the IBC of 2015 for construction in a flood hazard area to the building code official. This is being done because the definitional section for the IBC no longer contains a specific year.

The Department is amending paragraph (k) to reflect that permit applicants shall describe an inspection program, identify a person or firm who will perform special

inspections and structural observations if sections 1704 and 1705 of the IBC of 2015 requires special inspections or structural observations for the construction. This is being done because the IBC of 2009 gave applicants a choice to comply with either section 1704 and 1710, while the IBC of 2015 requires applicants to comply with both sections 1704 and 1705. In addition, the change is being made because the definitional section for the IBC no longer contains a specific year.

§ 403.44. *Alternative construction materials and methods.*

The Department is amending paragraph (c) to reflect that new buildings or remodelings, alterations, additions or changes of use and occupancy of an existing building which complies with the "International Performance Code of 2009" shall also comply with the Uniform Construction Code. This is being done because the definitional section of the International Performance Code no longer contains a specific year.

§ 403.45. *Inspections.*

The Department is amending paragraph (f) to reflect that code administrators may act in place lumber grading or inspection agency to satisfy the requirements under section 2303.1.1 of the IBC of 2015 or its successor code. This is being done because the definitional section for the IBC no longer contains a specific year.

§ 403.46. *Certificate of occupancy.*

The Department is amending subparagraphs (b)(6)-(7) to reflect that certificate of occupancies must contain use and occupancy classifications and types of construction that comply with the IBC of 2015. This is being done because the definitional section for the IBC no longer contains a specific year.

§ 403.103. *Municipalities electing not to enforce the Uniform Construction Code.*

The Department is amending paragraph (c) to require building code officials to accept compliance with the "International Performance Code of 2009" for alternative materials, designs or methods of construction. This is being done because the definitional section for the International Performance Code no longer contains a specific year.

The Department is amending paragraph (d) to require building code officials to determine the climatic and geographic design criteria contained in Table R301.2(1) of the IRC of 2015 for residential construction. This is being done because the definitional section for the IRC no longer contains a specific year.

Affected Persons

This final-omitted rulemaking will affect all builders and contractors in the construction industry and all building code officials who enforce the regulations.

Fiscal Impact

The Department and building code officials will need to purchase some 2015 and 2018 ICC code books to enforce these regulations. The Department already possesses some 2015 ICC code books to enforce the current regulations and presumably building code officials will possess those same 2015 ICC code books.

Builders and contractors will have to absorb some costs to comply with the updated standards. The Department does not possess specific data on any increase of costs to builders or contractors.

Reporting, Recordkeeping and Paperwork Requirements

This Department will have to update the following forms: Accessibility Advisory Board Petition, Application for Building Permit, and Special Inspections and Observation Statement. There are no additional reporting, recordkeeping or paperwork requirements.

Sunset Date

There is no sunset date for these final-omitted regulations. The act requires referenced standards to be reviewed every 3 years following publication of the triennial revisions to the ICC codes.

Effective Date

This final-omitted regulation will take effect on October 1, 2018.

Contact Person

The contact person is Matthew W. Kegg, Director, Bureau of Occupational and Industrial Safety, Department of Labor and Industry, 651 Boas Street, Room 1613, Harrisburg, PA 17121, (717) 783-6304, mkegg@pa.gov.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on August 10, 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 Senate Committee on Labor and Industry and the House Labor Relations Committee. 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 September 12, 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 September 13, 2018, and approved the final-omitted rulemaking.

Findings

The Department finds that this final-omitted rulemaking is authorized by sections 304(a)(1) and (2) of the act.

Order

The Department, acting under authorizing statute, orders that:

(a) The regulations of the Department, 34 Pa. Code, Chapters 401 and 403, are amended by amending §§ 401.1, 403.1, 403.21, 403.23, 403.26—403.28, 403.42, 403.42a, 403.44—403.46 and 403.103 to read as set forth in Annex A.

(b) The Department submitted these regulations to the Independent Regulatory Review Commission and the Senate and House Labor and Industry Committees.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall become effective on October 1, 2018.

W. GERARD OLEKSIK,
Secretary

Fiscal Note: 12-107. No fiscal impact; (8) recommends adoption.

Annex A

**TITLE 34. LABOR AND INDUSTRY
PART XIV. UNIFORM CONSTRUCTION CODE
CHAPTER 401. UNIFORM CONSTRUCTION CODE
TRAINING AND CERTIFICATION OF CODE
ADMINISTRATORS**

§ 401.1. Definitions.

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

* * * * *

International Accreditation Service, Inc.—The International Accreditation Service, Inc., 5360 Workman Mill Road, Whittier, California 90601.

International Building Code—[**Chapters 2—10, 12—29 and 31—35 of the**] **An** [“] International Building Code [**2009** (first printing)] issued by the ICC. Chapter 11 and Appendix E of the “International Building Code 2015” issued by the ICC. The term includes all errata issued by the ICC.

International Energy Conservation Code—[**The**] **An** [“] International Energy Conservation Code [**2009** (first printing)] issued by the ICC. The term includes all errata issued by the ICC.

International Existing Building Code—[**The**] **An** [“] International Existing Building Code for Buildings and Facilities [**2009** (first printing)] issued by the ICC. The accessibility provisions in the “International Existing Building Code for Buildings 2015” issued by the ICC. The term includes all errata issued by the ICC.

International Fire Code—[**The**] **An** [“] International Fire Code [**2009** (first printing)] issued by the ICC. The term includes all errata issued by the ICC.

International Fuel Gas Code—[**The**] **An** [“] International Fuel Gas Code [**2009** (first printing)] issued by the ICC. The term includes all errata issued by the ICC.

International Mechanical Code—[**The**] **An** [“] International Mechanical Code [**2009** (first printing)] issued by the ICC. The term includes all errata issued by the ICC.

International Performance Code—[**The**] **An** [“] International Performance Code for Buildings and Facilities [**2009** (first printing)] issued by the ICC. The term includes all errata issued by the ICC.

International Plumbing Code—[**The**] **An** [“] International Plumbing Code [**2009** (first printing)] issued by the ICC. The term includes all errata issued by the ICC.

International Residential Code—[**The**] **An** [“] International Residential Code for One- and Two-Family Dwellings [**2009** (first printing)] issued by the ICC. The term includes all errata issued by the ICC.

International Swimming Pool and Spa Code—An International Swimming Pool and Spa Code issued by the ICC. The term includes all errata issued by the ICC.

International Wildland-Urban Interface Code—[**The**] **An** [“] International Wildland-Urban Interface Code

[**2009** (first printing)] issued by the ICC. The term includes all errata issued by the ICC.

Legally occupied—Use or habitation of a building or facility that was occupied in accordance with all valid construction statutes and ordinances in effect before April 9, 2004.

Manufactured housing—Under section 901(a) of the act (35 P.S. § 7210.901(a)), housing which bears a label as required by and referenced in the Manufactured Housing Act (35 P.S. §§ 656.1—1656.9), certifying that it conforms to Federal construction and safety standards adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A. §§ 5401—5426).

NEC—NFPA-70, [**the**] a [“] National Electrical Code [**2008** ”] issued by the NFPA [**on July 26, 2007**]. The term includes all errata issued by the NFPA.

NFPA—The National Fire Protection Association, One Batterymarch Park, Quincy, MA 02169.

* * * * *

Uncertified building—

(i) An existing building which was not approved for use and occupancy by the Department or a municipality which was enforcing a building code before April 9, 2004.

(ii) The term does not include a residential building.

Uniform Construction Code—This part, [**The**] **An** International Building Code [**2009** (first printing)] and the [“] International Residential Code for One- and Two-Family Dwellings [**2009** (first printing)], available from the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795, (888) 422-7233; and any standards adopted by the Department in this part under sections 301 and 304 of the act (35 P.S. §§ 7210.301 and 7210.304).

Utility and miscellaneous use structures—

(i) Buildings or structures of an accessory character and miscellaneous structures not classified by the ICC in any specific use group.

(ii) The term includes carports, detached private garages, greenhouses and sheds having a building area less than 1,000 square feet.

(iii) The term does not include swimming pools or spas.

CHAPTER 403. ADMINISTRATION

§ 403.1. Scope.

* * * * *

(f) The electrical, plumbing and lumber and wood provisions, except for the wood provisions related to pressure treatment, of the Uniform Construction Code do not apply to a dwelling unit or one-room school house utilized by a member or members of a recognized religious sect if a code administrator grants an exemption under section 901(b) of the act (35 P.S. § 7210.901(b)) as follows:

(1) The permit applicant shall file an application with the code administrator stating the manner in which an electrical provision, a plumbing provision or a lumber and wood provision of the Uniform Construction Code conflicts with the applicant's religious beliefs. The application must also contain an affidavit by the applicant stating:

(i) The permit applicant is a member of a religious sect.

(ii) The religious sect has established tenets or teachings which conflict with an electrical, a plumbing or a lumber and wood provision of the Uniform Construction Code.

(iii) The permit applicant adheres to the established tenets or teachings of the sect.

(A) For a dwelling unit, the dwelling will be used solely as a residence for the permit applicant and the applicant's household.

(B) For a one-room school house, the school house will be used solely by members of the religious sect.

(2) The code administrator shall grant the application for the exemption if made in accordance with paragraph (1).

(3) If the permit applicant receives an exemption for a building under section 901(b) of the act and the applicant subsequently sells or leases the building, the applicant shall bring the building into compliance with the provision of the Uniform Construction Code from which it was exempted prior to the sale or lease of the building unless the prospective subsequent owner or lessee files an affidavit in compliance with paragraph (1).

(g) Coal-fired boilers installed in residential buildings must be designed, constructed and tested in accordance with the requirements of Chapter 20, section M2001.1.1 of the “International Residential Code **of 2015**,” except for the ASME stamping requirement.

§ 403.21. Uniform Construction Code.

(a) The Department adopts and incorporates by reference the following codes as the Uniform Construction Code:

(1) The provisions of Chapters 2—10, 12—29 and 31—35 of the “International Building Code **of 2015**,” except [**that in occupancies in Use Group R-3 and within dwelling units in occupancies in Use Group R-2 the maximum riser height shall be 8 1/4 inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). A 1-inch (25 mm) nosing shall be provided on stairways with solid risers. The following provisions of the “International Building Code of 2015” are adopted:**

(i) **Section 304.1 concerning “Business Group B” uses and occupancies.**

(ii) **Section 306.2 concerning “moderate-hazard factory industrial, Group F-1” uses and occupancies.**

(iii) **Section 2902.3 concerning exceptions for “employee and public toilet facilities.”**

(iv) **Section 902.1 (relating to definitions) to the extent that “Automatic Water Mist System” was added.**

(v) **Section 904.2 (relating to installation of automatic fire-extinguishing systems).**

(vi) **Section 904.2.1 (relating to restrictions on using automatic sprinkler system exceptions or reductions).**

(vii) **Section 904.11 (relating to automatic water mist systems).**

(viii) **Section 904.11.1 (relating to design and installation requirements).**

(ix) **Section 904.11.1.1 (relating to general requirements for design and installation).**

(x) **Section 904.11.1.2 (relating to actuation).**

(xi) Section 904.11.1.3 (relating to water supply protection).

(xii) Section 904.11.1.4 (relating to secondary water supply).

(xiii) Section 904.11.2 (relating to water mist system supervision and alarms).

(xiv) Section 904.11.2.1 (relating to monitoring).

(xv) Section 904.11.2.2 (relating to alarms).

(xvi) Section 904.11.2.3 (relating to floor control valves).

(xvii) Section 904.11.3 (relating to testing and maintenance).

(xviii) Section 907.2.11.3 (relating to installation of smoke alarms near cooking appliances).

(xix) Section 907.2.11.4 (relating to installation of smoke alarms near bathrooms).]:

(i) In occupancies in Use Group R-3 and within dwelling units in occupancies in Use Group R-2 the maximum riser height shall be 8 1/4 inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). A 1-inch (25 mm) nosing shall be provided on stairways with solid risers.

(ii) That Section 913.2.2 (relating to circuits supplying fire pumps) is excluded.

(iii) That in Section 2609.4 (relating to area limitations and greenhouses), exception three is modified to include "or maintaining plants."

(2) Chapter 11 of the "International Building Code of 2015."

(3) The "International Mechanical Code of 2015." [Section 507.2 of the International Mechanical Code of 2015 (relating to commercial kitchen hoods, "Type 1,") is also adopted.]

(4) The "International Fuel Gas Code of 2015[.]" except that Section 310.3 of the "International Fuel Gas Code of 2018" (relating to arc-resistant CSST) is also adopted.

(5) The "International Performance Code of 2009."

(6) The "International Plumbing Code of 2015."

(i) Except that a municipality within a county of the second class may not administer and enforce the "International Plumbing Code" adopted under this chapter.

(ii) A municipality within a county of the second class that has adopted a plumbing code and accompanying rules and regulations under the Local Health Administration Law (16 P.S. § § 12001—12028), shall retain the authority to promulgate and enforce this plumbing code and to make any changes it deems necessary if the changes meet the Uniform Construction Code's minimum requirements.

(7) The "International Residential Code of 2015," except that:

(i) The provisions of R314.4 requiring interconnected smoke alarms do not apply to one-family and two-family dwellings undergoing alterations, repairs or additions. Noninterconnected battery operated smoke alarms shall be installed in these dwellings.

(ii) The following specifications apply to residential stairway treads and risers.

(A) The maximum riser height is 8 1/4 inches. There may be no more than a 3/8 inch variation in riser height within a flight of stairs. The riser height is to be measured vertically between leading edges of the adjacent treads.

(B) The minimum tread depth is 9 inches measured from tread nosing to tread nosing.

(C) The greatest tread depth within any flight of stairs may not exceed the smallest by more than 3/8 inch.

(D) Treads may have a uniform projection of not more than 1 1/2 inches when solid risers are used.

(E) Stairways may not be less than 3 feet in clear width and clear headroom of 6 feet 8 inches shall be maintained for the entire run of the stair.

(F) Handrails may project from each side of a stairway a distance of 3 1/2 inches into the required width of the stair.

[(iii) The following provisions of the "International Residential Code of 2015" are adopted

(A) Section N1101.6 only to the extent that this section contains the definition of "insulated siding."

(B) Section N1102.2.4 (relating to access hatches and doors).

(C) Section N1102.2.8 (relating to floors).

(D) Table N1102.4.1.1 only to the extent that amendments were made to the "Floors" row of this table.

(E) Section N1102.1.3 (relating to r-value computation).

(F) Table R302.1(1) (relating to requirements for exterior walls).

(G) Section R316.5.11 (relating to sill plates and headers).

(H) Section R317.1.4 (relating to wood columns).

(I) Section R507.1 (relating to decks).

(J) Section R507.2.4 (relating to deck lateral load connection).

(K) Section R507.4 (relating to decking).

(L) Section R507.5 (relating to deck joists).

(M) Section R507.5.1 (relating to lateral restraint at supports).

(N) Section R507.6 (relating to deck beams).

(O) Section R507.7 (relating to deck joist and deck beam bearing).

(P) Section R507.7.1 (relating to deck post to deck beam).

(Q) Section R507.8 (relating to deck posts).

(R) Section R507.8.1 (relating to deck post to deck footing).

(S) Table R507.4 (relating to maximum joist spacing).

(T) Table R507.5 (relating to deck joist spans for common lumber species).

(U) Table R507.8 (relating to deck post height).

(V) Figure R507.2.3(2) (relating to deck attachment for lateral loads).

(W) Figure R507.5 (relating to typical deck joist spans).

(X) Figure R507.6 (relating to deck beam span lengths).

(Y) Figure R507.7.1 (relating to deck beam to deck post).

(Z) Figure R507.8.1 (relating to typical deck posts to deck footings).

(AA) Section M1503.4 (relating to “make-up air required” for range hoods).

(BB) Section M1601.4.1 (relating to “joints, seams, and connections” for duct construction) is adopted only with regards to Exception No. 3.]

(iii) The following provisions are excluded:

(A) Section R302.5.1 (relating to opening protection).

(B) Section R322.2.1 (relating to elevation requirements for flood hazard areas).

(C) Section R322.3.2 (relating to elevation requirements for coastal high hazard areas).

(D) Section R325.5 (relating to openness).

(E) Table R507.6 (relating to deck beam span lengths).

(F) Table R602.7.5 (relating to minimum number of full height studs at each end of headers in exterior walls).

(G) Section N1101.4 (relating to above code programs).

(H) Section N1103.3.5 (relating to building cavities).

(I) Section N1103.5.2 (relating to demand recirculation systems).

(J) Table N1106.4 (relating to maximum energy rating index).

(K) Section P2503.5.1 (relating to rough plumbing).

(L) Section E3901.7 (relating to outdoor outlets).

(iv) The following provisions are modified:

(A) Section N1101.6 (relating to defined terms) is amended by adding the definition of “framing factor” as the fraction of the total building component area that is structural framing.

(B) Table 1102.1.2 (relating to insulation and fenestration criteria) is amended by adding “or 18 + 6.5^H” to climate zone 6 wood frame wall R-value.

(C) Table N1102.1.2 (relating to insulation and fenestration requirements by components) is amended by adding footnote j which permits R-18 insulation to be permitted in place of R-20 requirement provided the wall framing factor is 20% or less or exterior walls with 24” o.c. nominal vertical stud spacing.

(D) Section N1102.4.1.2 (relating to testing) is amended as having an air leakage rate not exceeding five air changes per hour for all climate zones.

(E) Section N1105.2 (relating to mandatory requirements) is amended to require compliance with the mandatory provisions of section N1102.4.1.2.

(F) Section M1601.4.1, exception 3 (relating to joints, seams, and connections) is amended by excluding this exception for snap-lock and button-lock type joints and seams located outside of conditioned spaces.

(G) Section M1602.2 item 2 (relating to return air openings) is amended to add the word perimeter before the first use of the word room.

(H) Section E3901.11 (relating to foyers) is amended by replacing 3 feet (914 mm) with 6 feet (1829 mm) and a minimum of one receptacle.

(v) The following provisions of the International Residential Code of 2009 are adopted:

(A) Section R302.5.1 (relating to opening protection).

(B) Section R322.2.1 (relating to elevation requirements for flood hazard areas).

(C) Section R322.3.2 (relating to elevation requirements for coastal high hazard areas).

(D) Section N1101.8 (relating to above code programs).

(E) Section N1103.2.3 (relating to building cavities).

(F) Section P2503.5.1 (relating to rough plumbing).

(G) Section E3901.7 (relating to outdoor outlets).

(vi) The following provisions of the “International Residential Code of 2018” are adopted:

(A) Section R325.5 (relating to openness) is adopted except for exception 2.

(B) Table R507.5 (relating to deck beam span lengths).

(C) Section R602.3.1 (relating to stud size, height, and spacing) exception 3.

(D) Table R602.3(6) (relating to alternate wood bearing wall stud size, height, and spacing).

(E) Table R602.7.5 (relating to minimum number of full height studs at each end of headers in exterior walls).

(F) Section N1103.3.6 (relating to ducts buried within ceiling insulation).

(G) Section N1103.3.7 (relating to ducts located in conditioned space).

(H) Table N1106.4 including footnote “a” (relating to maximum energy rating index).

(8) The “International Fire Code of 2015[.]” except that [(i)] Section 806.1.1 [of the International Fire Code] (relating to natural cut trees) is not adopted under this chapter. A municipality that elects to adopt an ordinance for the administration and enforcement of the Uniform Construction Code may, by ordinance, restrict the placement of natural cut trees in an occupancy group. The ordinance restricting the placement of natural cut trees is not subject to section 503(b)—(k) of the act (35 P.S. § 7210.503(b)—(k)) and § 403.102(i)—(k) (relating to municipalities electing to enforce the Uniform Construction Code).

[(ii) The following portions of the “International Fire Code of 2015” are adopted:

(A) Section 202 limited to changes to definitions for “Business Group B” and “Automatic Water Mist System.”

(B) Section 902.1 (relating to definitions) to the extent that “Automatic Water Mist System” was added.

(C) Section 904.2 (relating to relating to installation of automatic fire-extinguishing systems).

(D) Section 904.2.1 (relating to restrictions on using automatic fire extinguisher systems exceptions or reductions).

(E) Section 904.11 (relating to automatic water mist systems).

(F) Section 904.11.1 (relating to design and installation requirements).

(G) Section 904.11.1.1 (relating to general requirements for design and installation).

(H) Section 904.11.1.2 (relating to actuation).

(I) Section 904.11.1.3 (relating to water supply protection).

(J) Section 904.11.1.4 (relating to secondary water supply).

(K) Section 904.11.2 (relating to water mist system supervision and alarms).

(L) Section 904.11.2.1 (relating to monitoring)."

(M) Section 904.11.2.2 (relating to alarms).

(N) Section 904.11.2.3 (relating to floor control valves).

(O) Section 904.11.3 (relating to testing and maintenance).

(P) Section 907.2.11.3 (relating to installation of smoke alarms near cooking appliances).

(Q) Section 907.2.11.4 (relating to installation of smoke alarms near bathrooms).]

(9) The "International Energy Conservation Code of 2015[.]" [The following portions of the International Energy Conservation Code of 2015 are adopted] except that:

[(i) Section R202 only to the extent that this section contains the definition of "insulated siding."

(ii) Section R402.2.4 (relating to access hatches and doors).

(iii) Section R402.2.8 (relating to floors).

(iv) Table R402.4.1.1 only to the extent the row for "floors" was amended.

(v) Section 402.1.3 (relating to r-value computation).]

(i) The following provisions are excluded:

(A) Section R102.1.1 (relating to above code programs).

(B) Section C104.2.6 (relating to final inspection).

(C) Section R403.3.5 (relating to building cavities (mandatory)).

(D) Section R403.5.2 (relating to demand recirculation systems).

(E) Table R406.4 (relating to maximum energy rating index).

(F) Section C408.2.4 (relating to preliminary commissioning report).

(ii) The following provisions are modified:

(A) Chapter RE 2 is amended by adding the definition of "framing factor" as the fraction of the total building component area that is structural framing.

(B) Table R402.1.2 (relating to insulation and fenestration requirements by component) is amended by adding "or 18 + 6.5th" to climate zone 6 wood frame wall R-value.

(C) Table R402.1.2 (relating to insulation and fenestration requirements by components) is amended by adding footnote j which permits R-18 insulation to be permitted in place of R-20 requirement provided the wall framing factor is 20% or less or exterior walls with 24" o.c. nominal vertical stud spacing.

(D) Section R402.4.1.2 (relating to testing) is amended as having an air leakage rate not exceeding five air changes per hour for all climate zones.

(E) Section R405.2 (relating to mandatory requirements) is amended to require compliance with the mandatory provisions of section R402.4.1.2.

(iii) The following provisions of the International Energy Conservation Code of 2009 are adopted:

(A) Section 102.1.1 (relating to above code programs).

(B) Section 104.3 (relating to final inspection).

(C) Section 403.2.3 (relating to building cavities).

(iv) The following provisions of the International Energy Conservation Code of 2018 are adopted:

(A) Section R403.3.6 (relating to ducts buried within ceiling insulation).

(B) Section R403.3.7 (relating to ducts located in conditioned space).

(C) Table R406.4 including footnote "a" (relating to maximum energy rating index).

(10) The "International Existing Building Code of 2015[.]" except that Section 101.2 (relating to scope) is modified to add an exception for detached residential buildings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures to comply with either the International Existing Building Code of 2015 or the International Residential Code of 2015.

[(i) Section 406.3 of the International Existing Building Code of 2015 (relating to replacement window emergency escape and rescue openings) is adopted.

(ii) The accessibility provisions of the International Existing Building Code of 2015 are adopted as follows:

(A) Section 107.2 (relating to temporary structures and uses).

(B) Section 410 (relating to the prescriptive compliance method).

(C) Section 605 (relating to repairs).

(D) Section 705 (relating to Level 1 alterations).

(E) Section 801.1 (relating to Level 2 alterations).

(F) Section 806 (relating to Level 2 alterations).

(G) Section 901.2 (relating to Level 3 alterations).

(H) Section 906 (relating to Level 3 alterations).

(I) Section 1006 (relating to change of occupancy).

(J) Section 1012.1.4 (relating to change of occupancy).

(K) Section 1012.8 (relating to change of occupancy).

(L) Section 1101.2 (relating to additions).

(M) Section 1105 (relating to additions).

(N) Section 1204.1 (relating to historic buildings).

(O) Section 1205.15 (relating to historic buildings).

(P) Section 1401.2.5 (relating to performance compliance methods).

(Q) Section 1508 (relating to construction safeguards).

(R) Appendix B.]

(11) The “International Wildland-Urban Interface Code of 2015.”

(12) Appendix E of the “International Building Code of 2015.”

(13) Appendix H of the “International Building Code of 2009.”

[(14) Appendix G of the “International Residential Code.”]

(b) The code adopted under subsection [(a)(7)] (a)(8) is part of the Uniform Construction Code to the extent that it is referenced in Chapter 35 of the “International Building Code of 2015” under section 302(a)(1) of the act (35 P.S. § 7210.302(a)(1)). The provisions of the Uniform Construction Code apply if there is a difference between the Uniform Construction Code and the codes or standards adopted in subsection (a). This chapter’s administrative provisions govern under § 403.27(e) (relating to applicability and use of standards) if there is a conflict with the provisions of the codes relating to administration incorporated under subsection (a).

(c) Appendices to a code or standard listed in subsection (a) are not adopted in the Uniform Construction Code except for the appendices and resource information found in the “International Existing Building Code of 2015” and the appendices found in subsection [(a)(11)—(13)] (a)(12)-(13).

(d) A permit applicant may utilize one of the following prescriptive methods to demonstrate compliance with the energy conservation requirements of the Uniform Construction Code. The standards are those listed for the climatic zone of this Commonwealth where the building or structure is located:

(1) The prescriptive methods for detached residential buildings contained in the [**current version of the**] “International Energy Conservation Code of 2015” compliance guide containing State maps, prescriptive energy packages and related software published by the United States Department of Energy, Building Standards and Guidelines Program (REScheck™) or “Pennsylvania’s Alternative Residential Energy Provisions.”

(2) The prescriptive methods for all other buildings or structures contained in the [**current version of the**] “International Energy Conservation Code of 2015” compliance guide containing State maps, prescriptive packages and related software published by the United States Department of Energy, Building Standards and Guidelines Program (COMcheck™).

(e) Construction of individual sewage disposal systems is governed under 25 Pa. Code Chapter 73 (relating to standards for onlot sewage treatment facilities).

(f) The repair, alteration, change of occupancy, addition and relocation of existing buildings must comply with Chapter 34 of the “International Building Code of 2015” or with the “International Existing Building Code of 2015.”

§ 403.23. Child day care facilities.

* * * * *

(d) All other child day care facilities shall be classified under Chapter 3 of the “International Building Code of 2015.” The facilities shall meet all Uniform Construction Code standards for these occupancy classifications.

§ 403.26. Swimming pools.

(a) A swimming pool, hot tub and spa which is accessory to a one- or two-family dwelling must comply with [**all of the following:**] the “**International Residential Code of 2015**” which adopts, by reference, the “**International Swimming Pool and Spa Code of 2015.**”

[(1) Chapter 42 of the “International Residential Code.”

(2) Appendix G of the “International Residential Code.”

(3) Section 2406.4, paragraph 9 of the International Building Code (glazing in walls and fences enclosing indoor and outdoor swimming pools, hot tubs and spas).

(4) Section 3109.4 of the “International Building Code” (residential swimming pools).]

(b) A swimming pool, **hot tub or spa** that is not accessory to a one- or two-family dwelling must comply with [**this chapter, the “American National Standards for Public Pools” issued by ANSI and APSP (ANSI/NSPI-1 2003) and**] the Public Bathing Law (35 P.S. §§ 672—680d) and the “**International Building Code of 2015**” which adopts, by reference, the “**International Swimming Pool and Spa Code of 2015.**”

[(c) A hot tub or spa that is not accessory to a one- or two-family dwelling must comply with this chapter and the “American National Standard for Public Spas” issued by ANSI and APSP (ANSI/NSPI-2 1999).]

§ 403.27. Applicability and use of standards.

(a) Portions of this chapter designate and incorporate portions of the following ICC copyrighted works:

(1) The “International Building Code of 2015.”

(2) The “International Residential Code of 2015.”

(3) The “International Plumbing Code of 2015.”

(4) The “International Mechanical Code of 2015.”

(b) The “International Residential Code of 2015” and the “International Existing Building Code of 2015” apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings no more than three stories in height with a separate means of egress and their accessory structures.

(c) The ICC owns the copyrighted works in subsection (a). Reproduced with permission. All rights reserved.

* * * * *

(e) This chapter governs if there is a conflict between this chapter and the provisions of the codes relating to

administration incorporated under § 403.21(a) (relating to Uniform Construction Code).

(f) A provision of the “International Mechanical Code of 2015” does not apply if the provision conflicts with the Boiler and Unfired Pressure Vessel Law (35 P.S. §§ 1331.1—1331.9).

§ 403.28. Uncertified buildings.

* * * * *

(b) Under section 902(b) of the act, uncertified buildings within the Department’s jurisdiction must meet the following requirements which do not apply to uncertified buildings under subsection (a):

(1) Maximum story height, minimum allowable construction type based on floor area, vertical opening and shaft protection requirements, means of egress requirements pertaining to minimum number of exits, maximum travel distances to exits, means of egress illumination, minimum egress widths and heights for exit doors, exit stairs, exit ramps and exit corridors requirements under the ‘International Building Code of 2015.’

(2) Fire safety requirements in the “International Building Code of 2015” for fire alarms, fire extinguishers, heat and smoke detectors, automatic sprinkler systems and occupancy and incidental use separations. The following also apply:

(i) If construction began on a building before May 19, 1984, the installation of automatic sprinkler systems is not required.

* * * * *

(3) Accessibility requirements are applicable as follows:

(i) If construction of an uncertified building began before September 1, 1965, accessibility requirements will not be imposed by the Department.

(ii) If construction of a building began after August 31, 1965, and before February 18, 1989, and if the building is a State-owned building, a restaurant or a retail commercial establishment, the building must have at least one accessible main entrance, an accessible route from the accessible entrance to any public spaces on the same level as the accessible entrance and, if toilet rooms are provided, the building must have at least one toilet room for each sex or a unisex toilet room complying with the accessibility requirements of the “International Building Code of 2015.”

(iii) If construction of the building began after February 17, 1989, all accessibility requirements of the “International Building Code of 2015” shall be met.

(4) Structural requirements will not be imposed unless the Department determines that the building or a portion of the building has defects that are defined as dangerous in section 202 of the “International Existing Building Code of 2015.” If the building is dangerous, the Department may impose only those requirements minimally necessary to remove danger to the building’s occupants.

(5) A construction code official may deny the issuance of a certificate of occupancy if the official deems that a building is unsafe because of inadequate means of egress, inadequate lighting and ventilation, fire hazards or other dangers to human life or to public welfare.

(c) The following apply to uncertified buildings where the Department does not have jurisdiction and which are not governed under subsection (a):

(1) A construction code official shall issue a certificate of occupancy to an uncertified building if it meets the

requirements of the latest version of the “International Existing Building Code of 2015” or Chapter 34 of the “International Building Code of 2015.” The construction code official shall utilize the code for the municipality which best applies, in the official’s professional judgment.

(2) A construction code official may deny the issuance of a certificate of occupancy if the official deems that a building is unsafe because of inadequate means of egress, inadequate lighting and ventilation, fire hazards or other dangers to human life or to public welfare.

* * * * *

§ 403.42. Permit requirements and exemptions.

* * * * *

(c) A permit is not required for the exceptions listed in § 403.1(b) (relating to scope) and the following construction as long as the work does not violate a law or ordinance:

(1) Building construction for the following:

* * * * *

(x) Swings and other playground equipment accessory to one- or two-family dwellings.

(xi) Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of group R-3 as applicable in the “International Building Code of 2015,” and Group U occupancies.

(xii) Movable cases, counters and partitions that are not over 5 feet 9 inches in height.

* * * * *

§ 403.42a. Permit application.

* * * * *

(f) All of the following fire egress and occupancy requirements apply to construction documents:

* * * * *

(3) The permit applicant shall submit shop drawings for a fire protection system that indicates conformance with the Uniform Construction Code in accordance with the following:

(i) The shop drawings shall be approved by the building code official before the start of the system installation.

(ii) The shop drawings must contain the information required by the referenced installation standards contained in Chapter 9 of the “International Building Code of 2015.”

(g) Construction documents shall contain the following information related to the exterior wall envelope:

(1) Description of the exterior wall envelope indicating compliance with the Uniform Construction Code.

(2) Flashing details.

(3) Details relating to intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves, or parapets, means of drainage, water-resistive membrane and details around openings.

(h) Construction documents shall contain a site plan that is drawn to scale. The building code official may waive or modify the following site plan requirements if the permit application is for an alteration or repair or if

waiver or modification is warranted. Site plan requirements include all of the following:

- (1) The size and location of new construction and existing structures on the site.
- (2) Accurate boundary lines.
- (3) Distances from lot lines.
- (4) The established street grades and the proposed finished grades.
- (5) If the construction involves demolition, the site plan shall indicate construction that is to be demolished and the size and location of existing structures and construction that will remain on the site or plot.

(6) Location of parking spaces, accessible routes, public transportation stops and other required accessibility features.

(i) A permit applicant shall submit certifications required in the "International Building Code of 2015" for construction in a flood hazard area to the building code official.

(j) A permit applicant shall identify, on the application, the name and address of the licensed architect or engineer in responsible charge. The permit applicant shall notify the building code official in writing if another licensed architect or engineer assumes responsible charge.

(k) The permit applicant shall describe an inspection program, identify a person or firm who will perform special inspections and structural observations if section 1704 [or 1710] and 1705 of the "International Building Code of 2015" requires special inspections or structural observations for the construction.

* * * * *

§ 403.44. Alternative construction materials and methods.

* * * * *

(b) Materials, equipment and devices bearing the label or listed by a testing laboratory or quality assurance agency accredited by the International Accreditation Service, Inc. or another agency accredited under the "Calibration and Testing Laboratory Accreditation Systems-General Requirements for Operation and Recognition" issued by ISO (ISO Guide 58) are approved for use if:

(1) The testing laboratory or quality assurance agency deemed the material as meeting Uniform Construction Code-required standards.

(2) The scope of accreditation is applicable to Uniform Construction Code-required standards.

(c) A new building or remodeling, alteration, addition or change of use and occupancy of an existing building which complies with the International Performance Code of 2009 shall also be in compliance with the Uniform Construction Code.

§ 403.45. Inspections.

* * * * *

(e) A construction code official shall conduct a final inspection of the completed construction work and file a final inspection report, which indicates that all of the following areas met Uniform Construction Code requirements after a final inspection of the completed construction work:

(1) General building under § 401.7(6) (relating to certification category specification for building inspector).

(2) Electrical under § 401.7(7).

(3) Plumbing under § 401.7(9).

(4) Accessibility under § 401.7(11).

(5) Fire protection under § 401.7(6).

(6) Mechanical under § 401.7(8).

(7) Energy conservation under § 401.7(10)

(f) A code administrator may act in place of a lumber grading or inspection agency to satisfy the requirements under section 2303.1.1 of the "International Building Code of 2015" or its successor code.

