

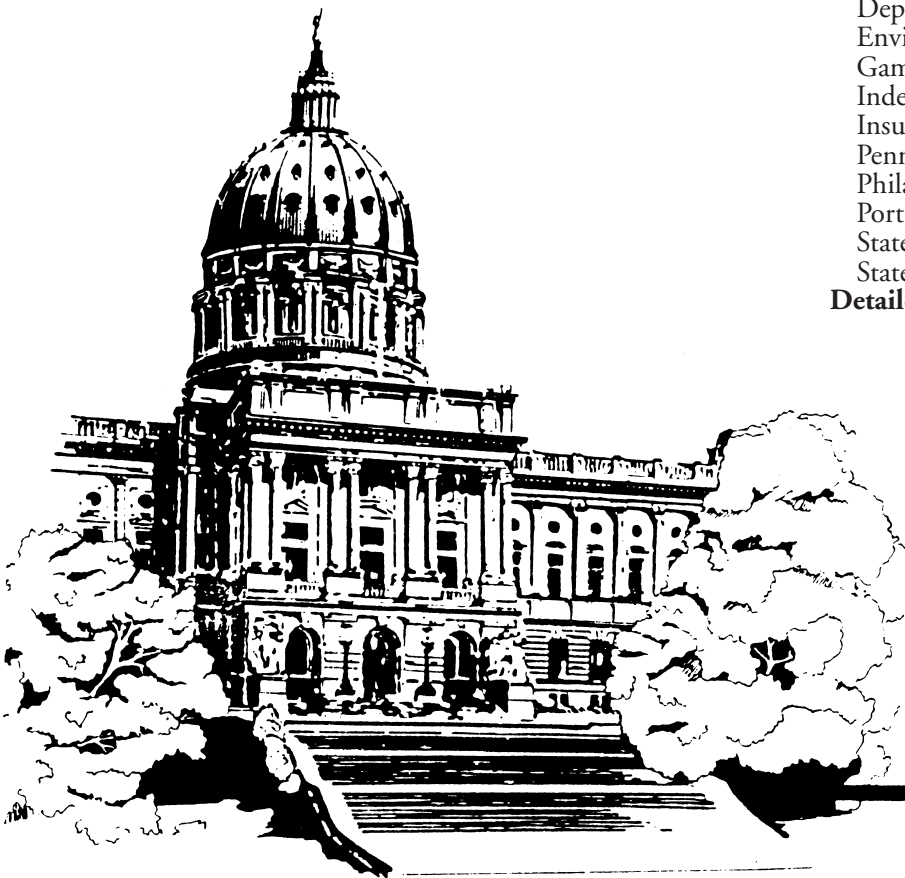
PENNSYLVANIA BULLETIN

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Agencies in this issue

The General Assembly
The Courts
Delaware River Basin Commission
Department of Banking and Securities
Department of Education
Department of Environmental Protection
Department of Labor and Industry
Department of Revenue
Department of Transportation
Environmental Quality Board
Game Commission
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Public Utility Commission
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Port of Pittsburgh Commission
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State Board of Nursing

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

No. 528, November 2018

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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

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THE GENERAL ASSEMBLY

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

COMMISSION ON SENTENCING PART VIII. CRIMINAL SENTENCING [204 PA. CODE CH. 305]

Proposed Sentence Risk Assessment Instrument

The Pennsylvania Commission on Sentencing (Commission) hereby publishes for public comment a proposed Sentence Risk Assessment Instrument, 204 Pa. Code §§ 305.1—305.9, for use by the sentencing court to help determine the appropriate sentence within the limits established by law. The proposed Sentence Risk Assessment Instrument, a modification of the revised version of the Instrument published on April 28, 2018, is set forth in Annex A.

Act 2010-95 mandates the Commission to “. . .adopt a Sentence Risk Assessment Instrument for the sentencing court to use to help determine the appropriate sentence within the limits established by law. . .The risk assessment instrument may be used as an aide in evaluating the relative risk that an offender will reoffend and be a threat to public safety.” (42 Pa.C.S. § 2154.7) In addition to considering the risk of re-offense and threat to public safety, Act 2010-95 also permits the risk assessment instrument to be used to determine whether a more thorough assessment is necessary, or as an aid in determining appropriate candidates for alternative sentencing (e.g., County Intermediate Punishment, State Intermediate Punishment, State Motivational Boot Camp, and Recidivism Risk Reduction Incentive).

The development of the Sentence Risk Assessment Instrument has involved several rounds of review by the Commission and public input via multiple public hearings. In March of 2015, the Commission initially requested comment on a preliminary Sentence Risk Assessment Instrument, including but not limited to the following: (1) the development of the risk assessment instrument and the factors being used; (2) the presentation of the risk assessment information; (3) the use of risk assessment to address re-offense and threat to public safety; (4) the use of risk assessment to determine whether a more thorough assessment is necessary; (5) the use of risk assessment as an aid in determining appropriate candidates for alternative sentencing; and (6) any other comments related to the development and implementation of a Sentence Risk Assessment Instrument. Subsequent versions of the Sentence Risk Assessment Instrument, incorporating numerous modifications suggested by the public, were approved by the Commission. Four versions of the Sentence Risk Assessment Instrument have been published:

- On March 19, 2015, the Commission approved for public comment a preliminary Sentence Risk Assessment Instrument, published the same in the *Pennsylvania Bulletin* on April 11, 2015 (45 Pa.B. 1751), and held three public hearings.

- On March 16, 2017, the Commission approved for public comment a proposed Sentence Risk Assessment Instrument, published the same in the *Pennsylvania Bulletin* on April 8, 2017 (47 Pa.B. 1999), and held five public hearings.

- On March 8, 2018, the Commission approved for public comment a revised version of the Sentence Risk Assessment Instrument, published the same in the *Pennsylvania Bulletin* on April 28, 2018 (48 Pa.B. 2367), and held three public hearings. Following these public hearings, the Commission prepared a summary of the issues raised and responses to those issues, and solicited proposals from the public for a Sentence Risk Assessment Instrument as described in 42 Pa.C.S. § 2154.7, and published the same in the *Pennsylvania Bulletin* on September 1, 2018 (48 Pa.B. 5445).

- On September 6, 2018, the Commission approved for public comment a modification of the revised version of the Sentence Risk Assessment Instrument. Modifications include: collapsing nine OGS-specific scales into a single scale; changing the outcome measure from arrest to arrest resulting in a conviction and removing technical violations resulting in re-commitment to the Department of Corrections; and strengthening the language to prohibit the use of the risk assessment score or category as an aggravating or mitigating factor at sentencing. This modification of the revised version of the Sentence Risk Assessment Instrument is set forth in Annex A. An alternate format of the Sentence Risk Assessment Summary is provided at Alt § 305.9(a) and Alt § 305.9(b).

In accordance with 42 Pa.C.S. § 2155, the Commission shall publish in the *Pennsylvania Bulletin* all proposed sentencing guidelines and the Sentence Risk Assessment Instrument and hold public hearings not earlier than 30 days and not later than 60 days thereafter to afford an opportunity for the following persons and organizations to testify:

- (i) Pennsylvania District Attorneys Association
- (ii) Chiefs of Police Associations
- (iii) Fraternal Order of Police
- (iv) Public Defenders Organization
- (v) Law School faculty members
- (vi) Pennsylvania Board of Probation and Parole
- (vii) Pennsylvania Department of Corrections
- (viii) Pennsylvania Bar Association
- (ix) Pennsylvania Wardens Association
- (x) Pennsylvania Association on Probation, Parole and Corrections
- (xi) Pennsylvania Conference of State Trial Judges
- (xii) Any other interested person or organization

The Commission will hold the following five public hearings to receive comments on the proposed Sentence Risk Assessment Instrument:

Hearing I.

Date: Thursday, December 6, 2018

Time: 2:00 p.m.

Location: Pennsylvania Judicial Center,
Conference Room A
601 Commonwealth Avenue,
Harrisburg, PA 17120

*Hearing II.**Date:* Monday, December 10, 2018*Time:* 2:00 p.m.*Location:* Monroe County Courthouse,
Courtroom 1
610 Monroe Street,
Stroudsburg, PA 18360*Hearing III.**Date:* Wednesday, December 12, 2018*Time:* 10:00 a.m.*Location:* Juanita Kidd Stout Center for
Criminal Justice,
Courtroom 504
1301 Filbert Street,
Philadelphia, PA 19107*Hearing IV.**Date:* Thursday, December 13, 2018*Time:* 10:00 a.m.*Location:* Allegheny County Courthouse,
Courtroom 327
436 Grant Street,
Pittsburgh, PA 15219*Hearing V.**Date:* Friday, December 14, 2018*Time:* 9:00 a.m.*Location:* Warren County Courthouse,
Main Courtroom
204 Fourth Avenue,
Warren, PA 16365

Persons or organizations wishing to testify before the Commission are asked to contact the Commission no later than 48 hours prior to the hearing (Cathy Dittman at 814.863.5729 or CWD2@PSU.EDU) and bring 30 copies of any written comments to the public hearing. Written comments from persons or organizations not wishing to testify at one of the five public hearings should be submitted no later than Friday, November 30, 2018 to: Mark H. Bergstrom, Executive Director, Pennsylvania Commission on Sentencing, P.O. Box 1200, State College, PA 16804-1200.

The Commission will evaluate the modified Sentence Risk Assessment Instrument set forth in Annex A after consideration of the testimony and written comments received. The Commission will also review any proposals submitted by the public pursuant to the solicitation published in the *Pennsylvania Bulletin* on September 1, 2018 (48 Pa.B. 5445).

All Commission meetings are open to the public. Any Instrument adopted by the Commission is submitted to the General Assembly for review by way of publication in the *Pennsylvania Bulletin*. Upon adoption, the Sentence Risk Assessment Instrument will become effective 90 days after publication in the *Pennsylvania Bulletin* unless rejected by concurrent resolution of the General Assembly.

PRESIDENT JUDGE SHEILA A. WOODS-SKIPPER,
Chair

Commentary on Annex A

This Commentary provides information on the development by the Commission of a proposed Sentence Risk Assessment Instrument for use by the sentencing court to help determine the appropriate sentence within the limits

established by law. The proposed Sentence Risk Assessment Instrument, including risk scales and recidivism rates, is set forth in Annex A.

Risk Assessment Mandate

The Commission is mandated by statute to adopt a risk assessment instrument to serve as an aid in the sentencing process. To fulfill this requirement, the Commission developed an automated actuarial risk assessment instrument as a module within SGS Web, the Commission's JNET-based sentencing application. During the initial phase of implementation, the court is required to consider the Sentence Risk Assessment Summary for non-DUI offenders being sentenced for a felony offense following an open plea or trial. For those offenders who are identified as low or high risk by the Sentence Risk Assessment Instrument, the Commission recommends, but does not require, that the court seek additional information in the form of a pre-sentence investigation (PSI) report containing risk and needs information or a fuller risk-needs assessment. Thus, the risk assessment does not recommend a sentence to be imposed, but rather serves as a tool that identifies individuals with risk profiles that are lower or higher than average. Since these individuals are not typical offenders with respect to their risk of recidivism, the court will likely benefit from seeking additional information prior to imposing the sentence. During the subsequent phase, the court will be required to consider the Sentence Risk Assessment Summary for all offenders, including those sentenced for misdemeanor offenses following an open plea or trial, and all those sentenced following negotiated pleas for non-DUI offenders.

What is Risk Assessment?

A Sentence Risk Assessment Instrument is defined in the legislation as an empirically based worksheet which uses factors that are relevant in predicting recidivism. A risk assessment instrument is often identified with a specific 'generation' of development. First generation assessments are based on training and experience, generally referred to as professional judgment. Subsequent generations are based on actuarial data, focusing on the analysis of factors associated with an increased risk of recidivism. Second generation assessments (risk assessments) rely on static criminal justice and demographic factors, while third generation (risk-needs assessments or RNA) include dynamic factors and changing circumstances, such as relationships, employment, and substance abuse. Fourth generation assessments (risk-needs-responsivity assessments or RNR) integrate case management. Based on the legislative mandate and the need for a statewide instrument that could provide reliable and accurate sentence risk information to the court, the Commission developed a second generation instrument, with a Sentence Risk Assessment Summary automatically generated through SGS Web when preparing the sentencing guidelines. The Commission recommends the completion of a third or fourth generation assessment for any offender identified as low or high risk by the Sentence Risk Assessment Instrument.

What Information is Considered in the Sentence Risk Assessment Instrument?

The Sentence Risk Assessment Instrument includes two different risk scales and two outcome measures. The first risk scale assesses the risk of recidivism for any crime, and the second risk scale assesses the risk of recidivism

for a crime against a person.¹ In both cases, the Sentence Risk Assessment Instrument measures the risk of rearrest within three years of release from incarceration or imposition of community supervision resulting in a conviction. In order to provide information on the relative risk that an offender will recidivate, only those scores outside the middle 68% (typical risk) are identified as low or high risk.

The Sentence Risk Assessment Instrument considers seven static criminal justice and demographic factors, although not every factor is included in each of the two risk scales. Risk factors and scales are based on the most serious offense of a judicial proceeding. Only those factors determined to be statistically significant in relation to risk of recidivism are included in the corresponding risk scale. The following factors are considered:

- age
- gender
- number of prior convictions
- prior convictions offense types²
- current conviction offense type
- multiple current convictions
- prior juvenile adjudications

The information used to generate these scales is obtained from the Administrative Office of Pennsylvania Courts (AOPC) and through the Commission's SGS Web application.

How Accurate is the Sentence Risk Assessment Instrument?

The risk assessment scales provide measures of relative likelihood of recidivism. The risk scales are not perfect predictors, and are not determinative of future outcomes, but are instead additional tools that may provide a more accurate assessment of an individual's relative risk. The risk assessment scales constructed by the Commission have overall accuracy rates (measured by the Area Under the Curve) of 66%, for both the general recidivism risk scale and the recidivism for a crime against a person risk scale. Specific accuracy rates for the low risk and high risk predictions are provided in each Sentence Risk Assessment Summary.

The Commission developed a separate risk assessment scale for predicting risk of recidivism for a crime against a person, which includes Personal Injury Crimes such as simple assault. As compared to general recidivism, recidivism for a crime against a person is rare. The average recidivism rate for a crime against a person for all offenders is 5%, with those at low risk at less than 2%. High risk predictions for a crime against a person did not meet an acceptable level of predictive accuracy in the judgment of the Commission, with many of the individuals identified as high risk not recidivating for a crime against a person. However, the accuracy among low risk offenders is 98% (2% recidivated, 98% did not).

The Commission has made publicly available information related to risk assessment scale accuracy in the form of three commonly-used metrics: area under the curve statistics, positive predictive values, and negative predic-

tive values. Overall, the accuracy of these scales is consistent with other risk assessment instruments used in the criminal justice context.³ Additional information on the development and validation of the Sentence Risk Assessment Instrument may be found at: <http://pcs.la.psu.edu/publications-and-research/research-and-evaluation-reports/risk-assessment>.

How is the Sentence Risk Assessment Instrument Used?