§ 403.46. Certificate of occupancy.

* * * * *

(b) A building code official shall issue a certificate of occupancy within 5 business days after receipt of a final inspection report that indicates compliance with the Uniform Construction Code. The certificate of occupancy shall contain the following information:

* * * * *

(5) The applicable construction code edition applicable to the occupancy permit.

(6) The use and occupancy classification under Chapter 3 (Use and Occupancy Classification) of the "International Building Code of 2015," when designated.

(7) The type of construction defined in Chapter 6 (Types of Construction) of the "International Building Code of 2015," when designated.

(8) Special stipulations and conditions relating to the permit and board of appeals' decisions and variances for accessibility requirements granted by the Secretary.

* * * * *

§ 403.103. Municipalities electing not to enforce the Uniform Construction Code.

* * * * *

(b) An applicant for a residential building permit shall obtain the services of a third-party agency certified in the appropriate categories to conduct the plan review and inspections under §§ 403.61—403.66 (relating to permit and inspection process for residential buildings).

(c) A building code official shall approve an alternative material, design or method of construction if the proposed design is satisfactory and complies with the intent of the Uniform Construction Code and the offered material, method or work is equivalent to Uniform Construction Code requirements for its intended purpose. The building code official shall accept compliance with the "International Performance Code of 2009" as an alternative to compliance with the Uniform Construction Code.

(d) A building code official shall determine the climatic and geographic design criteria contained in Table R301.2(1) of the "International Residential Code of 2015" for residential construction.

(e) A third-party agency which conducts plan review and inspection of residential buildings and utility and miscellaneous use structures shall retain copies of all final inspection reports relating to Uniform Construction Code compliance.

* * * * *

[Pa.B. Doc. No. 18-1524. Filed for public inspection September 28, 2018, 9:00 a.m.]

PROPOSED RULEMAKING

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 77]

[L-2018-3002672]

Assumption of Commission Jurisdiction over Pole Attachments from the Federal Communications Commission

Public Meeting held
July 12, 2018

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

*Assumption of Commission Jurisdiction over Pole
Attachments from the Federal Communications
Commission; L-2018-3002672*

Notice of Proposed Rulemaking

By the Commission:

At its June 14, 2018 Public Meeting, the Pennsylvania Public Utility Commission (Commission) unanimously approved the Motion of Commissioner Norman J. Kennard to begin a rulemaking to assert Commission jurisdiction over pole attachments pursuant to the Telecommunications Act of 1996 (TA96).¹ TA96 provides that the Federal Communications Commission (FCC) regulates pole attachments by default but contains procedures by which states may reverse-preempt FCC jurisdiction over pole attachments. Approximately twenty states have opted to regulate pole attachments through the reverse-preemption provision of TA96.² While the Commission informally considered assuming jurisdiction over pole attachments in the past, recent public demand for ubiquitous access to wireline and wireless data technology has increased the need for more streamlined pole attachment procedures in Pennsylvania. The June 14 Motion and this Notice of Proposed Rulemaking (NPRM) are responsive to that public need.

This Rulemaking will address network elements on which all broadband deployment relies—essential physical infrastructure used to deliver these services to end-users. It will provide stakeholders with the opportunity to shape how the Commission may provide its expertise and adjudicatory resources to benefit stakeholders as they seek to address the challenges of broadband deployment in Pennsylvania. The initial step in this process is to establish which pole attachment rules the Commission will apply and how it will apply them. The Commission invites interested persons to provide comment and to offer recommendations for consideration on its proposal to exercise reverse-preemption of FCC pole attachment jurisdiction and on its proposal to adopt the FCC pole

attachment regulatory regime without modification at this time. In furtherance of this proposal, the Commission has included the attached Annex to this Notice of Proposed Rulemaking Order to establish Chapter 77, Pole Attachments, to Title 52 of the *Pennsylvania Code*.

Enhancing Opportunities for Broadband Deployment

Stakeholders seeking enhanced broadband deployment opportunities have long advocated for pole attachment reform before the FCC. As early as 2005, attaching entities requested that the FCC provide more favorable pole attachment terms. In 2007, the FCC obliged with a forum to consider the requested relief.³ On March 16, 2010, the FCC released its National Broadband Plan that, in part, recognized that a lack of reliable, timely, and affordable access to utility poles is often a significant barrier to deploying wireline and wireless services.⁴ The National Broadband Plan recommended that enhanced pole attachment rights could promote broadband deployment and specifically recommended that:

(1) The FCC establish rental rates for pole attachments that are as low and close to uniform as possible, consistent with Section 224 of the Communications Act of 1934, as amended, to promote broadband deployment;

(2) The FCC implement rules that will lower the cost of the pole attachment “make-ready” process. For example, the FCC should authorize attachers to use space and cost-saving techniques, such as boxing or extension arms, where practical and in a way that is consistent with pole owners’ use of those techniques;

(3) The FCC establish a comprehensive timeline for each step of the Section 224 access process and reform the process used for resolving disputes regarding infrastructure access; and

(4) The FCC improve the collection and availability of information regarding the location and availability of poles, ducts, conduits and rights-of-way.⁵

The FCC later adopted these aspects of pole attachment reform as it worked to enhance access to broadband service throughout the nation.

A. 2010 Pole Attachment Order

On May 20, 2010, the FCC issued its Pole Attachment Order and Further Notice.⁶ There, it took initial steps to clarify pole attachment rules and streamline the attachment process. For example, it clarified that communications providers had a right to use the same space and cost-saving techniques employed by pole owners, such as placing attachments on both sides of a pole (‘boxing’) and established that providers have a statutory right to timely access to poles.⁷ Regarding the Further Notice, the FCC focused on measures to speed attaching entities’ access to poles.⁸ Affected industries responded, and the FCC released its April 2011 Order to address what it believed were the major concerns impeding the expansion of broadband throughout the United States.

³ In re Implementation of Section 224 of the Act, 22 FCC Red. 20195, 20199 (F.C.C. 2007).

⁴ In re Implementation of Section 224 of the Act, 26 FCC Red. 5240, 5241 (F.C.C. Apr. 7, 2011) (April 2011 Order).

⁵ In re Implementation of Section 224 of the Act et al., 25 FCC Red. 11864, 11868 (F.C.C. 2010).

⁶ 2010 Order and Further Notice, 25 FCC Red. 11864.

⁷ In re Implementation of Section 224 of the Act, 26 FCC Red. 5240, 5248-5249 (F.C.C. Apr. 7, 2011).

⁸ Id.

¹ The Pole Attachment Act (PAA) section of TA96 may be found at 47 U.S.C. § 224, and the attendant FCC regulations may be found at 47 C.F.R. §§ 1.1401–1.1425; the current iteration of which are attached. Because the Commission does not propose to alter existing FCC pole attachment regulations at this time it will not reiterate the regulations in the body of this Order.

² 47 U.S.C. § 224(c). The comprehensive list: Alaska, Arkansas, California, Connecticut, Delaware, Idaho, Illinois, Kentucky, Louisiana, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Oregon, Utah, Vermont and Washington, as well as the District of Columbia.

B. 2011 Report and Order on Reconsideration

The April 2011 Order adopted many of the proposals of the affected stakeholders.⁹ That Order, applicable to EDC and ILEC poles, limited the number of pole attachments that may be requested per month (no more than 3,000 poles state-wide).¹⁰ It also established a four-stage timeline for wireline and wireless attachment to a pole's communications space, with a maximum timeframe of up to 148 days for completion of all four stages. When pole owners failed to meet these deadlines, attaching entities could engage utility-approved contractors to complete the work. In addition, attaching entities now had access to space above the communications space, but only using workers qualified to perform such work.¹¹ Wireless attachments above the communications space are subject to a 178-day response and have a complaint remedy process. An electric utility must specifically explain any attachment refusal based on capacity, safety, reliability, or engineering concerns.

Regarding rates, the April 2011 Order reduced the disparity between current telecommunications rates and the lower, and perhaps subsidized, CATV rates.¹² Specifically, the FCC adopted a definition of cost that yielded a new "just and reasonable" telecommunications rate designed to recover the same portion of pole costs as current cable rates. The April 2011 Order also confirms that wireless providers are entitled to the same rate under the statute as other telecommunications carriers.¹³

Noting a decline in ILEC pole ownership rates, the FCC exercised oversight to ensure just and reasonable rates, terms, and conditions that might not otherwise result from arm-length negotiations with EDCs. In a break from previous interpretations of Section 224, an ILEC may file a pole attachment complaint if it believes a particular rate, term, or condition is unjust or unreasonable. However, the FCC hedged its acknowledgement of ILECs' pole attachment interests. While ILECs continue to have no statutory right of access to utility poles pursuant to the PAA, the FCC concluded that, where ILECs are granted such access, ILECs are entitled to rates, terms and conditions that are "just and reasonable" in accordance with section 224(b)(1).¹⁴

Regarding FCC enforcement actions, the April 2011 Order encouraged negotiated resolutions of attachment disputes, including a certification of good faith "executive-level discussions" prior to the filing of a complaint with the FCC.¹⁵ The Order retained the "sign and sue" rule, which permits attaching entities to sue over the terms of a signed attachment agreement where the attaching entity claims coercion to accept certain terms to gain pole access. The April 2011 Order declined to adopt rules for compensatory damage awards and removed the cap on penalties for unauthorized attachments.

The Order looked to the practical experience of the states to deal with unauthorized attachments.¹⁶ In the past, a successful claim against an unauthorized attachment amounted to little more than an award of back rent. The FCC expanded allowable recovery to include per-pole penalties of up to five times the current annual rental fee

per pole for unauthorized attachments. These penalties allowed for additional charges if pole owners identify unauthorized attachments during inspections in which the unauthorized attaching entity declined to participate.¹⁷

C. 2013 D.C. Circuit Ruling on the 2011 Report and Order on Reconsideration

Consistent with its efforts in its Connect America Fund Order, the FCC's April 2011 Order seeks to promote broadband deployment by reforming the pole attachment process to make it faster, easier, and more accessible with a lower unified rate for all attaching entities. In 2013, the D.C. Circuit Court of Appeals upheld the reforms of the April 2011 Order in *Am. Elec. Power Serv. Corp. v. FCC*, 2013 U.S. App. LEXIS 3924 (D.C. Cir. Feb. 26, 2013). Specifically, a group of electric companies affected by the April 2011 Order challenged the FCC's revised interpretations. CATV providers and telecommunications carriers intervened in support of the new interpretation. The Court agreed with the FCC that a reasonable interpretation of 47 U.S.C. § 224, while not bringing ILECs under the statute for purposes of requesting pole attachments, could provide ILECs with pole attachment rate relief comparable to CATV providers and allow them to use the FCC complaint process to resolve disputes with pole owners.¹⁸

D. November 2015 Order on Reconsideration

In 2011, the National Cable Television Association petitioned for reconsideration or clarification of the April 2011 Order seeking to characterize the 2011 formula for cost, which included an urban allocation factor of 66% and a non-urban allocation factor of 44% as merely illustrative.¹⁹ In response, the FCC redefined its definition of "cost" in its rate calculation (rate = space factor x cost) and revised its cost allocators to move wireless and telecommunications carrier rates further toward CATV rates.

Through these changes, the FCC sought to promote a flexible series of cost allocators to realize the intent of the April 2011 Order: bringing telecom costs closer to parity with cable attachment rates. The new allocators also have the effect of preventing pole owners from charging cable operators higher rates just because those cable operators also deliver telecommunications services.²⁰ The FCC opined that it sought to advance its goal of accelerating broadband deployment by removing barriers to infrastructure investment, particularly in rural areas, and to harmonize regulatory treatment between FCC-regulated pole attachments and those regulated by the states. The FCC stated that it would not deter investment by subjecting cable operators to higher telecommunications carrier rates merely because cable facilities also provide broadband access.²¹

E. Recent Pennsylvania Efforts to Enhance Broadband Deployment

The Commission believes that asserting state jurisdiction over pole attachments at this time will assist policymakers in their efforts to expand access to both wireline and wireless broadband services for all Commonwealth residents, businesses, schools, hospitals—particularly in rural areas of the Commonwealth.

⁹ In re Implementation of Section 224 of the Act, 26 FCC Red. 5240, 5241 (F.C.C. Apr. 7, 2011).

¹⁰ *Id.* at 5270 (the timelines of the Order apply to poles—not to conduit, ducts, or utility rights of way).

¹¹ *Id.*
¹² *Id.* at 5298 (Believing the telecom rate should be lowered to more effectively achieve Congress' goals under TA96).

¹³ *Id.* at 5244.

¹⁴ *Id.* at 5328.

¹⁵ *Id.* at 5286 (adopted from California's pole attachment dispute resolution practices).

¹⁶ *Id.* at 5245.

¹⁷ In re Implementation of Section 224 of the Act, 26 FCC Red. 5240, 5290 (F.C.C. Apr. 7, 2011).

¹⁸ *Am. Elec. Power Serv. Corp. v. FCC*, 2013 U.S. App. LEXIS 3924 *7-13 (D.C. Cir. Feb. 26, 2013).

¹⁹ November 2015 Order at ¶ 2.

²⁰ *Id.* at ¶ 3.

²¹ *Id.* at ¶ 4.

Specifically, in early 2018 Governor Thomas W. Wolf launched the Pennsylvania Broadband Initiative to make a dedicated effort to provide high-speed internet access to every household and business in Pennsylvania, noting that over 800,000 Pennsylvania residents lack high-speed internet access.²² That effort includes the Pennsylvania Broadband Investment Incentive Program whereby the Wolf Administration will offer up to \$35 million in financial incentives to private telecommunications providers bidding on service areas within Pennsylvania in the FCC Connect America Fund Phase II auction.

Id. Similarly, in the General Assembly, Representatives Pam Snyder and Kristin Phillips-Hill have formed the bipartisan Broadband Caucus to promote a legislative agenda that furthers the deployment of high-speed broadband services throughout the Commonwealth.²³

This chronology illustrates the State and Federal desire for enhanced broadband opportunities and the close relationship between pole attachments and broadband deployment. By working to take this important issue in-hand at the State level, the goals of this NPRM will work to support the Commonwealth's efforts to provide advanced telecommunications tools to its citizens. Similarly, this NPRM is a natural outgrowth of the goals of Chapter 30 of the Public Utility Code²⁴ which is intended to promote and encourage the provision of advanced telecommunications services and broadband deployment in the Commonwealth.

Scope of Jurisdiction Established by 47 U.S.C. § 224

As an initial matter, the term "pole attachment" in the context of TA96 is a term of art used to describe the physical facilities employed to support or protect cabling, transponders, or similar facilities used in outside communications plants. While the term evokes the image of the ubiquitous creosote-slathered utility pole, the term "pole attachment" refers to more. Federal law defines a "pole attachment" as any attachment by a cable television system or provider of telecommunications service to a pole, duct, conduit, or right-of-way owned or controlled by a utility.²⁵ Thus, the definition extends to utility structures above and below ground and encompasses utility property rights.

While it is important to understand where and how pole attachment law applies, it is equally important to understand where it does not. The PAA expressly exempts cooperative utilities, railroads, and Federal or State-owned utilities from the definition of a "utility," and thus, from the reach of the PAA.²⁶ Entities wishing to attach to the infrastructure of the exempted entities must obtain private attachment agreements at negotiated rates and terms. The Public Utility Code does not regulate some of the entities exempted by the PAA. Thus, even with reverse preemption, Commission jurisdiction may not reach all facilities subject to attachment in the Commonwealth. Accordingly, there may be little for the PUC to consider regarding these entities absent additional statutory authorization from the General Assembly.

The PAA provides that a state may assume responsibility for pole attachments, and concurrently divest the FCC of that responsibility, if the state certifies that it regulates the rates, terms, and conditions of pole attachments

and balances the needs of attaching entities, pole owners, and consumers of services provided by the former.²⁷ To formally divest the FCC of jurisdiction and assume that jurisdiction itself, a state must certify to the FCC that it has established effective rules and regulations over pole attachments and provides for the prompt resolution of pole attachment complaints. Id. That is, a state must certify to the FCC that it will assume responsibility for the enforcement of 47 U.S.C. § 224 in a manner like that of the FCC. This NPRM proposes to achieve this Federal threshold with reasonable expediency.

Commission Authority to Act

In addition to the federal authority provided under 47 U.S.C. § 224, the Commission concludes it may assert its reverse preemption rights under TA96 without seeking additional authority from the General Assembly. Among other sections of the Public Utility Code, 66 Pa.C.S. § 501(a) provides broad authority for the PUC to act to enforce the Public Utility Code and "the full intent thereof."²⁸ Also, many pole attachments involve jurisdictional utility property subject to the full provisions of the Public Utility Code. In addition, the Third Circuit in *AT&T Corp. v. Core Communications, Inc.* determined that the Pennsylvania Public Utility Commission has authority to apply and enforce provisions of TA96 reserved to it, particularly as to FCC formula rates.²⁹ That Section 224 expressly reserves this authority to the states lends even greater weight to the precedent of that case.

Under that state authority the Commission may adopt current FCC regulations and applicable Federal precedent to regulate the full scope of pole attachments in Pennsylvania. As the Commission explained in its June Motion, the regulations at 47 C.F.R. §§ 1.1401–1.1425 cover a multitude of issues and are prescriptive. Those regulations establish a four-stage timeline (survey, estimate, acceptance, and make ready) for attachments to the communication space of a pole and provide for procedures for the failure to meet established deadlines and resolve disputes based on pole capacity, safety, reliability, or engineering issues. The FCC regulations also provide for detailed formulas to set rates, many of which are geared toward enhancing opportunities for additional deployment of communications infrastructure.

This NPRM proposes that the Commission assume these duties in a practical (i.e., timely) manner that works to provide near-term results. The Commission understands that pole owners and attaching entities seek more timely alternatives to the FCC complaint resolution process. To address this issue, the Commission can make its quasi-judicial function available to stakeholders. To ensure for the timely availability of that resource, however, the Commission proposes an initial turn-key adoption of FCC pole attachment regulations and rates (see attached Annex). There exists no prohibition on the adoption of existing FCC regulations as a part of that certification. Other states have taken this approach, a recent example being the Washington Utilities and Transportation Commission (WUTC). The rules adopted by the WUTC are largely modeled on the existing Federal rules and provide that the WUTC will look to the FCC orders

²² <https://www.governor.pa.gov/broadband/#about-initiative> visited June 26, 2018.

²³ <http://www.pahouse.com/Snyder/InTheNews/NewsRelease/?id=98089> visited June 26, 2018.

²⁴ 66 Pa.C.S. §§ 3001 et. seq.

²⁵ 47 U.S.C. § 224(a)(4).

²⁶ 47 U.S.C. § 224(a)(1).

²⁷ 47 U.S.C. § 224(c).

²⁸ Commission authority may be found at 66 Pa.C.S. §§ 313 (authority concurrent with United States); 314 (enforcement of federal rates and service); 501 (enforce the full intent of Public Utility Code, including as it relates to federal law); 701 (ability of affected persons to file complaints with the Commission); 1301 (authority over jurisdictional rates); 1501 (authority over jurisdictional services).

²⁹ 806 F.3d 715 (2015).

promulgating and interpreting its pole attachment rules, as well as Federal court decisions reviewing those rules, as persuasive authority.³⁰

This proposed approach provides two distinct benefits. First, it preserves the status quo in that it does not represent a substantive change in law. As such, it does not impose any unexpected burdens on pole owners or attaching entities. Stakeholders will operate under familiar rules and rates such that Commission jurisdiction will not disrupt existing business practices or regulatory expectations. Second, adoption of existing FCC pole attachment rules and rates will permit timely stakeholder access to adjudicatory resources unique to our Commonwealth—the administrative hearings before this Commission and the specialized administrative jurisdiction of Commonwealth Court. In contrast, a Pennsylvania-specific regulatory paradigm could take many years to develop and implement.³¹ And, other than holding the promise of some degree of cost shifting, Pennsylvania-specific regulations would likely provide only incremental improvement over what are now well-established installation practices.

Conclusion and Request for Comments

As it explained in the Motion commencing this Rulemaking, the Commission seeks to adopt a prompt but cautious approach to taking pole attachment issues in hand. While the Commission is prepared to move quickly to provide stakeholders with needed resources, it is apprehensive to make any sudden departures from the Federal pole attachment standards that stakeholders currently employ. To this end, the Commission seeks informed comment on its proposal to regulate pole attachments pursuant to 47 U.S.C. § 224 by adopting the existing FCC pole attachment regulations at 47 C.F.R. §§ 1.1401–1.1425; *Therefore,*

It Is Ordered That:

1. A rulemaking proceeding is hereby initiated at this docket to consider exercising Commission jurisdiction over pole attachments pursuant to the Telecommunications Act of 1996, 47 U.S.C. § 224.

2. Notice of this proposed rulemaking order shall be published in the *Pennsylvania Bulletin*.

3. Interested persons may submit written comments within 30 days from the date the notice is published in the *Pennsylvania Bulletin*, and reply comments 15 days thereafter, by serving an original or electronic copy upon the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

4. A copy of written comments shall also be served upon Commission Law Bureau Assistant Counsel Shaun A. Sparks (shsparks@pa.gov) and Colin W. Scott (colin.scott@pa.gov) who also serve as the contact persons in this matter.

5. All comments shall be posted on the Commission website within the Telecommunications Utility/Industry index page under the heading “Pole Attachment Rulemaking.”

6. Copy of this Order shall be served upon all jurisdictional fixed utility service providers, the Pennsylvania Telephone Association, the Broadband Cable Association of Pennsylvania, the Energy Association of Pennsylvania, The Pennsylvania Wireless Association, all jurisdictional

Competitive Access Providers, the Office of Consumer Advocate, the Office of Small Business Advocate, and the Commission’s Bureau of Investigation and Enforcement.

ROSEMARY CHIAVETTA,
Secretary

Fiscal Note: 57-323. No fiscal impact; (8) recommends adoption.

(Editor’s Note: The following sections are proposed to be added and printed in regular type to enhance readability).

Annex A

TITLE 52. PUBLIC UTILITIES

PART 1. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 77. POLE ATTACHMENTS

§ 77.1. Statement of purpose and preemption.

This Chapter exercises reverse-preemption of the jurisdiction of the Federal Communications Commission over pole attachments under 47 U.S.C. § 224(c) to improve the ability of persons and entities to utilize pole attachments within the Commonwealth and subject to regulation under 47 U.S.C. § 224 and the regulations promulgated thereunder at 47 CFR 1.1401–1.1425 (relating to pole attachment complaint procedures).

§ 77.2. Applicability.

This Chapter applies to all persons, entities, poles, ducts, conduits and rights-of-way subject to 47 U.S.C. § 224 and 47 CFR 1.1401–1.1425 as those regulations may be amended.

§ 77.3. Commission oversight.

(a) This Chapter establishes the Commission’s regulatory authority over the rates, terms and conditions of access to and use of poles, ducts, conduits and rights-of-way to the full extent provided for in 47 U.S.C. § 224 for pole attachments as of 60 days after the effective date of this Chapter.

(b) The Commission has the authority to consider, and will consider, the interests of the subscribers of the services offered by means of pole attachments, as well as the interests of the consumers of the utility services.

§ 77.4. Adoption of Federal Communications Commission regulations.

This Chapter adopts the rates, terms and conditions of access to and use of poles, ducts, conduits and rights-of-way to the full extent provided for in 47 U.S.C. § 224 and 47 CFR 1.1401–1.1425, inclusive of future changes as those regulations may be amended.

§ 77.5. Resolution of disputes.

(a) Persons and entities subject to this Chapter may utilize the mediation, formal complaint and adjudicative procedures under 52 Pa. Code Chapters 1, 3 and 5 (relating to rules of administrative practice and procedure; special provisions; and formal proceedings) of the Commission’s regulations to resolve disputes or terminate controversies.

(b) Parties before the Commission under 47 U.S.C. § 224 or 47 CFR 1.1401–1.1425 shall employ the procedural requirements therein except where silent or in cases of conflict where 52 Pa. Code Chapters 1, 3 and 5 will control.

³⁰ WAC § 480-54-010.

³¹ The Commission understands that the Washington Utilities and Transportation Commission deliberated on the issue for approximately thirty-six years after it was authorized to adopt such rules.

(c) When exercising authority under this Chapter the Commission will consider Federal Communications Commission orders promulgating and interpreting Federal pole attachment rules and Federal court decisions reviewing those rules and interpretations as persuasive authority in construing the provisions of 47 U.S.C. § 224 and 47 CFR 1.1401—1.1425.

Statement of Chairperson Gladys M. Brown

On November 29, 2017, the FCC issued a supplemental Notice of Proposed Rulemaking (NPRM) on pole attachments as part of an overall effort to remove barriers to broadband deployment issues in Docket No. 17-87.³² There are a myriad of issues in that docket including: capital cost recovery for make-ready fees, a shot-clock to resolve pole access complaints, streamlining the network change notification process, and the role of Section 214(a) when it comes to discontinuing lower-speed legacy services. The parties include providers with Pennsylvania operations or who are Pennsylvania members of the national associations involved in that docket. These Pennsylvania providers or their associations do not agree on some issues.³³

I ask the parties to this proceeding to address developments on pole attachments that have occurred since issuance of the FCC's 2011 Pole Attachment Order, particularly how the Commission's adoption of FCC rules should address rules that may not necessarily reflect a consensus view of Pennsylvania's providers. I also ask the parties to address what, if any, impact the pending Broadband Deployment Advisory Committee (BDAC) deliberations and recommendations will have on pole attachment in Pennsylvania.

GLADYS M. BROWN,
Chairperson

Statement of Vice Chairperson Andrew G. Place

Through the Notice of Proposed Rulemaking (NOPR) Order that is being advanced today, the Commission proposes to adopt the regulatory framework of the Federal Communications Commission (FCC), and exercise state jurisdiction over the various issues that involve pole attachments. I note that these issues have a certain degree of complexity in terms of compensation as well as ordinary engineering safety and reliability. Similarly, multiple parties have numerous and often diverging interests. I also note that the FCC's regulatory framework for pole attachments does not extend to poles owned by municipal and cooperatively owned entities (e.g., electric cooperatives). Furthermore, there are several indications that the FCC's regulatory framework that is applicable to pole attachments will be subject to change in the near future.³⁴ In view of these factors and future developments interested parties in this rulemaking proceeding should provide substantive comments and/or reply comments on the following issues:

1. The legal and technical interactions and ramifications of any future Pennsylvania statutes that may

³² In the Matter of Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84 (November 27, 2017). The Comment and Reply Comment period expired although the parties to the proceeding continue to submit ex parte filings permissible under FCC regulations. The FCC issued a similar proceeding addressing wireless broadband deployment as well.

³³ Compare e.g., In re: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-87, Verizon Ex Parte (March 8, 2018) (one-touch make ready (OMTR) proposal) with NCTA and Comcast Ex Parte (March 5, 2018) and (June 22, 2018) (Accelerated and Safe Access to Poles (ASAP) Proposal).

³⁴ Ajit Pai, Chairman, FCC, "Coming Home," July 11, 2018 blog entry, <https://www.fcc.gov/news-events/blog/2018/07/11/coming-home>, accessed July 11, 2018 (future FCC action on "make ready" and "one-touch-make-ready" pole attachment issues). See also Deployment Advisory Committee on the FCC, Report of the Competitive Access to Broadband Infrastructure Working Group (Washington, DC, January 23-24, 2018).

address pole attachments with any potentially adopted Commission rules on pole attachments that are based on the FCC regulatory framework.

2. The technical and legal ramifications of adopting the FCC regulatory framework for pole attachments in Pennsylvania while the FCC may proceed with future changes to its own regulations on pole attachments at the federal level. Would the Pennsylvania pole attachment regulations be automatically linked with the corresponding FCC regulatory framework changes at the federal level? Or, will the Commission be obliged to institute a new rulemaking or other proceedings with appropriate due process notice and comment under applicable Pennsylvania law in order to consider such future changes in the FCC's own regulatory framework for pole attachments?

3. Whether the Commission's existing exercise of jurisdiction, including ratemaking mandates, over public utility entities that are and will be subject to pole attachment regulations, will present any unique issues that may require Pennsylvania-specific changes to the FCC's applicable regulatory framework.

ANDREW G. PLACE,
Vice Chairperson

Statement of Commissioner Norman J. Kennard

Before the Pennsylvania Public Utility Commission (Commission) for consideration and formal action is the Notice of Proposed Rulemaking (NOPR) that implements my unanimously approved Motion of June 14, 2018. The NOPR asserts Commission jurisdiction over pole attachments and adopts the Federal Communications Commission's (FCC) regulations over pole attachments in totality. The Commission's action today marks the first step in accomplishing these important goals.

The regulatory process contemplates, and functions best, with input from numerous parties and state actors, including the private industry, the Legislature, and the public. As we explore this new jurisdictional role, this Commission will be called upon to use its resources and expertise in new and innovative ways. It is imminently helpful, in this light, for us to receive input and comment from all interested parties on the following inquiries:

1. If possible, estimate the forecasted number of disputes that might be brought to the Commission for resolution under the proposed adoption of existing FCC regulations on pole attachments;

2. Comment on whether the FCC regulations provide a means for pole owners to address unauthorized attachment or whether some additional mechanism(s) is necessary.

3. Request the parties provide any suggestions to streamline or otherwise improve the Commission's existing adjudicatory and dispute resolution processes;

4. Comment on the value of adopting an expedited dispute resolution process similar to that used in New York, pursuant to the NY Public Service Commission's Order Adopting Policy Statement on Pole Attachment, issued on August 6, 2004;

5. Provide comment and suggestions on the creation of a comprehensive registry of poles and attachments maintained by the pole owner accessible by for current and future pole attackers;

6. Provide comment on whether standardized agreements or tariffs for pole attachments should be developed; and

7. Comment on the value of establishing an ongoing working group across public and private entities discuss pole attachment issues and ideas.

I look forward to receiving responses regarding inquiries and appreciate the hard work of all of parties participating in this matter.

NORMAN J. KENNARD,
Commissioner

Statement of Commissioner David W. Sweet

In the Order we are adopting today, this Commission opens a proposed rulemaking to consider adoption for use under the Commission's state jurisdiction the current rules of the Federal Communications Commission applicable to issues involving pole attachments. As stated in this Order, "[b]y working to take this important issue in-hand at the state level, the goals of this NPRM will work to support the Commonwealth's efforts to provide advanced telecommunications tools to its citizens."

I am prepared to move forward expeditiously to support this goal. I am compelled to express my concerns, however, with the additional caseload and demands on the Commission's resources that this undertaking has the potential to impose. This impact on our resources has not yet been quantified, so at this point we have no idea of the potential cost to the Commission of this undertaking nor have we identified any new revenue sources, such as assessments under Section 510 of the Public Utility Code, that will provide this Commission the revenues necessary to address these new responsibilities.

These questions need to be fully explored and answered in this process.

DAVID W. SWEET,
Commissioner

[Pa.B. Doc. No. 18-1525. Filed for public inspection September 28, 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 18, 2018.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-13-2018	EJF-Sidecar Fund, Series LLC—Small Financial Equities Series EJF Capital LLC Arlington, VA Application for approval to acquire more than 5% of the common stock of LINKBANCORP, Inc., Camp Hill.	Approved
9-13-2018	George A. Parmer Barbara J. Parmer The Parmer Family Partnership LP Parmer 2016 Family Continuity Trust Parmer 2016 Descendants Trust Application for approval to acquire more than 5% of the common stock of LINKBANCORP, Inc., Camp Hill.	Approved
9-13-2018	Strategic Value Private Investors LP Cleveland Cuyahoga County, OH Application for approval to acquire more than 5% of the common stock of LINKBANCORP, Inc., Camp Hill.	Approved

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-17-2018	LINKBANCORP, Inc. Camp Hill Cumberland County Application for approval to acquire 100% of Stonebridge Financial Corp, West Chester, and thereby indirectly acquire 100% of Stonebridge Bank, West Chester.	Approved

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-4-2018	York Traditions Bank York York County	100-102 North George Street York York County	Opened
9-7-2018	Hometown Bank of Pennsylvania Bedford Bedford County	107 East Allegheny Street Martinsburg Blair County	Opened

NOTICES

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-11-2018	Compass Savings Bank Wilmerding Allegheny County	87 Rocky Road Irwin Westmoreland County	Filed
9-12-2018	Republic First Bank Philadelphia Philadelphia County	305 East Street Road and 717 Central Avenue Feasterville-Trevoise Bucks County	Approved
9-13-2018	Jersey Shore State Bank Williamsport Lycoming County	15 West Brimmer Avenue Watsonstown Northumberland County	Approved
9-17-2018	Mifflinburg Bank and Trust Company Mifflinburg Union County	901 State Route 522 Selingsgrove Snyder County	Approved

Branch Discontinuance

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-30-2017	Landmark Community Bank Pittston Luzerne County	1320 Wyoming Avenue Forty Fort Luzerne County	Closed
8-10-2018	ESSA Bank & Trust Stroudsburg Monroe County	471 West Wabash Avenue Allentown Lehigh County	Closed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-19-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 2753 West Main Street Norristown Montgomery County <i>From:</i> 2701 Ridge Pike Trooper Montgomery County	Filed

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-17-2018	TruMark Financial Credit Union Fort Washington Montgomery County Application for approval to merge Ward Federal Credit Union, Philadelphia, with and into TruMark Financial Credit Union, Fort Washington.	Filed

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-13-2018	TruMark Financial Credit Union Fort Washington Montgomery County	23 Nutt Road Phoenixville Montgomery County	Opened

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. 18-1526. Filed for public inspection September 28, 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>
PA0060461 (Sewage)	Laurel Lake WWTP John C. McNamara Drive Brackney, PA 18812	Susquehanna County Silver Lake Township	Laurel Lake Creek (04E)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062821 (Industrial)	Schuylkill County Municipal Authority—Indian Run WTP 31 Indian Run Road Pottsville, PA 17901	Schuylkill County Branch Township	West Branch Schuylkill River (03A)	No
PA0060526 (Industrial)	PA American Water Forest City WTP 83 Aston Mtn Road Pittston, PA 18640	Susquehanna County Forest City Borough	Lackawanna River (5-A)	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>
PA003064 (Sewage)	Shippensburg Borough STP 963 Avon Drive Shippensburg, PA 17257	Southampton Township Franklin County	Middle SpringCreek— 7B	Y
PA0080811 (Sewage)	Mountain View Terrace MHP 2001 Rd Bank Road Dover, PA 17315-1619	Newberry Township York County	UNT Conewago Creek— 7F	Y
PA0246522 (Sewage)	Richard Wright Heritage Cove Restaurant 1172 River Road Saxton, PA 16678	Liberty Township Bedford County	Raystown Branch Juniata River—11D	Y
PA0081337 (Sewage)	Northwood Manor MHP ATG Properties P.O. Box 677 Morgantown, PA 19543	Newberry Township York County	Conewago Creek—7F	Y
PA0084476 (Sewage)	Girl Scouts in the Heart of PA— Camp Small Valley 350 Hale Ave. Harrisburg, PA 17104	Jefferson Township Dauphin County	UNT Armstrong Creek—6C	Y
PA0024023 (Sewage)	Bernville Borough P.O. Box 40 Bernville, PA 19506-0040	Bernville Borough Berks County	Northkill Creek—3C	Y
PA0082147 (Sewage)	Holtwood Mobile Home Park P.O. Box 506 Elizabethtown, PA 17022	Martic Township Lancaster County	UNT Susquehanna River—6C	Y
PA0086550	Jeffrey & Rose Siddens 65 Stonewall Lane Alburtis, PA 18011-2608	Longswamp Township Berks County	UNT Swabia Creek—3C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS804801 (Storm Water)	University Park Airport 139j Physical Plant Bldg University Park, PA 16802	Centre County Benner Township	Unnamed Tributary to Spring Creek, Unnamed Tributary of Buffalo Run, and Unnamed Tributary of Spring Creek (9-C)	Yes
PA0234010 (Industrial)	I-99 ERPA Industrial Waste Treatment Facility 70 Penndot Drive Clearfield, PA 16830-6051	Centre County Worth Township	Bald Eagle Creek (9-C)	Yes

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

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

PA0276120, Storm Water, SIC Code 4953, **Slate Belt Heat Recovery Center LLC**, 435 Williams Court, Baltimore, MD 21220-2888. Facility Name: Slate Belt Heat Recovery Center (SBHRC). This proposed facility is located in Plainfield Township, **Northampton County**.

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

The receiving stream(s), Waltz Creek and UNT Little Bushkill Creek, are located in State Water Plan watershed 1-F and is classified for Cold Water Fishes, Migratory Fishes, High Quality—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 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	XXX	30.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Total Dissolved Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Nitrate as N	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Copper, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Lead, Total	XXX	XXX	XXX	XXX	XXX	Report
Zinc, Total	XXX	XXX	XXX	XXX	XXX	Report

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	XXX	30.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Total Dissolved Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Nitrate as N	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Arsenic, Total	XXX	XXX	XXX	XXX	XXX	Report
Barium, Total	XXX	XXX	XXX	XXX	XXX	Report
Cadmium, Total	XXX	XXX	XXX	XXX	XXX	Report
Chromium, Total	XXX	XXX	XXX	XXX	XXX	Report
Copper, Total	XXX	XXX	XXX	XXX	XXX	Report
Cyanide, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Lead, Total	XXX	XXX	XXX	XXX	XXX	Report
Magnesium, Dissolved	XXX	XXX	XXX	XXX	XXX	Report
Mercury, Total	XXX	XXX	XXX	XXX	XXX	Report
Selenium, Total	XXX	XXX	XXX	XXX	XXX	Report
Silver, Total	XXX	XXX	XXX	XXX	XXX	Report
Zinc, Total	XXX	XXX	XXX	XXX	XXX	Report
Total Organic Carbon	XXX	XXX	XXX	XXX	XXX	Report

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Total Dissolved Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Nitrate as N	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Copper, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Lead, Total	XXX	XXX	XXX	XXX	XXX	Report
Zinc, Total	XXX	XXX	XXX	XXX	XXX	Report

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Total Dissolved Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Arsenic, Total	XXX	XXX	XXX	XXX	XXX	Report
Barium, Total	XXX	XXX	XXX	XXX	XXX	Report
Cadmium, Total	XXX	XXX	XXX	XXX	XXX	Report
Chromium, Total	XXX	XXX	XXX	XXX	XXX	Report
Cyanide, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Lead, Total	XXX	XXX	XXX	XXX	XXX	Report
Magnesium, Dissolved	XXX	XXX	XXX	XXX	XXX	Report
Mercury, Total	XXX	XXX	XXX	XXX	XXX	Report
Selenium, Total	XXX	XXX	XXX	XXX	XXX	Report
Silver, Total	XXX	XXX	XXX	XXX	XXX	Report
Total Organic Carbon	XXX	XXX	XXX	XXX	XXX	Report

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	XXX	30.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Total Dissolved Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Nitrate as N	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Arsenic, Total	XXX	XXX	XXX	XXX	XXX	Report
Barium, Total	XXX	XXX	XXX	XXX	XXX	Report
Cadmium, Total	XXX	XXX	XXX	XXX	XXX	Report
Chromium, Total	XXX	XXX	XXX	XXX	XXX	Report
Copper, Total	XXX	XXX	XXX	XXX	XXX	Report
Cyanide, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Lead, Total	XXX	XXX	XXX	XXX	XXX	Report
Magnesium, Dissolved	XXX	XXX	XXX	XXX	XXX	Report

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Mercury, Total	XXX	XXX	XXX	XXX	XXX	Report
Selenium, Total	XXX	XXX	XXX	XXX	XXX	Report
Silver, Total	XXX	XXX	XXX	XXX	XXX	Report
Zinc, Total	XXX	XXX	XXX	XXX	XXX	Report
Total Organic Carbon	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfalls 006 and 007 are based on a design flow of 0 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	XXX	30.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Total Dissolved Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Nitrate as N	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Copper, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Lead, Total	XXX	XXX	XXX	XXX	XXX	Report
Zinc, Total	XXX	XXX	XXX	XXX	XXX	Report

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

- Standard Stormwater Conditions including site-specific BMPs; Necessary Property Rights; Residuals Management; Process Wastewater Tank Secondary Containment-collected Precipitation SOP; and Additional PPC Plan Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

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

PA0260746, Sewage, SIC Code 8811, **David J Perchard**, 6227 Big Creek Road, Clearville, PA 15535. Facility Name: Perchard Residence. This existing facility is located in Monroe Township, **Bedford 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 Shaffer Creek, is located in State Water Plan watershed 11-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

PA0087718, Industrial, SIC Code 2421, **Crystal Spring Hardwood Inc.**, 345 South Valley Road, Crystal Spring, PA 15536-0034. Facility Name: Crystal Spring Hardwood. This existing facility is located in Brush Creek Township, **Fulton 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 Brush Creek, is located in State Water Plan watershed 11-C 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 .0001 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
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 002 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>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

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.

Wen Crest Farms LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Wen Crest Farm CAFO, located in South Lebanon Township, **Lebanon County**.

The CAFO is situated near Unnamed Tributary to Hammer Creek in Watershed 7-J, which is classified for High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 1,074.3 animal equivalent units (AEUs) consisting of 350,000 broilers, 250 beef finishers, 5 dairy heifers, and 2 sheep. Manure is stored in roofed manure stacking facilities. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

Application No. PA0261955, Concentrated Animal Feeding Operation (CAFO), S & A Kreider & Son Inc. (S & A Kreider & Sons Farm CAFO), 761 Spring Valley Road, Quarryville, PA 17566-9773.

S & A Kreider & Son Inc. has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as S & A Kreider & Sons Farm CAFO, located in East Drumore Township, **Lancaster County**.

The CAFO is situated near Jackson Run in Watershed 7-K, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 3,034.54 animal equivalent units (AEUs) consisting of 1,625 mature cows, 750 heifers, and 575 calves. Manure is stored in multiple liquid manure storages. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate PA Technical Guide Standards. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

PA0084221, Sewage, SIC Code 7033, **Mark and Lisa Duvall**, 815 Beans Cove Road, Clearville, PA 15535-8049. Facility Name: Hidden Springs Campground. This existing facility is located in Southampton Township, **Bedford County**.

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

The receiving stream(s), Rocky Gap Run, is located in State Water Plan watershed 13-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 .013 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	Inst Min 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	20	XXX	40
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	Report	XXX	XXX	10.0	XXX	20

The proposed effluent limits for Outfall 001 are based on a design flow of .013 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	Report	XXX	XXX
Total Kjeldahl Nitrogen	Annl Avg	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		

Sludge use and disposal description and location(s): Sludge is disposed at the Upper Potomac River in Allegheny County under permit number PA11873215.

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.

PA0254967, Industrial, SIC Code 4959, **PPG Industries, Inc.**, 440 College Park Drive, Monroeville, PA 15146. Facility Name: Former Ford City Facility Slurry Lagoon Area and Solid Waste Disposal Area. This proposed facility is located in Cadogan and North Buffalo Townships, **Armstrong County**.

Description of Proposed Activity: The application is for a new NPDES permit for discharges of treated and untreated groundwater and storm water. This is a revision to draft limits published on June 4, 2016.

The receiving streams, the Allegheny River and Glade Run, are located in State Water Plan watershed 17-E and are classified for Warm Water Fishes and Trout Stocking, aquatic life, water supply, and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are for treated groundwater seeps and storm water. Limits are modified as follows:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are for treated groundwater seeps. Limits are modified as follows:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	7.0	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfalls 003, 004, 008, 009, and 010 are for groundwater seeps. Limits are modified as follows:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	7.0	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfalls 005, 006, and 007 are for groundwater seeps. Limits are modified as follows:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</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.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	5.0	5.0	XXX
Aluminum, Total (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.75	0.75	XXX
Antimony, Total (µg/L) (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	5.6	11.2	XXX
Arsenic, Total (µg/L) (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	10.0	20.0	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Cadmium, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.27	0.56	XXX
Chromium, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	10.4	20.8	XXX
Copper, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	9.3	18.6	XXX
Iron, Dissolved						
(Interim)	XXX	XXX	XXX	XXX	7.0	XXX
(Final)	XXX	XXX	XXX	1.5	3.0	XXX
Iron, Total						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	1.5	3.0	XXX
Lead, Total (µg/L)						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	3.2	6.4	XXX

The proposed effluent limits for Outfalls 011 and 012 are for storm water discharges. Limits are modified as follows:

<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 013, 014, 015, 016, and 017 are for groundwater seeps.

<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>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
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	7.0	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Points 103, 303, and 403 are for groundwater seeps. Limits are modified as follows:

<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Daily Minimum	Average Monthly	Daily Maximum	
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 203 are for a groundwater seep. Limits are modified as follows:

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Daily Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

In addition, the permit contains a new major special condition requiring the permittee to conduct monthly site reconnaissance to locate and sample any discharges along the northern and western sides of the site.

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.

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

PA0271560, Sewage, SIC Code 4952, 8800, **Joseph Armstrong**, 9243 Station Road, Erie, PA 16510. Facility Name: Joseph Armstrong SRSTP. This proposed facility is located in Greenfield Township, **Erie County**.

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

The receiving stream is an Unnamed Tributary of Sixmile Creek, 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)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
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.

PA0271713, Sewage, SIC Code 4952, 800, **Constance Whitling**, 1903 Cable Hollow Road, Russell, PA 16345. Facility Name: Constance Whitling SRSTP. This proposed facility is located in Pine Grove Township, **Warren 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 the North Branch Akeley Run, located in State Water Plan watershed 16-B and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

PA0271705, Sewage, SIC Code 8800, 4952, **Sandra K Siegel**, 261 Potter Road, Corsica, PA 15829. Facility Name: Sandra K Siegel SRSTP. This proposed facility is located in Knox Township, **Clarion County**.

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

The receiving stream is an unnamed tributary to Lauer Run, located in State Water Plan watershed 17-B and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

PA0271683, Sewage, SIC Code 4952, 8800, **USA Homeownership Foundation Inc.**, 462 Corona Mall, Suite 102, Corona, CA 92879-1456. Facility Name: USA Homeownership Foundation SRSTP. This proposed facility is located in Cussewago Township, **Crawford 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 Wolf Run, located in State Water Plan watershed 16-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.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
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.

PA0271721, Sewage, SIC Code 4952, 8800, **Sarah Stapleford**, 2817 W 32nd Street, Erie, PA 16506-3353. Facility Name: Sarah Stapleford SRSTP. This proposed facility is located in Glade Township, **Warren County**.

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

The receiving stream is the Allegheny River, located in State Water Plan watershed 16-B 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 Annl Avg	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
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

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.

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

WQM Permit No. 4618408, Sewage, **Berks-Montgomery Municipal Authority**, 136 Municipal Drive, Gilbertsville, PA 19525.

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

Description of Action/Activity: 2" low pressure force main within the proposed cul-de-sac extension and connect to the existing sanitary sewer main.

WQM Permit No. 4618409, Sewage, **Berks-Montgomery Municipal Authority**, 136 Municipal Drive, Gilbertsville, PA 19525.

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

Description of Action/Activity: Increase the size of the sewer main from 8" to 12".

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

WQM Permit No. 2118202, Sewerage, **Upper Allen Township**, 100 Gettysburg Pike, Mechanicsburg, PA 17055.

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

Description of Proposed Action/Activity: Seeking permit approval for the replacement of the Canterbury Estates Trunk Sewer.

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

WQM Permit No. 6118403, Sewage, **Mari Swart**, 596 Allison Road, Seneca, PA 16346.

This proposed facility is located in Cranberry Township, **Venango County**.

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

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
PAD150093	Steve F. Lapp 2804 Compass Road Honey Brook, PA 19344	Chester	Honey Brook Township	Unnamed Tributary to Pequea Creek HQ-CWF-MF Two Log Run HQ-TSF-MF

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD480068	Lori Stauffer Esq Lower Nazareth Twp 623 Municipal Dr Nazareth, PA 18064	Northampton	Upper Nazareth Twp Lower Nazareth Twp	Monocacy Creek (HQ-CWF, MF)

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
PAD210027	Northpoint Development, LLC 4825 NW 41st Street Suite 500 Riverside, MO 64150	Cumberland	Middlesex Township	UNT Letort Spring Run (CWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD140036	Grace Hills Church Inc P.O. Box 186 Port Matilda, PA 16870	Centre	Patton Twp	UNT-Buffalo Run HQ-CWF
PAD140037	S&A Homes Inc 2121 Old Gatesburg Rd Suite 200 State College, PA 16803	Centre	Walker Twp	UNT Little Fishing Creek HQ-CWF Nittany Creek 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
PAD180017 Previously PAI041813001(R)	Robert Carlson SR 0880 Loganton, PA 17747	Clinton	Logan Twp	Fishing Creek HQ-CWF

Lycoming County Conservation District: 542 County Farm Road, Suite 202, Montoursville, PA 17754, (570) 433-3003.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD410006	PennDOT District 3 715 Jordan Ave Montoursville, PA 17754	Lycoming	Piatt & Woodward Twps	W. Br. Susquehanna River WWF Pine Run WWF Quenshaken Run WWF Larcy's Creek DC, WWF, EV, EY

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

PAG-12 CAFOs

CAFO Notices of Intent Received.

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

NPDES Permit No. PA0228401, CAFO, **Schrack Farms Partnership**, 860 W Valley Road, Loganton, PA 17747-8935.

This existing facility is located in Greene Township, **Clinton County**.

Description of size and scope of existing operation/activity: Dairy (Cows, Heifers, Calves), Beef (Finishing), Swine (Grow—Finish, Sows w/Litters), Horse, Goats, Sheep: 2,097.3 AEUs.

The receiving stream, Unnamed Tributary to Fishing Creek, is in watershed 9-C and classified for: High Quality—Cold Water, High Quality Waters—Cold Water Fishes, and Migratory Fish.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

NPDES Permit No. PA0262188, CAFO, **Weaver James**, 135 Herr Drive, Peach Bottom, PA 17563-9677.

This existing facility is located in Fulton Township, **Lancaster County**.

Description of size and scope of existing operation/activity: Poultry (Broilers), Dairy (Cows): 705.6 AEUs.

The receiving stream, Peters Creek, is in watershed 7-K and classified for: High Quality Warm Water Fisheries (HQ-WWF).

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

Application No. PA0088706, Concentrated Animal Feeding Operation (CAFO), Fine Swine LLC (Fine Swine Farm CAFO), 5170 Blazer Highway, Dublin, OH 43017.

Fine Swine LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Fine Swine Farm CAFO, located in West Cocalico Township, **Lancaster County**.

The CAFO is situated near Unnamed Tributary to Cocalico Creek in Watershed 7-J, which is classified for High Quality Waters—Warm Water Fishes. The CAFO is designed to maintain an animal population of approximately 591.8 animal equivalent units (AEUs) consisting of 1,241 gestating sows, 200 sows with litters, and 3 boars. Manure is stored in two earthen lagoons outside on the operation. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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>
Jairus Musser 95 Ferebees Rd Pine Grove, PA 17963	Schuylkill	83.8	394.95	Poultry (Broilers)	N/A	New
Elvin Zimmerman 180 Degan Road Mifflintown, PA 17059 Juniata	Juniata	1.8 acres-pasture for 1 Steer & 1 Calf, all Poultry manure brokered	299.57	Broilers, 1 Steer, 1 Calf	HQ	Renewal

<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>
Joel Hurst 1030 Girl Scout Road Stevens, PA 17578	Lancaster	52.2	720.64	Swine	NA	R
Diane Reisinger 647 Polecat Rd Landisburg, PA 17040	Perry	142.2	404.25	Poultry Layers	Green Valley Run—EV	Renewal
Sloat Crane Poultry Farm 170 Daugherty Rd York, PA 17404	York	110	524.86	Poultry	NA	Renewal
L&W Farms LLC 4251 Fletcher Dr Greencastle, PA 17225	Franklin	235.2	398.35	Layers & Heifers	NA	Renewal
Martin Farms 167 Overcash Road Chambersburg, PA 17202	Franklin	1,080.5	1,561.66	Dairy	NA	Renewal

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area,

the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

PA Utility Company Sewage Treatment Plant, 234 The Glen, Tamiment, Lehman Township, Pike County. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of PA Utility Company, 234 The Glen, Tamiment, PA 18371, submitted a Notice of Intent to Remediate. Soil and groundwater contamination were found during the removal of an underground storage tank that stored heating oil. Future use of the site will be residential. The Notice of Intent to Remediate was published in the *Pocono Record* on August 22, 2018.

Dorney Park and Wildwater Kingdom, 3830 Dorney Park Road, South Whitehall Township, Lehigh County. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Dorney Park and Wildwater Kingdom, 3830 Dorney Park Road, Allentown, PA 18104, submitted a Notice of Intent to Remediate. Soil was contaminated by deposition of construction debris and fill material. Future use of the site will be residential. Site-Specific remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Morning Call* on September 7, 2018.

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

Best Engine Works, 342 East Fulton Street, Lancaster, PA 17602, Lancaster City, **Lancaster County**. Reliance Environmental, 235 North Duke Street, Lancaster, PA 17602, on behalf of Tobacco Avenue, LLC, 1270 Grofftown Road, Lancaster, PA 17602, submitted a Notice of Intent to Remediate site soil contaminated with arsenic from foundry sand. The site will be remediated to the Nonresidential Statewide Health Standard. Future use of the site is for non-residential purposes. The Notice of Intent to Remediate was published in the *LNP* on September 4, 2018.

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

KLM Transportation Diesel Fuel Release Site, I-80 at MM 194.4 East, Loganton, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17754, on behalf of KLM Transportation, 700 Commerce Drive, Suite 500, Oak Brook, IL 60523, has submitted a Notice of Intent to Remediate site soil contaminated with diesel fuel, motor oil and antifreeze. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on August 29, 2018.

Bonnell Run Hunting & Fishing Corp Pad D, 440 Parker Mine Road, Pine Township, **Lycoming County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Anadarko E & P Onshore, LLC, 1201 Lake Robbins Drive, Room 16034, The Woodlands, TX 77380, has submitted a Notice of Intent to Remediate Groundwater contaminated with produced water. The applicant proposes to remediate the site to meet the Background and Statewide Health Standards. A summary of the Notice of Intent to Remediate was published in *The Williamsport Sun-Gazette* on August 31, 2018.

Coal Township Release Site, South side of Little Mountain, Coal Township, **Northumberland County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Sunoco Pipeline, L.P., 100 Green Street, Marcus Hook, PA 19061, has submitted a Notice of Intent to Remediate soil contaminated with unleaded gasoline. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The News-Item* on August 22, 2018.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

MDS Trucking, LLC Diesel Fuel Release Site, 951, 953, 955, 957, 959, 961, 963, & Parcel 330-4F86-7AA1-0000 New Castle Road (SR 108), Worth Township, **Butler County**. Insite Group, Inc., 611 S. Irvine Avenue, Sharon, PA 16146, on behalf of MDS Trucking, LLC, 1570 Springfield Road, Penn Run, PA 15765, submitted a Notice of Intent to Remediate. A MDS Trucking, LLC vehicle was involved in an accident resulting in the fuel tanks being damaged and releasing approximately 140 gallons of diesel fuel onto the roadway and adjacent soils. The chemicals of concern associated with the release are benzene, toluene, ethylbenzene, cumene, methyl tert butyl ether, naphthalene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Statewide Health Standard has

been selected for remediation of the site. The intended future use of the properties will be residential. The Notice of Intent to Remediate was published in the *Butler Eagle* on September 17, 2018.

RESIDUAL WASTE GENERAL PERMITS

Proposed Permit Renewal 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.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit No. WMGR029 Base. The Department of Environmental Protection is proposing to renew General Permit No. WMGR029. This permit authorizes the operation of transfer facilities for the processing of waste oil (including waste oil mixed with hazardous waste in accordance with 25 Pa. Code, § 298.10(b)(2)(ii) and (iii) or fuels mixed with products in accordance with 25 Pa. Code § 298.10(d)(1)). The approved processing is limited to collection, bulking, storage and passive oil/water separation. The Department is re-organizing and re-formatting the general permit for overall clarity and ease of use.

Written comments concerning the proposed modifications should be directed to Chris Solloway, Group Manager, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGR029" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the proposed permit renewal. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

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

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

General Permit No. WMGR029SW001. Ernie's Waste Oil, LLC, 155-C Swiontek Road, Aliquippa, PA 15001-5825. Ernie's Waste Oil, LLC, 155-C Swiontek Road Aliquippa, PA 15001-5825. A permit renewal application for continued coverage under residual waste general permit WMGR029 for the operation of a transfer facility for the processing of waste oil (including waste oil mixed with hazardous waste), spent antifreeze, used oil

filters and waste oil/water mixture in Independence Township, **Beaver County**, was deemed administratively complete by the Southwest Regional Office on September 19, 2018. (Previously assigned permit ID number was WMGR029D002.)

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit Application No. 100403. Seneca Landfill, Inc., 421 Hartmann Road, Evans City, PA 16033; Jackson Township, **Butler County**. A major permit modification to the existing municipal waste landfill permit was received on April 27, 2018. The application seeks to expand the disposal area by an additional 71 acres and increase the Average Daily Volume from 3,800 tons per day to 6,000 tons per day. The application was considered complete by the Northwest Regional Office on August 14, 2018.

Comments concerning the application should be directed to Christina Wilhelm, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the permit application may contact the Northwest Regional Office, at (814) 332-6848. 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.

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

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

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

46-00186: Tri Valley Crematory (667 Harleysville Pike, Telford, PA 18969; Attn: Mr. Patrick Taylor) for a non-Title V Facility, State-Only Natural Minor Operating Permit in Franconia Township, **Montgomery County**. This renewed operating permit reflects the continued operation of Source ID 101 (Crematory). The facility also

operates three (3) identical air conditioning and heating systems that operate on propane. There are no other sources of emissions at this facility. The potential to emit of the permitted sources at the facility are less than 1.0 TPY for NO_x, SO_x, and VOC; 1.54 TPY for PM; and 2.25 TPY for CO. Emissions of PM from the Crematory are expected to be less than 0.08 grains per dry standard cubic feet, corrected to 7% O₂. Emissions of SO_x from the Crematory are expected to be less than 500 ppmv. The permit will continue to contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

23-00102: Brandywine Veterinary Hospital (1270 Baltimore Pike, Chadds Ford, PA 19317) for operation of their veterinary hospital in Chadds Ford Township, **Delaware County**. The permit is for a non-Title V (State only) facility. The source of air emissions is an animal crematory unit with an integral afterburner. No changes have taken place since the permit was last issued in November 2013. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating 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.

47-00014D: United States Gypsum Company (60 PPL Road, Danville, PA 17821-7963) to revise certain volatile organic compound (VOC) emissions restrictions applicable to the wallboard kiln dryer incorporated into Source ID P114, which is located at the Washingtonville Plant in Derry Township, **Montour County**. Specifically, the maximum allowable VOC emission rate for the wallboard kiln dryer incorporated into Source ID P114, while the source is producing wallboard with the water resistant additive (WRA), is to increase to 42.72 pounds per hour (lb/hr) from 25.9. In addition, the company specified that the maximum allowable VOC emission rate for Source ID P114, while the source is producing wallboard without the WRA, is to decrease to 3.0 lb/hr from 4.6. Additionally, the Potential to Emit VOC for Source ID P114 will increase to 32.1 tons per year (tpy) from 30.4. Compliance with the revised emission and throughput restrictions will be evaluated on a 12-month rolling basis. The WRA is largely composed of a siloxane-based raw material (95–100%).

The modification to produce wallboard with a siloxane-based raw material at the source was initially permitted under the terms and conditions of Plan Approval No: 47-00014A. Since issuance, the increase in the Potential to Emit VOC of the source, due to the above modification, has been reportedly capped by limiting the amount of additive used on a 12-month rolling basis. However, as indicated above, compliance with the current maximum allowable VOC emission rate applicable has been intermittent since the modification commenced on or around 2010, based on the previous stack test performances. The company based on the most recent 2016 stack test performances shows that the source is not meeting the 25.9-lb VOC/hr emission restriction during certain WRA wallboard production operations. As was done in the previous plan approval applications (No. 47-00014A through 47-00014C), the company specified that combined total VOC emissions from the source due to the modifica-

tion are to capped with a new WRA throughput restriction of 1,100,000 pounds in any 12 consecutive month period, in lieu of the WRA throughput restriction as specified in Plan Approval No: 47-00014C. As such, the Potential to Emit VOC for the Washingtonville Plant on a source wide basis reportedly show that the modification is not to exceed the major modification threshold of 50 tpy. The Department of Environmental Protection's (Department) review of the proposal to comply as submitted by the company indicates that each of the revised emission specifications, above will satisfy all applicable regulatory requirements, including the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. In addition, the plan approval includes terms and conditions to comply with Federal and State air regulatory requirements. Based on these findings, the Department proposes to issue a plan approval for the modification of the source.

Pursuant to 25 Pa. Code §§ 127.1 and 127.12, the following is listing a brief description of the conditions which the Department intends to place in the plan approval with reference to the applicable underlying regulatory requirements: a requirement to use no more than 1,153 lb/hr of water resistant additive, along with monitoring, recordkeeping and reporting requirements; a requirement to use no more than 1,100,000 lb/12 CMP of water resistant additive, along with monitoring, recordkeeping and reporting requirements; a requirement to monitor the kiln speed to verify MAX Kiln Capacity; a requirement to use only the water-resistant additive as specified in the plan approval application submittal and this raw material shall contain zero hazardous air pollutants (HAPs); emission restrictions for nitrogen oxide (NO_x), carbon monoxide (CO), VOC, HAP and PM₁₀ emission from Source ID P114, along with testing, monitoring, recordkeeping and reporting requirements to verify compliance.; emission restrictions carried forward from previous plan approval for NO_x, CO, SO₂, HAPs, formaldehyde and PM₁₀, applicable to Source ID P114; a requirement to use no more than 33,600 pounds of chain lube oil, 500,000 pounds of soap and 20,000,000 pounds of waste water in any twelve consecutive month period, along with monitoring, recordkeeping and reporting; operation of the burners associated with Source ID P114 in accordance with good combustion and maintenance practices consistent with the manufacturer's specifications; annual work practice requirements to prevent a buildup of material from reoccurring inside the board kiln dryer incorporated into Source ID P114; and pursuant to 25 Pa. Code § 127.35, emission limitations/restrictions for combined total emissions volatile organic compounds (VOCs) and combined total individual HAP emissions from the source (the Washingtonville Plant), along with recordkeeping and reporting requirements.

The Washingtonville Plant is a Title V facility. If the Department determines that the source is modified in compliance with the plan approval as well as the specifications as provided by the company, the requirements established in the plan approval will be incorporated into Title V Permit No: 47-00014 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. 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.

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

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

43-270L: CCL Container (1 Llodio Drive, Hermitage, PA 16148), the Department intends to issue a plan approval to authorize the installation of a replacement Regenerative Thermal Oxidizer. This control device is used to control VOC and HAP emissions. VOC emissions from the facility are not expected to increase as result of this project. This existing Synthetic Minor facility is located in Hermitage Township, **Mercer County**. The sources controlled are considered new sources (post 1972) and are subject to BAT requirements. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

The sources' emissions will be captured and controlled via a previously installed bag house for particulate matter filtration and then ducted to the proposed RTO for VOC control. The use of this control equipment, which achieves the required emission rates, is consistent with current best available technology (BAT).

The source shall comply with conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source. Emission rates will be verified via stack testing.

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6940.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [43-270L: CCL Container] 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 Eric Gustafson, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6819.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

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

58-00001: Tennessee Gas Pipeline Company/Compressor Station 321 (1001 Louisiana Street, Houston, Texas, 77002). The Department intends to issue a renewal Title V Operating Permit for the natural gas transmission station in Clifford Township, **Susquehanna County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code, Chapter 127, Subchapter G.

The primary sources at this facility consist of natural gas solar turbines, a natural gas fired boiler, heating furnaces, space heaters, and an emergency generator. The proposed Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

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

25-00069: BASF Corporation (1729 East Ave., Erie, PA 16503). The Department intends to issue a Title V Operating Permit for the BASF catalyst manufacturing plant located in the City of Erie, **Erie County**. This facility does not have potential emissions above the major source thresholds for any criteria pollutants, VOC, or HAPs. This facility is required to obtain a Title V permit under 40 CFR 63.11494(e). Potential emissions are as follows: 27.1 tpy NO_x; 12.3 tpy CO; 0.1 tpy SO_x; 1.3 tpy PM₁₀; 1.3 tpy PM_{2.5}; 24.4 tpy VOC; and 0.5 all HAPs combined. Actual 2016 emissions are as follows: 12.35 tons NO_x; 6.03 tons CO; 0.04 ton SO_x; 0.30 ton PM₁₀; 0.30 ton PM_{2.5}; 3.25 tons VOC; and 0.07 ton all HAPs combined. The significant sources at the facility include 5 natural gas fueled boilers with combined total rated heat input of 55.06 million Btu/hr; blenders; material conveying equipment; 3 natural gas fueled emergency generators; and 3 parts washers. This facility is subject to the following Federal regulations: 40 CFR Part 60 Subpart Dc, NSPS for Small ICI Steam Generating Units; 40 CFR Part 63 Subpart VVVVVV, NESHAP for Chemical Manufacturing Area Sources; and 40 CFR Part 63 Subpart ZZZZ, NESHAP for Stationary RICE. The conditions from Plan Approval 25-069Q are incorporated into the operating permit at this issuance. The permit includes a modification to remove the requirement to monitor pressure drop across 3 scrubbers in favor of monitoring the inlet water flow rate to each scrubber. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

V14-002: Veolia Energy Efficiency Philadelphia Inc. (2600 Christian Street, Philadelphia, PA 19146) for the operation of a steam generating facility in the City of Philadelphia, **Philadelphia County**. The facility has two (2) new 297.91 MMBtu/hr boilers burning natural gas and No. 2 fuel oil that were installed in 2013. Each boiler has ultra low NO_x burners. The combined emissions from the two boilers are limited as follow:

- Nitrogen Oxides (NO_x) emissions shall not exceed 52.31 tons per rolling 12-month period
- Sulfur Dioxide (SO₂) emission shall not exceed 122.08 tons per rolling 12-month period
- Carbon Monoxide (CO) emissions shall not exceed 66.01 tons per rolling 12-month period
- VOC emissions shall not exceed 12.57 tons per rolling 12-month period calculated monthly.
- Particulate Matter (PM) emissions shall not exceed 22.41 tons per rolling 12-month period
- Particulate Matter₁₀ (PM₁₀) emissions shall not exceed 22.41 tons per rolling 12-month period
- Particulate Matter_{2.5} (PM_{2.5}) emissions shall not exceed 22.41 tons per rolling 12-month period

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

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

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

22-05057: Michels Corp./West Hanover (817 West Main Street, Brownsville, WI 53006) for their cured-in-place pipe (CIPP) wet-out operation at their facility located in West Hanover Township, **Dauphin County**. The actual facility emissions are expected to be 9.85 tons per year (tpy) total HAPs and 9.85 tpy of VOCs. The Operating Permit will include emission limits and work

practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

38-03053: Kreamer Funeral Home & Crematory, Inc. (5 Camp Meeting Road, Jonestown, PA 17038) to issue a State Only Operating Permit for the crematory located in Union Township, **Lebanon County**. The potential emissions from the crematory are estimated at 1.0 tpy of NO_x, 3.3 tpy of CO, 2.3 tpy of PM, 0.8 tpy of SO_x and 1.0 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

67-03110: Protech Powder Coatings, Inc. (939 Monocacy Road, York, PA 17404) for the operation of a powder coating manufacturing facility in the City of York, **York County**. This is for renewal of the existing State-only permit. Potential air emissions from the facility are estimated to be less than 4 tpy particulate matter. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

28-03012: Hartman Snack Group, Inc. dba Gibble Foods (6647 Molly Pitcher Highway South, Chambersburg, PA 17202) for the operation of a snack food processing facility in Antrim Township, **Franklin County**. The estimated potential facility emissions are 5.8 tons of CO, 10.1 tons of NO_x, 3.2 tons of PM₁₀, and less than 1.3 ton of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

21-03048: Carlisle Small Animal Veterinary Clinic (25 Shady Lane, Carlisle, PA 17013) for the operation of an animal crematory facility in Middlesex Township, **Cumberland County**. This is for renewal of the existing State-only permit. Potential air emissions from the facility are estimated at less than 1 tpy each for PM, NO_x, CO, VOC and SO₂. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

56-00154: 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 not exceed 0.872 ton per year

(TPY) SO₂, 2.13 TPY NO_x, 1.73 TPY VOC, 2.61 TPY PM, 2.61 TPY PM₁₀, 4.15 TPY CO, 0.37 TPY HAP, and 0.00128 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 operating 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, the identification of the proposed Operating Permit (56-00154) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Bradley Spayd, Air Quality Engineering Trainee, at the 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.

63-00901: Allegheny Millwork & Lumber Co. (104 Commerce Boulevard, Lawrence, PA 15055-0493) Natural Minor Operating Permit is for a wood millwork plant and is located in Cecil Township, **Washington 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 spray paint booths controlled by panel filters. There are also a couple of miscellaneous sources on site consisting of a sanding and grinding operation and a 0.75 MMBtu/hr drying oven. Emissions at the facility consist of 21.37 tons per year (TPY) VOC and 17.75 TPY HAP (combined). 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 operating requirements, monitoring requirements, and recordkeeping requirements for the site. The permit has limits to keep the facility below Title V thresholds.

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 (63-00901) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Bradley Spayd, Air Quality Engineering Trainee, at the 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.

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 venting outdoors. 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 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.