Threat to public safety is an important consideration in the sentencing guidelines and is demonstrated through the linking of sentence recommendations to the seriousness of the conviction as well as an offender's criminal history and criminal behavior. The sentence risk assessment score or category shall not be used by the court as an aggravating or mitigating factor. Rather, consistent with the legislation, the Commission recommends the Sentence Risk Assessment Instrument be used to determine when the court should order a PSI report containing risk and needs information or an RNA or RNR assessment. Additional offender-specific information, but not the risk assessment score or category alone, may assist the court in determining an appropriate and individualized sentence, including the suitability of various sentencing alternatives and programs and the duration and intensity of supervision.

The recommendation for additional information should apply to offenders determined to be at low risk of general recidivism or at high risk of general recidivism. In addition, in cases in which an offender is determined to be at high risk of general recidivism but at low risk of recidivism for a crime against a person, additional information is included in the Sentence Risk Assessment Summary. This targeting of cases for additional information is consistent with the core principles of offender risk management: match the level of service to the offender's risk to recidivate; assess criminogenic needs and target them in treatment; and structure the sentence to address the learning style, motivation, abilities, and strengths of the offender.

It is also consistent with the Rules of Criminal Procedure: "the pre-sentence investigation report shall include information regarding the circumstances of the offense and the character of the defendant sufficient to assist the judge in determining sentence" (Pa.R.Crim.P. Rule 702(A)(3)). The Pennsylvania Superior Court has held: "Having been fully informed by the pre-sentence report, the sentencing court's discretion should not be disturbed. This is particularly true in those circumstances where it can be demonstrated that the judge had any degree of awareness of the sentencing considerations, and there the court will presume also that the weighting process took place in a meaningful fashion." (*Com. v. Best*, 120 A.3d 329)

A Phased Implementation Plan

Considering the difficulties of adding a new procedure to an existing process, and the resources that may be required to prepare additional information prior to sentencing, the Commission has adopted a multi-phase approach.

Upon adoption, unless rejected by concurrent resolution of the General Assembly, the Sentence Risk Assessment Instrument will take effect. The initial phase will be limited to non-DUI offenders with a felony conviction obtained through an open plea or following a bench or jury trial.

³ John Monahan and Jennifer L. Skeem, Risk Assessment in Criminal Sentencing, *Annu. Rev. Clin. Psychol.*, 12:489-513 at 500 (2016) (discussing AUCs typically in the range of .65 to .71 for risk assessment tools).

¹ An offense against a person is defined as a crime of violence under 42 Pa.C.S. § 9714; an offense under the Crime Victims Act (18 P.S. § 11.103); an offense requiring registration under 42 Pa.C.S. § 9799.14, or an offense defined as a danger to persons under Title 18, Article B.

² Offense types include: murder, danger to person (felonies/misdemeanors), sexual (felonies/misdemeanors), burglary, property (felonies/misdemeanors), public administration, public order, firearms, other weapons, drug (felonies/misdemeanors), DUI, and other.

- *Phase I (2019)*
 - o Limited to non-DUI offenders with a felony conviction obtained: 1) through an open plea or 2) following a bench or jury trial.
 - o Requires review of SGS Web-generated Sentence Risk Assessment Summary.
 - o Recommends preparation of additional information (PSI report and/or 3rd or 4th generation risk assessment) for those offenders determined to be low risk or high risk.
- *Phase II (2020)*
 - o Expands Phase I process to include all other convictions for non-DUI offenders.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VIII. CRIMINAL SENTENCING

CHAPTER 305. SENTENCE RISK ASSESSMENT INSTRUMENT

Sec.	
305.1.	Preliminary provisions.
305.2.	Sentence Risk Assessment Instrument methodology.
305.3.	Sentence Risk Assessment Instrument standards.
305.4.	Sentence Risk Assessment Instrument procedures.
305.5.	Sentence Risk Assessment Instrument recommendation—general.

§ 305.1. Preliminary provisions.

(a) *Authorization.*

(1) As authorized by 42 Pa.C.S. § 2154.7 (relating to adoption of risk assessment instrument), the Commission shall adopt a Sentence Risk Assessment Instrument for the sentencing court to use to help determine the appropriate sentence within the limits established by law for defendants who plead guilty or nolo contendere to, or who were found guilty of, felonies and misdemeanors.

(2) The Sentence Risk Assessment Instrument may be incorporated into the sentencing guidelines under 42 Pa.C.S. § 2154 (relating to adoption of sentencing guidelines).

(3) The Sentence Risk Assessment Instrument may be used to determine whether a more thorough assessment is necessary and to order a presentence investigation report.

(4) The Sentence Risk Assessment Instrument may be an aid to help determine appropriate candidates for alternative sentencing.

(b) *Definitions.* For the purposes of this chapter:

(1) “Actuarial risk assessment.” A statistical method of estimating the risk of recidivism; the probability of recidivating is related to the proportion of offenders in a risk category who recidivate.

(2) “Common Pleas Case Management System (CPCMS).” A web-based application operated by the Administrative Office of Pennsylvania Courts which serves as the source of data for determining number of prior convictions and associated offense type.

(3) “Conviction.” An offense for which a defendant pleads guilty or nolo contendere, is found guilty following a bench or jury trial, or is accepted for participation in an authorized diversion program, including Accelerated Rehabilitative Disposition (relating to Pa.R.Crim.Proc. Chapter 3), Probation without Verdict (relating to 35 P.S. § 780-117) or Disposition in Lieu of Trial or Criminal Punishment (relating to 35 P.S. § 780-118).

(4) “Disposition.” The procedure used during the trial phase to obtain a conviction, and the presence or absence of an agreement during the sentencing phase.

i. *Trial Phase*

1. “Bench Trial.” A trial with no jury in which the judge decides the facts and determines the verdict.

2. “Guilty Plea.” A plea made by the defendant in confessing to one or more charged offenses.

3. “Jury Trial.” A trial before a jury in which the jury decides the facts and determines the verdict

4. “Nolo Contendere Plea.” A plea made by the defendant in accepting a guilty determination to one or more charged offenses without admission of guilt.

ii. *Sentence Phase*

1. “Negotiated plea.” An agreement to a sentence which limits the discretion of the judge, including an agreement to a specific sentence or to a sentence range.

2. “Open Plea.” No agreement to a specific sentence or to a sentence range.

(5) “DUI offender.” An offender for whom the most serious offense of the judicial proceeding is DUI. The Sentence Risk Assessment Instrument does not apply if DUI is the most serious offense of the judicial proceeding. The Sentence Risk Assessment Instrument does apply if DUI is an offense other than the most serious offense in the judicial proceeding.

(6) “Judicial proceeding.” A sentencing hearing in which all offenses for which the offender is convicted are pending before the court for sentencing at the same time. A judicial proceeding may include multiple OTNs.

(7) “Magisterial District Judge System (MDJS).” A web-based application operated by the Administrative Office of Pennsylvania Courts which serves as the source of data for determining the number of prior convictions and associated offense type following a final disposition by a minor court.

(8) “Minor courts.” A court of limited jurisdiction with authority to preside at preliminary arraignments and preliminary hearings, dismiss complaints, conduct trials and/or accept guilty pleas for misdemeanors, and hold cases for trial in the courts of common pleas. This includes Philadelphia Municipal Court and Magisterial District Judges.

(9) “Offense against a person.” An offense involving a crime of violence under 42 Pa.C.S. § 9714, an offense under the Crime Victims Act (18 P.S. § 11.103), an offense requiring registration under 42 Pa.C.S. § 9799.14, or an offense defined as a danger to persons under Title 18, Article B.

(10) “Offense gravity score (OGS).” An assignment in the sentencing guidelines reflecting the seriousness of a conviction offense. The OGS assigned to the most serious offense in the judicial proceeding (and if more than one offense, then the offense with the highest OGS, longest statutory maximum, and then the offense entered first in SGS Web) is used to determine the risk factors and associated values to be included in the risk scales.

(11) “Offense tracking number (OTN).” A unique identifying number assigned to an entire set of charges related to a conviction. An OTN is generally assigned by the court at the time of arraignment.

(12) "Offense types." The classification of prior convictions and current convictions, including inchoates, as provided follows:

- i. Murder;
- ii. Danger to person:
 1. felonies;
 2. misdemeanors;
- iii. Sexual:
 1. felonies;
 2. misdemeanors;
- iv. Burglary;
- v. Property:
 1. felonies;
 2. misdemeanors;
- vi. Public administration;
- vii. Public order;
- viii. Firearms;
- ix. Other weapons;
- x. Drug:
 1. felonies;
 2. misdemeanors;
- xi. DUI;
- xii. Other.

A detailed description of the offense types is located at § 305.6. Any unlisted offense, or any new or amended offense, will be assigned an offense type by the Commission based on the current equivalent offense type.

(13) "Pre-sentence investigation (PSI) report." A report, authorized by the Rules of Criminal Procedure (Pa.R.Crim.P. Rules 702-703), that includes information regarding the circumstances of the offense and the character of the defendant sufficient to assist the judge in determining sentence.

(14) "Recidivism." A re-offense, defined as a re-arrest for a felony or misdemeanor in Pennsylvania within three years of the imposition of a sentence to the community or within three years of release from confinement *resulting in a conviction*. Re-offense does not include out-of-state, federal or foreign charges or technical violations.

i. "General recidivism." A re-offense for any crime, defined as a re-arrest for a felony or misdemeanor in Pennsylvania within three years of the imposition of a sentence to the community or within three years of release from confinement *resulting in a conviction*. Re-offense does not include out-of-state, federal or foreign charges or technical violations.

ii. "Recidivism for a crime against a person." A re-offense for a crime against a person, defined as a re-arrest for a felony or misdemeanor crime against a person in Pennsylvania within three years of the imposition of a sentence to the community or within three years of release from confinement *resulting in a conviction*. Re-offense does not include offenses other than a crime against a person, and does not include out-of-state, federal or foreign charges or technical violations.

(15) "Risk assessment instrument." An empirically based worksheet which uses factors that are relevant in

predicting recidivism. A risk assessment instrument is often identified with a specific 'generation' of development:

i. *1st generation*. "Professional judgment," with assessments based on training and experience;

ii. *2nd generation*. "Risk assessment," an actuarial assessment of static criminal justice and demographic factors used to estimate risk of re-offense;

iii. *3rd generation*. "Risk-needs assessment (RNA)," an actuarial assessment of static and dynamic factors and changing circumstances, such as relationships, employment, and substance abuse, used to estimate risk of re-offense and to assess criminogenic needs to be addressed through treatment and supervision;

iv. *4th generation*. "Risk-needs-responsivity (RNR) assessment," an actuarial assessment of static and dynamic factors used to match the level of service to the offender's risk to re-offend; assess criminogenic needs and target them in treatment; and structure the sentence to address the learning style, motivation, abilities and strengths of the offender.

(16) "Risk category." The relative risk of recidivism as compared to other, based on the Sentence Risk Assessment Instrument:

i. "Typical risk offender." For each risk scale, an offender with a risk score within one standard deviation above or below the mean (average) risk score who shares characteristics with offenders at typical risk of recidivism. This middle category contains approximately 68% of offenders and is represented by a box in the graphics contained in the Sentence Risk Assessment Summary.

ii. "Low risk offender." An offender with a risk score greater than one standard deviation below the mean risk score who shares characteristics with offenders at lower risk of recidivism;

iii. "High risk offender." An offender with a risk score greater than one standard deviation above the mean risk score who shares characteristics with offenders at higher risk of recidivism.

(17) "Risk factors." The variables obtained from AOPC or Commission data and determined to be statistically significant in relation to the risk of recidivism. Risk factors selected by the Commission and included in the Sentence Risk Assessment Instrument include:

i. "Age." Based on Commission data, the age of the offender calculated using date of birth as reported on guideline sentence form and the date the Sentence Risk Assessment Summary is generated.

ii. "Gender." Based on Commission data, the sex of the offender reported on the guideline sentence form.

iii. "Number of prior convictions." Based on prior conviction data provided by AOPC, the number of unique OTNs associated with Pennsylvania convictions occurring before the date the Sentence Risk Assessment Summary is generated.

iv. "Prior conviction offense type." Based on prior conviction data provided by AOPC, all offense types identified for any felony or misdemeanor convictions.

v. "Current conviction offense type." Based on Commission data, the offense type of the most serious offense of the judicial proceeding.

vi. "Multiple current convictions." Based on Commission data, more than one current conviction offense in the current judicial proceeding.

viii. “Prior juvenile adjudication.” Based on Commission data, any juvenile adjudication included in the prior record score for the judicial proceeding is used in the risk scales. This may include prior juvenile adjudications that lapse for purposes of the calculation of the Prior Record Score.

(18) “Risk scales.” Measures of the outcomes derived from statistical models used to determine the relative risk to recidivate based on identified factors. Two separate risk scales with separate outcome measures were developed. A detailed description of the risk scales is located at § 305.7(a) and (b).

(19) “Sentencing Guidelines Software Web Application (SGS Web).” A JNET-based application operated by the Commission which includes the modules for Sentencing Guidelines and for the Sentence Risk Assessment Instrument. SGS Web serves as the source of data for determining an offender’s age, gender, current conviction offense type, multiple current convictions and prior juvenile adjudications, as well as determining the most serious offense of a judicial proceeding.

(20) “Sentence Risk Assessment Instrument.” The actuarial tool, adopted by the Commission and deployed through SGS Web, for the sentencing court to use to help determine the appropriate sentence within the limits established by law. The Instrument uses factors that are relevant in predicting recidivism to estimate risk.

(21) “Sentence Risk Assessment Summary.” A report, based on the Sentence Risk Assessment Instrument and generated through SGS Web, that provides information on an offender’s relative risk of recidivism and identifies high risk and low risk offenders for whom the preparation of additional information is recommended.

§ 305.2. Sentence Risk Assessment Instrument methodology.

(a) *Development and validation.*

(1) The Commission conducted a study using offenders sentenced during 2004–2006 (n=131,055) to allow for a three-year follow-up period for all offenders, while taking advantage of improvements in data quality and a more recent time period. Additional information on the development and validation of the Sentence Risk Assessment Instrument is available from the Commission.

(2) The Commission developed risk scales for all offenders, except those with DUI as the most serious offense of the judicial proceeding.

(3) In developing the risk scales, the following analyses were conducted:

- i. bivariate analyses to determine which factors were related to recidivism;
- ii. multivariate logistic regression to determine which factors best predicted recidivism while holding other factors constant;
- iii. rotation of all categories for factors that were multi-categorical to ensure that reported differences were real and not due to a particular comparison category;
- iv. Receiver Operating Characteristic (ROC) analysis, which plots the true positive rate (i.e., how many people were predicted to recidivate and did recidivate) against the false positive rate (i.e., how many people were predicted to recidivate but did not recidivate); and

v. validation of the final scales with both samples.

(b) *Risk factors and scales—general.*

(1) Based upon the analyses conducted by the Commission, the following factors were found to be predictive of recidivism, and thus, used in the risk assessment scales:

- i. age;
- ii. gender;
- iii. number of prior convictions;
- iv. prior conviction offense type;
- v. current conviction offense type;
- vi. multiple current convictions;
- viii. prior juvenile adjudication.

(2) Scales were developed and validated for two outcomes measures:

- i. risk of general recidivism;
- ii. risk of recidivism for a crime against a person.

(3) The risk scale for general recidivism is located at § 305.7(a). The risk scale for recidivism for a crime against a person is located at § 305.7(b).

(c) *Recidivism rates—general.*

(1) The Sentence Risk Assessment Instrument provides the probability of recidivism based on the proportion of offenders in the development and validation samples who recidivate. Offenders identified as low risk or high risk were found to be significantly different in risk of recidivism than the typical offender.

(2) Recidivism rates by risk score for general recidivism are located at § 305.8(a). Recidivism rates for recidivism for a crime against a person are located at § 305.8(b).

§ 305.3. Sentence Risk Assessment Instrument standards.

(a) Effective July 1, 2019, the court shall use the Sentence Risk Assessment Instrument to help determine the appropriate sentence for non-DUI offenders with open pleas to, or who were found guilty following a bench or jury trial of, one or more felonies.

(b) The Sentence Risk Assessment Instrument does not apply to sentences imposed as a result of the following: accelerated rehabilitative disposition; disposition in lieu of trial; direct or indirect contempt of court; violations of protection from abuse orders; negotiated pleas; or revocation of probation, intermediate punishment or parole.

(c) Effective July 1, 2020, the court shall use the Sentence Risk Assessment Instrument to help determine the appropriate sentence for all non-DUI offenders who plead guilty or nolo contendere to, or who were found guilty of, felonies and misdemeanors. Amendments to the Sentence Risk Assessment Instrument shall apply to all sentences imposed on or after the effective date of the amendment.

(d) A Sentence Risk Assessment Summary shall be considered by the court prior to sentencing for every judicial proceeding as required by this section.

(e) In every case in which a court of record imposes a sentence for a felony or misdemeanor, and a Sentence Risk Assessment Summary is required to be considered, the court shall make as a part of the record, and disclose in open court at the time of the sentencing, the offender’s risk category. In every case in which an offender is identified as high risk or low risk, the court shall record on the guideline sentence form whether the court ordered

a PSI report containing risk and needs information to be prepared or whether the court ordered an RNA or RNR assessment to be completed. This information shall be electronically transmitted to the Pennsylvania Commission on Sentencing in the manner described in § 303.1(e).

(f) Unless otherwise provided by the Commission, the JNET-based Sentencing Guidelines Software Web application (SGS Web) shall be used at the court's direction to generate a Sentence Risk Assessment Summary prior to sentencing. The Sentence Risk Assessment Summary shall be made part of the record.

§ 305.4. Sentence Risk Assessment Instrument procedures.

(a) For each judicial proceeding, the procedure for generating a Sentence Risk Assessment Summary using the SGS Web-based Sentence Risk Assessment Instrument shall be as follows:

(1) Prepare all guideline sentence forms prior to sentencing using SGS Web as required by § 303.1(e):

- i. create a Judicial Proceeding;
- ii. complete the Prior Record Score module;
- iii. complete the Offense module, including all offenses for which the offender has been convicted and are pending before the court for sentencing at the same time;
- iv. upon completion of the Offense module, a Sentence Risk Assessment Summary is available.

(2) For judicial proceedings for which the preparation of a Sentence Risk Assessment Summary is required prior to sentencing:

- i. use SGS Web to obtain a copy of the Sentence Risk Assessment Summary;
- ii. if the offense used in the risk scales does not match the most serious offense of the judicial proceeding, repeat preparation of guideline sentence forms (see § 305.4(a)(1));
- iii. if the risk categories identified in the Sentence Risk Assessment Summary do not match the risk categories

identified on the guideline sentence forms, repeat preparation of guideline sentence forms (see § 305.4(a)(1));

iv. a copy of the Sentence Risk Assessment Summary shall be presented to the court for consideration prior to sentencing.

§ 305.5. Sentence Risk Assessment Instrument recommendation—general.

(a) The risk score for the offender and the associated risk category is calculated based on the most serious conviction offense in the judicial proceeding. The Sentence Risk Assessment Summary provides information on the risk of the offender relative to other offenders.

(b) *Typical risk offenders.* For offenders who are identified as typical risk, the Commission makes no additional recommendation. The risk category is included on the guideline sentence form which is required to be submitted to the Commission via SGS Web within 30 days of sentence.

(c) *Low risk or high risk offenders.* For offenders who are identified as low risk or high risk, the Commission recommends the court obtain additional information prior to sentencing. This includes the ordering of a PSI report that contains risk and needs information, or the preparation of an RNA or RNR assessment. Any order related to this recommendation shall be recorded on the guideline sentence form and submitted to the Commission via SGS Web within 30 days of sentence.

(d) The sentence risk assessment score or category shall not be used by the court as an aggravating or mitigating factor. Additional information obtained through a PSI report containing risk and needs information or an RNA or RNR assessment may assist the court in determining an appropriate and individualized sentence, including the suitability of various sentencing alternatives and programs as well as the duration and intensity of supervision.

(e) An example of a Sentence Risk Assessment Summary (General Recidivism) is located at § 305.9(a). An example of a Sentence Risk Assessment Summary (Recidivism for a Crime Against a Person) is located at § 305.9(b).

§ 305.6. Offense Types. Classification of Prior Convictions and Current Convictions, Including Inchoates.

<u>Offense Type</u>	<u>Title</u>	<u>Chapter</u>	<u>Description</u>
<u>Murder</u>	<u>18</u>	<u>Misc. 25</u>	<u>Criminal Homicide - Murder 1, Murder 2, Murder 3, and Voluntary Manslaughter</u>
		<u>Misc. 26</u>	<u>Crimes Against an Unborn Child - Murder 1, Murder 2, Murder 3, and Voluntary Manslaughter</u>
		<u>Misc. 27</u>	<u>Weapons of Mass Destruction; Use-Results in Death</u>
		<u>Misc. 33</u>	<u>Arson - Endangering Persons; Murder 1, Murder 2 - 18§3301(a)(2)</u>
<u>Danger to Person - felony and misdemeanor</u>	<u>18</u>	<u>Misc. 25</u>	<u>Criminal Homicide - Involuntary Manslaughter 18§2503</u>
		<u>Misc. 26</u>	<u>Aggravated Assault of an Unborn Child - 18§2606</u>
		<u>27</u>	<u>Assault</u>
		<u>29</u>	<u>Kidnapping</u>
		<u>30</u>	<u>Human Trafficking</u>
		<u>32</u>	<u>Abortion</u>
		<u>Misc. 33</u>	<u>Arson Endangering Person - 18§3301(a) and (a.1)</u>
			<u>Ecoterrorism - 18§3311(b)(3)</u>
		<u>Misc. 35</u>	<u>Burglary-Home/Person - 18§3502(a)(1)</u>
		<u>37</u>	<u>Robbery</u>
		<u>43</u>	<u>Offenses Against the Family</u>
		<u>Misc. 47</u>	<u>Threats - 18§4702</u>
			<u>Retaliation - 18§4703</u>
		<u>Misc. 49</u>	<u>Intimidation of Witness/Victim - 18§4952</u>
			<u>Retaliation Against Witness/Victim - 18§4953, 18§4953.1</u>
		<u>Misc. 63</u>	<u>Corruption of Minors - 18§6301</u>
		<u>Misc. 75</u>	<u>Homicide by Vehicle - 75§3732</u>
	<u>Aggravated Assault by Vehicle - 75§3732.1</u>		
	<u>Homicide by Vehicle while DUI - 75§3735</u>		
	<u>Aggravated Assault by Vehicle While DUI - 75§3735.1</u>		
	<u>Accident Involving Death/Personal Injury - 75§3742, 75§3742.1</u>		
<u>Sexual - felony and misdemeanor</u>	<u>18</u>	<u>Misc. 29</u>	<u>Kidnapping of a Minor - 18§2901(a.1)</u>
			<u>Unlawful Restraint of a Minor/Non-parent - 18§2902(b)</u>
			<u>False Imprisonment of a Minor/Non-parent - 18§2903(b)</u>
			<u>Interference with Custody of Children - 18§2904</u>
			<u>Luring a Child into a Vehicle/Structure - 18§2910</u>
		<u>Misc. 30</u>	<u>Human Trafficking - 18§3011(b)</u>
		<u>31</u>	<u>Sexual Offenses</u>
		<u>Misc. 43</u>	<u>Incest of a Minor - 18§4302(b)</u>
		<u>Misc. 59</u>	<u>Promoting Prostitution of a Minor - 18§5902(b.1)</u>
			<u>Obscene and Other Sexual Materials - 18§5903(a)(3)(ii), (4)(ii), (5)(ii) or (6)</u>
		<u>Misc. 63</u>	<u>Corruption of Minors - 18§6301(a)(1)(ii)</u>
	<u>Sexual Abuse of Children - 18§6312</u>		
	<u>Unlawful Contact/Communication with Minor - 18§6318</u>		
	<u>Sexual Exploitation of Children - 18§6320</u>		
<u>Misc. 75</u>	<u>Invasion of Privacy - 18§7507.1</u>		
<u>Burglary</u>	<u>18</u>	<u>Misc. 35</u>	<u>Burglary and Other Criminal Intrusion</u>
<u>Property - felony and misdemeanor</u>	<u>18</u>	<u>Misc. 9</u>	<u>Manufacture/Etc. Master Key Motor Vehicles - 18§0909</u>
			<u>Manufacture/Etc. Device for Theft of Telecommunications - 18§0910</u>
		<u>33</u>	<u>Arson, Criminal Mischief, and other Property Destruction</u>
		<u>35</u>	<u>Burglary and Other Criminal Intrusion</u>
		<u>39</u>	<u>Theft and Related Offenses</u>
		<u>41</u>	<u>Forgery and Fraudulent Practices</u>
	<u>76</u>	<u>Computer Offenses</u>	
		<u>77</u>	<u>Vehicle Chop Shop and Illegally Obtained and Altered Property</u>

<u>Offense Type</u>	<u>Title</u>	<u>Chapter</u>	<u>Description</u>
Public Admin.	18	Misc. 9	<u>Corrupt Organizations - 18§0911</u>
		47	<u>Bribery and Corrupt Influence</u>
		49	<u>Falsification and Intimidation</u>
		51	<u>Obstructing Governmental Operations</u>
		53	<u>Abuse of Office</u>
		23	63 <u>Child Protective Services</u>
		42	45 <u>Juries and Jurors</u>
		97	<u>Sentencing</u>
Public Order	18	21	<u>Offenses Against the Flag</u>
		55	<u>Riot, Disorderly Conduct, and Related Offenses</u>
		57	<u>Wiretapping and Electronic Surveillance</u>
		59	<u>Public Indecency</u>
		63	<u>Minors</u>
		65	<u>Nuisances</u>
		67	<u>Proprietary and Official Rights</u>
		69	<u>Public Utilities</u>
		71	<u>Sports and Amusements</u>
		73	<u>Trade and Commerce</u>
		75	<u>Other Offenses</u>
Firearms - VUFA	18	61	<u>Firearms and Other Dangerous Articles</u>
Other Weapons	18	Misc. 9	<u>Possessing Instruments of Crime - 18§0907</u>
			<u>Prohibited Offensive Weapons - 18§0908</u>
			<u>Electric Incapacitation Device - 18§0908.1</u>
			<u>Possession of Weapon on School Property - 18§0912</u>
			<u>Possession of Weapon in Court Facility - 18§0913</u>
		Misc. 63	<u>Sale/Lease of Weapons/Explosives (to Minors) - 18§6302</u>
			<u>Sale of Starter Pistols (to Minors) - 18§6303</u>
			<u>Sale/Use of Air Rifles (to Minors) - 18§6304</u>
Drug - felony and misdemeanor	18	Misc. 51	<u>Contraband of Controlled Substance - 18§5123</u>
		Misc. 63	<u>Solicitation of Minors to Traffic Drugs - 18§6319</u>
		Misc. 75	<u>Operate Meth Lab/Cause Chemical Reaction - 18§7508, 18§7508.2</u>
			<u>Furnishing Drug-Free Urine - 18§7509</u>
			<u>Criminal Use of Communication Facility - 18§7512</u>
		35	<u>Controlled Substance, Drug, Device and Cosmetic Act - 35§780-113(a)(1) - (a)(39)</u>
			<u>Liquefied Ammonia Gas - 35§780-113.1</u>
			<u>Operating a Meth Lab - 35§780-113.4</u>
DUI*	30	Misc. 55	<u>Boating Under the Influence - 30§5502</u>
		75	Misc. 37 <u>Driving Under the Influence - 75§3731</u>
			38 <u>Driving Under the Influence - 75§3802</u>
Other			<u>Miscellaneous Titles and Chapters</u>

*Only applicable for Prior Conviction Offense Type, Current Conviction Offense Type does not include DUI
 Exceptions are due to Personal Injury Crimes (18 P.S. §11.103), Crimes of Violence (42 Pa.C.S. §9714), and offenses requiring registration under (42 Pa.C.S. §9799.14)

§ 305.7(a). General Recidivism Risk Scales.

<u>Risk Factors</u>	<u>Risk Score</u>
<u>Gender</u>	
<u>Male</u>	<u>1</u>
<u>Female</u>	<u>0</u>
<u>Age</u>	
<u><21</u>	<u>5</u>
<u>21-25</u>	<u>4</u>
<u>26-29</u>	<u>3</u>
<u>30-39</u>	<u>2</u>
<u>40-49</u>	<u>1</u>
<u>>49</u>	<u>0</u>
<u>Current Conviction</u>	<u>Murder</u>
	<u>1</u>
<u>Offense Type</u>	<u>Person-Felony</u>
	<u>1</u>
	<u>Person-Misd.</u>
	<u>1</u>
	<u>Sex-Felony</u>
	<u>0</u>
	<u>Sex-Misd.</u>
	<u>0</u>
	<u>Burglary</u>
	<u>2</u>
	<u>Property-Felony</u>
	<u>2</u>
	<u>Property-Misd.</u>
	<u>2</u>
	<u>Drug-Felony</u>
	<u>1</u>
	<u>Drug-Misd.</u>
	<u>1</u>
	<u>Public Admin.</u>
	<u>1</u>
	<u>Public Order</u>
	<u>1</u>
	<u>Firearms</u>
	<u>2</u>
	<u>Other Weapons</u>
	<u>2</u>
	<u>Other</u>
	<u>1</u>
<u>Number of Prior</u>	<u>None</u>
<u>Convictions</u>	<u>0</u>
	<u>1</u>
	<u>2-3</u>
	<u>2</u>
	<u>4-5</u>
	<u>3</u>
	<u>>5</u>
	<u>4</u>
<u>Prior Conviction</u>	<u>Person/Sex</u>
	<u>0</u>
<u>Offense Type</u>	<u>Property</u>
	<u>1</u>
	<u>Drug</u>
	<u>1</u>
	<u>Public Order</u>
	<u>1</u>
	<u>Public Admin.</u>
	<u>1</u>
	<u>DUI</u>
	<u>0</u>
	<u>Firearm/Weapon</u>
	<u>-1</u>
<u>Multiple Current</u>	<u>Yes</u>
<u>Convictions</u>	<u>1</u>
	<u>No</u>
	<u>0</u>
<u>Prior Juvenile</u>	<u>Yes</u>
<u>Adjudication</u>	<u>1</u>
	<u>No</u>
	<u>0</u>
<u>Scale</u>	<u>0 to 18</u>

§ 305.7(b). Recidivism for a Crime Against a Person.