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

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

24-00121: Northwest Hardwoods, Inc. (299 Hardwood Dr., Ridgway, PA 15853-7059). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the hardwood lumbers sawmill located in Ridgway Township, **Elk County**. The facility's primary emission sources include an 11.9 MMBtu/hr wood-fired boiler controlled by a multiclone, three (3) wood-fired space heaters, and miscellaneous woodworking operations controlled by a cyclone. The potential emissions of the primary pollutants from the facility are as follows: 12.38 TPY (tons per year) NO_x, 33.77 TPY CO, 0.96 TPY VOC, 19.01 TPY PM₁₀, 11.69 TPY PM_{2.5}, and 1.41 TPY SO_x; thus, the facility is a natural minor. The boiler is subject to 40 CFR 63 Subpart JJJJJ, NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

25-00360: The Electric Materials Company, (P.O. Box 390, North East, PA 16428-0390), the Department intends to issue the renewal of the Synthetic Minor State-Only Operating Permit to a facility which manufactures high quality electrical components, copper extrusions, forgings and castings for the electrical power, mining, transportation, military and architectural industries. This facility is located at 50 South Washington Street, North East, PA (16428-0300), which is in North East Borough, **Erie County**. The primary sources at the facility are miscellaneous natural gas combustion, miscellaneous natural gas process use, an emergency generator, tumble cleaning, shot cleaning, a brite annealing furnace, copper grinding, tin melting, a cold batch degreaser, an endogas generator, electric ovens, a solvent still, brazing units, an EDM machine, a natural gas furnace, core machines, pickle and rinse tanks, electric induction furnaces and casting, paint booths, a burn off oven, parts washers, a bead blast unit, sanders, mixers and a core oven. Potential emissions for the site are below Title V permitting thresholds for all criteria pollutants, after taking limits. Facility potential emissions are as follows: particulate matter, 93.1 tons per year (tpy); PM₁₀, 1.18 tpy; PM_{2.5}, 0.4 tpy; sulfur oxides, 0.1716 tpy; nitrogen oxides, 45.81 tpy; carbon monoxide, 17.48 tpy; and volatile organic compounds, less than 50 tpy. The permit contains emission and operating hours restrictions, along with monitoring, recordkeeping, reporting, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

OP18-000147: Cross Connect Solutions, Inc. (401 N. Broad Street, Philadelphia, PA 19108) for the operation of a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source include seven (7) diesel-fired emergency generators with diesel oxidation catalyst (DOC) rated at 1,500 kilowatts (kW) or less. The limit for testing and tuning of the emergency generators has been changed from 30 minutes per week to 100 hours per calendar year. The catalytic activities testing requirement for each emergency generator has been changed to a portable analyzer test.

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

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

OP18-000020: U.S. GSA—U.S. Customs House (200 Chestnut Street, Philadelphia, PA 19106) for the operation of a commercial building in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include: two (2) 6.8 MMBtu/hr boilers that can burn natural gas or # 2 fuel oil; one (1) 4.0 MMBtu/hr boiler firing natural gas, two (2) 0.399 MMBtu/hr hot water heaters firing natural gas, and one (1) 450 kW emergency generator firing diesel. The fuel use requirements for the two (2) 6.8 MMBtu/hr boilers have been changed from natural gas only to natural gas or # 2 fuel oil. The limit for testing and tuning of the emergency generator has been changed from 30 minutes per month to 100 hours per calendar year.

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

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

OP17-000031: Nupro Industries Corporation (2925 E. Ontario Street, Philadelphia, PA 19134) for the operation of an oil manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) boilers firing natural gas each rated 24.5 MMBtu/hr or less, one (1) boiler firing No. 2 fuel oil rated 13.4 MMB/hr, one (1) 4.5 MM gallons/year inedible animal oils process, one (1) 6,500 gallon ester reactor with associated 350 gallon primary and 350 gallon secondary condenser, one (1) 3,500 gallon ester reactor with associated 275 gallon primary and 275 gallon secondary condenser, and two (2) 54,000 gallon/hr cooling towers.

The operating permit will be issued under the *Pennsylvania Code* Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other

supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for

an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

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

32051601 and NPDES No. PA0236012. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Crooked Creek Preparation Plant in Washington Township, **Indiana County** and related NPDES permit for use of existing access road and construct fresh water reservoir pond. Pond will not discharge. Surface Acres Proposed 30.9. No additional discharges. The application was considered administratively complete on September 10, 2018. Application received: June 6, 2018.

30841313 and NPDES No. PA0022594. Consol Mining Company, LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit for the Dilworth Mine in Cumberland Township, **Greene County** and related NPDES permit. No additional discharges. The application was considered administratively complete on September 12, 2018. Application received December 21, 2017.

63091301 and NPDES No. PA0236004. Tunnel Ridge, LLC, (2596 Battle Run Road, Triadelphia, WV 26059). To revise the permit for the Tunnel Ridge Mine in Donegal and West Finley Townships, **Washington County** and related NPDES permit for construction of an airshaft site with associated powerline and optional water line. Application also includes a request for a Section 401 Water Quality Certification. Surface Acres Proposed 45.76. No additional discharges. The application was considered administratively complete on September 14, 2018. Application received: July 11, 2018.

56061301 and NPDES No. PA0235709. RoxCOAL, Inc., (1576 Stoystown Rd., P.O. Box 260, Friedens, PA 15541). To renew the permit for the Kimberly Run Mine in Somerset Township, **Somerset County** and related NPDES permit for reclamation only. No additional discharges. The application was considered administratively complete on September 17, 2018. Application received October 2, 2017.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 07920101 and NPDES No. PA0599581, E.P. Bender Coal Co., Inc., P.O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface mine in Allegheny Township, **Blair County** affecting 474.0 acres. Receiving streams: unnamed tributaries to/and Sugar Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 30, 2018.

Permit No. 56120105. Coal Loaders Inc., 210 East Main Street, P.O. Box 556, Ligonier, PA 15658, permit renewal for reclamation only of a bituminous surface and auger mine in Somerset Township, **Somerset County**, affecting 44.3 acres. Receiving stream: East Branch Coxes Creek, classified for the following use: trout stocked fishes. The first downstream potable water supply intake from the point of discharge is Site Id No. 623843 Milford Township Municipal Authority Primary Facility No. 683209, Rockwood Interconn Sub Facility No. 926821. Application received: September 5, 2018.

Permit No. 56763036. Shade Landfill Inc., 1176 No. 1 Road, Cairnbrook, PA 15924, permit renewal for

reclamation only of a bituminous surface mine in Shade Township, **Somerset County**, affecting 84.2 acres. Receiving streams: Miller Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 30, 2018.

Permit No. 56890102 and NPDES No. PA0598372, Svonavec, Inc., 2555 New Centerville Road, Rockwood, PA 15557, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from Pastureland to Cropland and Unmanaged Natural Habitat in Lower Turkeyfoot Township, **Somerset County**, affecting 92.5 acres. Receiving streams: unnamed tributaries to/and Casselman River classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is Ohiopyle Borough Municipal Waterworks Youghiogeny River SWW. Application received: September 4, 2018.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

16130101. RFI Energy, Inc. (1062 East Main Street, P.O. Box 69, Clarion, PA 16214) Renewal of an existing bituminous surface and coal refuse disposal mine in Licking and Toby Townships, **Clarion County** affecting 65.0 acres. Receiving streams: Unnamed tributary 2 to Licking Creek classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: September 12, 2018.

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

17060113 and NPDES PA0256471. Black Cat Coal, LLC, (446 WM Cemetery Road, Curwensville, PA 16833). Permit revisions to change in land use from forestland to unmanaged natural habitat, revise Module 14 Wetland Mitigation/Replacement Plan, haul road release, and Sedimentation Pond D release of a bituminous surface

coal and auger mine located in Brady Township, **Clearfield County** affecting 60.9 acres. Receiving stream(s): Unnamed Tributary to Stump Creek, Stump Creek, and Unnamed Tributary to Limestone Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 31, 2018.

17793123 and NPDES PA0089603. Strishock, LLC (220 Hillcrest Drive, DuBois, PA 15801). Permit renewal for passive treatment system on a bituminous surface coal mine located in Union and Brady Townships, **Clearfield County** affecting 102.8 acres. Receiving stream(s): Sugar Camp Run and Laborde Branch classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 13, 2018.

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

Permit No. 54980102R4. Tuscarora Mines & Minerals Corp., (P.O. Box 131, Tuscarora, PA 17982), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 144.6 acres, receiving stream: Silver Creek, classified for the following uses: cold water and migratory fishes. Application received: August 22, 2018.

Permit No. 54980102C. Tuscarora Mines & Minerals Corp., (P.O. Box 131, Tuscarora, PA 17982), correction of an existing anthracite surface mine operation to update the post-mining land use from forestland to unmanaged natural habitat and forestland in Blythe Township, **Schuylkill County** affecting 144.6 acres, receiving stream: Silver Creek, classified for the following uses: cold water and migratory fishes. Application received: August 22, 2018.

Noncoal Applications Received

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

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
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.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

42042804 and NPDES Permit No. PA0280658. Richard A. Powell (1423 West Kane Road, P.O. Box 252, Kane, PA 16735) Revision to an existing small industrial minerals mine to add an NPDES permit in Wetmore Township, **McKean County**. Receiving streams: Unnamed tributary to West Run, classified for the following uses: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 31, 2018.

3175SM13. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141). Revision to an existing large industrial minerals surface mine to add clean reclamation fill in Scott Township, **Lawrence County**. Receiving streams: Taylor Run and an unnamed tributary to Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: September 6, 2018.

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

Permit No. 7975SM5C8 and NPDES Permit No. PA0225649. KPK Development Corp., (149 Newbold Road, Fairless Hills, PA 19030), correction to an existing quarry operation to revise the reclamation plan and update the NPDES Permit for discharge of treated mine drainage and to decrease the permit acreage 454.3 to 229.91 acres, receiving stream: Martins Creek, classified for the following uses: warm water and migratory fishes. Application received: August 20, 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

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

NPDES No. PA0599581 (Mining Permit No. 07920101), E.P. Bender Coal Company, Inc., P.O. Box 594 Carrolltown, PA 15722, renewal of an NPDES permit for discharges resulting from surface coal mining in Allegheny Township, **Blair County**, affecting 474 acres. Receiving streams: unnamed tributaries to/and Sugar Run, classified for the following use: Cold Water Fishes. This receiving stream is included in the Beaverdam Branch Watershed TMDL. Application received: August 30, 2018.

The following outfalls discharge to unnamed tributaries to/and Sugar Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Facility 1)	N
002 (Treatment Facility 2)	N
005 (Treatment Facility 5)	N
006 (Treatment Facility 6)	N
007 (Sediment Pond 1)	N
008 (Sediment Pond 2)	N
009 (Sediment Pond 3)	N
010 (Sediment Pond 4)	N
011 (Sediment Pond 5)	N
012 (Sediment Pond 6)	N
013 (Sediment Pond 7)	N
014 (Sediment Pond 8)	N

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

<i>Outfalls: 001, 002, 005 & 006 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.8	3.6	4.5
Manganese (mg/l)	1.9	3.8	4.7
Aluminum (mg/l)	0.75	1.5	1.8
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.			

<i>Outfalls: 007—014 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	1.9	3.8	4.7
Aluminum (mg/l)	1.4	2.8	3.5
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.			

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 Chapter 87 Subchapter F, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Chapter 87.102(a) Group A, whichever is least stringent.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

NPDES No. PA0242268 (Permit No. 24020104). RES Coal, LLC (224 Grange Hall, P.O. Box 228, Armagh, PA 15920) Renewal of an NPDES permit for a bituminous surface mine in Fox Township, **Elk County**, affecting 260.0 acres. Receiving streams: Unnamed tributary to Little Toby Creek, classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: July 16, 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 the 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 above for coal mining activities.

The following outfall(s) discharge to an unnamed tributary to Little Toby Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	N
B	N

The proposed effluent limits for the previously listed outfall(s) 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)		35.0	70.0	90.0

NPDES No. PA0227846 (Permit No. 61980103). Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215). Renewal of an NPDES permit for a bituminous surface mine in Irwin Township, **Venango County**, affecting 110.0 acres. Receiving streams: Unnamed tributary to Scrubgrass Creek, classified for the following uses: CWF. TMDL: Scrubgrass Creek. Application received: August 27, 2018.

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

The following outfall(s) discharge to an unnamed tributary to Scrubgrass Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
B	N
C	N

The proposed effluent limits for the previously listed outfall(s) 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
Total Suspended Solids (mg/l)		35.0	70.0	90.0

Noncoal NPDES Draft Permits

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

NPDES Permit No. PA0595661 on Surface Mining Permit No. 09890301. Naceville Materials, (350 South Main Street, Suite 207, Doylestown, PA 18901) renewal of an NPDES Permit for an argillite quarry operation in Plumstead Township, **Bucks County**, affecting 115.57 acres. Receiving stream: unnamed tributary to North Branch Neshaminy Creek, classified for the following use: warm water fishes. Application received: March 17, 2016.

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

The following outfall discharge to unnamed tributary to North Branch Neshaminy Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Treatment Facility Outfall

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Discharge (MGD)		0.66		
Total Suspended Solids TDS (mg/l)		20.0	40.0	50.0
Sulfates (mg/l)			Monitor and Report	
Chlorides (mg/L)			Monitor and Report	

¹ The parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33

U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the

name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E36-945: Sunoco Pipeline, LP (SPLP), 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II Pennsylvania Pipeline Project, in West Cocalico Township, **Lancaster County**, ACOE Baltimore District.

Sunoco Pipeline, LP proposes a Major Amendment to its permit, Permit # E36-945, which authorized the installation and maintenance of an approximately 7.5-mile-long, 20.0-inch natural gas pipeline and an approximately 7.5-mile long 16.0-inch natural gas pipeline and appurtenant structures in Lancaster County. The major amendment request proposes to alter the installation method of the 16.0-inch pipeline across Harnish Run (WWF, MF) from the authorized Horizontal Directional Drill to open cut. Approximately 52 linear feet of stream will be impacted. The project is located 0.11 mile east of the intersection of SR 897 and North Peartown Road (Latitude: 40.2829°N; Longitude: 76.1516°W) in West Cocalico Township, Lancaster County. No wetland impacts are associated with this major amendment request.

E67-918 Major Amendment: Columbia Gas of Pennsylvania, 1600 Colony Road, York, PA 17408 in Paradise Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to amend the previously issued water obstruction and encroachment permit, permit number E67-918, which authorized the following:

P.H. Glatfelter Company proposes to install and maintain a natural gas connector line spanning approximately 6 miles in Jackson and Paradise Townships beginning at 39° 55' 22" N, 76° 56' 15" W and ending at 39° 52' 33" N, 76° 52' 22" W. Ten (10) wetland crossings and thirteen (13) stream crossings are necessary for the proposed project. Wetland impacts comprise 21,541 square feet (permanent) and 19,997 square feet (temporary). Temporary linear stream impacts total 759 feet with an impact area of 6,072 square feet. Floodway impacts total 2.66 acres. Nine (9) additional stream crossings accompany the

project which qualify for a waiver of permit requirements under 25 Pa. Code § 105.12(a)(2). Crossings will be permitted open cut and timber matted for temporary access, with the exception of KLF-WETLAND03 and KLF-WETLAND04 which will utilize bore methods. KLF-WETLAND01 will be permanently impacted with the construction of a new impervious surface (157-ft by 150-ft) for a valve site. KLF-WETLAND03 and KLF-WETLAND04 are classified as Exceptional Value.

The applicant previously amended the permit to include:

To install and maintain a 6-inch steel natural gas connector line. The crossing will be installed by directional bore method under a 46-inch culvert pipe carrying an unnamed tributary to Paradise Run (WWF) located within the Township right-of-way along the south side of North Lake Road just south of the intersection of North Schoolhouse Road in Paradise Township, York County at 39° 55' 22.8" N, 76° 55' 58.2" W.

The applicant now proposes to amend the permit to include:

To clear and maintain the gas line ROW within wetland KLF-Wetland04, converting 0.49 acre of Palustrine Forested (PFO) wetland to Palustrine Emergent (PEM) wetland. The applicant proposes a 0.98 PEM to PFO wetland conversion as compensatory mitigation, located in Codorus Township, York County (Latitude: 39° 44' 23.3"; Longitude: -76° 48' 8.7").

E06-717: DTE Midstream Appalachia, LLC, 333 Technology Drive, Canonsburg, PA 15317. Birdsboro Pipeline, in Birdsboro Borough and Union, Amity, Oley, and Rockland Townships, **Berks County**, ACOE Philadelphia District. The proposed project starts at Armorcast Road (Birdsboro, PA Quadrangle N: 40°, 16', 15.98"; W: 75°, 47', 36.79") and ends at Forgedale Road (Fleetwood, PA Quadrangle N: 40°, 24', 38.93"; W: 75°, 45', 38.6").

DE Midstream Appalachia proposes a Major Amendment to its permit, Permit # E06-717, which authorized the installation and maintenance of an approximately 13.2-mile-long, 12-inch natural gas pipeline and appurtenant structures. The major amendment proposes to remove the authorized Horizontal Directional Drill crossing # 4 underneath two Exceptional Value (EV) Palustrine Forested (PFO) wetlands, one EV Palustrine Emergent (PEM) wetland, and the Little Manatawny Creek (CWF, MF), and proposes to install and maintain a reroute of the proposed pipeline impacting two EV PEM wetlands and Little Manatawny Creek (CWF, MF). The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 13.2 miles in Pennsylvania between Birdsboro Borough, Berks County, PA and Rockland Township, Berks County, PA.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E41-695 McIntyre Township Supervisors, 47 Thompson Street, Ralston, PA 17763. T-665 Pleasant Stream Road, Pleasant Stream Bridge Replacement, McIntyre Township, **Lycoming County**, Baltimore ACOE (Bodines, PA Quadrangle N: 41° 29' 16"; W: -76° 56' 26").

McIntyre Township Supervisors propose to replace a Single Span Steel I-Beam Bridge with a Single Span Pre-Stressed Concrete Spread Box Beam Bridge, which will be located approximately 55 Ft. downstream of the existing structure. The existing bridge has a span of 39.7

Ft., a skew of 80 degrees, an underclearance of 8.0 Ft., and a low chord of 937.52 Ft. and a hydraulic opening of 338 Ft². The proposed bridge has a span of 49.6 Ft., a skew of 60 degrees, an underclearance of 7.61 Ft., and a low chord of 935.78 Ft. and a hydraulic opening of 348 Ft². The proposed structure will utilize Grouted R-8 Rip Rap, choked with R-4 Rip Rap scour protection around the abutments and wing walls. The area disturbed from removing the existing structure and the stream banks between the existing and proposed structure will be stabilized with grouted R-8 Rip Rap, choked with R-4 Rip Rap. The existing structure will be utilized to convey traffic during construction. The project will not impact any jurisdictional wetlands. Pleasant Stream is classified as an Exceptional Value Stream by Title 25, Chapter 93 Water Quality Standards and a Stocked and Wild Trout Stream by PA Fish and Boat Commission.

Southwest Region: Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1800, Allegheny County Department of Public Works, 501 County Office Building, 542 Forbes Avenue, Pittsburgh PA 15219, Wilkins Township and Turtle Creek Borough, **Allegheny County**; Pittsburgh ACOE District.

The applicant is proposing to:

Remove an existing 47-foot wide by 27-foot long, single-span bridge, and construct and maintain a replacement 61-foot long by 34-foot wide, Single-Span bridge, over Thompson Run (WWF) with an under clearance of 9-feet, directly downstream. As part of the replacement, a new 18" stormwater outfall will be constructed upstream of the existing bridge. The project will permanently impact 45-linear feet of Thompson Run. Compensatory mitigation is not provided due to the nature of the project.

The project site is located on Jones Avenue off Larimer Avenue (Braddock, PA USGS topographic quadrangle; N:

-40°, 24', 57"; W: -79°, 49', 25"; Sub-basin 19A; USACE Pittsburgh District), in Wilkins Township & Turtle Creek, Allegheny County.

E63-720, Washington County Commissioners, 100 West Beau Street, Suite 701, Washington, PA 15301, **Washington County**; Pittsburgh ACOE District.

The applicant is proposing to:

1. Construct and maintain four 20 foot by 80 foot fishing piers within Cross Creek Reservoir;
2. Construct and maintain one 20 foot by 35 foot fishing pier within Cross Creek Reservoir;
3. Construct and maintain a 10 foot wide by 570 foot long boardwalk within Cross Creek Reservoir;
4. Construct and maintain a proposed road crossing over Cross Creek (HQ-WWF), consisting of a 36" HDPE culvert.

For the purposes of developing a recreational area with hiking trails, fishing piers and a boardwalk. The project site is located approximately 5,500 feet north-northwest of the intersection of Beech Road and Park View Road, Avella, PA USGS topographic quadrangle; N: -40°, 15', 27.75"; W: -80°, 24', 6.03"; Sub-basin 20D; USACE Pittsburgh District), in Cross Creek Township, Washington County.

Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

E37-202FP, Pennsylvania America Water, 800 W. Hershey Park Dr, Hershey, PA 17033. Ellwood City Water Treatment Plant Site Restoration (Beaver Falls, PA Quadrangle N: 40.858333; W: -80.255833) in Wayne Township, **Lawrence County**.

To remove existing buildings, structures, and lagoons, and re-grade and stabilize approximately 2 acres of the 100-year floodplain of Slippery Rock Creek at the existing Pennsylvania American Water Ellwood Water Treatment Plant at 907 Lundys Lane, Ellwood City, PA 16117.

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.

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>
PA0034428 (Sewage)	Cove Haven Resort WWTP Route 590 Lakeville, PA 18438	Wayne County Paupack Township	Unnamed Tributary to Lake Wallenpaupack (1-C)	No

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

<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>
PA0044261 SEW	PA DCNR Facility Design & Construction Bureau 205 Canoe Creek Road Hollidaysburg, PA 16648-8444	Frankstown Township, Blair County	New Creek in Watershed(s) 11-A	Y
PA0266779 SEW	Robert Stonebraker 352 Hollen Road Tyrone, PA 16686	Antis Township, Blair County	Sugar Run in Watershed(s) 11-A	Y
PA0266680 SWI	Amazon.Com.Dedc LLC P.O. Box 80842 Seattle, WA 98108-0842	Middlesex Township, Cumberland County	Unnamed Tributary to Letort Spring Run in Watershed(s) 7-B	Y
PA0266591 SWI	Mondelez Global LLC 597 Alexander Spring Road Carlisle, PA 17013	South Middleton Township, Cumberland County	Letort Spring Run in Watershed(s) 7-B	Y
PA0088781 IW	Calpine Mid Merit, LLC 500 Delaware Avenue Suite 600 Wilmington, DE 19801-7406	Peach Bottom Township, York County	Susquehanna River in Watershed(s) 7-I	N
PA0020621 SEW	Waynesboro Borough Authority 57 E Main Street P.O. Box 310 Waynesboro, PA 17268-0310	Waynesboro Borough, Franklin County	Unnamed Tributary to East Branch Antietam Creek in Watershed(s) 13-C	N
PA0088650 SEW	Capital Area Christian Church 1775 Lambs Gap Road Mechanicsburg, PA 17055	Hampden Township, Cumberland County	Unnamed Tributary of Conodoguinet Creek in Watershed(s) 7-B	Y
PA0259942 SEW	Steven E Nye 38 Harmon Road Newburg, PA 17240-9115	Upper Mifflin Township, Cumberland County,	Three Square Hollow Run in Watershed(s) 7-B	Y
PA0088269 SEW	Quincy Township Sewer Authority 7575 Mentzer Gap Road Waynesboro, PA 17268-8946	Quincy Township, Franklin County	West Branch Antietam Creek in Watershed(s) 13-C	N
PA0081221 SEW	Shover Investment Group LLC 225 Pine Hill Road Landisburg, PA 17040	Miller Township, Perry County	Bailey Run in Watershed(s) 12-B	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0261726 CAFO	Lester Martin 415 E Old York Road Carlisle, PA 17015-9207	South Middleton Township, Cumberland County	Watershed(s) 7-E Yellow Breeches Creek	Y
PA0266761 CAFO	Douglas J Metzler 81 Douts Hill Road Pequea, PA 17565	Martic Township, Lancaster County	Watershed(s) 7-K Tucquan Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0110761 (Industrial)	Shamokin Dam Borough Water System P.O. Box 273 42 W 8th Avenue Shamokin Dam, PA 17876-0273	Snyder County Shamokin Dam Borough	Unnamed Tributary of Susquehanna River (6-A)	Yes
PA0023582 (Sewage)	Freeburg Borough WWTF P.O. Box 308 Freeburg, PA 17827-0308	Snyder County Freeburg Borough	Unnamed Tributary to Susquehecka Creek (6-A)	Yes
PA0232874 (Storm Water)	American Rock Salt Dubois Storage P.O. Box 190 Mount Morris, NY 14510-0190	Clearfield County Sandy Township	Unnamed Tributary to Sandy Lick Creek (17-C)	Yes

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>
PA0028126 (Industrial)	PA American Water Pittsburgh District—Hays Mine Station 800 W Hershey Park Drive Hershey, PA 17033-2400	Allegheny County Pittsburgh City	Unnamed Tributary to Monongahela River (19-A)	Yes
PA0091227 (Industrial)	Calgon Carbon Corp Neville Isle Plant 200 Neville Road Pittsburgh, PA 15225-1620	Allegheny County Neville Township	Ohio River and Unnamed Tributary of Ohio River (20-G)	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. 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. PA0027464, Sewage, **Pleasant Hills Authority Allegheny County**, 610 Old Clairton Road, Pittsburgh, PA 15236.

This existing facility is located in South Park Township, **Allegheny County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

NPDES Permit No. PA0255467, Sewage, **Hopkins Amy**, 2544 Turkey Ridge Road, Apollo, PA 15613.

This proposed facility is located in Murrysville Borough, **Westmoreland 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.

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

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

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

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

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

WQM Permit No. 0718401, Sewerage, **Robert Stonebraker**, 352 Hollen Road, Tyrone, PA 16686.

This proposed facility is located in Antis Township, **Blair County**.

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

- Norweco Singular 960-500 Aerobic Treatment Unit (concrete)
- 1,175-gal concrete tank containing a Norweco BioFilm Reactor with Salcor 3G UV Unit

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

WQM Permit No. 6516402, Sewage, **Latrobe Municipal Authority Westmoreland County**, P.O. Box 88, Latrobe, PA 15650.

This proposed facility is located in Latrobe Borough, **Westmoreland County**.

Description of Proposed Action/Activity: construction and operation of a 4.0 MGD wet-weather storage tank/pump station, and improvements/expansions to sanitary sewer interceptor lines.

WQM Permit No. 6518404, Sewage, **Hopkins Amy**, 2544 Turkey Ridge Road, Apollo, PA 15613.

This proposed facility is located in Murrysville Borough, **Westmoreland County**.

Description of Proposed Action/Activity: Installation of a SRSTP.

V. NPDES Waiver Stormwater Discharges from MS4 Actions.

Southcentral Regional Office: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Phone: 717.705.4800.

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.

NPDES

<i>Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAI133512	Longswamp Township Berks County 1112 State Street Mertztown, PA 19539-9101	Longswamp Township, Berks	Swabia Creek and Little Lehigh Creek/HQ-CWF and MF

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

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150102	Bentley Homes 1595 Paoli Pike Suite 103 West Chester, PA 19380-6167	Chester	West Vincent Township	Unnamed Tributary to French Creek HQ-TSF

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>
PAD350008	Pompey Coal Company 4000 4th Street Suite 3 Moosic, PA 18507	Lackawanna	Archbald & Jessup Boroughs	Lackawanna River (HQ-CWF, MF) Grassy Island Creek (HQ-CWF, MF)

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD390059	The Waterfront Development Company, LP 1665 Valley Center Parkway Suite 110 Bethlehem, PA 18017-2354	Lehigh	City of Allentown	Little Lehigh Creek— HQ-CWF, MF and Lehigh River— WWF, MF

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD400019	Presidential Land Holdings, LLC c/o Matthew J. McGowan 95 S. Main Street Mountain Top, PA 18707	Luzerne	Rice Township	Little Wapwallopen Creek (CWF, MF) EV Wetlands

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD450057	CB H ₂ O, LP P.O. Box 168 Tannersville, PA 18372	Monroe	Jackson Township	UNT to Coolmoor Creek (HQ-CWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD140028	KOA Bellefonte/State College 2481 Jacksonville Road Bellefonte, PA 16823	Centre	Marion Twp	UNT-Nittany Creek HQ-CWF

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD020008	Fox Chapel Estates, LP 375 Golfside Drive Wexford, PA 15090	Allegheny County	Indiana Township	UNT to Little Pine Creek (TSF); Squaw Run (HW-WWF)
PAD0200113	Maronda Homes, Inc. 11 Timberglen Drive Imperial, PA 15126	Allegheny County	North Versailles Township	Jacks Run (HQ-TSF); UNT to Jacks Run (HQ-TSF)

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Lawrence County Conservation District, 430 Court Street, New Castle, PA 16101, 724-652-4512.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD370005	East Fairfield Coal Company 10900 South Avenue North Lima, OH 44452	Lawrence County	North Beaver Township	UNT to Honey Creek HQ-CWF

VII. Approvals to Use NPDES and/or Other General Permits.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types.

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities

PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Limerick Township Montgomery County East Vincent, West Vincent, and Upper Uwchlan Townships Chester County	ESG00029180001	Columbia Gas Transmission 1700 MacCorkle Avenue Charleston, WV 25314	Unnamed Tributary to Pickering Creek HQ-TSF-MF Birch Run EV-MF Unnamed Tributary to Birch Run HQ-TSF-MF Unnamed Tributary to French Creek HQ-TSF-MF Schuylkill River HQ-TSF-MF Brooke Evans Creek HQ-TSF-MF Possum Hollow Run WWF-MF Unnamed Tributary to Hartenstine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Goshen Township Chester County	PAC150055	Glenn M. White Land Company, Inc. 4 Zachary Drive West Chester, PA 19382	Unnamed Tributary to East Branch of Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tredyffrin Township Chester County	PAC150061	Old Eagle Associates 485 Devon Park Drive Suite 110 West Chester, PA 19382	Trout Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Whiteland Township Chester County	PAC150063	The McKee Group 940 West Sproul Road Suite 301 Springfield, PA 19064	Unnamed Tributary to Valley Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Caln Township Chester County	PAC150072	600 Boot Road Associates, LLC 120 Pennsylvania Avenue Malvern, PA 19355	East Branch Brandywine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Garden Township Chester County	PAC150075	Middleton Crossing, LP 1020 Broad Run Road Landenberg, PA 19350	White Clay Creek Watershed (Broad Run and Egypt Run) CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Tredyffrin Township Chester County	PAC150080	Jay Jalaram, Inc. 20 West Anthony Wayne Drive Wayne, PA 19087-1251	Trout Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Marlborough Township Chester County	PAC150083	Regis Investment Properties, LP c/o Jim Dahme 1595 Paoli Pike Suite 103 West Chester, PA 19380	East Branch Red Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Sadsbury Township Chester County	PAC150087	Victory Brewing Company 420 Acorn Lane Downingtown, PA 19335	Valley Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Brandywine Township Chester County	PAC150092	Carlino East Brandywine 875 Berksire Boulevard Suite 102 Wyomissing, PA 19610	Beaver Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Downingtown Borough and East Caln Township Chester County	PAC150047	Woodbine Partners, LP/Kalo Realty, Inc. 120 Pennsylvania Avenue Malvern, PA 19355	Park Run Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Sadsbury Township Chester County	PAC150049	Parsons Coatesville, LLC 1373 Enterprise Drive West Chester, PA 19380	Unnamed Tributary to Buck Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Whiteland Township Chester County	PAC150052	Church Farm School 1001 East Lincoln Highway Exton, PA 19341	Valley Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Westtown Township Chester County	PAC150056	Michael Hayes 807 Goshen Road West Chester, PA 19380	Unnamed Tributary to Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tredyffrin Township Chester County	PAC150060	Arcadia Tredyffrin, LLC Ten Penn Center 1801 Market Street Suite 630 Philadelphia, PA 19103	POI Nos. 1 and 2 Trout Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franklin Township Chester County	PAC150066	Andrew Papamarcos 140 Carnoustie Way Media, PA 19063	White Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Goshen Township Chester County	PAC150070	Brandywine Regional Airport, Inc. 1205 Ward Avenue West Chester, PA 19380	East Branch of Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franklin Township Chester County	PAC150077	Assistant VP Creek, LLC 227 Granite Run Drive Suite 100 Lancaster, PA 17601	Middle Branch White Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haverford Township Delaware County	PAC230069	BMMSBA Railroad LLC c/o Joshua Peterson 825 Old Lancaster Avenue Suite 320 Bryn Mawr, PA 19010-3235	Cobbs Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Chester City Delaware County	PAC230076	Kimberly-Clark of Pennsylvania, LLC 1 Avenue of the States Chester, PA 19013	Delaware River WWF Chester Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Concord Township Delaware County	PAC230075	PAG Pennsylvania, LLC c/o Paul Bahoboy 221 Pottstown Pike Chester Spring, PA 19425	Unnamed Tributary to West Branch Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Marple Township Delaware County	PAC230056	Marple Associates, LP c/o Continental Developers, LLC 1604 Walnut Street 4th Floor Philadelphia, PA 19103	Langford Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510071	New Covenant Church Philadelphia 7406 Germantown Avenue Philadelphia, PA 19119	Cresheim Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510079	Ridge Meeting House Partners I, LLC 3340 Peachtree Road No. 1000 Atlanta, GA 30318	Poquessing Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC5610081	Charter Court Apartments Owner, LLC 107 South 2nd Street Philadelphia, PA 19106	Lower Schuylkill River WWF-MF	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.

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>
PAC350042	Pride Mobility Products Corp 401 York Ave Duryea, PA 18642	Lackawanna Luzerne	Old Forge Boro Duryea Boro	Lackawanna River (CWF, MF) Mill Creek (CWF, MF)

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAC400063	VMC Realty LLC Frank Carey Jr 21 Carey Ln Pittston, PA 18640	Luzerne	Jenkins Twp	UNT to Susquehanna River (CWF, MF)
PAC400068	The Greater Hazleton Community Area New Development Organization Inc W Kevin O'Donnell 1 S Church Street Suite 200 Hazleton, PA 18201	Luzerne	Hazle Twp	Black Creek (CWF, MF)

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAC450009	Mt Tom Road Properties LLC 507 Seven Bridges Rd East Stroudsburg, PA 18301	Monroe	Smithfield Twp	UNT to Sambo Creek (CWF, MF)

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAC480061	Bethlehem Area Vocational Technical School 3300 Chester Rd Bethlehem, PA 18020	Northampton	Bethlehem Twp	Nancy Run (CWF, MF)

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Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Phillips, Section Chief, 717.705.4802.