<u>Risk Factors</u>	<u>Risk Score</u>
<u>Gender</u>	
Male	1
Female	0
<u>Age</u>	
<21	5
21-25	4
26-29	3
30-39	2
40-49	1
>49	0
<u>Current Conviction</u>	
Murder	3
Person-Felony	3
Person-Misd.	3
Sex-Felony	3
Sex-Misd.	3
Burglary	1
Property-Felony	1
Property-Misd.	1
Drug-Felony	0
Drug-Misd.	0
Public Admin.	2
Public Order	2
Firearms	3
Other Weapons	3
Other	2
<u>Number of Prior</u>	
None	0
<u>Convictions</u>	
1	1
2-3	2
4-5	2
>5	2
<u>Prior Conviction</u>	
Person/Sex	1
<u>Offense Type</u>	
Property	0
Drug	-1
Public Order	1
Public Admin.	1
DUI	0
Firearm/Weapon	0
<u>Multiple Current</u>	
Yes	0
No	0
<u>Convictions</u>	
No	0
<u>Prior Juvenile</u>	
Yes	1
<u>Adjudication</u>	
No	0
<u>Scale</u>	<u>0 to 15</u>

§ 305.8(a). General Recidivism Rates by Risk Score.

<u>Risk Scale</u>	<u>Total</u>	<u>Number</u>		<u>Percent</u>		<u>Mean</u> <u>St. Dev. (SD)</u>	<u>7.1</u> <u>2.6</u>
		<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>		
<u>0-1</u>	<u>537</u>	<u>504</u>	<u>33</u>	<u>94%</u>	<u>6%</u>	<u>+1 SD</u>	<u>9.6</u>
<u>2</u>	<u>3,131</u>	<u>2,790</u>	<u>341</u>	<u>89%</u>	<u>11%</u>	<u>-1 SD</u>	<u>4.5</u>
<u>3</u>	<u>7,625</u>	<u>6,568</u>	<u>1,057</u>	<u>86%</u>	<u>14%</u>		
<u>4</u>	<u>11,645</u>	<u>9,569</u>	<u>2,076</u>	<u>82%</u>	<u>18%</u>		
<u>5</u>	<u>14,133</u>	<u>11,021</u>	<u>3,112</u>	<u>78%</u>	<u>22%</u>		
<u>6</u>	<u>17,962</u>	<u>13,289</u>	<u>4,673</u>	<u>74%</u>	<u>26%</u>		
<u>7</u>	<u>20,577</u>	<u>14,003</u>	<u>6,574</u>	<u>68%</u>	<u>32%</u>		
<u>8</u>	<u>18,611</u>	<u>11,406</u>	<u>7,205</u>	<u>61%</u>	<u>39%</u>		
<u>9</u>	<u>13,929</u>	<u>7,825</u>	<u>6,104</u>	<u>56%</u>	<u>44%</u>		
<u>10</u>	<u>10,044</u>	<u>5,076</u>	<u>4,968</u>	<u>51%</u>	<u>49%</u>		
<u>11</u>	<u>6,554</u>	<u>3,209</u>	<u>3,345</u>	<u>49%</u>	<u>51%</u>		
<u>12</u>	<u>3,640</u>	<u>1,614</u>	<u>2,026</u>	<u>44%</u>	<u>56%</u>		
<u>13</u>	<u>1,719</u>	<u>716</u>	<u>1,003</u>	<u>42%</u>	<u>58%</u>		
<u>14</u>	<u>701</u>	<u>269</u>	<u>432</u>	<u>38%</u>	<u>62%</u>		
<u>15-18</u>	<u>256</u>	<u>83</u>	<u>173</u>	<u>32%</u>	<u>68%</u>		
<u>Total</u>	<u>131064</u>	<u>87,942</u>	<u>43,122</u>	<u>67%</u>	<u>33%</u>		

§ 305.8(b). Recidivism Rates for a Crime Against a Person by Risk Score.

<u>Risk Scale</u>	<u>Total</u>	<u>Number</u>		<u>Percent</u>		<u>Mean</u> <u>St. Dev. (SD)</u>	<u>6.0</u> <u>2.2</u>
		<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>		
<u>0</u>	<u>217</u>	<u>217</u>	<u>0</u>	<u>100%</u>	<u>0%</u>	<u>+1 SD</u>	<u>8.2</u>
<u>1</u>	<u>2,030</u>	<u>2,006</u>	<u>24</u>	<u>99%</u>	<u>1%</u>	<u>-1 SD</u>	<u>3.7</u>
<u>2</u>	<u>5,670</u>	<u>5,605</u>	<u>65</u>	<u>99%</u>	<u>1%</u>		
<u>3</u>	<u>10,323</u>	<u>10,105</u>	<u>218</u>	<u>98%</u>	<u>2%</u>		
<u>4</u>	<u>15,532</u>	<u>15,112</u>	<u>420</u>	<u>97%</u>	<u>3%</u>		
<u>5</u>	<u>21,775</u>	<u>21,007</u>	<u>768</u>	<u>96%</u>	<u>4%</u>		
<u>6</u>	<u>23,538</u>	<u>22,437</u>	<u>1,101</u>	<u>95%</u>	<u>5%</u>		
<u>7</u>	<u>18,957</u>	<u>17,800</u>	<u>1,157</u>	<u>94%</u>	<u>6%</u>		
<u>8</u>	<u>14,926</u>	<u>13,841</u>	<u>1,085</u>	<u>93%</u>	<u>7%</u>		
<u>9</u>	<u>10,439</u>	<u>9,448</u>	<u>991</u>	<u>91%</u>	<u>9%</u>		
<u>10</u>	<u>4,754</u>	<u>4,194</u>	<u>560</u>	<u>88%</u>	<u>12%</u>		
<u>11</u>	<u>1,999</u>	<u>1,746</u>	<u>253</u>	<u>87%</u>	<u>13%</u>		
<u>12</u>	<u>711</u>	<u>619</u>	<u>92</u>	<u>87%</u>	<u>13%</u>		
<u>13-15</u>	<u>193</u>	<u>165</u>	<u>28</u>	<u>85%</u>	<u>15%</u>		
<u>Total</u>	<u>131,064</u>	<u>124,302</u>	<u>6,762</u>	<u>95%</u>	<u>5%</u>		

§ 305.9(a). Sentence Risk Assessment Summary (General Recidivism).

Sentence Risk Assessment Summary

OFFENDER		
Name: Test, Case	DOB Or Age:	
JUDICIAL PROCEEDING		
Docket #: CP-00-CR-0000001-2016	Commission ID: W999999999	Status: Pending Completion
Judge: Common Pleas Court Judge	County:	
RISK SCORE INFORMATION		
Current Offense:	OGS: 9-14	Date Risk Score Calculated:
OTN: Z9999999		

RISK FACTORS FOR GENERAL RECIDIVISM

	Possible Points	Offender's Value	Offender's Point Total		Possible Points	Offender's Value	Offender's Point Total
Gender				Number of Prior Convictions			
Female	0			0	0		
Male	1	Male	1	1	1	1	1
Age				2-3	2		
Greater than 49	0			4-5	3		
40-49	1			Greater than 5	4		
30-39	2			Prior Person/Sex Conviction			
26-29	3			No			-NA-
21-25	4	24	4	Yes			
Less than 21	5			Prior Property Conviction			
Current Conviction Offense Type				No	0	Yes	1
Murder	1			Yes	1		
Person-Felony	1			Prior Drug Conviction			
Person-Misd.	1			No	0	Yes	1
Sex-Felony	0			Yes	1		
Sex-Misd.	0			Prior Public Order Conviction			
Burglary	2			No	0	No	0
Property-Felony	2	Property Felony	2	Yes	1		
Property-Misd.	2			Prior Public Admin. Conviction			
Drug-Felony	1			No	0	No	0
Drug-Misd.	1			Yes	1		
Public Admin.	1			Prior DUI Conviction			
Public Order	1			No			-NA-
Firearms	2			Yes			
Other Weapons	2			Prior Firearm/Weapon Conviction			
Other	1			No	0	No	0
Multiple Current Convictions in JP				Yes	-1		
No	0	No	0				
Yes	1						
Prior Juvenile Adjudication							
No	0						
Yes	1	Yes	1				
TOTAL RISK SCORE							11
RISK CATEGORY							HIGH

The graph depicts the recidivism rates for offenders based on their risk score. The box indicates risk scores for the typical offender. Risk scores falling outside the box are considered to be lower or higher than typical risk.

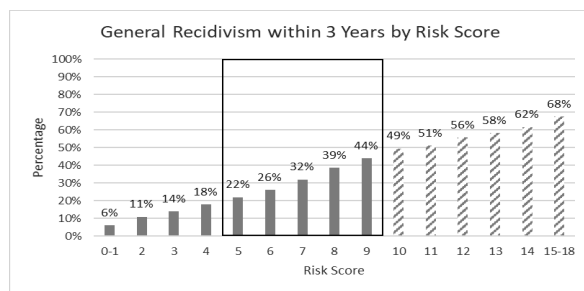
For low or high risk offenders, the Commission recommends the court obtain additional information by ordering a Pre-Sentence Investigation (PSI) report that contains Risk Needs Responsivity (RNR) information, or the preparation of a Risk Needs Assessment (RNA) or RNR assessment.

Risk scales do not predict recidivism perfectly. The accuracy for low risk offenders is 85% (15% recidivated, 85% did not). The accuracy for high risk offenders is 52% (52% recidivated, 48% did not).

[shows only if high risk any, low risk personal]

Please see page two for information on this offender's risk to commit a crime against a person.

The following OTNs were used in the calculation of this risk score: T0000000, Z0000000, X0000000, Y0000000, W0000000



§ 305.9(b). Sentence Risk Assessment Summary (Crime Against a Person).

Sentence Risk Assessment Summary

OFFENDER		
Name: Test, Case	DOB Or Age:	
JUDICIAL PROCEEDING		
Docket #: CP-02-CR-0000002-2015	Commission ID: W999999999	Status: Pending Completion
Judge: Common Pleas Court Judge	County: Allegheny	
RISK SCORE INFORMATION		
Current Offense:	Date Risk Score Calculated:	
OTN: Z9999999	OGS: 9-14	

RISK FACTORS FOR A CRIME AGAINST A PERSON

	Possible Points	Offender's Value	Offender's Point Total		Possible Points	Offender's Value	Offender's Point Total	
Gender				Number of Prior Convictions				
Female	0	Male	1	0	0			
Male	1			1	1			
Age				2-3	2			
Greater than 49	0	52	0	4-5	2	5		
40-49	1			Greater than 5	2		2	
30-39	2			Prior Person/Sex Conviction				
26-29	3			No	0	No	0	
21-25	4			Yes	1			
Less than 21	5			Prior Property Conviction				
Current Conviction Offense Type				No			-NA-	
Murder	3			Yes				
Person-Felony	3			Prior Drug Conviction				
Person-Misd.	3			No	0			
Sex-Felony	3			Yes	-1	Yes	-1	
Sex-Misd.	3			Prior Public Order Conviction				
Burglary	1			No	0	No	0	
Property-Felony	1	Property-Felony	1	Yes	1			
Property-Misd.	1			Prior Public Admin. Conviction				
Drug-Felony	0			No	0	No	0	
Drug-Misd.	0			Yes	1			
Public Admin.	2			Prior DUI Conviction				
Public Order	2			No			-NA-	
Firearms	3			Yes				
Other Weapons	3			Prior Firearm/Weapon Conviction				
Other	2			No			-NA-	
Multiple Current Convictions in JP				Yes				
No			-NA-					
Yes								
Prior Juvenile Adjudication								
No	0	No	0					
Yes	1							
							TOTAL RISK SCORE	3
							RISK CATEGORY	LOW

The Commission developed this separate scale, analyzing recidivism for a crime against a person, which includes Personal Injury Crimes such as simple assault. As compared to general recidivism, recidivism for a crime against a person is rare, and high risk predictions for a crime against a person did not meet an acceptable level of predictive accuracy. However, the accuracy among low risk offenders is 98% (2% recidivated, 98% did not).

0-3 Offenders with a risk score between 0 and 3 are low risk to recidivate with a crime against a person. The average recidivism rate is 5%.

The following OTNs were used in the calculation of this risk score: T0000000. Z0000000. X0000000. Y0000000. W0000000

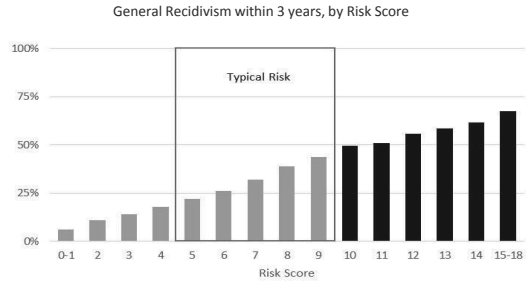
Alt § 305.9(a). Sentence Risk Assessment Summary (General Recidivism).

PENNSYLVANIA COMMISSION ON SENTENCING
SENTENCE RISK ASSESSMENT SUMMARY

GENERAL RECIDIVISM
Commission ID: W1234567

Offender Name: Test, Case **Judge:** Common Pleas Court Judge **Date Risk Score Calculated:** 10/10/2018
DOB or Age: 8/21/1965 **County:** Allegheny
Most Serious Offense in JP: 18 - 3921 - Theft by Unlawful Taking
OTN: Z1234567 **Docket:** CP-01-CR-1234567-2018 **OGS:** 7 **PRS:** 2
OTNs used in the calculation of Prior Conviction Number & Type for this offender in this Judicial Proceeding:
 A0000000; B0000000; C0000000; D0000000; etc...

	Risk Factors	Risk Points	Offender's Points
Gender	Female	0	
	Male	1	1
Age	Greater than 49	0	0
	40-49	1	
	30-39	2	
	26-29	3	
	21-25	4	
	Less than 21	5	
Sex	Murder	1	
	Person	1	
Current Conviction	Drug	1	
	Public Admin.	1	
Offense Type	Public Order	1	
	Other	1	
	Burglary	2	
	Firearms	2	
	Other Weapons	2	
	Property	2	2
Multiple Current Convictions in JP	No	0	
	Yes	1	1
Number of Prior Convictions	0	0	
	1	1	
	2-3	2	
	4-5	3	
	Greater than 5	4	4
Prior Conviction Offense Type	Property	1	1
	Drug	1	1
	Public Order	1	
	Public Admin.	1	
Prior Juvenile Adjudication	Firearm/Weapon	-1	
	No	0	0
	Yes	1	
Total Risk Score			10



This chart depicts the recidivism rates for offenders based on their risk score. The box indicates risk scores for the typical offender. Risk scores falling outside the box are considered to be lower or higher than typical risk.

Risk scales do not predict recidivism perfectly. The accuracy for low risk offenders is 85% (15% recidivated; 85% did not). The accuracy for high risk offenders is 52% (52% recidivated; 48% did not).

Risk category: High Risk

Recommendation: Obtain RNA/RNR information.

The sentence risk assessment score or category shall not be used by the court as an aggravating or mitigating factor.

Please see page two for information on this offender's risk to commit a crime against a person. [shows only if high risk any, low risk personal]

Alt § 305.9(b). Sentence Risk Assessment Summary (Crime Against a Person).

PENNSYLVANIA COMMISSION ON SENTENCING
SENTENCE RISK ASSESSMENT SUMMARY

RECIDIVISM FOR A CRIME AGAINST A PERSON
Commission ID: W1234567

Offender Name: Test, Case Judge: Common Pleas Court Judge Date Risk Score Calculated: 10/10/2018
 DOB or Age: 8/21/1965 County: Allegheny
 Most Serious Offense in JP: 18 - 3921 - Theft by Unlawful Taking
 OTN: Z1234567 Docket: CP-01-CR-1234567-2018 OGS: 7 PRS: 2
 OTNs used in the calculation of Prior Conviction Number & Type for this offender in this Judicial Proceeding:
A0000000; B0000000; C0000000; D0000000; etc...

	Risk Factors	Risk Points	Offender's Points
Gender	Female	0	
	Male	1	1
Age	Greater than 49	0	0
	40-49	1	
	30-39	2	
	26-29	3	
	21-25	4	
	Less than 21	5	
Current Conviction Offense Type	Drug	0	
	Burglary	1	
	Property	1	1
	Public Admin.	2	
	Public Order	2	
	Other	2	
	Murder	3	
	Sex	3	
	Person	3	
	Firearms	3	
Other Weapons	3		
Number of Prior Convictions	0	0	
	1	1	
	2-3	2	
	4-5	2	
	Greater than 5	2	2
Prior Conviction Offense Type	Person/Sex	1	
	Drug	-1	-1
	Public Order	1	
Prior Juvenile Adjudication	Public Admin.	1	
	No	0	0
	Yes	1	
Total Risk Score			3

The Commission developed this separate scale, analyzing recidivism for a crime against a person, which includes Personal Injury Crimes such as simple assault. As compared to general recidivism, recidivism for a crime against a person is rare, and high risk predictions for a crime against a person did not meet an acceptable level of predictive accuracy. However, the accuracy among low risk offenders is 98% (2% recidivated, 98% did not).

0-3 Offenders with a risk score between 0 and 3 are low risk to recidivate with a crime against a person. The average recidivism rate is 5%.

Risk category: Low Risk
Recommendation: Obtain RNA/RNR information

The sentence risk assessment score or category shall not be used by the court as an aggravating or mitigating factor.

[Pa.B. Doc. No. 18-1696. Filed for public inspection November 2, 2018, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 83]

Amendment of Rules 208 and 218 of the Pennsylvania Rules of Disciplinary Enforcement; No. 170 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 17th day of October, 2018, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal having been published for comment in the *Pennsylvania Bulletin*, 47 Pa.B. 7832 (December 30, 2017):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 208 and 218 of the Pennsylvania Rules of Disciplinary Enforcement are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 208. Procedure.

* * * * *

(g) *Costs.*—

(1) The Supreme Court in its discretion may direct that the necessary expenses incurred in the investigation and prosecution of a proceeding which results in the imposition of discipline shall be paid by the respondent-attorney. All expenses taxed under this paragraph pursuant to orders of suspension that are not stayed in their entirety or disbarment shall be paid by the respondent-attorney within 30 days after notice transmitted to the respondent-attorney of taxed expenses. In all other cases, expenses taxed under this paragraph shall be paid by the respondent-attorney within 30 days of entry of the order taxing the expenses against the respondent-attorney.

(2) In the event a proceeding is concluded by informal admonition, private reprimand or public reprimand, the Board in its discretion may direct that the necessary expenses incurred in the investigation and prosecution of the proceeding shall be paid by the respondent-attorney. All expenses taxed by the Board under this paragraph shall be paid by the respondent-attorney within 30 days of entry of the order taxing the expenses against the respondent-attorney. The expenses which shall be taxable under this paragraph shall be prescribed by Board rules.

(3) Failure to pay taxed expenses within 30 days after the date of the entry of the order taxing such expenses in cases other than a suspension that is not stayed in its entirety or disbarment will be deemed a request to be administratively suspended pursuant to Rule 219(1).

(4) [The expenses under paragraph (1) or (2) may include an administrative fee except that an administrative fee shall not be included where the discipline imposed is an informal admonition. The administrative fee shall be \$250.] In addition to the payment of any expenses under paragraph (1) or (2), the respondent-attorney shall pay upon the final order of discipline an administrative fee pursuant to the following schedule:

Informal Admonition:	\$250
Private Reprimand:	\$400
Public Reprimand:	\$500
Public Censure:	\$750
Suspension (1 year or less):	\$1,000
Suspension (more than 1 year):	\$1,500
Disbarment:	\$2,000
Disbarment on Consent:	\$1,000
Transfer to Inactive Status following discipline	\$1,000

(i) Where a disciplinary proceeding concludes by Joint Petition for Discipline on Consent other than disbarment prior to the commencement of the hearing, the fee imposed shall be reduced by 50%.

(ii) Where a disciplinary proceeding concludes by Joint Petition for Discipline on Consent other than disbarment subsequent to the commencement of the hearing, the Board in its discretion may reduce the fee by no more than 50%.

* * * * *

Rule 218. Reinstatement.

* * * * *

(f)(1) At the time of the filing of a petition for reinstatement with the Board, a non-refundable reinstatement filing fee shall be assessed against a petitioner-attorney. The filing fee schedule is as follows:

Reinstatement from disbarment or suspension for more than one year:	\$1,000
Reinstatement from administrative suspension (more than three years):	\$500
Reinstatement from inactive/retired status (more than three years):	\$250

(2) The Supreme Court in its discretion may direct that the necessary expenses incurred in the investigation and processing of the petition for reinstatement be paid by the petitioner-attorney. [A reinstatement fee of \$300 shall be assessed against a petitioner-attorney who was administratively suspended at the time of the filing of the petition. The] After the Supreme Court Order is entered, the annual fee required by Rule 219(a) [and the reinstatement fee, if applicable,] for the current year shall be paid to the Attorney Registration Office [after the Supreme Court order is entered].

* * * * *

[Pa.B. Doc. No. 18-1697. Filed for public inspection November 2, 2018, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 7]

Proposed Amendment of Pa.R.Crim.P. 720

The Criminal Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania a revision to the Comment to Rule 720 (Post-Sentence Procedures; Appeal) for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Jeffrey M. Wasileski, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635
fax: (717) 231-9521
e-mail: criminalrules@pacourts.us

All communications in reference to the proposal should be received by no later than Friday, December 28, 2018. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural
Rules Committee*

BRIAN W. PERRY,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 7. POST-TRIAL PROCEDURES IN COURT CASES

PART B. POST-SENTENCE PROCEDURES

Rule 720. Post-Sentence Procedures; Appeal.

(A) TIMING.

(1) Except as provided in paragraphs (C) and (D), a written post-sentence motion shall be filed no later than 10 days after imposition of sentence.

(2) If the defendant files a timely post-sentence motion, the notice of appeal shall be filed:

(a) within 30 days of the entry of the order deciding the motion;

(b) within 30 days of the entry of the order denying the motion by operation of law in cases in which the judge fails to decide the motion; or

(c) within 30 days of the entry of the order memorializing the withdrawal in cases in which the defendant withdraws the motion.

(3) If the defendant does not file a timely post-sentence motion, the defendant's notice of appeal shall be filed within 30 days of imposition of sentence, except as provided in paragraph (A)(4).

(4) If the Commonwealth files a timely motion to modify sentence pursuant to Rule 721, the defendant's notice of appeal shall be filed within 30 days of the entry of the order disposing of the Commonwealth's motion.

(B) OPTIONAL POST-SENTENCE MOTION.

(1) Generally.

(a) The defendant in a court case shall have the right to make a post-sentence motion. All requests for relief from the trial court shall be stated with specificity and particularity, and shall be consolidated in the post-sentence motion, which may include:

(i) a motion challenging the validity of a plea of guilty or *nolo contendere*, or the denial of a motion to withdraw a plea of guilty or *nolo contendere*;

(ii) a motion for judgment of acquittal;

(iii) a motion in arrest of judgment;

(iv) a motion for a new trial; and/or

(v) a motion to modify sentence.

(b) The defendant may file a supplemental post-sentence motion in the judge's discretion as long as the decision on the supplemental motion can be made in compliance with the time limits of paragraph (B)(3).

(c) Issues raised before or during trial shall be deemed preserved for appeal whether or not the defendant elects to file a post-sentence motion on those issues.

(2) Trial Court Action.

(a) Briefing Schedule

Within 10 days after a post-sentence motion is filed, if the judge determines that briefs or memoranda of law are required for a resolution of the motion, the judge shall schedule a date certain for the submission of briefs or memoranda of law by the defendant and the Commonwealth.

(b) Hearing; Argument

The judge shall also determine whether a hearing or argument on the motion is required, and if so, shall schedule a date or dates certain for one or both.

(c) Transcript

If the grounds asserted in the post-sentence motion do not require a transcript, neither the briefs nor hearing nor argument on the post-sentence motion shall be delayed for transcript preparation.

(3) Time Limits for Decision on Motion.

The judge shall not vacate sentence pending decision on the post-sentence motion, but shall decide the motion as provided in this paragraph.

(a) Except as provided in paragraph (B)(3)(b), the judge shall decide the post-sentence motion, including any supplemental motion, within 120 days of the filing of the motion. If the judge fails to decide the motion within 120 days, or to grant an extension as provided in paragraph (B)(3)(b), the motion shall be deemed denied by operation of law.

(b) Upon motion of the defendant within the 120-day disposition period, for good cause shown, the judge may grant one 30-day extension for decision on the motion. If

the judge fails to decide the motion within the 30-day extension period, the motion shall be deemed denied by operation of law.

(c) When a post-sentence motion is denied by operation of law, the clerk of courts shall forthwith enter an order on behalf of the court, and, as provided in Rule 114, forthwith shall serve a copy of the order on the attorney for the Commonwealth, the defendant's attorney, or the defendant if unrepresented, that the post-sentence motion is deemed denied. This order is not subject to reconsideration.

(d) If the judge denies the post-sentence motion, the judge promptly shall issue an order and the order shall be filed and served as provided in Rule 114.

(e) If the defendant withdraws a post-sentence motion, the judge promptly shall issue an order memorializing the withdrawal, and the order shall be filed and served as provided in Rule 114.

(4) Contents of Order.

An order denying a post-sentence motion, whether issued by the judge pursuant to paragraph (B)(3)(d) or entered by the clerk of courts pursuant to paragraph (B)(3)(c), or an order issued following a defendant's withdrawal of the post-sentence motion, shall include notice to the defendant of the following:

(a) the right to appeal and the time limits within which the appeal must be filed;

(b) the right to assistance of counsel in the preparation of the appeal;

(c) the rights, if the defendant is indigent, to appeal *in forma pauperis* and to proceed with assigned counsel as provided in Rule 122; and

(d) the qualified right to bail under Rule 521(B).

(C) AFTER-DISCOVERED EVIDENCE.

A post-sentence motion for a new trial on the ground of after-discovered evidence must be filed in writing promptly after such discovery.

(D) SUMMARY CASE APPEALS.

There shall be no post-sentence motion in summary case appeals following a trial *de novo* in the court of common pleas. The imposition of sentence immediately following a determination of guilt at the conclusion of the trial *de novo* shall constitute a final order for purposes of appeal.

Comment

See Rules 606, 608 and 622.

For post-sentence procedures after a sentence of death has been imposed, see Rule 811.

The purpose of this rule is to promote the fair and prompt disposition of all issues relating to guilty pleas, trial, and sentence by consolidating all possible motions to be submitted for trial court review, and by setting reasonable but firm time limits within which the motion must be decided. Because the post-sentence motion is optional, the defendant may choose to raise any or all properly preserved issues in the trial court, in the appellate court, or both.

TIMING

Paragraph (A) contains the timing requirements for filing the optional post-sentence motion and taking an appeal. Under paragraph (A)(1), the post-sentence motion must be filed within 10 days of imposition of sentence.

When a defendant files a timely post-sentence motion, the 30-day period for the defendant's direct appeal on all matters in that case—including all issues related to any informations and any charges consolidated against the defendant for trial—is triggered by the trial judge's decision on the post-sentence motion, the denial of the motion by operation of law, or the withdrawal of the post-sentence motion. The appeal period runs from the entry of the order. As to the date of entry of orders, see Pa.R.A.P. 108. See also *Commonwealth v. Miller*, 715 A.2d 1203 (Pa. Super. 1998), concerning the time for appeal following the withdrawal of a post-sentence motion. No direct appeal may be taken by a defendant while his or her post-sentence motion is pending. See paragraph (A)(2).

If no timely post-sentence motion is filed, the defendant's appeal period runs from the date sentence is imposed. See paragraph (A)(3). Under paragraph (A)(4), however, when the defendant has not filed a post-sentence motion but the Commonwealth files a timely motion to modify sentence under Rule 721, it is the entry of the order disposing of the Commonwealth's motion that commences the 30-day period during which the defendant's notice of appeal must be filed. See Rule 721(B)(2)(b).

All references to appeals in this rule relate to the defendant's right to appeal. The rule does not address or alter the Commonwealth's right to appeal. For Commonwealth challenges to sentences, see Rule 721.

OPTIONAL POST-SENTENCE MOTION

Paragraph (B) represents a departure from traditional Pennsylvania practice. It is intended to give the defendant the option of resubmitting for the trial judge's consideration issues that were raised before or during trial. Although the defendant may choose to raise only some issues in the post-sentence motion, the decision on the motion triggers the appeal period on all properly preserved issues. See paragraph (A)(2).

Under paragraph (B)(1)(c), any issue raised before or during trial is deemed preserved for appeal whether or not the defendant chooses to raise the issue in a post-sentence motion. It follows that the failure to brief or argue an issue in the post-sentence motion would not waive that issue on appeal as long as the issue was properly preserved, in the first instance, before or during trial. Nothing in this rule, however, is intended to address Pa.R.A.P. 1925(b) or the preservation of appellate issues once an appeal is filed. See *Commonwealth v. Lord*, [553 Pa. 415,] 719 A.2d 306 (Pa. 1998) (any issues not raised in a 1925(b) statement will be deemed waived).

Nothing in this rule precludes the judge from granting a motion for extraordinary relief before sentencing under the special provisions of Rule 704(B). *But see* Rule 704(B)(3).

Under paragraph (A)(1), if a defendant chooses to file a post-sentence motion, the motion must be filed within 10 days of imposition of sentence. The filing of the written post-sentence motion triggers the time limits for decision on the motion, including any supplement to it filed pursuant to paragraph (B)(1)(b). See paragraph (B)(3)(a).

For procedures governing post-sentence challenges to the sufficiency of the evidence, see Rule 606(A)(6) and (A)(7). For challenges to the weight of the evidence, see Rule 607(A).