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>
Mount Joy Township Adams County Issued	PAC010074	Jason E. Williams C.E. Williams Sons Inc. 1141 Highland Avenue Road Gettysburg, PA 17325	UNT Rock Creek (WWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Straban Township Adams County Issued	PAC010059	Dale Gingrich Members 1st Federal Credit Union 5000 Louise Drive P.O. Box 40 Mechanicsburg, PA 17055	UNT Rock Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Amity Township Berks County Issued	PAC060143	John Gilliland, SCA, LP 10 Bentzel Mill Road York, PA 17404	Monocacy Creek (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Muhlenberg Township Berks County Issued	PAC060153	Frank Sabatucci 1290 Broadcasting Road Wyomissing, PA 19610	Laurel Run (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Manheim Township Lancaster County Issued	PAC360289	Kevin Lapp 255 Butler Avenue Suite 203 Lancaster, PA 17601	UNT Little Conestoga Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Lititz Borough Lancaster County Issued	PAC360317	Oakfront Limited Partnership 508 Front Street Lititz, PA 17543	Lititz Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Lampeter Township Lancaster County Issued	PAC360256	John King 826 Strasburg Pike Strasburg, PA 17579	Pequea Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Rapho Township Lancaster County Issued	PAC360304	Bryan Zeamer 1976 Auction Road Manheim, PA 17545	Trib 07982 Chiques Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Township Lancaster County Issued	PAC360279	Lancaster Airport Authority 500 Airport Road Lititz, PA 17543	New Haven Run (CWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

*Facility Location:
Municipality &
County*

East Hempfield
Township
Lancaster County
Issued

Permit No.
PAC360280

*Applicant Name &
Address*
Linda Barto
1650 Crooked Oak Drive
Suite 300
Lancaster, PA 17601

*Receiving
Water / Use*
Swarr Run
(TSF)
UNT Little
Conestoga Creek
(TSF)

*Contact Office &
Phone No.*
Lancaster County
Conservation District
1383 Arcadia Road
Room 200
Lancaster, PA 17601-3149
717.299.5361, ext. 5

East Hanover
Township
Lebanon County
Issued

Permit No.
PAC380073

*Applicant Name &
Address*
James Metcalfe
RR2 Box 484
Indiantown Gap Road
Annville, PA 17003

*Receiving
Water / Use*
Aires Run
(WWF, MF)

*Contact Office &
Phone No.*
Lebanon County
Conservation District
2120 Cornwall Road
Lebanon, PA 17042-9788
717.277.5275

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

*Facility Location &
Municipality*

Montour Twp,
Columbia Cnty

Permit No.
PAC190030
Renewal

*Applicant Name &
Address*
Scott Sponenberg
140 Tower Drive
Bloomsburg, PA 17815

*Receiving
Water / Use*
UNT to Montour
Run

*Contact Office &
Phone No.*
Columbia County
Conservation District
702 Sawmill Rd
Ste 204
Bloomsburg, PA 17815
(570) 784-1310 X 102

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

*Facility Location:
Municipality &
County*

Muddy Creek
Township,
Butler County

Permit No.
PAC100080

*Applicant Name &
Address*
Pennsylvania Department
of Transportation
District 10-0
2550 Oakland Avenue
Indiana, PA 15701

*Receiving
Water / Use*
Muddy Creek WWF

*Contact Office &
Phone No.*
Butler County
Conservation District
122 McCune Drive
Butler, PA 16001
724-284-5270

Greene Township,
Erie County

Permit No.
PAC250034

*Applicant Name &
Address*
Erie (Wattsburg) DPP,
LLC
9010 Overlook Boulevard
Brentwood, TN 37027

*Receiving
Water / Use*
UNT Fourmile Creek
WWF

*Contact Office &
Phone No.*
Erie County
Conservation District
1927 Wager Road
Erie, PA 16509
814-825-6403

General Permit Type—PAG-3

*Facility Location &
Municipality*

Reading City,
Berks County

Permit No.
PAG033592

*Applicant Name &
Address*
PPG Reading Distribution
Center
2001 Centre Avenue, Rear
Reading, PA 19605

*Receiving
Water / Use*
Schuylkill River in
Watershed(s) 3-C

*Contact Office &
Phone No.*
DEP—SCRO—
Clean Water Program
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707

Leetsdale Borough
Allegheny County

Permit No.
PAG036150

*Applicant Name &
Address*
National Oilwell Varco,
LP
7909 Parkwood Circle
Drive
Houston, TX 77036

*Receiving
Water / Use*
Ohio River—20-G

*Contact Office &
Phone No.*
DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412.442.4000

Cumberland
Township
Greene County

Permit No.
PAG036222

*Applicant Name &
Address*
Cameron, a Schlumberger
Co.
1614 East Roy Furman
Highway
Carmichaels, PA 15320

*Receiving
Water / Use*
Muddy Creek—19-B

*Contact Office &
Phone No.*
DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412.442.4000

South Union
Township
Fayette County

Permit No.
PAR226116

*Applicant Name &
Address*
Northwest Hardwoods
Inc.
1152 National Pike
Hopwood, PA 15445

*Receiving
Water / Use*
Lick Run and
Bennington Spring
Run—19-C

*Contact Office &
Phone No.*
DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412.442.4000

<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>
Throop Borough Lackawanna County	PAG032250	Marshwood Manufacturing Corp 1202 Marshwood Road Throop, PA 18512	Unnamed Stream and Eddy Creek— 5-A	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

Central Office: Bureau of Clean Water, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8774, Harrisburg, PA 17105-8774. Telephone: 717-705-4090.

General Permit Type—PAG-7

<i>Facility Location & County / Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Edward J. Patton Water Reclamation Center 2571 Main Street Extension Sayreville, NJ 08872 Middlesex/Sayreville	PABIG9901	Middlesex County Utilities Authority 2571 Main Street Extension Sayreville, NJ 08872	Edward J. Patton Water Reclamation Center 2571 Main Street Extension Sayreville, NJ 08872	DEP—Bureau of Clean Water 400 Market Street P.O. Box 8774 Harrisburg, PA 17105-8774 Telephone: 717-787-4090

General Permit Type—PAG-8

<i>Facility Location & County / Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Nazareth Borough, Northampton County	PAG 08 2205	Nazareth Borough Municipal Authority P.O. Box A Nazareth, PA 18064	Nazareth Borough Municipal Authority 872 Tatamy Road Nazareth, PA 18064	Northeast Regional 570-826-2511
Millersville Borough WWTP 500 Murrycross Way Millersville, PA 17551	PAG083533	Borough of Millersville 100 Municipal Drive Millersville, PA 17551	Millersville Borough WWTP 500 Murrycross Way Millersville, PA 17551	DEP—SCRO—CW 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707
Manor Township/ Lancaster 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>
Centre Twp., Snyder County	PAG094839	Joseph S. Peachey, 404 Sugarfork Road Cumberland, VA 23040	Peachey Farm, Centre Twp., Snyder County	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
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-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Conewago Township, Lancaster County	PAG123876	Brendon K Zimmerman 2148 Deodate Road Elizabethtown, PA 17022	Watershed(s) 7-G	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

STATE CONSERVATION COMMISSION**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Murmac Farms, LLC 2336 Zion Road Bellefonte, PA 16823	Centre	1,137	3,018.75	Dairy	NA	Approved
Junk-Inn Farms, LLC 14492 Path Valley Road Willow Hill, PA 17271	Franklin	444	1,717.14	Swine, Turkey and Sheep	NA	Approved
Steven Hykes 1239 Hykes Road Greencastle, PA 17225	Franklin	669.5	846.43	Swine, Heifers	NA	Approved
Kevin Martin 288 Shartlesville Road Bernville, PA 19506	Berks	42	399.70	Poultry (Broilers)	NA	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street,

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).

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

Permit No. 4518514MA, Public Water Supply.

Applicant **RPM Realty Company**
Ray Price Motors Snyder'sville
505 Fawn Rd
East Stroudsburg, PA 18301

[Borough or Township] Hamilton Township

County **Monroe**

Type of Facility PWS

Consulting Engineer Mr Brick T Linder PE
Linder Engineering Inc
2603 Route 390
Canadensis, PA 18325

Permit to Construct Issued September 6, 2018

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

Permit No. 0617519 MA, Minor Amendment, Public Water Supply.

Applicant **First Energy Corporation**

Municipality Bethel Township

County **Berks**

Responsible Official Bede T. Portz, Supervisor—
Environmental
2800 Pottsville Pike
Reading, PA 19605

Type of Facility First Energy Corporation (First Energy) has submitted a permit application to upgrade the existing treatment system at the Met-Ed Bethel Warehouse. First Energy proposes to install a chlorine solution tank, feed pump, and 120-gallon contact tank to oxidize iron and manganese and a greensand filter system for the removal of iron and manganese. The existing multimedia filter, acid neutralizer, bag filter and UV units are proposed to be reconditioned or replaced.

Consulting Engineer Stephen R. Morse, P.E.
Skelly & Loy, Inc.
449 Eisenhower Boulevard
Harrisburg, PA 17111

Permit to Construct Issued 9/10/2018

Permit No. 3118502 MA, Minor Amendment, Public Water Supply.

Applicant **Borough of Huntingdon**

Municipality Huntingdon Borough

County **Huntingdon**

Responsible Official Dan Varner, Borough Manager
530 Washington Street
P.O. Box 592
Huntingdon, PA 16652-0592

Type of Facility Elimination of the finished pump wet well chlorine injection location and the addition of caustic soda injection location on the combined filtrate line, along with the removal of the settled water continuous chlorine analyzer.

Consulting Engineer Christopher M. Echenrode, P.E.
Gwin, Dobson & Foreman, Inc.
3121 Fairway Drive
Altoona, PA 16602

Permit to Construct Issued 9/12/2018

Operation Permit No. 3618510 MA issued to: **MISA Corporation (PWS ID No. 7360050)**, Sadsbury Township, **Lancaster County** on 9/7/2018 for facilities approved under Construction Permit No. 3618510 MA.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. MA-GWR-A1—Operation—Public Water Supply.

Applicant **Middlebury Mobile Home Court**

Township/Borough Middlebury Township

County **Tioga County**

Responsible Official Mr. Robert Beggs
Middlebury Mobile Home Court
98 Wolf Run Road
Wellsboro, PA 16901

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued September 10, 2018

Description of Action Authorizes 4-log treatment of viruses by maintaining a free-chlorine residual of at least 0.60 mg/L at Entry Point 101.

Permit No. MA-GWR-A1—Operation—Public Water Supply.

Applicant **Middlebury Mobile Home Court**

Township/Borough Middlebury Township

County **Tioga County**

Responsible Official Mr. Robert Beggs
Middlebury Mobile Home Court
98 Wolf Run Road
Wellsboro, PA 16901

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued September 10, 2018
 Description of Action Authorizes 4-log treatment of viruses by maintaining a free-chlorine residual of at least 0.60 mg/L at Entry Point 101.

Permit No. 1718505—Construction—Public Water Supply.

Applicant **PA American Water-Philipsburg**
 Township/Borough Decatur Township
 County **Centre County**
 Responsible Official Mr. David R. Kaufman, P.E.
 Vice President-Engineering
 Pennsylvania American Water
 800 West Hershey Drive
 Hershey, PA 17033

Type of Facility Public Water Supply—Construction
 Consulting Engineer Mr. Scott L. Armbrust, P.E.
 Pennsylvania American Water Company
 852 Wesley Drive
 Mechanicsburg, PA 17055

Permit Issued September 18, 2018
 Description of Action Authorizes Pennsylvania American Water Company to replace the two existing pumps in the Scotch Hollow Booster Pump Station with two new pumps of the same capacity.

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.

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

WA25-63D, Water Allocations. **Erie City Water Authority**, 240 West 12th Street, Erie, PA 16501, Millcreek Township, **Erie County**. Modification to existing permit that recognizes that the authorized service is now served directly by Erie City Water Authority. The amount of water allocated remains the same at 62.0 million gallons per day on a peak daily basis from Lake Erie.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Windsor Township	1480 Windsor Road Red Lion, PA 17356	York

Plan Description: Approval of a revision to the official plan of Windsor Township, York County. The project is known as the Windsor Manor Pump Station Elimination. The plan provides for the elimination of the Windsor

Manor Pump Station and replacement with a gravity line running from the court end of First Street in Windsor Township, down through Windsor Borough and to MH WC20 on East Hight Street in the Borough, just west of the Windsor Lions Club. The gravity line will serve 37 existing EDUs and 92 possible future EDUs, for a grand total of 129 EDUs. Total estimated sewage flows are 45,150 gpd, and they will be tributary to Windsor Township's, Windsor Borough's and York Township's collection and conveyance systems, with ultimate disposal at the Springettsbury Township Wastewater Treatment Plant. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-67966-482-3M and the APS Id is 974663. Any permits must be obtained in the name of Windsor Township.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
South Hanover Township	161 Patriot Way Hershey, PA 17033	Dauphin

Plan Description: Approval is granted for an update to the Official Plan of South Hanover Township, Dauphin County. The project is known as the Act 537 Sewage Facilities Plan Update for South Hanover Township, Dauphin County (DEP Code No. A2-22930-ACT). The plan provides for the extension of public sewer to the Sand Beach and Crestview Manor areas of the Township within five years of this Act 537 Plan approval; with the additional areas of Pleasant View, Duke Street/Grandview Manor and Diff's Corner/Arwin Acres to receive sewer extensions within 5—10+ years. All flow will be conveyed to either the Derry Township Municipal Authority's Clearwater Road Wastewater Treatment Plant or the Swatara Township Authority's Water Pollution Control Plant. Existing agreements are in place that reserve adequate capacity for the treatment of the proposed flows from South Hanover Township in these facilities. The Plan also provides for the development of an on-lot sewage disposal system (OLDS) management program with a three-year septic tank inspection and pumping schedule to begin in 2019. 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.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Manchester Township	380 East Berlin Road York, PA 17408	York

Plan Description: Approval of an Official Plan for West Manchester Township, York County. The Plan provides for the extension of public sewer to the Bairs Station area, Haviland Road, Lincolnway Estates and Route 30 between Trinity Road and South Salem Church Road. The Plan also provides for the development of an on-lot sewage disposal management program. The Department's review of the proposed Official Plan has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A2-67963-ACT and the APS Id is 888302. Any permits must be obtained in the name of the Township.

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.

PA Utility Company Sewage Treatment Plant, 234 The Glen, Tamiment, Lehman Township, Pike County. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of PA Utility Company, 234 The Glen, Tamiment, PA 18371, submitted a final report concerning remediation of soil and groundwater contamination found during the removal of an underground storage tank that stored heating oil. The report is intended to document remediation of the site to meet Statewide Health Standards.

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

Ashbridge Oil, 229 Main Street, Bedford, PA 1552, Bedford Borough, Bedford County. Gary C. Calvert LLC, P.O. Box 504, Hollidaysburg, PA 16648, on behalf of

Ashbridge Oil Company, Inc., 422 North Fort Fisher Boulevard, Kure Beach, NC 28449, submitted a Final Report concerning remediation of site soil and groundwater contaminated with diesel fuel. The site will be remediated to the Site-Specific Standard. The Report is intended to document remediation to meet the Site-Specific Standard.

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

Coldstream B Well Pad, 2323 Coldstream Road, Goshen Township, Clearfield County. Moody and Associates, Inc., 199 Johnson Road, Bldg 2, Suite 101, Houston, TX, 15342 on behalf of Greylock Production, LLC, 500 Corporate Landing, Charleston, WV, 25311, has submitted a Remedial Investigation Report and Risk Assessment Report concerning remediation of site soil and groundwater contaminated with brine-related constituents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

KLM Transportation Diesel Fuel Release Site, I-80 at MM 194.4 East, Loganton, Greene Township, Clinton County. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17754, on behalf of KLM Transportation, 700 Commerce Drive, Suite 500, Oak Brook, IL 60523, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel, motor oil and anti-freeze. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Reinhart Food Service, LLC Diesel Fuel Clean Up, 100 Industrial Park Road, Coal Township, Northumberland County. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17754, on behalf of Reinhart Food Service, LLC, 100 Industrial Park Road, Coal Township, PA 17866, has submitted a Final Report concerning remediation of the site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Former Rouseville Refinery Plant 2 Aboveground Storage Tank Farm, 300 feet south of the southernmost end of McClintockville Road, Cornplanter Township, Venango County. AECOM Technical Services, Inc., 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876, on behalf of Shell Oil Products, US, 17 Junction Drive, PMB 399, Glen Carbon, IL 62034, submitted a Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soil contaminated with 1,1,1,2-tetrachloroethane, 1,1,1-trichloroethane, 1,1,2-trichloro-1,2,2-trifluoroethane, 1,1-dichloroethane, 1,1-dichloroethene, 1,1-dichloropropene, 1,2,3-trichlorobenzene, 1,2,4-trichlorobenzene, 1,2,4-trimethylbenzene, 1,2-dichlorobenzene, 1,2-dichloroethane, 1,3,5-trichlorobenzene, 1,3,5-trimethylbenzene, 1,3-butadiene, 1,3-dichlorobenzene, 1,3-dichloropropane, 1,4-dichlorobenzene, 2-butanone, 2-chloroethyl vinyl ether, 2-hexanone, 4-chlorotoluene, 4-methyl-2-pentanone, acetone, acetonitrile, acrylonitrile, benzene, benzyl chloride, bromobenzene, bromochloromethane, bromoform, bromomethane, carbon disulfide, carbon tetrachloride, chlorobenzene, chloroethane, chloromethane, cis-1,2-dichloroethene, cis-1,3-dichloropropene, cyclohexane, cyclohexanone, dibromochloromethane, dibromomethane, dichlorodifluoromethane, ethylbenzene, hexachlorobutadiene, iodomethane, isopropyl alcohol, isopropylbenzene, m,p-xylene, methyl acetate, methyl tert-butyl ether, methylcyclohexane, methylene chloride, naphtha-

lene, n-butanol, n-butylbenzene, n-propylbenzene, o-chlorotoluene, o-xylene, p-isopropyltoluene, sec-butylbenzene, styrene, tert-butylbenzene, tetrachloroethene, tetrahydrofuran, toluene, trans-1,2-dichloroethene, trans-1,3-dichloropropene, trichlorofluoromethane, vinyl acetate, xylenes total, 1,2,4,5-tetrachlorobenzene, 1,2-diphenylhydrazine, 1,2-diphenylhydrazine (as azobenzene), 1,3-dinitrobenzene, 1,4-dioxane, 1-methylnaphthalene, 2,3,4,6-tetrachlorophenol, 2,4,5-trichlorophenol, 2,4,6-trichlorophenol, 2,4-dichlorophenol, 2,4-dimethylphenol, 2,4-dinitrophenol, 2-chloronaphthalene, 2-chlorophenol, 2-methylnaphthalene, 2-methylphenol, 2-nitroaniline, 2-nitrophenol, 3&4-methylphenol, 3-nitroaniline, 4-bromophenyl-phenyl ether, 4-chloro-3-methylphenol, 4-chlorophenyl phenyl ether, 4-nitroaniline, 4-nitrophenol, acenaphthene, acenaphthylene, acetophenone, aniline, anthracene, atrazine, benzaldehyde, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[g,h,i]perylene, benzo[k]fluoranthene, benzoic acid, benzyl alcohol, benzyl butyl phthalate, biphenyl, bis[2-chloroethoxy]methane, bis[2-chloroisopropyl] ether, bis[2-ethylhexyl] phthalate, caprolactam, carbazole, chrysene, dibenzo[a,h]anthracene, dibenzofuran, diethyl phthalate, dimethyl phthalate, di-n-butyl phthalate, di-n-octyl phthalate, diphenylamine, fluoranthene, fluorene, hexachloroethane, indeno[1,2,3-cd]pyrene, isophorone, naphthalene, nitrobenzene, n-nitrosodiphenylamine, phenanthrene, phenol, pyrene, pyridiene, arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver and site groundwater contaminated with 1,1,1-trichloroethane, 1,1,2-trichloro-1,2,2-trifluoroethane, 1,1-dichloroethene, 1,2,4-trimethylbenzene, 1,2-dichlorobenzene, 1,2-dichloroethane, 1,3,5-trimethylbenzene, 1,3-dichlorobenzene, 1,3-dichloropropane, 2-butanone, 4-methyl-2-pentanone, acetone, benzene, carbon disulfide, chloroethane, chloromethane, cyclohexane, cyclohexanone, ethylbenzene, isopropylbenzene, m,p-xylene, methyl acetate, methyl tert-butyl ether, naphthalene, n-butanol, n-butylbenzene, n-propylbenzene, o-xylene, sec-butylbenzene, styrene, tert-butylbenzene, tetrahydrofuran, toluene, trans-1,2-dichloroethene, trichlorofluoromethane, vinyl acetate, xylenes, 2,3,4,6-tetrachlorophenol, 2,4,5-trichlorophenol, 2,4-dimethylphenol, 2-chloronaphthalene, 2-methylnaphthalene, 2-methylphenol, 2-nitrophenol, 3&4-methylphenol, 4-bromophenyl-phenyl ether, 4-chloro-3-methylphenol, 4-chlorophenyl phenyl ether, 4-nitrophenol, acenaphthene, acenaphthylene, acetophenone, anthracene, benzo[g,h,i]perylene, benzo[k]fluoranthene, benzoic acid, benzyl alcohol, benzyl butyl phthalate, bis[2-chloroisopropyl]ether, bis[2-ethylhexyl]phthalate, carbazole, chrysene, diethyl phthalate, dimethyl phthalate, di-n-butyl phthalate, di-n-octyl phthalate, diphenylamine, fluoranthene, fluorene, isophorone, naphthalene, n-nitrosodiphenylamine, phenanthrene, phenol, pyrene, arsenic, barium, chromium, lead, and selenium. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Stan-

dards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Black 1H/2H Wellsite, 84 Black Road, Springville Township, **Susquehanna County**. Civil & Environmental Consultants, 333 Baldwin Road, Pittsburgh, PA 15275, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of a release of drilling mud to groundwater. The report was intended to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on September 13, 2018.

Green Acres Mobile Home Park, 8700 Turkey Ridge Road, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of a release of heating oil to the soil. The report was intended

to document remediation of the site to meet Statewide Health Standards, but was disapproved by the Department on September 17, 2018.

Lehigh Valley Public Telecommunication Corp., 839 Sesame Street, Bethlehem City, **Northampton County**. Synergy Environmental, 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Lehigh Valley Public Telecommunication Corp., 839 Sesame Street, Bethlehem, PA 18105 has submitted a final report concerning remediation of site soils contaminated with diesel fuel from a leaking emergency generator. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on September 17, 2018.

Patricia Griffin Property, 60 Turkey Ridge Road, Middle Smithfield Township, **Monroe County**. MEA, Inc., 1365 Ackermanville Road, Bangor 18013, on behalf of Kar-Bill Enterprises, 1901 King Street, East Stroudsburg, PA 18302, submitted a final report concerning remediation of site soils contaminated with heating oil from an aboveground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on September 17, 2018.

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

W. Patiala Trucking, LLC Spill, U.S. Route 15N, near Hepburnville exit, Hepburn Township, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of W. Patiala Trucking, LLC, 62 White Oak Bend, Churchville, NY 14624, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel, motor oil and antifreeze. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 13, 2018.

National Fuel Gas Midstream Wharton Compressor Station, Wharton Township, **Potter County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of National Fuel Gas Supply Corporation, P.O. Box 2081, 1100 State Street, Erie, PA 16512, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with organics. The report demonstrated attainment of the Site-Specific Standard and was approved by the Department on September 18, 2018.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Former Rouseville Refinery Plant 2 Aboveground Storage Tank Farm, 300 feet south of the southernmost end of McClintockville Road, Cornplanter Township, **Venango County**. AECOM Technical Services, Inc., 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876, on behalf of Shell Oil Products, US, 17 Junction Drive, PMB 399, Glen Carbon, IL 62034, submitted a Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soil contaminated with 1,1,1,2-tetrachloroethane, 1,1,1-trichloroethane, 1,1,2-trichloro-1,2,2-trifluoroethane, 1,1-dichloroethane, 1,1-dichloroethene, 1,1-dichloropropene, 1,2,3-trichlorobenzene, 1,2,4-trichlorobenzene, 1,2,4-trimethylbenzene, 1,2-dichlorobenzene, 1,2-dichloroethane, 1,3,5-trichlorobenzene, 1,3,5-trimethylbenzene, 1,3-butadiene, 1,3-dichlorobenzene, 1,3-dichloropropane, 1,4-dichlorobenzene, 2-butanone, 2-chloroethyl vinyl ether, 2-hexanone, 4-chlorotoluene, 4-methyl-2-pentanone, acetone,

trile, acrylonitrile, benzene, benzyl chloride, bromobenzene, bromochloromethane, bromoform, bromomethane, carbon disulfide, carbon tetrachloride, chlorobenzene, chloroethane, chloromethane, cis-1,2-dichloroethene, cis-1,3-dichloropropene, cyclohexane, cyclohexanone, dibromochloromethane, dibromomethane, dichlorodifluoromethane, ethylbenzene, hexachlorobutadiene, iodomethane, isopropyl alcohol, isopropylbenzene, m,p-xylene, methyl acetate, methyl tert-butyl ether, methylcyclohexane, methylene chloride, naphthalene, n-butanol, n-butylbenzene, n-propylbenzene, o-chlorotoluene, o-xylene, p-isopropyltoluene, sec-butylbenzene, styrene, tert-butylbenzene, tetrachloroethene, tetrahydrofuran, toluene, trans-1,2-dichloroethene, trans-1,3-dichloropropene, trichlorofluoromethane, vinyl acetate, xylenes total, 1,2,4,5-tetrachlorobenzene, 1,2-diphenylhydrazine, 1,2-diphenylhydrazine (as azobenzene), 1,3-dinitrobenzene, 1,4-dioxane, 1-methylnaphthalene, 2,3,4,6-tetrachlorophenol, 2,4,5-trichlorophenol, 2,4,6-trichlorophenol, 2,4-dichlorophenol, 2,4-dimethylphenol, 2,4-dinitrophenol, 2-chloronaphthalene, 2-chlorophenol, 2-methylnaphthalene, 2-methylphenol, 2-nitroaniline, 2-nitrophenol, 3&4-methylphenol, 3-nitroaniline, 4-bromophenyl-phenyl ether, 4-chloro-3-methylphenol, 4-chlorophenyl phenyl ether, 4-nitroaniline, 4-nitrophenol, acenaphthene, acenaphthylene, acetophenone, aniline, anthracene, atrazine, benzaldehyde, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[g,h,i]perylene, benzo[k]fluoranthene, benzoic acid, benzyl alcohol, benzyl butyl phthalate, biphenyl, bis[2-chloroethoxy] methane, bis[2-chloroisopropyl] ether, bis[2-ethylhexyl] phthalate, caprolactam, carbazole, chrysene, dibenzo[a,h]anthracene, dibenzofuran, diethyl phthalate, dimethyl phthalate, di-n-butyl phthalate, di-n-octyl phthalate, diphenylamine, fluoranthene, fluorene, hexachloroethane, indeno[1,2,3-cd]pyrene, isophorone, naphthalene, nitrobenzene, n-nitrosodiphenylamine, phenanthrene, phenol, pyrene, pyridine, arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver and site groundwater contaminated with 1,1,1-trichloroethane, 1,1,2-trichloro-1,2,2-trifluoroethane, 1,1-dichloroethene, 1,2,4-trimethylbenzene, 1,2-dichlorobenzene, 1,2-dichloroethane, 1,3,5-trimethylbenzene, 1,3-dichlorobenzene, 1,3-dichloropropane, 2-butanone, 4-methyl-2-pentanone, acetone, benzene, carbon disulfide, chloroethane, chloromethane, cyclohexane, cyclohexanone, ethylbenzene, isopropylbenzene, m,p-xylene, methyl acetate, methyl tert-butyl ether, naphthalene, n-butanol, n-butylbenzene, n-propylbenzene, o-xylene, sec-butylbenzene, styrene, tert-butylbenzene, tetrahydrofuran, toluene, trans-1,2-dichloroethene, trichlorofluoromethane, vinyl acetate, xylenes, 2,3,4,6-tetrachlorophenol, 2,4,5-trichlorophenol, 2,4-dimethylphenol, 2-chloronaphthalene, 2-methylnaphthalene, 2-methylphenol, 2-nitrophenol, 3&4-methylphenol, 4-bromophenyl-phenyl ether, 4-chloro-3-methylphenol, 4-chlorophenyl phenyl ether, 4-nitrophenol, acenaphthene, acenaphthylene, acetophenone, anthracene, benzo[g,h,i]perylene, benzo[k]fluoranthene, benzoic acid, benzyl alcohol, benzyl butyl phthalate, bis[2-chloroisopropyl] ether, bis[2-ethylhexyl] phthalate, carbazole, chrysene, diethyl phthalate, dimethyl phthalate, di-n-butyl phthalate, di-n-octyl phthalate, diphenylamine, fluoranthene, fluorene, isophorone, naphthalene, n-nitrosodiphenylamine, phenanthrene, phenol, pyrene, arsenic, barium, chromium, lead, and selenium. The Report was disapproved by the Department on September 11, 2018.

International Paper (South Yard—Iron), Bounded by East Lake Road, Downing Avenue, and East 10th Street, City of Erie, **Erie County**. Wood Environment &

Infrastructure Solutions, Inc., 4600 J Barry Court, Suite 210, Canonsburg, PA 15317, on behalf of Enterprise Development Center of Erie County, 1524 Enterprise Road, Corry, PA 16407, submitted a Baseline Remedial Investigation Work Plan concerning the remediation of site groundwater contaminated with iron. The Plan was disapproved by the Department on September 14, 2018.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

2347854 Ontario, Inc., 1818 Burlington Street E, Hamilton, ON L8H 3L4. License No. PA-AH 0817. Effective Sep. 18, 2018.

Allied Environmental Services of NY, LLC, 19 Ransier Drive, West Seneca, NY 14224. License No. PA-AH 0845. Effective Sep. 12, 2018.

STAT, Inc. dba Sparks Transportation and Tank Cleaning, Inc., P.O. Box 1443, Lenoir, NC 28645. License No. PA-AH 0532. Effective Sep. 12, 2018.

TNI (USA), INC. dba AATCO, P.O. Box 545, Duenweg, MO 64841. License No. PA-AH 0604. Effective Sep. 12, 2018.

Tonawanda Tank Transport Service, Inc., 1140 Military Road, Buffalo, NY 14217. License No. PA-AH 0429. Effective Sep. 17, 2018.

Hazardous Waste Transporter License Reissued

2347854 Ontario, Inc., 1818 Burlington Street E, Hamilton, ON L8H 3L4. License No. PA-AH 0817. Effective Sep. 18, 2018.

Allied Environmental Services of NY, LLC, 19 Ransier Drive, West Seneca, NY 14224. License No. PA-AH 0845. Effective Sep. 12, 2018.

Environmental Services, Inc., 90 Brookfield Street, South Windsor, CT 06074. License No. PA-AH 0725. Effective Dec. 19, 2017.

STAT, Inc. dba Sparks Transportation and Tank Cleaning, Inc., P.O. Box 1443, Lenoir, NC 28645. License No. PA-AH 0532. Effective Sep. 12, 2018.

TNI (USA), INC. dba AATCO, P.O. Box 545, Duenweg, MO 64841. License No. PA-AH 0604. Effective Sep. 12, 2018.

Tonawanda Tank Transport Service, Inc., 1140 Military Road, Buffalo, NY 14217. License No. PA-AH 0429. Effective Sep. 17, 2018.

Hazardous Waste Transporter License Voluntarily Terminated

J&J Environmental, Inc., P.O. Box 370, Blue Bell, PA 19422. License No. PA-AH 0800. Effective Aug. 22, 2018.

Smith Systems Transportation, Inc., P.O. Box 2455, Scottsbluff, NE 69361. License No. PA-AH 0654. Effective Sep. 06, 2018.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Regulated Medical and Chemotherapeutic Waste Transporter License Voluntarily Terminated

Smith Systems Transportation, Inc., P.O. Box 2455, Scottsbluff, NE 69361. License No. PA-HC 0262. Effective Sep. 06, 2018.

RESIDUAL WASTE GENERAL PERMIT REGISTRATIONS

Registration(s) Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.

General Permit Application No. WMGR123SW028. CNX Gas Company, LLC, 1000 Consol Energy Drive, Canonsburg, PA 15317. A Registration for coverage under General Permit WMGR123 to construct and operated the MORW1 Aboveground Storage Tank Pad for storage and reuse of oil and gas liquid waste at a facility located in East Finley Township, **Washington County** by the Regional Office on September 11, 2018.

General Permit Application No. WMGR123SW030. Range Resources-Appalachia, LLC, 3000 Town Center Blvd., Canonsburg, PA 15317. A Registration for coverage under General Permit WMGR123 to construct and operated the Martin Tank Pad for storage and reuse of oil and gas liquid waste at a facility located in North Strabane Township, **Washington County** was issued by the Regional Office on September 11, 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.

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

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

GP9-09-0084: Richard E. Pierson Materials Corporation (P.O. Box 714, Bridgeport, NJ) On September 7, 2018 for 1-Caterpillar C27 diesel engine, 1 Caterpillar C7.1

diesel engine and 1-John Deere 4-45HFG93 diesel engine, 134-bhp in East Rockhill Quarry, **Bucks County**.

GP13-09-0001: Richard E. Pierson Material Corporation: (P.O. Box 714, Bridgeport, NJ) On September 7, 2018 for 1-Dillman Unified Counterflow Drum equipped with Phoenix Talon II Dryer/Burner 10 Dillman Baghouse, and 1-Asphalt Storage Tanks, in East Rockhill Quarry, **Bucks County**.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP13-35-001: Eureka Stone Quarry Inc (800 Lower State Road, Chalfont, PA 18914) on September 13, 2018 for the operation of a hot mix asphalt plant at the Eureka Stone Quarry site located in Covington Twp., **Lackawanna County**.

GP3-54-007: TMT Gravel & Contracting Inc. (1841 Pennsylvania Avenue, Pine City, NY 14871-9141) on September 12, 2018 for the installation and operation of a portable crushing operation at Brads Landfill located in Blythe Twp., **Schuylkill County**.

GP11-54-007: TMT Gravel & Contracting Inc. (1841 Pennsylvania Avenue, Pine City, NY 14871-9141) on September 12, 2018 for the installation and operation of diesel engines at Brads Landfill located in Blythe Twp., **Schuylkill County**.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

AG5-41-00003A: NFG Midstream Trout Run, LLC (6363 Main Street, Williamsville, NY 14221) on September 6, 2018, for the continued operation of five (5) 1,380 bhp Waukesha # L5794GSI, natural gas-fired compressor engines, each equipped with a Maxim Silencers # QAC4-67-14, or equivalent, catalytic oxidizer; three (3) 268.2 bhp Capstone # C200, natural gas-fired microturbines; one (1) 100 MMscfd Frederick Logan, FLOCO model TEG dehydration unit equipped with a 0.50 MMBtu/hr natural gas-fired reboiler; one (1) 150 MMscfd Frederick Logan, FLOCO model TEG dehydration unit equipped with a 2 MMBtu/hr natural gas-fired reboiler; one (1) 1,500 gallon TEG storage tank; one (1) 8,820 gallon drip fluids storage tank; two (2) 300 gallon ethylene glycol storage tanks; two (2) 3,000 gallon lube oil tanks; one (1) truck load-out operation; various fugitive emissions from fittings/connections, blowdowns and pigging operations, pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Bodine Compressor Station located in McIntyre Township, **Lycoming County**.

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.

09-0196H: Abington Reldan Metals LLC (550 Old Bordertown RD, Fairless Hills, PA 19030-4510) On Sep-

tember 7, 2018 for installation and operation of one unit of Melt Furnace and associated dry lime injection system in Falls Township, **Bucks County**.

09-0236: Covanta Metals Market LLC (445 South Street, Morristown, NJ 07960-6475) On September 14, 2018 for construction of a non-ferrous metal recovery facility in Falls Township, **Bucks County**.