In those cases in which a petitioner under the Post Conviction Relief Act has been granted leave to file a

post-sentence motion or to appeal *nunc pro tunc*, the filing of the post-sentence motion or the notice of appeal must comply with the timing requirements contained in paragraph (A) of this rule. See the Post Conviction Relief Act, 42 Pa.C.S. §§ 9541 *et seq.*

BRIEFS; TRANSCRIPTS; ARGUMENT

Under paragraph (B)(2)(a), the judge should determine, on a case-by-case basis, whether briefs or memoranda of law are required for a fair resolution of the post-sentence motion. If they are not needed, or if a concise summary of the relevant law and facts is sufficient, the judge should so order. Any local rules requiring briefs or oral argument are inconsistent with this rule. See Rule 105(B)(1).

Under paragraph (B)(2)(c), the judge, in consultation with defense counsel and the attorney for the Commonwealth, should determine what, if any, portions of the notes of testimony must be transcribed so that the post-sentence motion can be resolved. The judge should then set clear deadlines for the court reporter to insure timely disposition of the motion. Nothing in this rule precludes the judge from ordering the transcript or portions of it immediately after the conclusion of the trial or the entry of a plea.

Paragraph (B)(1)(b) permits the trial judge to entertain a supplemental post-sentence motion at his or her discretion, as long as the decision on the supplemental issue(s) is made within the time limits of paragraph (B)(3).

For the recording and transcribing of court proceedings generally, see Rule 115. The requirements for the record and the writing of an opinion on appeal are set forth in the Pennsylvania Rules of Appellate Procedure.

There is no requirement that oral argument be heard on every post-sentence motion. When argument is to be heard, however, the judge should determine whether the post-sentence motion argument must be argued before the judge alone, or before a panel sitting *en banc*. It is recommended that, except in extraordinary circumstances, the post-sentence motion be heard by the judge alone. The judge may make any rulings that could be made by a court *en banc*. See *Commonwealth v. Norris*, [256 Pa. Super. 196,] 389 A.2d 668 (Pa. Super. 1978). On the powers of courts *en banc*, see *Commonwealth v. Bonser*, [215 Pa. Super. 452,] 258 A.2d 675 (Pa. Super. 1969). For cases in which there has been a change of venue, see Rule 584.

When oral argument is heard on the post-sentence motion, the defendant need not be present.

DISPOSITION

Under paragraph (B)(3), once the defendant makes a timely written post-sentence motion, the judge retains jurisdiction for the duration of the disposition period. The judge may not vacate the order imposing sentence pending decision on the post-sentence motion. This is so whether or not the Commonwealth files a motion to modify sentence. See Rule 721.

Paragraph (B)(3)(b) permits one 30-day extension of the 120-day time limit, for good cause shown, upon motion of the defendant. In most cases, an extension would be requested and granted when new counsel has entered the case. Only the defendant or counsel may request such an extension. The judge may not, *sua sponte*, extend the time for decision: a congested court calendar or other judicial delay does not constitute "good cause" under this rule.

The possibility of an extension is not intended to suggest that 120 days are required for decision in most

cases. The time limits for disposition of the post-sentence motion are the outer limits. Easily resolvable issues, such as a modification of sentence or a guilty plea challenge, should ordinarily be decided in a much shorter period of time.

If the trial judge decides the motion within the time limits of this rule, the judge may grant reconsideration on the post-sentence motion pursuant to 42 Pa.C.S. § 5505 or Pa.R.A.P. 1701.1, but the judge may not vacate the sentence pending reconsideration. Rule 720(B)(3). The reconsideration period may not be used to extend the timing requirements set forth in paragraph (B)(3) for decision on the post-sentence motion: the time limits imposed by paragraphs (B)(3)(a) and (B)(3)(b) continue to run from the date the post-sentence motion was originally filed. The trial judge's reconsideration must therefore be resolved within the 120-day decision period of paragraph (B)(3)(a) or the 30-day extension period of paragraph (B)(3)(b), whichever applies. If a decision on the reconsideration is not reached within the appropriate period, the post-sentence motion, including any issues raised for reconsideration, will be denied pursuant to paragraph (B)(3)(c).

Under paragraph (B)(3)(a), on the date when the court disposes of the motion, or the date when the motion is denied by operation of law, the judgment becomes final for the purposes of appeal. See Judicial Code, 42 Pa.C.S. §§ 102, 722, 742, 5105(a) and *Commonwealth v. Bolden*, [472 Pa. 602,] 373 A.2d 90 (Pa. 1977).

An order entered by the clerk of courts under paragraph (B)(3)(c) constitutes a ministerial order and, as such, is not subject to reconsideration or modification pursuant to 42 Pa.C.S. § 5505 or Pa.R.A.P. 1701.

If the motion is denied by operation of law, paragraph (B)(3)(c) requires that the clerk of courts enter an order denying the motion on behalf of the court and immediately notify the attorney for the Commonwealth, the defendant's attorney, or the defendant if unrepresented, that the motion has been denied. This notice is intended to protect the defendant's right to appeal. The clerk of courts also must comply with the filing, service, and docket entry requirements of Rule 114.

The disposition of a motion to modify a sentence imposed after a revocation hearing is governed by Rule 708 (Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition).

CONTENTS OF ORDER

Paragraph (B)(4) protects the defendant's right to appeal by requiring that the judge's order denying the motion, the clerk of courts' order denying the motion by operation of law, or the order entered memorializing a defendant's withdrawal of a post-sentence motion, contain written notice of the defendant's appeal rights. This requirement ensures adequate notice to the defendant, which is important given the potential time lapse between the notice provided at sentencing and the resolution of the post-sentence motion. See Rule 704(C)(3). See also *Commonwealth v. Miller*, 715 A.2d 1203 (Pa. Super. 1998), concerning the contents of the order memorializing the withdrawal of a post-sentence motion.

When a defendant withdraws a post-sentence motion in open court and on the record, the judge should orally enter an order memorializing the withdrawal for the record, and give the defendant notice of the information required by paragraph (B)(4). See *Commonwealth v. Miller*, *supra*.

MISCELLANEOUS

Commonwealth v. Grant, [572 Pa. 48,] 813 A.2d 726 (Pa. 2002), which overrules *Commonwealth v. Hubbard*, [472 Pa. 259,] 372 A.2d 687 (Pa. 1977), provides that a defendant should wait until collateral review to raise ineffective counsel claims. **For exceptions to the general rule in *Grant*, see, e.g., *Commonwealth v. Holmes*, 79 A.3d 562 (Pa. 2013) and *Commonwealth v. Delgros*,—A.3d—(Pa. 2018),**

Under paragraph (B)(1)(a), the grounds for the post-sentence motion should be stated with particularity. Motions alleging insufficient evidence, for example, must specify in what way the evidence was insufficient, and motions alleging that the verdict was against the weight of the evidence must specify why the verdict was against the weight of the evidence.

Because the post-sentence motion is optional, the failure to raise an issue with sufficient particularity in the post-sentence motion will not constitute a waiver of the issue on appeal as long as the issue was preserved before or during trial. See paragraph (B)(1)(c).

Under paragraph (B)(1)(a)(ii), a challenge to the sufficiency of the evidence would be made in a motion for judgment of acquittal. See Rule 606.

A post-sentence challenge to a guilty plea under this rule is distinct from a motion to withdraw a guilty plea prior to sentence. See Rule 591. Cf. Standards Relating to Pleas of Guilty § 2.1(a)(ii), ABA PROJECT ON MINIMUM STANDARDS FOR CRIMINAL JUSTICE (Approved Draft, 1968). Properly preserved issues related to guilty pleas need not be raised again in the post-sentence motion, but the defendant may choose to do so. A key consideration for the defendant is whether the record will be adequate for appellate review. If counsel is uncertain about the record, it is recommended that the guilty plea be challenged in the post-sentence motion.

Issues properly preserved at the sentencing proceeding need not, but may be raised again in a motion to modify sentence in order to preserve them for appeal. In deciding whether to move to modify sentence, counsel must carefully consider whether the record created at the sentencing proceeding is adequate for appellate review of the issues, or the issues may be waived. See *Commonwealth v. Jarvis*, [444 Pa. Super. 296,] 663 A.2d 790 (Pa. Super. 1995). See also Rule 704(C)(4). As a general rule, the motion to modify sentence under paragraph (B)(1)(a)(v) gives the sentencing judge the earliest opportunity to modify the sentence. This procedure does not affect the court's inherent powers to correct an illegal sentence or obvious and patent mistakes in its orders at any time before appeal or upon remand by the appellate court. See, e.g., *Commonwealth v. Jones*, [520 Pa. 385,] 554 A.2d 50 (Pa. 1989) (sentencing court can, *sua sponte*, correct an illegal sentence even after the defendant has begun serving the original sentence) and *Commonwealth v. Cole*, [437 Pa. 288,] 263 A.2d 339 (Pa. 1970) (inherent power of the court to correct obvious and patent mistakes).

Once a sentence has been modified or reimposed pursuant to a motion to modify sentence under paragraph (B)(1)(a)(v) or Rule 721, a party wishing to challenge the decision on the motion does not have to file an additional motion to modify sentence in order to preserve an issue for appeal, as long as the issue was properly preserved at the time sentence was modified or reimposed.

Commonwealth challenges to sentences are governed by Rule 721. If the defendant files a post-sentence motion, the time limits for decision on the defendant's motion govern the time limits for disposition of the Commonwealth motion to modify sentence, regardless of which motion is filed first. See Rule 721(C)(1). If the defendant elects to file an appeal and the Commonwealth files a motion to modify sentence, decision on the Commonwealth's motion triggers the defendant's 30-day appeal period. See Rule 720(A)(4).

Given that the Commonwealth has 10 days to file a motion to modify sentence under Rule 721(B)(1), it is possible that the defendant might elect to file a notice of appeal under Rule 720(A)(3) followed by the Commonwealth's filing a timely motion to modify sentence. When this occurs, the defendant's notice of appeal is rendered premature, because the entry of the order disposing of the Commonwealth's motion to modify sentence then becomes the triggering device for the defendant's notice of appeal. In this situation, counsel for the defendant should be aware that Pa.R.A.P. 905(a) addresses this problem. In response to an extensive history of appeals that were quashed because of the premature filing of the notice of appeal, the last sentence of Pa.R.A.P. 905(a) was drafted to create a legal fiction that treats a premature notice of appeal as filed after the entry of the appealable order. For a discussion of this provision, see Darlington, McKeon, Schuckers, and Brown, *Pennsylvania Appellate Practice*, 2d., § 905.3.

For bail proceedings pending the outcome of the post-sentence motion, see Rules 521 and 523.

[Unlike ineffective counsel claims, which are the subject of *Commonwealth v. Grant*, 572 Pa. 48, 813 A.2d 726 (2002), paragraph] Paragraph (C) requires that any claim of after-discovered evidence must be raised promptly after its discovery. Accordingly, after-discovered evidence discovered during the post-sentence stage must be raised promptly with the trial judge at the post-sentence stage; after-discovered evidence discovered during the direct appeal process must be raised promptly during the direct appeal process, and should include a request for a remand to the trial judge; and after-discovered evidence discovered after completion of the direct appeal process should be raised in the context of the PCRA. See 42 Pa.C.S. § 9545(b)(1)(ii) and (b)(2) (PCRA petition raising after-discovered evidence must be filed within 60 days of date claim could have been presented). *Commonwealth v. Kohan*, 825 A.2d 702 (Pa. Super. 2003), is superseded by the 2005 amendments to paragraphs (A) and (C) of the rule.

Although there are no post-sentence motions in summary appeals following the trial *de novo* pursuant to paragraph (D), nothing in this rule is intended to preclude the trial judge from acting on a defendant's petition for reconsideration. See the Judicial Code, 42 Pa.C.S. § 5505. See also *Commonwealth v. Dougherty*, [451 Pa. Super. 248,] 679 A.2d 779, 784 (Pa. Super. 1996). The time for appeal in summary cases following a trial *de novo* runs from the imposition of sentence.

Official Note: Previous Rule 1410, adopted May 22, 1978, effective as to cases in which sentence is imposed on or after July 1, 1978; rescinded March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994, and replaced by present Rule 1410. Present Rule 1410 adopted March 22, 1993 and amended December 17, 1993, effective as to cases in which the determination of guilt occurs on or

after January 1, 1994; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996. Comment revised September 26, 1996, effective January 1, 1997; amended August 22, 1997, effective January 1, 1998; Comment revised October 15, 1997, effective January 1, 1998; amended July 9, 1999, effective January 1, 2000; renumbered Rule 720 and amended March 1, 2000, effective April 1, 2001; amended August 21, 2003, effective January 1, 2004; amended March 2, 2004, effective July 1, 2004; Comment revised June 4, 2004, effective November 1, 2004; amended June 8, 2005, effective August 1, 2005; Comment revised January 18, 2007, effective August 1, 2007[.]; **Comment revised , 2018, effective , 2018).**

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Committee Explanatory Reports:

Final Report explaining the provisions of the new rule published with the Court's Order at 23 Pa.B. 1699 (April 10, 1993).

Report explaining the December 17, 1993 amendments published with the Court's Order at 24 Pa.B. 334 (January 15, 1994).

Final Report explaining the September 13, 1995 amendments concerning bail published with the Court's Order at 25 Pa.B. 4116 (September 30, 1995).

Final Report explaining the September 26, 1996 Comment revision on Rule 1409 procedures published at 26 Pa.B. 4900 (October 12, 1996).

Final Report explaining the August 22, 1997 amendments to paragraphs (A)(4) and (B)(3) published with the Court's Order at 27 Pa.B. 4553 (September 6, 1997).

Final Report explaining the Comment references to Rule 1124A (Challenges to the Weight of the Evidence) and to *Commonwealth v. Dougherty* published with the Court's Order at 27 Pa.B. 5594 (November 1, 1997).

Final Report explaining the July 9, 1999 amendments to paragraphs (A)(2) and (B)(4) concerning time for appeal and contents of the order entered following withdrawal of post-sentence motion, and revision of the Comment adding the citation to *Commonwealth v. Lord*, published with the Court's Order at 29 Pa.B. 3836 (July 24, 1999).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the August 21, 2003 changes to Rule 720 concerning the timeliness of filings and the order published with the Court's Order at 33 Pa.B. 4438 (September 6, 2003).

Final Report explaining the March 2, 2004 amendments updating the cross-references correlative to the March 2, 2004 changes to the motions rules published with the Court's Order at 34 Pa.B. 1561 (March 20, 2004).

Final Report explaining the June 8, 2005 changes concerning ineffective counsel claims and concerning after-discovered evidence published with the Court's Order at 35 Pa.B. 3545 (June 25, 2005).

Final Report explaining the January 18, 2007 revision of the last paragraph of the Comment clarifying the time for appeal following a trial de novo published with the Court's Order at 37 Pa.B. 526 (February 3, 2007).

Report explaining the proposed revision of the Comment cross-referencing cases that provide exceptions to principle that ineffectiveness of counsel claims may only be raised on collateral appeal published for comment at 48 Pa.B. 6983 (November 3, 2018).