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

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

08-00003J: JELD-WEN, Inc. (825 Shiner Road, P.O. Box 311, Towanda, PA 18848-0311) on September 7, 2018 to extend the authorization to operate the Die Form surface coating operation at their facility located in Wysox Township, **Bradford County** on a temporary basis to March 6, 2019. The plan approval has been extended.

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

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

16-132L: Clarion Boards (143 Fiberboard Rd., P.O. Box 340, Shippensburg PA 16254), on September 13, 2018, effective September 30, 2018, has issued a plan approval extension for replacement of an existing Durr RTO with a new TANN RTO; replacement of existing boiler with new Ness Dust Burner; construction of new dryer with fiber sifter; installation of 2 high efficiency cyclones to replace Turbosonic scrubber; construction of 4 Jenbacher reciprocating engines; installation of a new surplus wood dust collection system; and limiting the exiting hot oil boilers at the Laminate Plant to emergency use in Paint Township, **Clarion County**. This is a Title V facility. This will expire on March 31, 2019.

24-131R: SGL Carbon LLC (900 Theresia St., P.O. Box 1030, Saint Mary's, PA 15857) on September 17, 2018, effective September 30, 2018, has issued a plan approval extension for the construction of a new Chemical Vapor Deposition Reactor (# 16) and scrubber located in Building 500 CVD Operations in the City of St. Mary's, **Elk County**. This is a State Only facility. This will expire on March 31, 2019.

62-176B: Lignetics of New England, Inc. (1075 E. South Boulder Rd., Suite 210, Louisville, CO 80027) on September 13, 2018, effective September 30, 2018, issued a plan approval extension for the modification of their existing rotary dryer (Source ID 101) with the replacement of the existing 22 MMBtu/hr capacity wood-fired burner with a 45 MMBtu/hr capacity wood-fired burner, and the replacement of the existing multi-cyclone device in Brokenstraw Township, **Warren County**. This expires March 31, 2019. This is a State Only facility.

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**.

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

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

18-00009: Clinton County Solid Waste Authority (P.O. Box 209, McElhattan, PA 17748) on September 12, 2018, a Title V operating permit renewal for their Wayne Township Landfill located in Wayne Township, **Clinton County**. The facility's sources include nineteen (19) space heaters, two (2) portable emergency generators, north side disposal area, south side disposal area, dirt screening equipment, two (2) portable tub grinders, two (2) portable trammel screeners, one (1) portable water pump and one (1) enclosed flare. The Title V operating permit contains all applicable Federal and State regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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.

09-00089: American Cremation Services, Inc. (1859 Stout Drive, Warminster, PA 18974) On September 12, 2018 for the renewal of their State Only Operating Permit for the operation of two human crematories located in Warwick Township, **Bucks County**.

46-00150: Montgomery County SPCA (371 East Church Road, King of Prussia, PA 19406) On September 14, 2018 for renewal of a State Only, Natural Minor Operating Permit for an animal crematorium in Upper Frederick Township, **Montgomery County**.

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

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

58-00012: Blue Ridge School District (5150 School Rd, New Milford, PA 18834) The Department issued, on 9/13/18, a State-Only (Natural Minor) Operating Permit renewal for operation of a school located in New Milford Township, **Susquehanna County**. The sources include a wood-fired boiler controlled by a cyclone, an oil-fired boiler, a hot water heater, two propane-fired emergency generators, and one diesel-fired generator. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00084: Lacey Memorial, Inc. (1000 South Church Street Rear, Hazelton, PA 18201). The Department intends to issue a renewal State-Only Natural Minor Permit for Lacey Memorial, Inc. located in the City of Hazelton, **Luzerne County**. The main source at this facility is an incinerator. The control device is an after-burner. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting

standards used to verify facility compliance with Federal and State air pollution regulations.

45-00018: Haines and Kibblehouse, Inc. (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196). On September 11, 2018 the Department issued a renewal State-Only Synthetic Minor Permit for Haines & Kibblehouse Locust Quarry located in Tobyhanna Township, **Monroe County**. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

06-03097: Kore Mart LTD (7 Hill Drive, P.O. Box 175, Hamburg, PA 19526-0175) on September 11, 2018, for the intermediate foundry product manufacturing facility in Tilden Township, **Berks County**. The State-only permit was renewed.

36-03108: North American Pipe Corp. (88 Newport Road, Leola, PA 17540-1821) on September 10, 2018, for their PVC pipe manufacturing facility in Upper Leacock Township, **Lancaster County**. The State-only permit was renewed.

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

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

12-00012: GKN Sinter Metals, Inc. (P.O. Box 493, Emporium, PA 15834), on August 29, 2018, was issued a renewal State Only operating permit for their facility located in Shippen Township, **Cameron County**. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal NMOP 12-00012.

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

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

63-00159: Stone & Company, Inc. (1718 Roseytown Road, Greensburg, PA 15601) On September 12, 2018, the Department issued a renewal State Only Operating Permit for Stone & Company's Charleroi Concrete Plant in Charleroi Borough, **Washington County** for the operation of four (4) raw material storage silos equipped with bin vent filters, plant haul roads, miscellaneous material handling and transfer, five concrete block kilns, and ground storage piles. The final Operating Permit contains applicable emission limits, as well as monitoring, recordkeeping, reporting and work practice requirements.

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.

09-00174: Liberty Coating Company LLC, (21 Steel Road South, Morrisville, PA 19067) On September 14, 2018 for an Administrative Amendment of the Title V 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 09-0174F for an internal abrasive blasting line with dust control into their Title V Operating Permit. Some language for an equivalency method for determining compliance with 25 Pa. Code §§ 129.51 and 129.52 was changed for clarification. Liberty Coating Company LLC is located in Falls Township, **Bucks County**. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Enlow Fork Mine in Richhill, Morris and Washington Townships, **Greene County** and Morris Township, **Washington County** and related NPDES permit for development mining. Underground Acres Proposed 3,744, Subsidence Control Plan Acres Proposed 3,744. No additional discharges. The application was considered administratively complete on December 9, 2016. Application received April 19, 2016. Permit issued: September 12, 2018.

63921301 and NPDES No. PA0214434. UMC0 Energy, Inc., (46226 National Road, St. Clairsville, OH 43950). To renew the NPDES permit for the High Quality Mine in Fallowfield Township, **Washington County**. No additional discharges. The application was considered administratively complete on March 17, 2015. Application received: December 6, 2013. Permit issued: September 12, 2018.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 11860104 and NPDES Permit No. PA0597724. Cooney Brothers Coal Co., P.O. Box 246, Cresson, PA 16630, renewal of NPDES permit, Conemaugh Township, **Cambria County**. Receiving streams: Bear Run and unnamed tributaries to/and Little Conemaugh River classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 17, 2018. Permit issued: September 10, 2018.

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

GP12-63120103. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Approval for portable coal crusher authorized under General Permit BAQ-GP12 and is required to meet all applicable limitations, terms and conditions of authorization GP12-63120105 for an existing bituminous surface mine, located in Somerset Township, **Washington County**. Application received: June 4, 2018. Permit issued: September 14, 2018.

63120105 and NPDES Permit No. PA0252298. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Transfer application of an existing bituminous surface mine formerly permitted by Neiswonger Construction, Inc., (17592 Route 322, Stratantown, PA 16258) located in Somerset Township, **Washington County**, affecting 50.2 acres. Receiving streams: north branch Pigeon Creek and Monongahela River, classified for the following use: WWF. Charleroi is the potable water supply intake within 10 miles downstream from the point of discharge. Transfer application received: May 14, 2018. Transfer application issued: September 14, 2018.

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

Permit No. 54870206R6. White Pine Coal Co., Inc., (P.O. Box 59, Ashland, PA 17921), renewal for reclamation activities only of an anthracite coal refuse reprocessing operation in Butler, Barry, Eldred, East and West Cameron Townships and Gordon Borough, **Schuylkill and Northumberland Counties** affecting 870.0 acres, receiving stream: Mahanoy Creek. Application received: May 3, 2018. Renewed issued: September 17, 2018.

Permit No. PAM1113041R. White Pine Coal Co., Inc., (P.O. Box 59, Ashland, PA 17921), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54860206 in Butler, Barry, Eldred, East and West Cameron Townships and Gordon Borough, **Schuylkill and Northumberland Counties**, receiving stream: Mahanoy Creek. Application received: May 3, 2018. Renewed issued: September 17, 2018.

Noncoal Permits Issued

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

20082805. Kimberly McManus (6971 Kreider Road, Fairview, PA 16415). Final bond release for a small industrial minerals surface mine in Rockdale Township, **Crawford County**. Restoration of 2.0 acres completed. Receiving streams: One unnamed tributary to Kelly Run. Application Received: July 16, 2018. Final bond release approved: August 23, 2018.

PAM614002. Schiffer Excavating, Inc. d/b/a Cooperstown Sand & Gravel (P.O. Box 4, Cooperstown, PA 16317) Renewal of the General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 61990301 in Jackson Township, **Venango County**. Receiving streams: Unnamed tributary to Sugar Creek. Application received: August 27, 2018. Permit Issued: September 13, 2018.

PAM613002. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) Renewal of the General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37930305 in Plain Grove Township, **Lawrence County**. Receiving streams: Unnamed tributary to Taylor Run and Taylor Run. Application received: July 19, 2018. Permit Issued: September 13, 2018.

PAM618053. Patrick W. Burgess (22995 Olson Road, Union City, PA 16438) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20060804 in Bloomfield Township, **Crawford County**. Receiving streams: Oil Creek. Application received: August 3, 2018. Permit Issued: September 13, 2018.

PAM618050. Siegel Excavating, LLC (4946 Matthews Road, Edinburg, PA 16116) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37082802 in Mahoning Township, **Lawrence County**. Receiving streams: Unnamed tributary to the Mahoning River. Application received: July 13, 2018. Permit Issued: September 13, 2018.

PAM618056. Hillside Stone (228 Georgetown Road, Hadley, PA 16130) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20062801 in Troy Township, **Crawford County**. Receiving streams: Unnamed tributary to Sugar Creek. Application received: August 13, 2018. Permit Issued: September 13, 2018.

PAM618049. Timothy C. Powell (18536 Cussewago Road, Meadville, PA 16335) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20050805 in Vernon Township, **Crawford County**. Receiving streams: Van Horne Creek. Application received: July 13, 2018. Permit Issued: September 13, 2018.

PAM618051. Mervin Troyer (7400 Route 97, Union City, PA 16438) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25042802 in Waterford Township, **Erie County**. Receiving streams: French Creek. Application received: August 2, 2018. Permit Issued: September 13, 2018.

PAM618054. Edinger Trucking & Snow Removal (11511 Route 8, Wattsburg, PA 16442) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25072802 in Greene Township, **Erie County**. Receiving streams: Unnamed tributary to East Branch LeBoeuf Creek. Application received: August 6, 2018. Permit Issued: September 13, 2018.

PAM618052. James DeLullo (1247 Million Dollar Highway) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 24072802 in Fox Township, **Elk**

County. Receiving streams: Laurel Run. Application received: August 1, 2018. Permit Issued: September 13, 2018.

John H. McDowell (270 Hemlock Road, Grove City, PA 16127) Commencement, operation and restoration of a small industrial minerals mine in Wolf Creek Township, **Mercer County**, affecting 1.0 acre. Receiving streams: Black Run. Application received: April 13, 2018. Permit Issued: September 13, 2018.

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

Permit No. 74740303C11 and NPDES Permit No. PA059434. New Enterprise Stone & Lime Company, Inc., d/b/a Eastern Industries, Inc., (3724 Crescent Court West, Suite 200, Whitehall, PA 18052), renewal of NPDES permit for discharge of treated mine drainage in Lower Mount Bethel Township, **Northampton County**, receiving stream: Delaware River. Application received: April 20, 2018. Renewal issued: September 10, 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. 35184106. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Bell Mountain Land Development in Dickson City Borough, **Lackawanna County** with an expiration date of October 31, 2019. Permit issued: September 11, 2018.

Permit No. 40184107. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Latona Trucking South Main Street Project in Jenkins Township, **Luzerne County** with an expiration date of October 31, 2019. Permit issued: September 11, 2018.

Permit No. 45184102. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Sanofi Water Main in Pocono and Paradise Townships, **Monroe County** with an expiration date of September 4, 2019. Permit issued: September 13, 2018.

Permit No. 58184113. Meshoppen Blasting, Inc., (P.O. Box 127, Meshoppen, PA 18630), construction blasting for a DEP forfeited mine reclamation site in Springville Township, **Susquehanna County** with an expiration date of September 6, 2019. Permit issued: September 13, 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.

E54-325A. Blythe Township, P.O. Box 91, Combola, PA 17931. Blythe Township, **Schuylkill County**, Army Corps of Engineers Philadelphia District.

To amend Permit No. E54-325 to authorize the filling of an additional 0.07 acre of PEM isolated wetlands and to authorize the construction and maintenance of a riprap-lined trapezoidal channel beginning at the inlet of the stream enclosure and extending approximately 1,485 feet upstream to an existing pond. Permit E54-325 authorized the relocation and reestablishment of the "historic" Little Wolf Creek with the construction and maintenance of 6,700 feet of riprap-lined trapezoidal channel and a 1,600-foot long 42-inch diameter HDPE stream enclosure; and to place fill in 0.3 acre of isolated wetlands. The encroachments are associated with the proposed construction and demolition waste landfill known as the Blythe Recycling and Demolition Site (BRADS). The permittee is required to provide for 0.37 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located on the north SR 1006 (Burma Road), approximately 2.3 miles east of St. Clair (Pottsville, PA Quadrangle Latitude: 40° 44' 23"; Longitude: -76° 09' 22") Subbasin: 3A

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E41-693. Megan Hauke, 2095 Meadow Lane, Montoursville, PA 17754. Property located in Loyalsock Township, **Lycoming County**, ACOE Baltimore District (Montoursville—North, PA Quadrangles N:41° 15' 45.5" W: -76° 55' 55.7").

Megan Hauke has applied for a Small Projects—Joint Permit to construct, operate and maintain an existing dwelling along Mill Creek in Loyalsock Township, Lycoming County. The work involves the removal and regrading of approximately 672 cubic feet of soil material from the floodway of Mill Creek.

Project floodway impacts shall include and be limited to a total of 3,000 square feet of permanent floodway impacts. A total of one (1) permanent floodway impact is proposed to Mill Creek (TSF). There are no stream or wetland impacts being proposed.

This project proposes to have the following impacts:

Floodway Impact Table:

<i>Resource Name</i>	<i>Municipality</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Listed Trout</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Lat. Long.</i>
Mill Creek	Loyalsock	Excavation from Floodway	TSF	None				3,000	41.262643 76.932147
				TOTAL				3,000	

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

E10-511, BDNPL Real Estate LLC, North Park Lounge, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 40°, 42', 57.69"; W: 80°, 6', 10.20");).

To construct and maintain a vehicular bridge, 2 pedestrian bridges, an aerial utility crossing, and a culvert in/across two unnamed tributaries to Brush Creek, impact a deminimus amount of PEM wetland, and to construct and maintain a deck, patio, volleyball court, and perform grading within the floodway of two unnamed tributaries to Brush Creek at the North Park Lounge located along the east side of S.R. 19 approximately 0.8 mile north of Rowan Road (Mars, PA Quadrangle N: 40.715516°; W: -80.103241°) in Cranberry Township, Butler County.

District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA.

E0829-116: Repsol Oil & Gas USA, 337 Daniel Zenker Drive, Horseheads, NY 14845, Armenia Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 118 linear feet of an unnamed tributary to Tioga River (CWF, MF) (Gleason, PA Quadrangle, Latitude: 41°44'56", Longitude: -76°53'27");

2. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 113 linear feet of an unnamed tributary to Tioga River (CWF, MF) (Gleason, PA Quadrangle, Latitude: 41°44'56", Longitude: -76°53'26");

3. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 95 linear feet of Tioga River (CWF, MF) (Gleason, PA Quadrangle, Latitude: 41°44'49", Longitude: -76°52'32");

4. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 177 square feet of a Palustrine Emergent Wetland (EV) (Gleason, PA Quadrangle, Latitude: 41°44'48", Longitude: -76°52'32");

5. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 9,862 square feet of a Palustrine Emergent Wetland (EV) and 3,117 square feet of a Palustrine Scrub Shrub Wetland (EV) (Canton, PA Quadrangle, Latitude: 41°44'38", Longitude: -76°51'48");

6. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 1,042 square feet of a Palustrine Emergent Wetland (EV) (Canton, PA Quadrangle, Latitude: 41°44'36", Longitude: -76°51'46");

7. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 328 linear feet of Webier Creek (CWF, MF) (Canton, PA Quadrangle, Latitude: 41°44'33", Longitude: -76°51'46");

8. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 107 linear feet of an unnamed tributary to Webier Creek (CWF, MF) and impacting 1,873 square feet of an adja-

cent Palustrine Emergent Wetland and impacting 1,534 square feet of an adjacent Palustrine Scrub Shrub Wetland (EV) (Canton, PA Quadrangle, Latitude: 41°44'51", Longitude: -76°50'39");

The project will result in 761 linear feet or 7,476 square feet of temporary stream impacts and 12,955 square feet (0.30 acre) of temporary PEM and 4,651 square feet (0.11 acre) of temporary PSS wetland impacts all for the purpose of installing a natural gas pipeline and a waterline with associated access roadways for Marcellus shale development in Armenia Township, Bradford County. This project is associated with permit application number E5929-075.

E5929-075: Repsol Oil & Gas USA, 337 Daniel Zenker Drive, Horseheads, NY 14845, Sullivan Township, **Tioga County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 759 square feet of a Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41°45'16", Longitude: -76°55'36");

2. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 125 linear feet of an unnamed tributary to Fellows Creek (CWF, MF) and impacting 161 square feet of an adjacent Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41°45'03", Longitude: -76°55'34");

3. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 591 square feet of a Palustrine Emergent Wetland (EV) and 621 square feet of a Palustrine Forested Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41°45'03", Longitude: -76°55'30");

4. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 660 square feet of a Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41°45'03", Longitude: -76°55'28");

5. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 82 linear feet of Fellows Creek (CWF, MF) (Roseville, PA Quadrangle, Latitude: 41°45'01", Longitude: -76°55'13");

6. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 327 square feet of a Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41°45'01", Longitude: -76°54'47");

7. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 1,731 square feet of a Palustrine Emergent Wetland, 2,965 square feet of a Palustrine Forested Wetland and 83 square feet of a Palustrine Scrub Shrub Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41°45'01", Longitude: -76°54'07");

8. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 163 linear feet of an unnamed tributary to Tioga River (CWF, MF) (Roseville, PA Quadrangle, Latitude: 41°45'01", Longitude: -76°54'05");

9. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 2,417 square feet of a Palustrine Emergent Wetland (EV)

and 168 square feet of a Palustrine Forested Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41°45'01", Longitude: -76°54'04");

10. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 4,373 square feet of a Palustrine Scrub Shrub Wetland (EV) and 539 square feet of a Palustrine Forested Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41°45'01", Longitude: -76°54'01");

11. a 16-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 95 linear feet of an unnamed tributary to Tioga River (CWF, MF) (Gleason, PA Quadrangle, Latitude: 41°45'00", Longitude: -76°53'50");

12. a temporary timber mat bridge impacting 40 linear feet of an unnamed tributary to Gaffers Creek (TSF, MF) (Roseville, PA Quadrangle, Latitude: 41°45'31", Longitude: -76°54'36");

13. a temporary timber mat bridge impacting 73 linear feet of an unnamed tributary to Gaffers Creek (TSF, MF) (Roseville, PA Quadrangle, Latitude: 41°45'22", Longitude: -76°54'39");

14. a temporary timber mat bridge impacting 496 square feet of a Palustrine Emergent Wetland (Gleason, PA Quadrangle, Latitude: 41°44'59", Longitude: -76°54'44");

15. a temporary timber mat bridge impacting 32 linear feet of an unnamed tributary to Tioga River (CWF, MF) (Roseville, PA Quadrangle, Latitude: 41°45'22", Longitude: -76°54'38");

16. a temporary timber mat bridge impacting 48 linear feet of an unnamed tributary to Gaffers Creek (CWF, MF) (Gleason, PA Quadrangle, Latitude: 41°45'22", Longitude: -76°54'38");

The project will result in 658 linear feet or 3,508 square feet of temporary stream impacts and 7,142 square feet (0.16 acre) of temporary PEM, 4,456 square feet (0.10 acre) of temporary PSS and 4,293 square feet (0.10 acre) of PFO wetland impacts all for the purpose of installing a natural gas pipeline and a waterline with associated access roadways for Marcellus shale development in Sullivan Township, Tioga County. This project is associated with permit application number E0829-116.

E5329-016: JKLM Energy, LLC, 2200 Georgetown Drive, Suite 500, Sewickley, PA 15143. Ulysses Township, **Potter County**, ACOE Baltimore District.

To construct, operate and maintain the Headwaters Well Pad 146 Project, which consists of one 16-inch diameter natural gas pipeline, with the following impacts:

1. 65.0 linear feet of Cushing Hollow (HQ, CWF) and 1,300 square feet of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary road crossing (West Pike, PA Quadrangle, Latitude: N41°51'04.26", Longitude: W77°44'11.08").

The project will result in 65.0 linear feet of temporary stream impacts, and 1,300 square feet (0.03 acre) of permanent EV PFO wetland impacts all for the purpose of installing a natural gas gathering line and associated access roadways for Marcellus shale development.

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.

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

ESCP No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
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)

<i>ESCP 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) UNT to Stewart Run (HQ-CWF, MF) UNT to Stewart Run (HQ-CWF, MF) UNT to Bowery Run (HQ-CWF, MF)

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 as provided by law. Important legal rights are at stake, so you should show this document to a lawyer promptly.

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-2 # ESX17-059-0035
Applicant Name Rice Drilling B, LLC
Contact Person Todd Klaner
Address 2400 Ansys Drive, Suite 200
City, State, Zip Canonsburg, PA 15317
County Greene County
Township(s) Jackson Township
Receiving Stream(s) and Classification(s) UNTs To Toms Run (WWF); Dunkard Creek Watershed/Secondary Receiving Water—Dunkard Creek (WWF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESX18-019-0017—Aries Well Pad
Applicant EM Energy Pennsylvania, LLC
Contact Bradley Hurlburt
Address 1800 Main Street, Suite 220
City Canonsburg State PA Zip Code 15317
County Butler Township(s) Allegheny
Receiving Stream(s) and Classification(s) Trib. 51143 to Lowrey Run WWF and Trib. 64604 to North Branch Bear Creek CWF

ESCGP-2 # ESG18-083-0001—CNR3131 & 3132
Applicant Pennhills Resources, LLC
Contact Stuart Morris
Address P.O. Box 426
City Mt Jewett State PA Zip Code 16740
County Mckean Township(s) Wetmore
Receiving Stream(s) and Classification(s) Hubert—CWF SB Kinzua/Watermill Run—HQ-CWF

ESCGP-2 # ESG13-019-0022A—Cypher Freshwater Impoundment
Applicant XTO Energy Inc.
Contact Melissa Brietenbach
Address 190 Thorn Hill Road

City Warrendale State PA Zip Code 15086
County Butler Township Clearfield
Receiving Stream and Classification HQ CWF UNT to Little Buffalo Creek

ESCGP-2 # ESX18-019-0015—Canis Major 12 Inch Pipeline Project
Applicant ETC Northeast Pipeline LLC
Contact Tom Glisson
Address 6051 Wallace Road Extension, 3rd Floor
City Wexford State PA Zip Code 15090
County Butler Township(s) Allegheny
Receiving Stream(s) and Classification(s) Fowler Run, Tributary 51141 to Lowrey Run, Tributary 51139 to Lowrey Run, and Tributary 51143 to Lowrey Run

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX29-117-18-0027
Applicant Name Eclipse Resources PA LP
Contact Person Steven Lyncha
Address 2121 Old Gatesburg Rd, Suite 110
City, State, Zip State College, PA 16803
County Tioga
Township(s) Deerfield
Receiving Stream(s) and Classification(s) Cowanesque River (WWF)

ESCGP-2 # ESG29-015-17-0039
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) Sullivan
Receiving Stream(s) and Classification(s) Tioga River (CWF, MF); Fellows Ck (CWF, MF); Webier Ck (CWF, MF); McIntosh Hollow (CWF, MF)
Secondary—Sugar Ck

ESCGP-2 # ESG29-081-18-0027
 Applicant Name Seneca Resources Corp
 Contact Person Doug Kepler
 Address 5800 Corporate Dr, Suite 300
 City, State, Zip Pittsburgh, PA 15237

County Lycoming
 Township(s) McIntyre
 Receiving Stream(s) and Classification(s) Long Run
 (HW-CWF); Dry Run (HQ-CWF)
 Secondary—Grays Run (HQ-CWF)

STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

SSIP

Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
18-46-011	Merck, Sharpe & Dohme Corporation 770 Sumneytown Pike P.O. Box 4, WP 20-205 West Point, PA 19486-0004 Attn: Gina Dempsey	Montgomery	Upper Gwynedd Township	1 AST storing diesel fuel	400,000 gallons

SPECIAL NOTICES

Public Meeting and Hearing Regarding a Draft NPDES Permit to Authorize the Discharge of Stormwater Associated with Industrial Activities to Waters of the Commonwealth

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

The Department of Environmental Protection (Department) will host a public meeting and hearing regarding a draft National Pollution Discharge Elimination System (NPDES) permit (Permit No. PA0276120) to authorize the discharge of stormwater associated with industrial activities to waters of the Commonwealth from a biosolids processing facility to be constructed on Pen Argyl Road in Pen Argyl, Northampton County, by Slate Belt Heat Recovery Center, LLC of 435 Williams Court, Suite 100, Baltimore, MD, 21220.

The public meeting and hearing will be held on November 7, 2018, from 6 to 9:30 p.m. at Wind Gap Middle School, 1620 Teels Rd, Pen Argyl, PA 18072. The Department is holding the public meeting and hearing in response to requests from the public concerning stormwater discharges to surface waters from the proposed project. The purpose of the meeting will be to answer questions and receive public comment regarding the draft NPDES permit.

The draft NPDES Permit is for a new discharge of stormwater into an unnamed tributary to Little Bushkill Creek, a designated high quality cold water fishery, and Waltz Creek, a designated cold water fishery.

The Department published notice at 48 Pa.B. 6283 (September 29, 2018) and solicited written comment concerning draft concentration limits to be imposed through the permit. The Department requests that individuals wishing to testify at the hearing notify Colleen Connolly, Community Relations Coordinator, coconnolly@pa.gov. Individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who notify the Department in advance will be given priority on the agenda.

The Department requests that attendees limit their questions to no more than two per person and testimony to no more than 5 minutes per person so that all individuals have the opportunity to participate. Relinquishing time to others will not be allowed. Also, the Department requests that questions and comments stay within the scope of the meeting, particularly questions and comments related to draft NPDES Permit No. PA0276120. Written copies of anticipated oral testimony are requested and can be submitted at the meeting.

A copy of the draft permit, fact sheet, and application can be viewed at the Department's Northeast Regional Office in Wilkes-Barre. Those wishing to make an appointment to view the documents can do so between the hours of 8 a.m.—4 p.m. by calling (570) 826-2511.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 should contact Colleen Connolly or make accommodations through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD).

Transcontinental Gas Pipe Line Company, LLC 2800 Post Oak Boulevard, Level 11 Houston, TX 77056

Two Special Notices regarding the Transcontinental Gas Pipe Line Company, LLC's (Transco) Erosion and Sediment Control General Permit Numbers ESG3617801(1) and ESG00029170005 for Transco's Quarryville Loop Project were published in 48 Pa.B. 5804 and 5805 (September 15, 2018). This publication was in error.

These permits are not under technical review by the Department of Environmental Protection and there is no active public comment period associated with these permits. The correct notice of Erosion and Sediment Control General Permit Number ESG3617801(1) and ESG00029170005 appears in the Actions section of this edition of the *Pennsylvania Bulletin*, published on Saturday, September 29, 2018.

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

Invitation for Bids to Perform Mine Reclamation under Act 181 of 1984

Under Act 181 of 1984, the Department of Environmental Protection is soliciting interest/reclamation proposals from landowners, licensed mine operators, and/or eligible reclamation contractors for the reclamation of the following abandoned coal preparation plant:

<i>Project 17841605.3</i>	<i>Municipality</i>	<i>County</i>	<i>Acres</i>
Benjamin Coal Company Preparation Plant No. 3 SMP 17841605	Chest Township	Clearfield	36

A pre-proposal site meeting is scheduled for Wednesday, October 17, 2018, at 9 a.m. on-site to tour the reclamation area with all interested parties.

Pre-registration is necessary via a letter of interest or verbal confirmation through Aaron Pontzer, Mining Permit and Compliance Specialist, Moshannon District Office, Department of Environmental Protection, 186 Enterprise Drive, Philipsburg, PA 16866, no later than 3:30 p.m., October 15, 2018. Telephone inquiries shall be directed to Aaron Pontzer at (814) 342.8200. Proposal documents package will be provided at meeting. Only proposals from those in attendance will be considered for this contract.

Project Overview: Reclamation of site consists of dewatering, backfilling and grading of 20 settling basins and treatment ponds using onsite material; installation and rehabilitation of 5,485 feet of grass and rock lined ditching; installation of road culverts with outlet protection; road repair; removal of trash, steel, and concrete structures and debris; grading; establishment of erosion and sedimentation controls; revegetation; mobilization and demobilization; and precautions and materials for an active railroad crossing.

[Pa.B. Doc. No. 18-1527. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Grants through the Driving PA Forward DC Fast Charging and Hydrogen Fueling Grant Program

The Department of Environmental Protection (Department) announces an opportunity to apply for \$3 million in grants offered through the DC Fast Charging and Hydrogen Fueling Grant Program (Program), one of the Programs under the Driving PA Forward Initiative. This funding is available for light-duty zero emission vehicle supply equipment projects that will improve air quality and protect public health and the environment by reducing emissions through expanded use of DC fast charging infrastructure and hydrogen refueling infrastructure.

The Department is seeking applications for projects that will install DC fast charging or hydrogen fueling equipment in community hubs, transportation corridors and destinations, as defined in the program guidelines. Funding is available for public and private entities that own or enter into agreements with the owner of one or more of these location types in this Commonwealth. These entities may include school districts, municipal authorities, political subdivisions, state agencies, non-profit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth, air quality or transportation organizations, and metropolitan or rural planning organizations.

The Department will not reimburse grant recipients for project costs incurred prior to the grant performance period set forth in the applicable grant agreement. The Program guidelines and application instructions are available on the Department's Driving PA Forward webpage at www.dep.pa.gov/drivepafoward or by contacting the Bureau of Air Quality at ra-epvwmitigation@pa.gov or (717) 787-9495.

A webinar on the Program will be held on October 25, 2018, from 10:30 a.m. to 11:30 a.m. See the Department's previously listed webpage for registration information.

Applications must be submitted through the Department of Community and Economic Development's Electronic Single Application web site, eGrants at <https://www.esa.dced.state.pa.us/Login.aspx>. The Program will remain open continuously through the end of 2019 or until allotted funds are exhausted. The Department will review and score applications after each submission period end date. Submission period end dates are 4 p.m. on January 15, 2019, July 15, 2019, and December 16, 2019.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1528. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Rebates through the Driving PA Forward Level 2 Electric Vehicle Charging Rebate Program

The Department of Environmental Protection (Department) announces an opportunity to apply for \$3 million in rebates offered through the Level 2 Electric Vehicle (EV) Charging Rebate Program (Program), one of the Programs under the Driving PA Forward Initiative. This funding is available for light-duty electric vehicle supply equipment projects that will improve air quality and protect public health and the environment by reducing emissions through expanded use of EV charging infrastructure.

The Department is seeking applications for projects that will install Level 2 EV charging equipment in publicly accessible locations (government or nongovernment owned), workplaces and multiunit dwellings. Funding is available for public and private entities that own one or more of these location types in this Commonwealth. These entities may include school districts, municipal authorities, political subdivisions, other state

agencies, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth, air quality or transportation organizations, and metropolitan or rural planning organizations.

The Department will not reimburse rebate recipients for project costs incurred prior to the date of the rebate application. The Program guidelines and application instructions are available on the Department's Driving PA Forward webpage at www.dep.pa.gov/drivepaforward or by contacting the Bureau of Air Quality at ra-epvwmitigation@pa.gov or (717) 787-9495.

A webinar on the program will be held on October 9, 2018, from 10:30 a.m. to 11:30 a.m. See the Department's Driving PA Forward webpage at www.dep.pa.gov/drivepaforward for registration information.

Applications must be submitted through the Department of Community and Economic Development's Electronic Single Application web site, eGrants at <https://www.esa.dced.state.pa.us/Login.aspx>. The application period will not close, but the Department will reevaluate the Program requirements and rebate levels following the issuance of \$3 million in vouchers, or by March 31, 2019, whichever occurs first. The Department will accept, review and approve applications for rebates on a first-come, first-served basis.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1529. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final TGD—Minor Revision

DEP ID: 390-3301-001. *Title:* *Cryptosporidia*, *E. coli* and Turbidity LT2ESWTR Laboratory Reporting Instruc-

tions for Public Water Systems Using Surface Water or Groundwater Under the Direct Influence of Surface Water Sources. *Description:* The Department Water Management Deputate, Bureau of Safe Drinking Water, has made minor revisions to a guidance document relating to reporting requirements regarding the Long-Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR). The LT2ESWTR, as set forth in 25 Pa. Code §§ 109.1201—109.1206, describes, among other things, source water quality monitoring and additional treatment requirements for higher risk water systems. The purpose of the LT2ESWTR is to enhance public health protection against pathogenic microbial contaminants, especially *Cryptosporidia*. Final technical guidance became available June 3, 2017 (47 Pa.B. 3153). Minor corrections to the guidance document are necessary and are as follows: 1) The wording in item 6 of the DWELR Data Field on the SDWA-1 Form Description/Explanation table on page 15 of the document was changed by replacing "3" with "0" to read as follows: "Location ID 1 Note: DEP or CHD assigned source ID numbers, which always begin with "0", must be entered in this field (e.g. 001)"; 2) Appendices I and II, which contained contact lists, were removed from the document. The contact lists in the appendices were updated and replaced with an online link. Appendices III and IV became Appendices I and II, respectively; 3) e-Library links were updated throughout the document; 4) Due to these revisions, the total number of document pages was reduced to 28 pages.

Contact: Questions regarding this TGD should be directed to Pauline Risser at parisser@pa.gov or (717) 772-5970.

Effective Date: September 29, 2018

Rescission of Technical Guidance Documents

DEP ID: 391-3200-006. *Title:* Quality Assurance Work Plan: Toxics. *Description:* The previously referenced TGD describes plans and methods for monitoring and evaluating impacts to water quality. The information in this TGD is out of date and no longer applicable. Current information is available in the Department's Assessment Methods and Data Collection Protocols on the Department's web site.

Contact: Questions regarding this TGD should be directed to Michael (Josh) Lookenbill at mlookenbil@pa.gov or (717) 783-2959.

Effective Date: September 29, 2018

DEP ID: 383-0830-001. *Title:* Quality Management Plan for the Bureau of Water Standards and Facility Regulation. *Description:* The previously referenced TGD describes plans and methods for monitoring and evaluating impacts to water quality. The information in this TGD is out of date and no longer applicable. Current information is available in the Department's Assessment Methods and Data Collection Protocols on the Department's web site.

Contact: Questions regarding this TGD should be directed to Michael (Josh) Lookenbill at mlookenbil@pa.gov or (717) 783-2959.

Effective Date: September 29, 2018

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1530. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Nutrient Credit Trading Program; Actions

The Department of Environmental Protection (Department) has approved the following request for certification of pollutant reduction activities to generate nitrogen (N) credits under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed). Pollutant reduction activities include the following agriculture best management practices: continuous no-till planting methods (CNT); planting cover crops (CC); and grass buffers (GB). This certification request approval authorizes the generation of N credits for use by facilities with National Pollutant Discharge Elimination System permits in the compliance year in which the credits are generated. This approval is valid until September 30, 2019, provided the pollution reduction activities are implemented, maintained and verified in accordance with the plan contained in the approved certification request. The request for certification was published for public comment on June 23, 2018. The Department did not receive any comments.

<i>Applicant/Consultant</i>	<i>Generator/Source</i>	<i>Pollutant Reduction Activity</i>	<i>N Credits</i>	<i>Phosphorus Credits</i>	<i>Public Comment Notice Date</i>	<i>Certification Date</i>
Team Ag	Lancaster Area Sewer Authority (LASA) Farm	CNT, CC, GB	511	0	6/23/18	9/22/18

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

For further information about this action or the Nutrient Credit Trading Program, contact the Division of Operations, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-6744, RA-EPPANutrientTrad@pa.gov, or visit the Department’s web site at www.dep.pa.gov/nutrient_trading.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1531. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Nutrient Credit Trading Program; Certification Request

The Department of Environmental Protection (Department) provides notice of the following certification request that has been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed).

Credit Certification Request

The following request is being reviewed by the Department.

<i>Applicant</i>	<i>Pollutant Reduction Activity Description</i>
Chesapeake Nutrient Management, LLC on behalf of Esbenshade Farms	This certification request is for nutrient reduction credits to be generated from poultry litter export.

Written Comments

The Department will accept written comments on this proposed pollutant reduction activity for 30 days. The Department must receive comments on this request for credit certification no later than Monday, October 29, 2018. Commentators can view submitted materials and are encouraged to submit electronic comments using the Department’s eComment site at www.ahs.dep.pa.gov/eComment. Written comments can be submitted by e-mail to ecomment@pa.gov or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use “Esbenshade” as the subject line in written communication.

For further information about this action or the Trading Program, contact the Division of Operations, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-6744, RA-EPPANutrientTrad@pa.gov or visit the Department’s web site at www.dep.pa.gov/nutrient_trading.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1532. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Abortion and Ambulatory Surgical Facilities; Requests for Exceptions

The following abortion and ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Physicians' Surgery Center Lancaster General	28 Pa. Code § 551.21(d)(3) (relating to criteria for ambulatory surgery)
Memorial Hospital Outpatient Endoscopy Center	28 Pa. Code § 551.3 (relating to definitions), specifically subparagraph (ii) of the definition of "classification levels," regarding Class B facilities PS III patients
Allentown Women's Center	28 Pa. Code § 553.31(a) (relating to administrative responsibilities)
Carlisle Outpatient Surgery Center	28 Pa. Code § 553.1 (relating to principle)
Southwestern Pennsylvania Eye Surgery Center	28 Pa. Code § 553.31

The following ASFs are requesting exceptions under 28 Pa. Code § 571.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that ASFs must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities—2014 Edition (Guidelines)*. The following list includes the citation to the section under the *Guidelines* to which the ASF is seeking exceptions, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>FGI Guidelines Section and Relating to</i>	<i>Year</i>
UPMC St. Margaret Hamar Outpatient Center	2.1-3.2.2.2 (relating to space requirements)	2018
Einstein Endoscopy Center—Blue Bell	3.1-6.2.1 (relating to vehicular drop-off and pedestrian entrances)	2014
	3.7-6.2.1 (relating to entrances)	2014
	3.9-6.2.1 (relating to entrances)	2014

These previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-1533. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation</i>
Guthrie Towanda Memorial Hospital	28 Pa. Code § 107.26(b)(1) (relating to additional committees)
	28 Pa. Code § 107.26(b)(7)

<i>Facility Name</i>	<i>Regulation</i>
UPMC Pinnacle Carlisle	28 Pa. Code § 107.61 (relating to written orders)
Williamsport Regional Medical Center	28 Pa. Code § 113.5(a) and (b) (relating to pharmacy and therapeutics committee)

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities—2014 Edition (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Year</i>
Geisinger-Community Medical Hospital	2.2-2.9.11.9(4) (relating to support person changing areas)	2014
Lankenau Medical Center	2.2-2.11.1.1(1) (relating to location)	2014
Penn Highlands DuBois	3.1-3.6.6.2(1)(a) (relating to work areas for preparing, dispensing, and administering medications)	2014
Penn Highlands DuBois—Gastroenterology	3.1-3.6.10 (relating to soiled holding rooms)	2014
The Washington Hospital	2.1-2.2.6.3(3) (relating to room features)	2018
	2.2-2.9.3.2(1) (relating to space requirements)	2018
	2.2-2.9.3.5 (relating to hand-washing stations)	2018
	2.2-2.9.3.6 (relating to patient bathrooms)	2018

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-1534. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(d)—(g) (relating to prevention, control and surveillance of tuberculosis (TB)):

Inn at Freedom Village
35 Freedom Boulevard
West Brandywine, PA 19320-1549
FAC ID # 105502

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(e) and (j):

Normandie Ridge
1700 Normandie Drive
York, PA 17408
FAC ID # 250902

Timber Ridge Health Center
1555 East End Boulevard Plains Township
Wilkes-Barre, PA 18711
FAC ID # 220102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(j):

Landis Homes
1001 East Oregon Road
Lititz, PA 17543-9206
FAC ID # 120602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Asbury Health Center
700 Bower Hill Road
Pittsburgh, PA 15243
FAC ID # 132602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

Centre Crest
502 East Howard Street
Bellefonte, PA 16823
FAC ID # 031702

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Valley View Rehab and Nursing Center
 240 Warnersville Road
 Montoursville, PA 17754
 FAC ID # 027602

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-1535. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P.L. 419, No. 140) (35 P.S. § 6204), will hold its quarterly public meeting on Friday, October 19, 2018, from 10 a.m. to 1 p.m. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment. The meeting will be held in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Tara Trego, Director, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-1536. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery methods), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2018, through December 31, 2018, the Maximum Allowable Prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.....	\$1.35
Beans/Peas—Dry—16 oz.....	\$2.18
Canned Fish—Pink Salmon.....	\$2.20
Canned Fish—Sardines.....	\$1.50
Canned Fish—Tuna.....	\$1.29
Cereal (per oz.).....	\$0.33
Cheese, 16 oz.....	\$7.31
Eggs.....	\$2.35
Infant Cereal—8 oz.....	\$2.55
Infant Fruits, 100%—4 oz.....	\$1.07
Infant Vegetables, 100%—4 oz.....	\$1.07
Infant Meats, 100%—2.5 oz.....	\$1.16
Juice—11.5/12 oz.....	\$2.76
Juice—48 oz.....	\$3.45
Juice—64 oz.....	\$4.19
Kosher Cheese—16 oz.....	\$8.40
Kosher Lowfat and 2% Milk—quart.....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon.....	\$3.27
Kosher Whole Milk—quart.....	\$1.80
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Dry—9.6 oz.....	\$4.27
Milk, Dry—25.6 oz.....	\$9.55
Milk, Evaporated—12 oz.....	\$1.53
Milk, Lowfat and 2%—quart.....	\$1.36
Milk, Lowfat and 2%—1/2 gallon.....	\$2.29
Milk, Lowfat and 2% Lactose Free—quart.....	\$2.42
Milk, Lowfat and 2% Lactose Free—1/2 gallon.....	\$4.09
Milk, Whole—quart.....	\$1.45
Milk, Whole—1/2 gallon.....	\$2.29
Milk, Whole Lactose Free—quart.....	\$2.67
Milk, Whole Lactose Free—1/2 gallon.....	\$4.19
Peanut Butter—16—18 oz.....	\$3.29
Soy Beverage—Pacific Natural Foods 32 oz.....	\$3.29
Soy Beverage—8th Continent 64 oz.....	\$3.89
Tofu—16 oz.....	\$2.57
Whole Grain—Bread, 16 oz.....	\$3.49
Whole Grain—Bread, 24 oz.....	\$3.95
Whole Grain—Brown Rice, 16 oz.....	\$1.80
Whole Grain—Brown Rice, 24 oz.....	\$3.32
Whole Grain—Oats, 16 oz.....	\$2.44
Whole Grain—Oats, 24 oz.....	\$5.39
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.57

<i>Description</i>	<i>Maximum Allowable Price</i>
Whole Wheat Pasta	\$1.37
Yogurt Nonfat	\$3.30
Yogurt Lowfat	\$3.30
Yogurt Wholefat	\$3.40
Boost RTF Formula—8 oz.	\$1.79
EnfaCare RTF Formula—32 oz.	\$7.30
EnfaCare w/Iron Powder Formula—12.8 oz.	\$18.00
Nutramigen Concentrate Formula—13 oz.	\$7.59
Nutramigen RTF Formula—32 oz.	\$10.39
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$26.40
Pediasure RTF Formula—8 oz.	\$1.93
Pediasure w/Fiber RTF Formula—8 oz.	\$2.09
Pediasure Sidekicks RTF Formula—8 oz.	\$1.95
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.45
Similac Advance RTF Formula—Blue—32 oz.	\$7.65
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.36
Similac Expert Care Alimentum RTF Formula—32 oz.	\$10.39
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$28.39
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$7.99
Similac Expert Care NeoSure RTF Formula—32 oz.	\$8.95
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.29
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$22.49
Similac for Spit Up RTF Formula—Green—32 oz.	\$8.05
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$17.19
Similac Sensitive RTF Formula—Orange—32 oz.	\$7.49
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$16.59
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.51
Similac Soy Isomil RTF Formula—Pink—32 oz.	\$8.09
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$16.69
Similac Total Comfort Powder Formula—Purple—12.0 oz.	\$16.69

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2018, through December 31, 2018, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.29
Beans/Peas—Dry—16 oz.	\$1.98
Canned Fish—Pink Salmon.	\$2.19

<i>Description</i>	<i>Competitive Prices</i>
Canned Fish—Sardines	\$1.43
Canned Fish—Tuna	\$1.19
Cereal (per oz.)	\$0.31
Cheese, 16 oz.	\$6.84
Eggs	\$2.29
Infant Cereal—8 oz.	\$2.44
Infant Fruits, 100%—4 oz.	\$0.94
Infant Vegetables, 100%—4 oz.	\$0.94
Infant Meats, 100%—2.5 oz.	\$1.15
Juice—11.5/12 oz.	\$2.59
Juice—48 oz.	\$3.30
Juice—64 oz.	\$3.79
Kosher Cheese—16 oz.	\$7.79
Kosher Lowfat Milk—1/2 gallon	\$3.15
Kosher Whole Milk—1/2 gallon	\$3.19
Milk, Lowfat—1/2 gallon	\$2.15
Milk, Whole—1/2 gallon	\$2.22
Peanut Butter—16—18 oz.	\$3.20
Whole Grain—Bread, 16 oz.	\$3.35
Whole Grain—Brown Rice, 16 oz.	\$1.69
Whole Grain—Oats, 16 oz.	\$2.39
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.43
Whole Wheat Pasta	\$1.35
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.35
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.36
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.51
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$16.69

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2018, through December 31, 2018, the Maximum Allowable Prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.45
Beans/Peas—Dry—16 oz.	\$2.26
Canned Fish—Pink Salmon.	\$2.26
Canned Fish—Sardines	\$1.59
Canned Fish—Tuna	\$1.35
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.33
Eggs	\$2.45
Infant Cereal—8 oz.	\$2.65
Infant Fruits, 100%—4 oz.	\$1.10
Infant Vegetables, 100%—4 oz.	\$1.10
Infant Meats, 100%—2.5 oz.	\$1.22
Juice—11.5/12 oz.	\$2.91
Juice—48 oz.	\$3.59
Juice—64 oz.	\$4.48
Kosher Cheese—16 oz.	\$8.40

<i>Description</i>	<i>Maximum Allowable Price</i>
Kosher Lowfat and 2% Milk—quart	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.46
Milk, Dry—25.6 oz.	\$9.65
Milk, Evaporated—12 oz.	\$1.63
Milk, Lowfat and 2%—quart	\$1.42
Milk, Lowfat and 2%—1/2 gallon	\$2.32
Milk, Lowfat and 2% Lactose Free—quart	\$2.52
Milk, Lowfat and 2% Lactose Free—1/2 gallon	\$4.29
Milk, Whole—quart	\$1.50
Milk, Whole—1/2 gallon	\$2.49
Milk, Whole Lactose Free—quart	\$2.76
Milk, Whole Lactose Free—1/2 gallon	\$4.39
Peanut Butter—16—18 oz.	\$3.49
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.35
Soy Beverage—8th Continent 64 oz.	\$3.99
Tofu—16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Bread, 24 oz.	\$4.00
Whole Grain—Brown Rice, 16 oz.	\$1.95
Whole Grain—Brown Rice, 24 oz.	\$3.39
Whole Grain—Oats, 16 oz.	\$2.55
Whole Grain—Oats, 24 oz.	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.59
Whole Wheat Pasta	\$1.64
Yogurt Nonfat	\$3.35
Yogurt Lowfat	\$3.35
Yogurt Wholefat	\$3.45
Boost RTF Formula—8 oz.	\$1.85
EnfaCare RTF Formula—32 oz.	\$7.44
EnfaCare w/Iron Powder Formula—12.8 oz.	\$18.04
Nutramigen Concentrate Formula—13 oz.	\$7.65
Nutramigen RTF Formula—32 oz.	\$10.49
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$26.45
Pediasure RTF Formula—8 oz.	\$1.99
Pediasure w/Fiber RTF Formula—8 oz.	\$2.15
Pediasure Sidekicks RTF Formula—8 oz.	\$2.04
Similac Advance Concentrate—Blue Formula— 13 oz.	\$5.50
Similac Advance RTF—Blue Formula—32 oz.	\$7.75
Similac Advance Powder—Blue Formula— 12.4 oz.	\$16.48
Similac Expert Care Alimentum RTF Formula— 32 oz.	\$10.49
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$28.79
Similac Expert Care for Diarrhea RTF Formula— 32 oz.	\$8.09
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$9.07
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.49
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$22.55
Similac for Spit Up RTF Formula—Green— 32 oz.	\$8.15
Similac for Spit Up Powder Formula—Green— 12.0 oz.	\$17.49
Similac Sensitive RTF Formula—Orange—32 oz.	\$7.70

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Sensitive Powder Formula—Orange— 12.0 oz.	\$16.79
Similac Soy Isomil Concentrate—Pink Formula— 13 oz.	\$5.69
Similac Soy Isomil RTF—Pink Formula—32 oz.	\$8.29
Similac Soy Isomil Powder—Pink Formula— 12.4 oz.	\$16.99
Similac Total Comfort Powder Formula—Purple— 12.0 oz.	\$16.79

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2018, through December 31, 2018, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.30
Beans/Peas—Dry—16 oz.	\$2.10
Canned Fish—Pink Salmon	\$2.25
Canned Fish—Sardines	\$1.49
Canned Fish—Tuna	\$1.27
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$6.86
Eggs	\$2.39
Infant Cereal—8 oz.	\$2.50
Infant Fruits, 100%—4 oz.	\$0.99
Infant Vegetables, 100%—4 oz.	\$0.99
Infant Meats, 100%—2.5 oz.	\$1.20
Juice—11.5/12 oz.	\$2.72
Juice—48 oz.	\$3.37
Juice—64 oz.	\$4.05
Kosher Cheese—16 oz.	\$7.89
Kosher Lowfat Milk—1/2 gallon	\$3.19
Kosher Whole Milk—1/2 gallon	\$3.25
Milk, Lowfat—1/2 gallon	\$2.19
Milk, Whole—1/2 gallon	\$2.25
Peanut Butter—16—18 oz.	\$3.30
Whole Grain—Bread, 16 oz.	\$3.39
Whole Grain—Brown Rice, 16 oz.	\$1.79
Whole Grain—Oats, 16 oz.	\$2.49
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.45
Whole Wheat Pasta	\$1.60
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.40
Similac Advance Powder Formula—Blue— 12.4 oz.	\$16.48
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.69
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$16.99

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2018, through December 31, 2018, the Maximum Allowable Prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.....	\$1.47
Beans/Peas—Dry—16 oz.....	\$2.35
Canned Fish—Pink Salmon.....	\$2.30
Canned Fish—Sardines.....	\$1.65
Canned Fish—Tuna.....	\$1.40
Cereal (per oz.).....	\$0.36
Cheese, 16 oz.....	\$7.35
Eggs.....	\$3.05
Infant Cereal—8 oz.....	\$2.70
Infant Fruits, 100%—4 oz.....	\$1.15
Infant Vegetables, 100%—4 oz.....	\$1.15
Infant Meats, 100%—2.5 oz.....	\$1.27
Juice—11.5/12 oz.....	\$2.96
Juice—48 oz.....	\$3.70
Juice—64 oz.....	\$4.57
Kosher Cheese—16 oz.....	\$8.40
Kosher Lowfat and 2% Milk—quart.....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon.....	\$3.30
Kosher Whole Milk—quart.....	\$1.80
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Dry—9.6 oz.....	\$4.55
Milk, Dry—25.6 oz.....	\$9.75
Milk, Evaporated—12 oz.....	\$1.70
Milk, Lowfat and 2%—quart.....	\$1.47
Milk, Lowfat and 2%—1/2 gallon.....	\$2.62
Milk, Lowfat and 2% Lactose Free—quart.....	\$2.59
Milk, Lowfat and 2% Lactose Free—1/2 gallon.....	\$4.39
Milk, Whole—quart.....	\$1.57
Milk, Whole—1/2 gallon.....	\$2.69
Milk, Whole Lactose Free—quart.....	\$2.86
Milk, Whole Lactose Free—1/2 gallon.....	\$4.49
Peanut Butter—16—18 oz.....	\$3.59
Soy Beverage—Pacific Natural Foods 32 oz.....	\$3.45
Soy Beverage—8th Continent 64 oz.....	\$4.16
Tofu—16 oz.....	\$2.72
Whole Grain—Bread, 16 oz.....	\$3.63
Whole Grain—Bread, 24 oz.....	\$4.07
Whole Grain—Brown Rice, 16 oz.....	\$2.09
Whole Grain—Brown Rice, 24 oz.....	\$3.59
Whole Grain—Oats, 16 oz.....	\$2.70
Whole Grain—Oats, 24 oz.....	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.64
Whole Wheat Pasta.....	\$2.17
Yogurt Nonfat.....	\$3.40
Yogurt Lowfat.....	\$3.40
Yogurt Wholefat.....	\$3.50
Boost RTF Formula—8 oz.....	\$1.89
EnfaCare RTF Formula—32 oz.....	\$7.74
EnfaCare w/Iron Powder Formula—12.8 oz.....	\$18.81
Nutramigen Concentrate Formula—13 oz.....	\$7.69
Nutramigen RTF Formula—32 oz.....	\$10.59
Nutramigen w/Enflora Powder Formula—12.6 oz.....	\$26.55

Maximum Allowable Price

<i>Description</i>	<i>Maximum Allowable Price</i>
Pediasure RTF Formula—8 oz.....	\$2.30
Pediasure w/Fiber RTF Formula—8 oz.....	\$2.40
Pediasure Sidekicks RTF Formula—8 oz.....	\$2.16
Similac Advance Concentrate Formula—Blue—13 oz.....	\$5.65
Similac Advance RTF Formula—Blue—32 oz.....	\$7.85
Similac Advance Powder Formula—Blue—12.4 oz.....	\$17.27
Similac Expert Care Alimentum RTF Formula—32 oz.....	\$10.69
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.....	\$29.19
Similac Expert Care for Diarrhea RTF Formula—32 oz.....	\$8.29
Similac Expert Care NeoSure RTF Formula—32 oz.....	\$9.24
Similac Expert Care NeoSure Powder Formula—13.1 oz.....	\$18.69
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.....	\$23.29
Similac for Spit Up RTF Formula—Green—32 oz.....	\$8.29
Similac for Spit Up Powder Formula—Green—12.0 oz.....	\$17.89
Similac Sensitive RTF Formula—Orange—32 oz..	\$8.19
Similac Sensitive Powder Formula—Orange—12.0 oz.....	\$16.99
Similac Soy Isomil Concentrate Formula—Pink—13 oz.....	\$5.79
Similac Soy Isomil RTF Formula—Pink—32 oz..	\$8.49
Similac Soy Isomil Powder Formula—Pink—12.4 oz.....	\$17.19
Similac Total Comfort Powder Formula—Purple—12.0 oz.....	\$17.29

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2018, through December 31, 2018, the Competitive Prices for WIC authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.....	\$1.39
Beans/Peas—Dry—16 oz.....	\$2.12
Canned Fish—Pink Salmon.....	\$2.29
Canned Fish—Sardines.....	\$1.54
Canned Fish—Tuna.....	\$1.30
Cereal (per oz.).....	\$0.34
Cheese, 16 oz.....	\$6.88
Eggs.....	\$2.99
Infant Cereal—8 oz.....	\$2.55
Infant Fruits, 100%—4 oz.....	\$1.02
Infant Vegetables, 100%—4 oz.....	\$1.02
Infant Meats, 100%—2.5 oz.....	\$1.25
Juice—11.5/12 oz.....	\$2.77
Juice—48 oz.....	\$3.59

Description	Competitive Prices
Juice—64 oz.	\$4.20
Kosher Cheese—16 oz.	\$8.30
Kosher Lowfat Milk—1/2 gallon	\$3.29
Kosher Whole Milk—1/2 gallon	\$3.35
Milk, Lowfat—1/2 gallon	\$2.49
Milk, Whole—1/2 gallon	\$2.52
Peanut Butter—16—18 oz.	\$3.40
Whole Grain—Bread, 16 oz.	\$3.45
Whole Grain—Brown Rice, 16 oz.	\$2.05
Whole Grain—Oats, 16 oz.	\$2.65
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.58
Whole Wheat Pasta	\$2.10
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.55
Similac Advance Powder Formula—Blue— 12.4 oz.	\$17.27
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.79
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$17.19

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2018, through December 31, 2018, the Maximum Allowable Prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

Description	Maximum Allowable Price
Beans, Canned—15.5/16 oz.	\$1.38
Beans/Peas—Dry—16 oz.	\$2.20
Canned Fish—Pink Salmon.	\$2.27
Canned Fish—Sardines	\$1.60
Canned Fish—Tuna	\$1.35
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.45
Eggs	\$2.45
Infant Cereal—8 oz.	\$2.62
Infant Fruits, 100%—4 oz.	\$1.09
Infant Vegetables, 100%—4 oz.	\$1.09
Infant Meats, 100%—2.5 oz.	\$1.20
Juice—11.5/12 oz.	\$2.85
Juice—48 oz.	\$3.54
Juice—64 oz.	\$4.25
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.43
Milk, Dry—25.6 oz.	\$9.65
Milk, Evaporated—12 oz.	\$1.59
Milk, Lowfat and 2%—quart	\$1.40
Milk, Lowfat and 2%—1/2 gallon	\$2.32
Milk, Lowfat and 2% Lactose Free—quart	\$2.52
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$4.19
Milk, Whole—quart	\$1.52
Milk, Whole—1/2 gallon	\$2.49

Description	Maximum Allowable Price
Milk, Whole Lactose Free—quart	\$2.75
Milk, Whole Lactose Free—1/2 gallon	\$4.29
Peanut Butter—16—18 oz.	\$3.40
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.35
Soy Beverage—8th Continent 64 oz.	\$3.95
Tofu—16 oz.	\$2.61
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Bread, 24 oz.	\$3.99
Whole Grain—Brown Rice, 16 oz.	\$1.95
Whole Grain—Brown Rice, 24 oz.	\$3.39
Whole Grain—Oats, 16 oz.	\$2.52
Whole Grain—Oats, 24 oz.	\$5.49
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.59
Whole Wheat Pasta	\$1.47
Yogurt Nonfat	\$3.35
Yogurt Lowfat	\$3.35
Yogurt Wholefat	\$3.45
Boost RTF Formula—8 oz.	\$1.85
EnfaCare RTF Formula—32 oz.	\$7.40
EnfaCare w/Iron Powder Formula—12.8 oz.	\$18.24
Nutramigen Concentrate Formula—13 oz.	\$7.63
Nutramigen RTF Formula—32 oz.	\$10.45
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$26.60
Pediasure RTF Formula—8 oz.	\$2.04
Pediasure w/Fiber RTF Formula—8 oz.	\$2.15
Pediasure Sidekicks RTF Formula—8 oz.	\$1.99
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.50
Similac Advance RTF Formula—Blue—32 oz.	\$7.69
Similac Advance Powder Formula—Blue— 12.4 oz.	\$16.69
Similac Expert Care Alimentum RTF Formula— 32 oz.	\$10.49
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$28.79
Similac Expert Care for Diarrhea RTF Formula— 32 oz.	\$8.09
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$9.09
Similac Expert Care NeoSure Powder Formula— 13.1 oz.	\$18.59
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$23.17
Similac for Spit Up RTF Formula—Green— 32 oz.	\$8.09
Similac for Spit Up Powder Formula—Green— 12.0 oz.	\$17.69
Similac Sensitive RTF Formula—Orange—32 oz. ..	\$7.79
Similac Sensitive Powder Formula—Orange— 12.0 oz.	\$16.89
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.61
Similac Soy Isomil RTF Formula—Pink—32 oz. ...	\$8.29
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$17.05
Similac Total Comfort Powder Formula—Purple— 12.0 oz.	\$17.09

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2018, through December 31, 2018, the Competitive Prices for WIC authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.....	\$1.30
Beans/Peas—Dry—16 oz.....	\$2.10
Canned Fish—Pink Salmon.....	\$2.25
Canned Fish—Sardines.....	\$1.48
Canned Fish—Tuna.....	\$1.30
Cereal (per oz.).....	\$0.32
Cheese, 16 oz.....	\$6.91
Eggs.....	\$2.39
Infant Cereal—8 oz.....	\$2.49
Infant Fruits, 100%—4 oz.....	\$0.98
Infant Vegetables, 100%—4 oz.....	\$0.98
Infant Meats, 100%—2.5 oz.....	\$1.19
Juice—11.5/12 oz.....	\$2.65
Juice—48 oz.....	\$3.36
Juice—64 oz.....	\$3.86
Kosher Cheese—16 oz.....	\$7.89
Kosher Lowfat Milk—1/2 gallon.....	\$3.19
Kosher Whole Milk—1/2 gallon.....	\$3.25
Milk, Lowfat—1/2 gallon.....	\$2.29
Milk, Whole—1/2 gallon.....	\$2.35
Peanut Butter—16—18 oz.....	\$3.29
Whole Grain—Bread, 16 oz.....	\$3.39
Whole Grain—Brown Rice, 16 oz.....	\$1.79
Whole Grain—Oats, 16 oz.....	\$2.45
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.50
Whole Wheat Pasta.....	\$1.40
Similac Advance Concentrate Formula—Blue— 13 oz.....	\$5.50
Similac Advance Powder Formula—Blue— 12.4 oz.....	\$16.69
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.....	\$5.61
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.....	\$17.05

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2018, through December 31, 2018, the Maximum Allowable Prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.....	\$1.45
Beans/Peas—Dry—16 oz.....	\$2.30
Canned Fish—Pink Salmon.....	\$2.30
Canned Fish—Sardines.....	\$1.72
Canned Fish—Tuna.....	\$1.40
Cereal (per oz.).....	\$0.36

Maximum Allowable Price

<i>Description</i>	<i>Maximum Allowable Price</i>
Cheese, 16 oz.....	\$7.55
Eggs.....	\$2.65
Infant Cereal—8 oz.....	\$2.76
Infant Fruits, 100%—4 oz.....	\$1.11
Infant Vegetables, 100%—4 oz.....	\$1.11
Infant Meats, 100%—2.5 oz.....	\$1.27
Juice—11.5/12 oz.....	\$2.96
Juice—48 oz.....	\$3.73
Juice—64 oz.....	\$4.54
Kosher Cheese—16 oz.....	\$8.40
Kosher Lowfat and 2% Milk—quart.....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon.....	\$3.27
Kosher Whole Milk—quart.....	\$1.80
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Dry—9.6 oz.....	\$4.50
Milk, Dry—25.6 oz.....	\$9.75
Milk, Evaporated—12 oz.....	\$1.65
Milk, Lowfat and 2%—quart.....	\$1.44
Milk, Lowfat and 2%—1/2 gallon.....	\$2.42
Milk, Lowfat and 2% Lactose Free—quart.....	\$2.60
Milk, Lowfat and 2% Lactose Free—1/2 gallon.....	\$4.35
Milk, Whole—quart.....	\$1.57
Milk, Whole—1/2 gallon.....	\$2.59
Milk, Whole Lactose Free—quart.....	\$2.80
Milk, Whole Lactose Free—1/2 gallon.....	\$4.45
Peanut Butter—16—18 oz.....	\$3.56
Soy Beverage—Pacific Natural Foods 32 oz.....	\$3.40
Soy Beverage—8th Continent 64 oz.....	\$4.15
Tofu—16 oz.....	\$2.68
Whole Grain—Bread, 16 oz.....	\$3.59
Whole Grain—Bread, 24 oz.....	\$4.05
Whole Grain—Brown Rice, 16 oz.....	\$1.99
Whole Grain—Brown Rice, 24 oz.....	\$3.69
Whole Grain—Oats, 16 oz.....	\$2.88
Whole Grain—Oats, 24 oz.....	\$5.99
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.64
Whole Wheat Pasta.....	\$1.74
Yogurt Nonfat.....	\$3.40
Yogurt Lowfat.....	\$3.40
Yogurt Wholefat.....	\$3.50
Boost RTF Formula—8 oz.....	\$1.91
EnfaCare RTF Formula—32 oz.....	\$7.74
EnfaCare w/Iron Powder Formula—12.8 oz.....	\$18.38
Nutramigen Concentrate Formula—13 oz.....	\$7.69
Nutramigen RTF Formula—32 oz.....	\$10.55
Nutramigen w/Enflora Powder Formula— 12.6 oz.....	\$27.00
Pediasure RTF Formula—8 oz.....	\$2.06
Pediasure w/Fiber RTF Formula—8 oz.....	\$2.19
Pediasure Sidekicks RTF Formula—8 oz.....	\$2.07
Similac Advance Concentrate Formula—Blue— 13 oz.....	\$5.75
Similac Advance RTF Formula—Blue—32 oz.....	\$7.79
Similac Advance Powder Formula—Blue— 12.4 oz.....	\$16.79
Similac Expert Care Alimentum RTF Formula— 32 oz.....	\$10.59
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.....	\$29.29
Similac Expert Care for Diarrhea RTF Formula— 32 oz.....	\$8.49
Similac Expert Care NeoSure RTF Formula— 32 oz.....	\$9.14
Similac Expert Care NeoSure Powder Formula— 13.1 oz.....	\$18.69

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.....	\$23.40
Similac for Spit Up RTF Formula—Green—32 oz.	\$8.19
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$17.89
Similac Sensitive RTF Formula—Orange—32 oz..	\$7.89
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$16.99
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.79
Similac Soy Isomil RTF Formula—Pink—32 oz. . .	\$8.39
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$17.20
Similac Total Comfort Powder Formula—Purple—12.0 oz.	\$17.29

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2018, through December 31, 2018, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.....	\$1.33
Beans/Peas—Dry—16 oz.	\$2.13
Canned Fish—Pink Salmon.....	\$2.29
Canned Fish—Sardines	\$1.62
Canned Fish—Tuna	\$1.32
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.00
Eggs	\$2.49
Infant Cereal—8 oz.....	\$2.62
Infant Fruits, 100%—4 oz.....	\$1.00
Infant Vegetables, 100%—4 oz.....	\$1.00
Infant Meats, 100%—2.5 oz.	\$1.25
Juice—11.5/12 oz.	\$2.80
Juice—48 oz.	\$3.46
Juice—64 oz.	\$4.10
Kosher Cheese—16 oz.	\$8.00
Kosher Lowfat Milk—1/2 gallon.....	\$3.25
Kosher Whole Milk—1/2 gallon	\$3.35
Milk, Lowfat—1/2 gallon	\$2.35
Milk, Whole—1/2 gallon	\$2.39
Peanut Butter—16—18 oz.	\$3.39
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Brown Rice, 16 oz.	\$1.90
Whole Grain—Oats, 16 oz.....	\$2.65
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.55
Whole Wheat Pasta	\$1.70
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.75
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.79

<i>Description</i>	<i>Competitive Prices</i>
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.79
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$17.20

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2018, through December 31, 2018, the Maximum Allowable Prices the Department will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.....	\$1.54
Beans/Peas—Dry—16 oz.	\$2.40
Canned Fish—Pink Salmon.....	\$2.49
Canned Fish—Sardines	\$1.75
Canned Fish—Tuna	\$1.50
Cereal (per oz.)	\$0.37
Cheese, 16 oz.	\$7.70
Eggs	\$3.15
Infant Cereal—8 oz.....	\$3.10
Infant Fruits, 100%—4 oz.....	\$1.28
Infant Vegetables, 100%—4 oz.....	\$1.28
Infant Meats, 100%—2.5 oz.	\$1.37
Juice—11.5/12 oz.	\$3.03
Juice—48 oz.	\$3.86
Juice—64 oz.	\$4.63
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart	\$1.87
Kosher Lowfat and 2% Milk—1/2 gallon	\$3.37
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.40
Milk, Dry—9.6 oz.	\$4.60
Milk, Dry—25.6 oz.	\$9.85
Milk, Evaporated—12 oz.	\$1.72
Milk, Lowfat and 2%—quart	\$1.59
Milk, Lowfat and 2%—1/2 gallon	\$2.72
Milk, Lowfat and 2% Lactose Free—quart	\$2.63
Milk, Lowfat and 2% Lactose Free—1/2 gallon ..	\$4.45
Milk, Whole—quart	\$1.74
Milk, Whole—1/2 gallon	\$2.79
Milk, Whole Lactose Free—quart	\$2.89
Milk, Whole Lactose Free—1/2 gallon	\$4.55
Peanut Butter—16—18 oz.	\$3.68
Soy Beverage—Pacific Natural Foods 32 oz.....	\$3.50
Soy Beverage—8th Continent 64 oz.....	\$4.30
Tofu—16 oz.	\$2.75
Whole Grain—Bread, 16 oz.	\$3.65
Whole Grain—Bread, 24 oz.	\$4.10
Whole Grain—Brown Rice, 16 oz.	\$2.45
Whole Grain—Brown Rice, 24 oz.	\$3.79
Whole Grain—Oats, 16 oz.....	\$3.00
Whole Grain—Oats, 24 oz.....	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.70
Whole Wheat Pasta	\$2.77
Yogurt Nonfat	\$3.45
Yogurt Lowfat	\$3.45

<i>Description</i>	<i>Maximum Allowable Price</i>
Yogurt Wholefat	\$3.55
Boost RTF Formula—8 oz.	\$2.04
EnfaCare RTF Formula—32 oz.	\$8.04
EnfaCare w/Iron Powder Formula—12.8 oz.	\$19.01
Nutramigen Concentrate Formula—13 oz.	\$8.19
Nutramigen RTF Formula—32 oz.	\$10.65
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$27.30
Pediasure RTF Formula—8 oz.	\$2.35
Pediasure w/Fiber RTF Formula—8 oz.	\$2.45
Pediasure Sidekicks RTF Formula—8 oz.	\$2.45
Similac Advance Concentrate Formula—Blue—13 oz.	\$6.08
Similac Advance RTF Formula—Blue—32 oz.	\$7.99
Similac Advance Powder Formula—Blue—12.4 oz.	\$18.29
Similac Expert Care Alimentum RTF Formula—32 oz.	\$10.79
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$30.19
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$8.79
Similac Expert Care NeoSure RTF Formula—32 oz.	\$9.34
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.79
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$23.45
Similac for Spit Up RTF Formula—Green—32 oz.	\$8.59
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$18.89
Similac Sensitive RTF Formula—Orange—32 oz.	\$8.29
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$17.99
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$6.25
Similac Soy Isomil RTF Formula—Pink—32 oz.	\$8.54
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$18.19
Similac Total Comfort Powder Formula—Purple—12.0 oz.	\$17.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2018, through December 31, 2018, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.50
Beans/Peas—Dry—16 oz.	\$2.15
Canned Fish—Pink Salmon.	\$2.48
Canned Fish—Sardines	\$1.68
Canned Fish—Tuna	\$1.48
Cereal (per oz.)	\$0.35

<i>Description</i>	<i>Competitive Prices</i>
Cheese, 16 oz.	\$7.20
Eggs	\$3.09
Infant Cereal—8 oz.	\$2.96
Infant Fruits, 100%—4 oz.	\$1.15
Infant Vegetables, 100%—4 oz.	\$1.15
Infant Meats, 100%—2.5 oz.	\$1.35
Juice—11.5/12 oz.	\$2.90
Juice—48 oz.	\$3.67
Juice—64 oz.	\$4.40
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat Milk—1/2 gallon	\$3.35
Kosher Whole Milk—1/2 gallon	\$3.39
Milk, Lowfat—1/2 gallon	\$2.58
Milk, Whole—1/2 gallon	\$2.70
Peanut Butter—16—18 oz.	\$3.59
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Brown Rice, 16 oz.	\$2.40
Whole Grain—Oats, 16 oz.	\$2.99
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.60
Whole Wheat Pasta	\$2.70
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.98
Similac Advance Powder Formula—Blue—12.4 oz.	\$18.29
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$6.25
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$18.19

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille) should contact Perce Morgan, Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-1537. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Lucky 13 Fast Play Game 5041

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Lucky 13 (hereinafter "Lucky 13"). The game number is PA-5041.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *PLAY GRID*: The play symbols found in the play area that, when paired as instructed on the game ticket, determine whether a player wins a prize.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *PRIZE*: A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *PRIZE LEGEND*: The area on the ticket that shows a player the corresponding prize that can be won by matching different winning scenarios.