REPORT

***Proposed Amendment of Pa.R.Crim.P. 720*
**Ineffectiveness of Counsel Claims Raised in
Post-Sentence Motions****

On April 28, 2018, the Supreme Court of Pennsylvania issued an opinion in the case of *Commonwealth v. Delgros*, 183 A.3d 352 (Pa. 2018). In *Delgros*, the defendant was convicted of receiving stolen property. He was sentenced to pay restitution and a fine only, there was no confinement. Defendant filed post-sentence motions seeking a new trial asserting, *inter alia*, ineffective assistance of trial counsel. The trial court denied the motion and was affirmed by the Superior Court. On appeal, the Supreme Court vacated and remanded the case, finding that trial courts are required to address ineffectiveness claims when the defendant is statutorily precluded from obtaining subsequent review under the Post-Conviction Relief Act.

The case of *Commonwealth v. Grant*, 813 A.2d 726 (Pa. 2002), established the general principle that claims of ineffectiveness of counsel will not be entertained on direct appeal and a defendant should wait to raise ineffectiveness claims until collateral review. Subsequent case law refined this principle and provided exceptions to it, most notably in *Commonwealth v. Holmes*, 79 A.3d 561 (Pa. 2013). In *Holmes*, the Court established two limited exceptions: (1) where the ineffectiveness is "apparent from the record and meritorious to the extent that immediate consideration best serves the interests of justice"; and (2) where the defendant shows good cause and expressly waives the entitlement to seek subsequent PCRA review. *Holmes* also softened the position adopted in *Commonwealth v. O'Berg*, 880 A.2d 597 (Pa. 2005) where the Court refused to create a categorical exception to *Grant* for defendants with short sentences. Recognizing "the constitutional primacy of claims involving the ineffectiveness of trial counsel," the Court directed trial courts to "err on the side of favoring the vindication of constitutional rights otherwise susceptible to forfeiture," and conveyed confidence that trial courts in short sentence cases will recognize these concerns and liberally permit unitary review. *Holmes*, 79 A.3d at 578.

This rationale was applied in *Delgros*. Because the defendant in *Delgros* was sentenced only to a monetary punishment, he fell outside of the parameters of the PCRA which, under 42 Pa.C.S. § 9543(a)(1), limits relief to those currently serving a sentence of imprisonment, probation or parole for the crime. The Court found that the defendant's "ineligibility for PCRA review is more than potential; it is definitive, as he can never satisfy Subsection 9543(a)(1) because he was sentenced only to pay a fine. . . ." and concluded this situation required a remedy:

Accordingly, to ensure that defendants are afforded an opportunity to challenge trial counsel's stewardship, we adopt an additional exception to Grant's general deferral rule, requiring trial courts to address claims challenging trial counsel's performance where the defendant is statutorily precluded from obtaining subsequent PCRA review. *Delgros*, ___ A.3d at ___, 2018 WL 1959478 at *7.

Rule 720 provides the procedures for optional post-sentence motions. The *Comment* contains a cross-reference only to *Grant*:

Commonwealth v. Grant, 572 Pa. 48, 813 A.2d 726 (2002), which overrules *Commonwealth v. Hubbard*, 472 Pa. 259, 372 A.2d 687 (1977), provides that a defendant should wait until collateral review to raise ineffective counsel claims.

The Committee concluded that the cross-reference only to *Grant* is incomplete and that it would be helpful to the bench and bar to include cross-references to the two cases providing important statements regarding exceptions to the rule in *Grant*. Therefore, cross-references to both *Holmes* and *Delgros* would be added to the *Comment* to Rule 720.

[Pa.B. Doc. No. 18-1698. Filed for public inspection November 2, 2018, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated September 17, 2018, pursuant to Pennsylvania Rules of Disciplinary Enforcement 219 which requires that all attorneys admitted to practice in any court of this Commonwealth must pay an annual assessment of \$225.00. The Order became effective October 18, 2018.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been administratively suspended by said Order, was published in the appropriate county legal journal.

Basso, Joseph
Medford, NJ

Benson, Gregory Chadwick
Hilton Head Island, SC

Boiler, Diane S.
Reston, VA

Bradley, Elizabeth Bline
Washington, DC

Brentzel, Cathy Marie
Washington, DC

Bridges, Alfred Wesley, Jr.
Trenton, NJ

Brinkerhoff, George Robert
Medford, NJ

Bulson, Raymond William
Portville, NY

Campbell, Winifred Ellen
Richmond, VA

Carpenter, Megan Margaret
Concord, NH

Coble, Whitney
Atlanta, GA

Collins, Randall Johnson
Gloucester City, NJ

Crawford, Anthony
New York, NY

Damian, Christopher
Saint Paul, MN

DiTomo, John Patrick
Wilmington, DE

Dubin, Morton Donald, II
New York, NY

Duff, Gerald Patrick
St. Clairsville, OH

Epstein, Donna Broker
Longmeadow, MA

Etuk, Aqua Godwin
Lawrenceville, NJ

Farrell, Katlyn Ashley
Alexandria, VA

Fenske, Carly J.
Sun Prairie, WI

Gerber, Daniel W.
Buffalo, NY

Glavis, Rachel White
Cherry Hill, NJ

Golden, Timothy Joseph
Walla Walla, WA

Gourash, Catherine Rose
Washington, DC

Guben, Merry Beth
Worton, MD

Haley, Sarah B.
Deptford, NJ

Heinen, Gary Joseph
Oklahoma City, OK

Heir, Douglas
Cherry Hill, NJ

Henoch, Matthew Evan
Cleveland, OH

Hermesmann, Patrick J.
Mount Laurel, NJ

Herrington, Heather Arlene
Haddonfield, NJ

Holt, Brendan
Trumbull, CT

Howard, Katherine Emmi
Mount Laurel, NJ

Iruobe, Emalohi Louisa
Newark, DE

Jasnoff, Chelsea Paige
Montclair, NJ

Jaycox, Brandon Kurtis
Puerto Rico

Joseph, James H.
Charleston, SC

Joseph, Ronald E.
New York, NY

Jurin, Adam Jonathan
Trenton, NJ

Kauffman, Alan C.
Boca Raton, FL

Kehrli, Christopher Robert
Denver, CO

Kim, Youngeun
Washington, DC

Kramer, Kurt
Mount Laurel, NJ

Lallis, Danny
Florham Park, NJ

LaPorta, Guido Robert, III
Chicago, IL

Laskey, John Lewis
Cherry Hill, NJ

Lawrence, Andrew William
Long Beach, NY

Leverett, Neuman, III
Fox Point, WI

Logan, Marc James
Seattle, WA

Lopez, Katherine Knowlton
Saint Petersburg, FL

Manypenny, Lawrence L.
New Cumberland, WV

Marshall, John Paul
Princeton, NJ

Martin, Quin Harry
Edison, NJ

McCowan, Allison Jean
Wilmington, DE

McGovern, Megan
Washington, DC

McMillan Rose, LaJuene
Memphis, TN

McPherson, Shevelle
Cherry Hill, NJ

Migliaccio, Michael
Phoenix, AZ

Mlotkowski, Michael John
McLean, VA

Moore, James Edward
Cape May Court House, NJ

Morris, Brenda Lee
Lakewood, CO

Moser, Eric Todd
Eastchester, NY

Mulligan, Daniel Edward
Mickleton, NJ

Nachmias, Mark David
Avenel, NJ

Nelms, Mark Andrew
Annapolis, MD

Norris, Frank Adrian, Jr.
East Norwich, NY

O'Brien, Walter John
Dover, DE

Oh, Hyuck
Korea

Osuna, Juan P.
Falls Church, VA

Ozurumba, Patrina Alesia
Rochelle Park, NJ

Perez, Jennifer Rosa
Williamstown, NJ

Pinkston, Danielle M.
Hammonton, NJ

Poreda, Michael Anthony
Jersey City, NJ

Proffitt, Toni Yvette
Camden, NJ

Pugh, Terry Lee
Wilmington, DE

Rea, Andrea JoAnn
Houston, TX

Reynolds, Thomas Edward, Jr.
Atlanta, GA

Rooney, Megan Rose
Goshen, NY

Rose, Michael Charles
Mount Laurel, NJ

Rowland, Michael John
Denville, NJ

Scott, David Wilson, Jr.
Warrenton, VA

Shabazz, Khalifah Lucille
Newark, NJ

Shade, Jonea Maria
Cuyahoga Falls, OH

Shahlapour, Zahra
New York, NY

Shannon, Alexa Cavaliere
Boston, MA

Shvartsman, Paul
Lexinton, MA

Siegel, Charles S.
Dallas, TX

Sinclair, Kathy M.
Spur, TX

Sipe, Casey L.
Lake Buena Vista, FL

Stephens, Thomas Wade
Houston, TX

Stewart, William R., III
Wilmington, DE

Taber, Edward Erin
Bay Village, OH

Tepper, Catherine Mary
Park City, UT

Vaccarelli, Lisa Burgin
Wilmington, DE

Valenti, Anthony
Haddonfield, NJ

Wahba, Stephanie Marie
Long Branch, NJ

Waller, Lorraine E.
Glenview, IL

Ward, Virginia Cora
Weston, MA

Warren, Shannon Alyssa
Sewell, NJ

Weinberg, Shealtiel
Cherry Hill, NJ

Wentz, Natalie Ericson
Sewell, NJ

Wetzel, Eric Michael
Voorhees, NJ

Williams, Glenn L.
Detroit, MI

Wojcik, Victor L.
Northville, MI

Wojnarwsky, Amy Marie
Cleveland, OH

Worthington, Kathleen C.
Tucson, AZ

Wray, Tiasha L.
Charlotte, NC

Zimmt-Mack, Stephanie Lynne
Tucson, AZ

SUZANNE E. PRICE,
Attorney Registrar

[Pa.B. Doc. No. 18-1699. Filed for public inspection November 2, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 34—LABOR AND INDUSTRY

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CH. 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 Chapter 403 (relating to administration) to read as set forth in Annex A.

Statutory Authority

This emergency certified final-omitted rulemaking is issued under the authority provided in section 304(a)(1) and (2) of the act. Section 304(a)(1) provides that, with 9 months of receipt of the report, the Department “shall promulgate final-omitted regulations” adopting the revisions provided in the report issued by the Uniform Construction Code Review and Advisory Council (RAC) to the Secretary of the Department specifying the 2015 code revisions of the International Code Council (ICC) codes the RAC adopts or modifies. 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) of the Commonwealth Attorneys Act (71 P.S. §§ 732-204(b) and 732-301(10)).

These regulations are also being submitted as emergency certified regulations. Section 6(d) of the Regulatory Review Act (RRA) allows an agency to immediately implement a final-omitted regulation when the Governor or Attorney General certifies that promulgation is necessary to respond to an emergency circumstance specified in the RRA. 71 P.S. § 745.6(d). Here, on October 18, 2018, Governor Tom Wolf issued a Certification for Need for Emergency Regulation that this emergency certified final-omitted rulemaking is required to protect the public health, safety and welfare. In addition, this Certification for Need for Emergency Regulation is consistent with the goal of the act “to provide standards for the protection of life, health, property and environment and for the safety and welfare of the consumer, general public and the owners and occupants of buildings and structures.” 35 P.S. § 7210.102(b)(1).

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), have been adopted, in whole or in part, by reference into the UCC. See 34 Pa. Code §§ 403.1 and 403.21 (relating to scope; Uniform Construction Code). Traditionally, the ICC has published fire and smoke protection features for elevator lobbies in Chapter 7 of the IBC. Every 3 years, the ICC publishes revisions to the ICC 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 another complete review of the 2015 ICC codes, disregarding the RAC’s previous action on the 2015 ICC codes. 35 P.S. § 7210.108(a)(1)(i). If the 2015 ICC codes updated the 2012 ICC codes, 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).

For the 2015 code review, the RAC was required to submit a report to the Secretary of the Department outlining the ICC codes that the RAC was adopting or modifying. 35 P.S. § 7210.108(b). On May 1, 2018, the RAC submitted its report to the Secretary, outlining 37 different recommendations. On June 12, 2018, and July 23, 2018, the RAC submitted amended reports. The Department promulgated regulations based on the RAC’s last amended report, and these regulations went into effect on October 1, 2018.

However, these regulations did not include fire and smoke protection features for elevator lobbies because, in 2012, the ICC moved the section providing these protection features from Chapter 7 of the IBC to Chapter 30 of the ICC. The ICC also updated these protection features between 2012 and 2015. Chapter 30 of the IBC governs elevators and the RAC typically does not review Chapter 30 because the Department has exclusive authority to regulate elevators. 35 P.S. § 7210.105(c)(1) and (2). However, provisions concerning fire and smoke protection for elevator lobbies are not covered by the Department’s elevator regulations since elevator is defined as, “Hoisting and lowering devices governed by ASME standards adopted by the Department under the Uniform Construction Code and other lifting devices subject to the requirements of the Uniform Construction Code.” 34 Pa. Code § 401.1 (relating to definitions). The features found in Chapter 30 of the IBC of 2015 regulate elevator lobbies and hoistway openings and do not regulate the lowering devices themselves. As such, the RAC was required to review Section 3006 (relating to elevator lobbies and hoistway opening protection) of the IBC of 2015 and determine whether to adopt or modify the Section.

On October 17, 2018, the RAC held a meeting where it reviewed Section 3006 of the IBC of 2015 and voted to adopt it. On that day, the RAC issued a report directing the Department to adopt Section 3006 of the IBC of 2015 into its regulations. Therefore, the Department is submitting this emergency certified final-omitted regulation to add fire and smoke protection features found in Section 3006 of the IBC of 2015 to the UCC regulations. This regulation is necessary to protect the public health, safety and welfare because the current regulations do not require fire and smoke protection features for elevator lobbies and these features are necessary to prevent serious injury or death in the event of a fire in a commercial building containing elevators.

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

On October 17, 2018, the RAC held a public hearing to consider whether to adopt fire and smoke protection provisions for elevator lobbies.

Purpose

The purpose of this emergency certified final-omitted rulemaking is to amend 34 Pa. Code § 403.21 to adopt the revisions specified in the RAC's October 17, 2018, report, as required by section 304(a)(1) of the act.

Summary of Emergency Certified Final-Omitted Rulemaking

§ 403.21. Uniform Construction Code.

The RAC voted to adopt Section 3006 (relating to elevator lobbies and hoistway opening protection) of the IBC of 2015. As such, the Department is amending paragraph (a)(1) of Section 403.21 to add Section 3006 of the IBC of 2015.

Affected Persons

This emergency certified 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 is not aware of any fiscal impact to the regulated community.

Reporting, Recordkeeping and Paperwork Requirements

There are no additional reporting, recordkeeping or paperwork requirements.

Sunset Date

There is no sunset date for this regulation. The act requires referenced standards to be reviewed every 3 years following publication of the triennial revisions to the ICC codes.

Effective Date

This emergency certified final-omitted regulation will take effect immediately upon publication in the *Pennsylvania Bulletin*.

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 October 22, 2018, the Department submitted a copy of the final-omitted rulemaking to the Chairpersons of the Senate Committee on Labor and Industry and the House Committee on Labor and Industry and to the Independent Regulatory Review Commission (IRRC). In addition to submitting the final-omitted rulemaking, the Department has provided the Committees and IRRC with a copy of a detailed Regulatory Analysis Form prepared by the Department. A copy of this material is available to the public upon request.