(l) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Lucky 13 ticket is \$5.

4. *Description of the Lucky 13 lottery game*:

(a) The Lucky 13 lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Lucky 13 tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Lucky 13 is played by finding like play symbols in the "PLAY GRID" area. A player wins a prize indicated in the "PRIZE LEGEND" by finding five like play symbols in the "PLAY GRID" area. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A Lucky 13 game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Lucky 13 game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the

self-service terminal a dollar amount equal to the total purchase price of a Lucky 13 game ticket and select the Lucky 13 option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Lucky 13 ticket characteristics*:

(a) A Lucky 13 ticket shall contain a play area, the cost of the play, the date the ticket was printed, and a bar code.

(b) *Play Symbols*: Each Lucky 13 ticket play area will contain a "PLAY GRID." The play symbols located in the "PLAY GRID" are: Ghost (GHOST) symbol, Moon (MOON) symbol, Cat (CAT) symbol, Bat (BAT) symbol, Pumpkin (PUMPKIN) symbol, Cauldron (CAULDRN) symbol, Spider (SPIDER) symbol, Spooky Eyes (SPKYEYES) symbol, and a 13 (THRTN) symbol.

(c) *Prizes*: The prizes, located in the "PRIZE LEGEND," that can be won in this game are: \$5, \$10, \$13, \$20, \$50, \$100, \$200, \$1,000 and \$13,000. A player can win up to three times on a ticket.

(d) *Approximate Number of Tickets Available for the Game*: Approximately 1,200,000 tickets will be available for sale for the Lucky 13 lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Spooktacular Second-Chance Drawing for which non-winning Lucky 13 Fast Play lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) Each of the Lucky 13 prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which a player finds five 13 (THRTN) symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$13,000.

(c) Holders of tickets upon which a player finds five Spooky Eyes (SPKYEYES) symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a player finds five Spider (SPIDER) symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which a player finds five Cauldron (CAULDRN) symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which a player finds five Pumpkin (PUMPKIN) symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which a player finds five Bat (BAT) symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which a player finds five Cat (CAT) symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$13.

(i) Holders of tickets upon which a player finds five Moon (MOON) symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which a player finds five Ghost (GHOST) symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Chances of Winning*: The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When You Find Five (5) Like Symbols In The PLAY GRID, Win Corresponding PRIZE Shown In The PRIZE LEGEND. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets</i>
5—GHOST SYMBOLS	\$5	8	150,000
5—MOON SYMBOLS	\$10	34.48	34,800
5—CAT SYMBOLS	\$13	18.18	66,000
(5—MOON SYMBOLS) + (5—GHOST SYMBOLS)	\$15	111.11	10,800
5—BAT SYMBOLS	\$20	40.82	29,400
(5—BAT SYMBOLS) + (5—MOON SYMBOLS) + (5—GHOST SYMBOLS)	\$35	500	2,400
5—PUMPKIN SYMBOLS	\$50	166.67	7,200
(5—PUMPKIN SYMBOLS) + (5—MOON SYMBOLS) + (5—GHOST SYMBOLS)	\$65	6,000	200
5—CAULDRON SYMBOLS	\$100	800	1,500
(5—CAULDRON SYMBOLS) + (5—BAT SYMBOLS) + (5—MOON SYMBOLS)	\$130	266.67	4,500
5—SPIDER SYMBOLS	\$200	12,000	100
(5—SPIDER SYMBOLS) + (5—CAULDRON SYMBOLS)	\$300	4,800	250
5—SPOOKY EYES SYMBOLS	\$1,000	12,000	100
5—13 SYMBOLS	\$13,000	120,000	10

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Lottery's Spooktacular Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5041 Lucky 13 (\$5) and PA-5042 Screamin' 7s (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Spooktacular Second-Chance Drawing for qualifying Fast Play lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 1, 2018, through 11:59:59 p.m. November 1, 2018, will be entered into the Drawing to be held between November 2, 2018 and November 12, 2018.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by three (hereafter the "Entry Tripler Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Tripler Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5041 Lucky 13 (\$5) = 5 entries; PA-5042 Screamin' 7s (\$1) = 1 entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Tripler Prizes and the approximate odds of winning an Entry Tripler Prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Entry Tripler Winners</i>	<i>Approximate Odds Are 1 in:</i>
Lucky 13	298,947	3
Screamin' 7s	452,870	2

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c).

(i) The first and second entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$13,000, less required income tax withholding.

(ii) The third through the sixteenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$1,000.

(iii) The seventeenth through the thirty-sixth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$500.

(4) All prizes will be paid as lump-sum cash payments.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC USA, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or

impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

10. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the winning Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the winning Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent

residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Lucky 13 lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Lucky 13 lottery game tickets.

19. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Lucky 13 or through normal communications methods.

21. *Applicability:* This notice applies only to the Lucky 13 lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-1538. Filed for public inspection September 21, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Screamin' 7s Fast Play Game 5042

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Screamin' 7s (hereinafter "Screamin' 7s"). The game number is PA-5042.

2. *Definitions*:

(a) *Authorized Retailer* or *Retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *GAME*: A specific, pre-defined area of a game ticket located in the play area that contains play symbols and prize symbols that, when played according to the instructions, determine whether a player wins a prize. Each GAME is played separately, but winning combinations in more than one GAME can be combined to win larger prizes as described in section 7 (relating to prizes available to be won and determination of prize winners).

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *PRIZE*: A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Screamin' 7s ticket is \$1.

4. *Description of the Screamin' 7s lottery game*:

(a) The Screamin' 7s lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Screamin' 7s tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an autho-

rized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Screamin' 7s is played by adding the numbers in each "GAME" area. When the two numbers in a "GAME" area add up to 7, the player wins the "prize" shown under that "GAME." Each "GAME" is played separately, but when all six "GAMES" add up to 31, the player wins the "Screamin' Bonus" instantly.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Screamin' 7s game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Screamin' 7s game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Screamin' 7s game ticket and selecting the Screamin' 7s option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania Screamin' 7s ticket characteristics*:

(a) A Screamin' 7s ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of six "GAME" areas, and each "GAME" is played separately.

(b) *Play Symbols*: Each Screamin' 7s ticket play area will contain six "GAME" areas. The play symbols located in the ten "GAME" areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE) and 6 (SIX).

(c) *Prize Symbols*: The prize symbols and their captions located under the "GAME" areas are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$7⁰⁰ (SVN DOL), \$10⁰⁰ (TEN DOL), \$14⁰⁰ (FORTN), \$21⁰⁰ (TWY ONE), \$50⁰⁰ (FIFTY), \$70⁰⁰ (SEVENTY), \$100 (ONE HUN) and \$700 (SVN HUN).

(d) *Prizes*: The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$4, \$5, \$7, \$10, \$14, \$21, \$50, \$70, \$100 and \$700.

(e) A player can win up to 6 times on a ticket.

(f) *Approximate Number of Tickets Available for the Game*: Approximately 1,200,000 tickets will be available for sale for the Screamin' 7s lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Spooktacular Second-Chance Drawing for which non-winning Screamin' 7s Fast Play lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All Screamin' 7s prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which the two numbers in any "GAME" add up to 7, and a prize symbol of \$700 (SVN HUN) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$700.

(c) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$70 (SEVENTY) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$70.

(e) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$50 (FIFTY) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which the numbers in all six "GAMES" add up to 31, on a single ticket, shall be entitled to the Screamin' Bonus prize of \$31 instantly.

(g) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$21 (TWY ONE) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$21.

(h) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$14⁰⁰ (FORTN) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$14.

(i) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$7⁰⁰ (SVN DOL) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$7.

(k) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$3⁰⁰ (THR DOL) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(n) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of \$1.

(p) Holders of tickets upon which the two numbers in a "GAME" add up to 7, and a prize symbol of FREE (TICKET) appears in the "prize" area under that "GAME," on a single ticket, shall be entitled to a prize of one Screamin' 7s fast play game ticket or one Pennsylvania Lottery fast play game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When The two Numbers In A GAME Add Up To 7, Win PRIZE Shown Under That GAME. Win With:</i>	<i>Screamin' Bonus</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets</i>
FREE		FREE \$1 TICKET	10	120,000
\$1		\$1	16.95	70,800
\$1 × 2		\$2	43.48	27,600
\$2		\$2	43.48	27,600
\$1 × 3		\$3	5,000	240
\$2 + \$1		\$3	5,000	240
\$3		\$3	10,000	120
\$2 × 2		\$4	5,000	240
(\$1 × 2) + \$2		\$4	5,000	240
\$3 + \$1		\$4	5,000	240
\$4		\$4	5,000	240
(\$1 × 3) + \$2		\$5	333.33	3,600
(\$2 × 2) + \$1		\$5	500	2,400
\$3 + \$2		\$5	500	2,400
\$5		\$5	333.33	3,600
(\$1 × 5) + \$2		\$7	250	4,800
(\$2 × 3) + \$1		\$7	200	6,000
\$5 + \$2		\$7	222.22	5,400

<i>When The two Numbers In A GAME Add Up To 7, Win PRIZE Shown Under That GAME. Win With:</i>	<i>Screamin' Bonus</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets</i>
\$7		\$7	200	6,000
\$5 × 2		\$10	1,000	1,200
(\$2 × 4) + (\$1 × 2)		\$10	1,000	1,200
\$5 + \$3 + \$2		\$10	1,000	1,200
\$10		\$10	1,000	1,200
\$7 × 2		\$14	2,000	600
(\$3 × 4) + \$2		\$14	833.33	1,440
(\$5 × 2) + (\$1 × 4)		\$14	1,000	1,200
\$14		\$14	2,000	600
\$7 × 3		\$21	120,000	10
(\$5 × 3) + (\$2 × 3)		\$21	120,000	10
\$14 + \$7		\$21	120,000	10
\$21		\$21	120,000	10
	\$31	\$31	342.86	3,500
(\$21 × 3) + \$7		\$70	120,000	10
\$21 + \$14 + \$4	\$31	\$70	4,800	250
\$70		\$70	120,000	10
\$50 × 2		\$100	120,000	10
(\$21 × 4) + \$14 + \$2		\$100	120,000	10
\$100		\$100	120,000	10
\$700		\$700	60,000	20

Each GAME is played separately.

SCREAMIN' BONUS: When the numbers in all six GAMES add up to 31, win \$31 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Lottery's Spooktacular Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5041 Lucky 13 (\$5) and PA-5042 Screamin' 7s (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Spooktacular Second-Chance Drawing for qualifying Fast Play lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 1, 2018, through 11:59:59 p.m. November 1, 2018, will be entered into the Drawing to be held between November 2, 2018 and November 12, 2018.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by three (hereafter the "Entry Tripler Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether

an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Tripler Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5041 Lucky 13 (\$5) = 5 entries; PA-5042 Screamin' 7s (\$1) = 1 entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Tripler Prizes and the approximate odds of winning an Entry Tripler Prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Entry Tripler Winners</i>	<i>Approximate Odds Are 1 in:</i>
Lucky 13	298,947	3
Screamin' 7s	452,870	2

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c).

(i) The first and second entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$13,000, less required income tax withholding.

(ii) The third through the sixteenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$1,000.

(iii) The seventeenth through the thirty-sixth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$500.

(4) All prizes will be paid as lump-sum cash payments.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC USA, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

10. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

11. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the

payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and will be used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Screamin' 7s lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Screamin' 7s lottery game tickets.

19. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after

the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Screamin' 7s or through normal communications methods.

21. *Applicability:* This notice applies only to the Screamin' 7s lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-1539. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Retail Incentive Program and Related Retailer Incentive Programs for Fiscal Year 2018-2019; Amended Notice

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), and under Title 4, Amusements, (4 Pa.C.S. §§ 501—505) the Secretary of Revenue hereby provides public notice of changes to the Retail Incentive Program and related Retailer Incentive Programs that were published at 48 Pa.B. 3914 (June 30, 2018).

The Pennsylvania Lottery intends to clarify the definition of Retailer in Good Standing as set forth in section 3 (relating to definitions) of the notice. The Lottery also intends to clarify how the sales baseline is established as described in section 9 (relating to sales growth incentive program) to account for those Retailers who were not open or were not otherwise able to sell Lottery tickets. Finally, the Lottery intends to clarify that not all Quarterly Bonus Programs will enable Retailers to earn a bonus commission and may result in rewards other than a commission. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 48 Pa.B. 3914—3918:

* * * * *

3. *Definitions:*

* * * * *

(e) *Retailer in Good Standing:* To be a Retailer in Good Standing, the Retailer must meet all of the following requirements:

* * * * *

(3) Must have had fifty-two (52) consecutive settlement weeks prior to the determination of eligibility as described in section 7, below.

(4) The reference to fifty-two (52) consecutive settlement weeks herein does not require the Retailer to have had actual sales for 52 consecutive weeks.

* * * * *

4. *Related Retailer Incentive Programs:* The Retail Incentive Program will run concurrently with and in con-

junction with the related Retailer Incentive Programs, specifically, the Bonus Sales Growth Incentive Program and the Quarterly Bonus Retailer Incentive Programs. A description of the Bonus Sales Growth Incentive Program and the Quarterly Bonus Retailer Incentive Programs can be found in section 13, below. Participation in the Bonus Sales Growth Incentive Program is governed by the rules contained herein.

* * * * *

8. *How to Enroll:*

* * * * *

(e) There is no requirement to opt-in to the Quarterly Bonus Retailer Incentive Program, as described in section 13(b) herein.

9. *Sales Growth Incentive Program:* As part of the Retail Incentive Program, Retailers may qualify for a Sales Growth Incentive, in addition to the Standard Retailer Commission, by meeting the requirements of this section.

* * * * *

(f) Sales baseline figures may account for periods in which the Retailer did not have Lottery sales but met the definition of Retailer in Good Standing.

* * * * *

13. *Retailer Incentive Programs.*

* * * * *

(b) *Quarterly Bonus Programs:*

(1) The Lottery will conduct quarterly programs that provide Retailers with an opportunity to earn a reward by conducting various Lottery product promotions.

* * * * *

(3) The rewards to Retailers issued through the quarterly promotions may include, but are not limited to, bonus commissions and entries into drawings.

* * * * *

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-1540. Filed for public inspection September 28, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following is available for sale by the Department.

Spring Township, Berks County. The parcel contains 3.13 acres (12,674.9 meters square) of unimproved land located on the southside of State Route 222. The estimated fair market value is \$11,400.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days

from the date of publication of this notice to the Department of Transportation, Engineering District 5-0, Attn: Right-of-Way, 1002 Hamilton Street, Allentown, PA 18101.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 18-1541. Filed for public inspection September 28, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, September 13, 2018, and announced the following:

Regulations Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective September 12, 2018

Department of Agriculture # 2-185: Vegetable Marketing and Research Program (amends 7 Pa. Code Chapter 104, Subchapter D)

Department of Transportation # 18-469: Hazardous Material Transportation (amends 67 Pa. Code, Chapter 403)

Action Taken—Regulations Approved:

Department of Labor and Industry # 12-107: Uniform Construction Code (amends 34 Pa. Code Chapters 401 and 403)

Department of Agriculture # 2-187: Weighmasters (amends 70 Pa. Code Chapter 9)

Approval Order

Public Meeting Held
September 13, 2018

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Department of Labor and Industry
Uniform Construction Code
Regulation No. 12-107 (# 3211)*

On August 10, 2018, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapters 401 and 403. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

This final-omitted rulemaking updates the Commonwealth's Uniform Construction Code as required by Act 36 of 2017.

We have determined this regulation is consistent with the statutory authority of the Department (§ 7210.304(a)(1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
September 13, 2018

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Department of Agriculture
Weighmasters
Regulation No. 2-187 (# 3179)*

On September 11, 2017, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking amends 70 Pa. Code Chapter 9. The proposed regulation was published in the September 23, 2017 *Pennsylvania Bulletin* with a 30-day public comment period ending on October 23, 2017. The final-form regulation was submitted to the Commission on July 25, 2018.

This regulation amends Title 70 Chapter 9 by deleting outdated language in two sections (relating to Weighmasters and Solid Fuel) which requires that a weighmaster's certificate be prepared in triplicate and display additional language distinguishing the original certificate from the two copies.

We have determined this regulation is consistent with the statutory authority of the Department (3 Pa.C.S. §§ 4101—4194) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1542. Filed for public inspection September 28, 2018, 9:00 a.m.]

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
11-257	Insurance Department Privacy of Consumer Financial Information 48 Pa.B. 4258 (July 21, 2018)	8/20/18	9/19/18

**Insurance Department Regulation # 11-257
(IRRC # 3207)**

**Privacy of Consumer Financial Information
September 19, 2018**

We submit for your consideration the following comments on the proposed rulemaking published in the July 21, 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 Insurance Department (Department) to respond to all comments received from us or any other source.

1. Section 146a.3. Examples and safe harbor.—Reasonableness; Implementation procedures.

This new section is proposed in accordance with recent changes to National Association of Insurance Commissioners (NAIC) Model Regulation # 672. Subsection (c) provides that licensees may not rely on the use of privacy notices containing the sample clauses in 16 CFR Part 313 Appendix A as a safe harbor for compliance with the privacy notice content requirements of Chapter 146a after July 1, 2019. A commentator from the health insurance industry believes this sunset provision will leave health insurers little choice but to use a Model Form that is

designed specifically for financial institutions. They contend this would cause confusion for its customers. We ask the Department to explain the rationale for the sunset provision of Subsection (c) in the Preamble to the final-form regulation. If the Department believes the sunset provision is needed, we ask that it consider alternative methods for compliance for the health insurance industry.

2. Section 164a.13. Information to be included in privacy notices.—Implementation procedures.

Subsection (f) identifies where sample clauses illustrating some of the notice content can be found. It is being amended to include language referencing the Federal model privacy form. A commentator has suggested that a reference to NAIC Model Regulation # 672 Appendix B also be included in this subsection because the instructions are more specific to the insurance industry. We ask the Department to consider the recommendation of the commentator because it could assist with compliance by the regulated community.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1543. Filed for public inspection September 28, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-549	Environmental Quality Board Electronic Submission of Air Quality General Plan Approval and General Operating Permit Applications	9/14/18	10/18/18

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
15-459	Department of Revenue Withholding of Tax	9/12/18	10/18/18
7-523	Environmental Quality Board Noncoal Mining Program Fees	9/14/18	10/18/18
7-530	Environmental Quality Board Administration of the Storage Tank and Spill Prevention Program	9/14/18	10/18/18

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1544. Filed for public inspection September 28, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Campbelltown Rehabilitation and Nursing, LLC

Campbelltown Rehabilitation and Nursing, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Kadima Senior Living Community at Palmyra, PA. The initial filing was received on September 18, 2018, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225)

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Karen M. Feather, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, kfeather@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1545. Filed for public inspection September 28, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Hamilton Relay Inc. Petition for Extension of Waiver of Equal Access and Billing Option Requirements for Telephone Relay Services; Doc. No. P-2017-2596198; Hamilton Telephone Co. Petition for Extension of Waiver of Equal Access and Billing Option Requirements for Captioned Telephone Voice-Carry-Over Relay Service; Doc. No. P-2017-2596108

On August 22, 2018, Hamilton Relay Inc., the certificated Pennsylvania Telephone Relay Service (TRS) provider and Hamilton Telephone Company, the contractual Captioned Telephone Relay Service provider, filed a Letter-Petition requesting extensions of the waivers granted by the Pennsylvania Public Utility Commission (Commission) on September 21, 2017. The waivers pertain to certain provisions of their service obligations relating to long distance calls.

On August 24, 2018, the Letter-Petition was served on the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, counsel for the TRS Board, the Pennsylvania Telephone Association, Frontier Communications and Verizon.

A copy of the Letter-Petition may be viewed and downloaded for free from the Commission's web site at http://www.puc.pa.gov/about_puc/search_results.aspx?advanced=true. Additionally, a copy of the Letter-Petition may be viewed and copied at the Commission's Office of

the Secretary, Commonwealth Keystone Building, 400 North Street, 2nd Floor File Room, Harrisburg, PA 17120.

Answers to the Letter-Petition are due no later than 10 days after this notice is published in the *Pennsylvania Bulletin*. Answers may be filed electronically or in hard copy.¹ Questions may be directed to Kayla Bonett, kbonett@pa.gov or Louise Fink Smith, Esq., finksmith@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1546. Filed for public inspection September 28, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pro Forma Consolidation and Abandonment of Competitive Access Services; Amended

A-2018-3004131, A-2018-3004133, A-2018-3004135, A-2018-3004136 and *A-2018-3004771. Crown Castle Fiber, LLC, Crown Castle NG East, LLC, *Fiber Technologies Networks, LLC, PA-CLEC, LLC, d/b/a Pennsylvania-CLEC, LLC and Sunesys, LLC. *Amended joint application of Crown Castle Fiber, LLC, Crown Castle NG East, LLC, *Fiber Technologies Networks, LLC, PA-CLEC, LLC, d/b/a Pennsylvania-CLEC, LLC and Sunesys, LLC, for approval of: 1) the pro forma consolidation of Crown Castle NG East, LLC, *Fiber Technologies Networks, LLC, PA-CLEC, LLC, d/b/a Pennsylvania-CLEC, LLC and Sunesys, LLC into Crown Castle Fiber, LLC; and 2) the abandonment of competitive access services by Crown Castle NG East, LLC, *Fiber Technologies Networks, LLC, PA-CLEC, LLC, d/b/a Pennsylvania-CLEC, LLC and Sunesys, LLC, 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 9, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the 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: Crown Castle Fiber, LLC; Crown Castle NG East, LLC; *Fiber Technologies Networks, LLC; PA-CLEC, LLC, d/b/a Pennsylvania-CLEC, LLC; Sunesys, LLC

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. 18-1547. Filed for public inspection September 28, 2018, 9:00 a.m.]

¹ To file documents electronically, one must have an eFiling user account, which can be created at any time by the individual account link (<https://www.puc.pa.gov/efiling/NewUser.aspx>) or the corporate account link (<https://www.puc.pa.gov/efiling/NewUser.aspx?AccountType=Corporate>). See the Efiling User Guide (http://www.puc.pa.gov/Documentation/EFiling_Guide.pdf). Paper documents are to be filed with the Secretary of the Commission, P.O. Box 3265, Harrisburg, PA 17105. See 52 Pa. Code § 1.1, et seq.

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 15, 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-2018-3003509. HEMA Trucking, LLC (321 South 60th Street, Philadelphia, PA 19143) in paratransit service, between points in the Counties of Bucks, Delaware, Montgomery and the City and County of Philadelphia.

A-2018-3003743. Mondial Mobile Motors, LLC (807 Serrill Avenue, Yeadon, Delaware County, PA 19050) in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2018-3004683. Best Ride Services, Inc. (8116 Old York Road, Elkins Park, Montgomery County, PA 19027) in paratransit service, between points in the Counties of Bucks and Montgomery, and the City and County of Philadelphia. *Attorney:* Harry Chung, 1818 Old Cuthbert Road, Cherry Hill, NJ 08034.

A-2018-3003733. Aigner Smith, t/a Urban Transit (5331 Webster Street, Philadelphia, Philadelphia County, PA 19143) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Bucks, Chester, Delaware and Montgomery, to points in Pennsylvania, and return.

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-2018-3004461. New Kensington Volunteer Fire Department Ambulance Corps (839 Anderson Street, New Kensington, Westmoreland County, PA 15068) in paratransit service, limited to persons who are not ambulatory or who otherwise require assistance from the operator of the vehicle to get from the passenger's place of residence or other point of origin to the vehicle, and who need assistance in getting from the vehicle to the doctor's

office or hospital, between points in the Cities of New Kensington and Arnold, Westmoreland County. *Attorney:* Raymond Sekula, Esquire, 1725 5th Avenue, Arnold, PA 15068.

Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2018-3004653. Pervaiz Khokhar (19 Cameron Court, Exton, Chester County, PA 19341) for the discontinuance of service of persons in limousine service, from points in the County of Chester, to points in Pennsylvania, and return; excluding service under the jurisdiction of the Philadelphia Parking Authority.

A-2018-3004701. Marlin W. Yoder (504 Oliver Court, Belleville, Mifflin County, PA 17004) for the discontinuance of service of persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Mifflin and from points in said county to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1548. Filed for public inspection September 28, 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 15, 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. Philadelphia Care, Inc., t/a Citizens Care, Inc.; Docket No. C-2018-2645032

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Philadelphia Care, Inc., t/a Citizens Care, Inc., Respondent, maintains a principal place of business at 1706 North 2nd Street, Philadelphia, PA 19122.

2. That Respondent was issued a certificate by this Commission on December 11, 2015, at Application Docket No. A-2014-2438829, authorizing transportation of persons in contract carrier service.

3. That Respondent's operating rights were suspended on January 5, 2018, for failure to maintain evidence of insurance on file with this Commission. Evidence of insurance was filed which indicated insurance coverage was effective January 26, 2018. Therefore, there was a lapse of insurance coverage from January 5, 2018 through January 25, 2018, inclusive.

4. That on March 2, 2018, PUC Enforcement Officer Gerald King met with Megan Cairns, manager, and requested log sheets for the time period from January 5, 2018 through January 26, 2018, inclusive. The logs revealed that Respondent permitted its vehicles to be operated ten days during the time period while under suspension.

5. That Respondent, by permitting its vehicles to be operated while under suspension, violated 52 Pa. Code § 32.2 and § 32.11 and 66 Pa.C.S. § 501(c), in that it failed to observe, obey and comply with a Commission regulation or order, and the terms and conditions thereof. The penalty for this violation is \$1,000 for each day Respondent operated during the suspension, with a total fine amount of \$10,000, and cancellation of the certificate of public convenience.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine the sum of ten thousand dollars (\$10,000) for the illegal activity described in this Complaint and cancellation of the certificate of public convenience at A-2014-2438829.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 7/5/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:
400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

E. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Brelyn Transportation, LLC; Docket No. C-2018-3003581

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 Brelyn Transportation, LLC, (respondent) is under suspension effective July 12, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 255 Cooper Avenue, Bldg 20, Apt 501, Johnstown, PA 15906.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 13, 2017, at A-6420253.

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-6420253 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 num-

ber 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. Tiger Trucking Ltd; Docket No. C-2018-3003801

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 Tiger Trucking Ltd, (respondent) is under suspension effective July 24, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 82 Little Bear Rd, Irvona, PA 16656.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 29, 2014, at A-00122624.

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-00122624 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any

hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/8/2018

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. ANJ
Transportation, LLC; Docket No. C-2018-3003840**

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 ANJ Transportation, LLC, (respondent) is under suspension effective July 27, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 640 South Ave, Apt I-8, Secane, PA 19018.

3. That respondent was issued a Certificate of Public Convenience by this Commission on July 27, 2017, at A-6419601.

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-6419601 for failure to maintain evidence of current insurance on file with the

Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/8/2018

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. Y & D's Deliveries, LLC; Docket No. C-2018-3003962

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 Y & D's Deliveries, LLC, (respondent) is under suspension effective August 02, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1871 Mark Twain Circle, Bethlehem, PA 18017-1536.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 06, 2016, at A-8918820.

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-8918820 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/15/2018

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. Keith Marilungo Trucking, Inc., t/a Keith Marilungo Trucking; Docket No. C-2018-3003996

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 Keith Marilungo Trucking, Inc., t/a Keith Marilungo Trucking, (respondent) is under suspension effective August 05, 2018 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1025 McClellandtown Road, McClellandtown, PA 15458.
3. That respondent was issued a Certificate of Public Convenience by this Commission on June 01, 2010, at A-8911735.
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-8911735 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
 David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any

hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/15/2018

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. Alverton Enterprises, LLC; Docket No. C-2018-3004094

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 Alverton Enterprises, LLC, (respondent) is under suspension effective August 07, 2018 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at P.O. Box 120, Alverton, PA 15612.
3. That respondent was issued a Certificate of Public Convenience by this Commission on July 01, 2015, at A-8913856.
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-8913856 for failure to maintain evidence of current insurance on file with the

Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/21/2018

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:

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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-PCCmpltResp@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.

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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. 18-1549. Filed for public inspection September 28, 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 15, 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-18-09-03. SN Taxi, LLC (341 Margate Road, 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-04. Ezana Taxi, LLC (2931 South 67th Street, Philadelphia, PA 19142): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-05. Bari Taxi, LLC (125 North Pennock Avenue, Upper Darby, PA 19082): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-06. Khawja Taxi, LLC (227 South Fairview Avenue, Upper Darby, PA 19082): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-07. Ethyo Taxi, LLC (6161 Webster Avenue, Philadelphia, PA 19143): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-08. Rafia Ahanaf Taxi, LLC (142 Powell Lane, Upper Darby, PA 19082): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-09. Keya Taxi, LLC (7245 Guyer Avenue, Philadelphia, PA 19135): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-10. K&R Taxi, LLC (7100 West Chester Pike, Apartment 416, Upper Darby, PA 19082): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-11. SD4 Taxi, LLC (7125 Kindred Street, Philadelphia, PA 19149): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-12. Brothers Taxi, LLC (1947 Devereaux Avenue, Philadelphia, PA 19149): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-13. Chowdhury Taxi, LLC (80 North 46th Street, Philadelphia, PA 19139): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-14. AKA Taxi, LLC (1316 Wells Street, 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-15. Abu & Sons Taxi, LLC (346 North 42nd Street, Philadelphia, PA 19104): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-09-16. Didar Taxi, LLC (3641 Berkley Road, Bensalem, PA 19020): 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. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 18-1550. Filed for public inspection September 28, 2018, 9:00 a.m.]

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 Editor (Name and complete mailing address)
 Duane Searle, Pennsylvania Bulletin
 641 Main Capitol Building, Harrisburg, PA 17120-0033
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 Corinne Marut, Pennsylvania Bulletin
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Legislative Reference Bureau	Legislative Reference Bureau
Room 641 Main Capitol Building	Room 641 Main Capitol Building
Harrisburg, PA 17120-0033	Harrisburg, PA 17120-0033

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Full Name	Complete Mailing Address

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 Has Not Changed During Preceding 12 Months
 Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

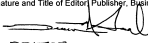
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16. Electronic Copy Circulation

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a. Paid Electronic Copies	0	0
b. Total Paid Print Copies (Line 15c) + Paid Electronic Copies (Line 16a)	804	608
c. Total Print Distribution (Line 15f) + Paid Electronic Copies (Line 16a)	804	608
d. Percent Paid (Both Print & Electronic Copies) (16b divided by 16c x 100)	100	100

I certify that 50% of all my distributed copies (electronic and print) are paid above a nominal price.

17. Publication of Statement of Ownership
 If the publication is a general publication, publication of this statement is required. Will be printed September 29, 2018 issue of this publication. Publication not required.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner
 Signature: 
 Title: EDITOR
 Date: 9/29/18

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

13. Publication Title
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14. Issue Date for Circulation Data Below
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	Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run)	904	708
b. Paid Circulation (By Mail and Outside the Mail)	804	608
(1) Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	804	608
(2) Mailed In-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	0	0
(3) Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®	0	0
(4) Paid Distribution by Other Classes of Mail Through the USPS (e.g., First-Class Mail®)	0	0
c. Total Paid Distribution (Sum of 15b (1), (2), (3), and (4))	804	608
d. Free or Nominal Rate Distribution (By Mail and Outside the Mail)	0	0
(1) Free or Nominal Rate Outside-County Copies Included on PS Form 3541	0	0
(2) Free or Nominal Rate In-County Copies Included on PS Form 3541	0	0
(3) Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g., First-Class Mail)	0	0
(4) Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)	0	0
e. Total Free or Nominal Rate Distribution (Sum of 15d (1), (2), (3) and (4))	0	0
f. Total Distribution (Sum of 15c and 15e)	804	608
g. Copies not Distributed (See Instructions to Publishers #4 (page #3))	100	100
h. Total (Sum of 15f and g)	904	708
i. Percent Paid (15c divided by 15f times 100)	100	100

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