Under section 6(d) of the Regulatory Review Act (71 P.S. § 745.6(d)), the Governor has certified that this

final-omitted regulation is required to meet an emergency condition that threatens the public health, safety and welfare. As such, this final-omitted regulation is effective upon publication in the *Pennsylvania Bulletin*. Pursuant to section 5.1(e) of the Regulatory Review Act (71 P.S. § 745.5a(e)), IRRC will review this regulation at its meeting on December 6, 2018.

Findings

The Department finds that:

(a) This emergency certified final-omitted rulemaking is authorized by Section 304(a)(1) and (2) of the act.

(b) Use of the emergency certified final-omitted rulemaking procedure provided in section 6(d) of the Regulatory Review Act (71 P.S. § 745.6(d)) is appropriate because this regulation is required to protect the public health, safety and welfare based on the Governor's Certification of Need for Emergency Regulation dated October 18, 2018.

Order

The Department, acting under authorizing statute, orders that:

(a) The regulations of the Department, 34 Pa. Code, Chapter 403, are amended by amending § 403.21 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 final-omitted rulemaking shall become effective immediately upon publication in the *Pennsylvania Bulletin*.

W. GERARD OLEKSIK,
Secretary

Fiscal Note: 12-109. No fiscal impact; (8) recommends adoption.

GOVERNOR'S OFFICE

Certification of Need for Emergency Regulation

Whereas, the Pennsylvania Construction Code Act (Act), 35 P.S. §§ 7210.101—7210.1103, charges the Department of Labor and Industry (Department) with promulgating the Uniform Construction Code (UCC), which is Pennsylvania's uniform statewide building code; and

Whereas, the UCC incorporates model codes issued by the International Code Council (ICC); and

Whereas, the Act has created the Uniform Construction Code Review and Advisory Council (RAC) which is charged with reviewing the model codes issued by the ICC, deciding which of these codes should be adopted or modified and issuing a report to the Department outlining the RAC's decisions regarding the ICC codes; and

Whereas, the RAC reviewed the 2015 ICC codes; and

Whereas, on May 1, 2018, June 12, 2018, and July 23, 2018, the RAC issued reports directing the Department to

promulgate regulations adopting the RAC’s decisions on the 2015 ICC codes; and

Whereas, effective October 1, 2018, the Department promulgated regulations adopting the decisions the RAC made regarding the 2015 ICC codes; and

Whereas, the regulations promulgated effective October 1, 2018 do not require fire and smoke protection for elevator lobbies; and

Whereas, the failure to require fire and smoke protection for elevator lobbies creates a risk to individuals who occupy newly constructed or altered commercial buildings because without requiring this protection, individuals could suffer serious injuries or death in the event of a fire in the building, as elevator lobby protection provides for a faster and safer response for first responders as well as a protected path of evacuation for building occupants in those buildings required to provide Fire Service Access and Occupant Evacuation elevators; and

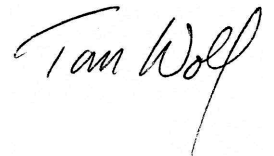
Whereas, the RAC met on October 17, 2018 and the same day issued a report directing the Department to amend the UCC to include fire and smoke protection provisions found in Section 3006 of the International Building Code of 2015; and

Whereas, immediate amendment to the UCC is necessary to protect the public health, safety and welfare of individuals who occupy and use newly constructed or altered commercial buildings; and

Now Therefore, I do hereby certify that the regulatory amendment to 34 Pa. Code, Part XIV, Chapter 403, following hereto as ANNEX A is required to meet the emergency conditions enumerated in the recitals above and to safeguard the public health, safety and welfare as described therein.

Further, I hereby authorize the Secretary of the Department of Labor and Industry to publish this amendment in the Pennsylvania Bulletin as an Emergency Certified Final-Omitted Rulemaking consistent with the provisions of Section 6(d) of the Regulatory Review Act, as amended, 71 P.S. § 745.6(d).

Given under my hand and the Seal of the Governor, at the City of Harrisburg, on this eighteenth day of October in the year of our Lord two thousand eighteen, and of the Commonwealth the two hundred forty-third.



Governor

Annex A
TITLE 34. LABOR AND INDUSTRY
PART XIV. UNIFORM CONSTRUCTION CODE
CHAPTER 403. ADMINISTRATION
STANDARDS

§ 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, 31—35 and Section 3006 (relating to elevator lobbies and hoistway opening protection) of the “International Building Code of 2015,” except:

(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.”

* * * * *

[Pa.B. Doc. No. 18-1700. Filed for public inspection November 2, 2018, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, November 14, 2018. A business meeting will be held the following month on Wednesday, December 12, 2018. The hearing and business meeting are open to the public and will take place at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.

Public hearing. The public hearing on November 14, 2018, will begin at 1:30 p.m. Hearing items subject to the Commission's review include draft dockets for withdrawals, discharges and other projects that could have a substantial effect on the basin's water resources.

Written comments on matters scheduled for hearing on November 14, 2018, will be accepted through 5 p.m. on November 19, 2018. Time permitting, an opportunity for open public comment will be provided upon the conclusion of Commission business at the December 12, 2018, business meeting.

The public is advised to check the Commission's web site periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is deemed necessary to complete the Commission's review and items may be added up to 10 days prior to the hearing date. In reviewing docket descriptions, the public is also asked to be aware that project details commonly change in the course of the Commission's review, which is ongoing.

1. *Forest Park Water, D-1965-076 CP-12.* An application to renew the approval of an existing discharge of up to 2.0 million gallons per day (mgd) of filter backwash from the Forest Park Water Filtration Plant (WFP). The WFP will continue to discharge treated effluent to Pine Run through Outfalls Nos. 1 and 2 at River Mile 115.63—40.0—0.1 (Delaware River—Neshaminy Creek—Pine Run) and River Mile 115.63—40.0—0.2 (Delaware River—Neshaminy Creek—Pine Run) in Chalfont Borough, Bucks County, PA.

2. *Womelsdorf Sewer Authority, D-1967-084 CP-4.* An application to renew the approval of the existing 0.475 mgd Womelsdorf Wastewater Treatment Plant (WWTP) and its discharge. The WWTP will continue to discharge treated effluent to Tulpehocken Creek at River Mile 92.5—76.5—24.1 (Delaware River—Schuylkill River—Tulpehocken Creek) in Heidelberg Township, Berks County, PA.

3. *Bristol Borough Water & Sewer, D-1969-066 CP-4.* An application to renew the approval of the applicant's existing 2.7 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to Otter Creek, a tidal tributary of Delaware River Water Quality Zone 2, at River Mile 118.9—0.3 (Delaware River—Otter Creek) in Bristol Borough, Bucks County, PA.

4. *Matamoras Municipal Authority, D-1981-078 CP-9.* An application to renew the approval of an existing groundwater withdrawal of up to 15.0 million gallons per month (mgm) from Wells Nos. 3, 5, 7, 8 and 8A for use in the docket holder's public water system. Wells Nos. 3 and 5 are completed in the Mahantango Formation and Wells

Nos. 7, 8 and 8A are screened in unconsolidated Pleistocene-aged outwash in the Shimers Brook-Delaware River and Shingle Kill-Delaware River watersheds in Matamoras Borough and Westfall Township, Pike County, PA. All wells are located within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

5. *American Nickeloid Company, D-1985-030-3.* An application to renew the approval of the applicant's existing 0.045 mgd industrial wastewater treatment plant (IWTP) and its discharge. The IWTP will continue to discharge treated effluent to the Lehigh River at River Mile 183.7—45.1 (Delaware River—Lehigh River) in Walnutport Borough, Northampton County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

6. *Morrisville Municipal Authority, D-1987-008 CP-4.* An application to renew the approval of the existing 7.1 mgd Morrisville WWTP and its discharge. The WWTP will continue to discharge treated effluent directly to Delaware River Water Quality Zone 2 at River Mile 133.0 in Morrisville Borough, Bucks County, PA.

7. *Middle Smithfield Township, D-1990-080 CP-4.* An application to renew the approval of the existing 1.0 mgd Fernwood WWTP and its discharge. The WWTP will continue to discharge treated effluent to Bush Kill at River Mile 226.9—2.3 (Delaware River—Bush Kill) in Middle Smithfield Township, Monroe County, PA, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

8. *Sinking Spring Borough, D-1994-031 CP-4.* An application to renew the approval of the existing 1.25 mgd Sinking Spring Borough WWTP and its discharge. The WWTP will continue to discharge treated effluent to Cacoosing Creek at River Mile 92.5—76.8—4.0—3.4 (Delaware River—Schuylkill River—Tulpehocken Creek—Cacoosing Creek) in Spring Township, Berks County, PA.

9. *Evonik Corporation, D-1996-011-4.* An application to renew the approval of the docket holder's existing 1.8 mgd IWTP and its discharge. The IWTP will continue to discharge treated effluent directly to Delaware River Water Quality Zone 4 at River Mile 82.2 in the City of Chester, Delaware County, PA.

10. *Womelsdorf-Robeson Joint Authority, D-1998-023 CP-3.* An application to renew the approval of an existing groundwater withdrawal with a decrease in allocation from 23.0 mgm to 17.0 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. 1, 2, 8 and 9. Project Wells Nos. 1 and 9 are completed in Cambrian-age Leithsville and Richland formations, respectively. Wells Nos. 2 and 8 are completed in Precambrian-age felsic to mafic gneiss. The project is located in the Tulpehocken Watershed in Millcreek Township, Lebanon County, PA, and the Spring Creek Watershed in Heidelberg Township, Berks County, PA.

11. *Upper Makefield Township, D-2002-017 CP-3.* An application to renew the approval of the applicant's existing 0.173 mgd Heritage Hills WWTP and its discharge to surface water and to land by means of underground recharge basins. The WWTP surface water dis-

charge is to Delaware River Water Quality Zone 1E at River Mile 141.9, in the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters. The WWTP and its discharges are located in Upper Makefield Township, Bucks County, PA.

12. *Greater Pottsville Area Sewer Authority, D-2002-041 CP-3.* An application to renew the approval of the applicant's existing 8.2 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.47—122.9 (Delaware River—Schuylkill River) in the City of Pottsville, Schuylkill County, PA.

13. *WestRock Converting Company, D-2006-041-3.* An application to renew the approval of the applicant's existing 0.06 mgd IWTP and its discharge. The IWTP will continue to discharge treated industrial process wastewater and noncontact cooling water (NCCW) to Brodhead Creek at River Mile 213—1.1 (Delaware River—Brodhead Creek) in Smithfield Township, Monroe County, PA, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

14. *Green Walk Trout Hatchery, Inc., D-2008-008-2.* An application to renew the approval of an existing groundwater withdrawal of up to 14.285 mgm to supply the applicant's trout hatchery from existing Wells Nos. 1 and 2. The project wells are completed in the Martinsburg Formation. The requested allocation is not an increase from the previous allocation. The wells are located in the Jacoby Creek Watershed in Upper Mount Bethel Township, Northampton County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

15. *Lower Milford Township, D-2009-010 CP-3.* An application to renew the approval of the applicant's existing 0.035 mgd Village of Limeport WWTP and its discharge. The WWTP will continue to discharge treated effluent to Saucon Creek at River Mile 183.7—9.4—14.6 (Delaware River—Lehigh River—Saucon Creek) in Lower Milford Township, Lehigh County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

16. *Lehigh Cement Company, LLC, D-2009-016-3.* An application to renew the approval of the applicant's existing 0.35 mgd discharge of NCCW. The NCCW will continue to discharge to an unnamed tributary (UNT) of Shoeneck Creek at River Mile 184.0—5.9—4.1—0.2 (Delaware River—Bushkill Creek—Shoeneck Creek—UNT Shoeneck Creek) in Lower Nazareth Township, Northampton County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

17. *Parkland School District, D-2013-007 CP-2.* An application to renew the approval of the applicant's existing 0.0324 mgd Parkland High School WWTP and its discharge. The WWTP will continue to discharge treated effluent to Jordan Creek at River Mile 183.7—16.3—9.4 (Delaware River—Lehigh River—Jordan Creek) in South Whitehall Township, Lehigh County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

18. *Pine Forest Camp, Inc., D-2013-010 CP-2.* An application to renew the approval of the applicant's existing 0.025 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to a UNT of Lake Greeley, which is located on Taylortown Creek, at River Mile 273.3—6.8—2.7—0.3 (Delaware River—Shohola Creek—Taylortown Creek—UNT Lake Greeley) in Lackawaxen Township, Pike County, PA, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

19. *Nestlé Waters North America, Inc., D-2013-020-2.* An application to renew the approval of a groundwater withdrawal of up to 11.696 mgm from Well No. IW-1 and the discharge of the withdrawn groundwater to Greenwalk Creek. The project will continue to intercept groundwater containing elevated concentrations of total dissolved solids, sulfate and calcium, apparently emanating from upgradient former slate mining areas, in order to manage the docket holder's downgradient existing sources. The project is located in the Greenwalk Creek Watershed in Washington Township, Northampton County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

20. *Allied Utility Services, Inc., D-1996-025 CP-3.* An application to approve the re-rate of the docket holder's existing Schnecksville North WWTP from 0.075 mgd to 0.120 mgd. Modifications of the existing facilities are not proposed. The WWTP will continue to discharge treated effluent to a UNT of Coplay Creek at River Mile 183.7—21.1—10.1—0.7 (Delaware River—Lehigh River—Coplay Creek—UNT Coplay Creek), by means of Outfall No. 001 in North Whitehall Township, Lehigh County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

21. *Perkasie Regional Authority, D-1997-012 CP-4.* An application to renew the approval of an existing groundwater withdrawal and to increase the allocation from 40.2 million gallons per 30 days to 44.83 mgm from existing Wells Nos. 5—7, 10 and 11. The project wells are completed in the mixed zone of the Brunswick and Lockatong formations. The wells are located in the Commission's Southeastern Pennsylvania Ground Water Protected Area in the East Branch Perkiomen Creek and Three Mile Run watersheds in Perkasie Borough and East Rockhill Township, Bucks County, PA. Wells Nos. 5—7 are in the Three Mile Run Watershed, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

22. *Lehigh Carbon Community College, D-2009-025 CP-3.* An application to approve an upgrade of the applicant's existing 0.036 mgd WWTP. The proposed WWTP modifications consist of replacing the aeration tanks and clarifiers, repurposing an aeration tank, and the abandonment of sludge holding tanks. The WWTP will remain designed for 0.036 mgd and continue to discharge treated effluent to a UNT of Jordan Creek at River Mile 183.7—16.3—14—1.3 (Delaware River—Lehigh River—Jordan Creek—UNT Jordan Creek) by means of Outfall No. 001 in North Whitehall Township, Lehigh County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

23. *Pike County Commissioners Office, D-2018-001 CP-1.* An application to approve the applicant's existing 0.0484 mgd Pike County Correctional Facility WWTP and its discharges to land and surface water. The WWTP will continue to discharge treated effluent to land by spray irrigation, and to Billings Creek at River Mile 273.3—9.4—3.2—5.7—2.3 (Delaware River—Shohola Creek—Shohola Marsh Reservoir—Shohola Creek—Billings Creek) in Blooming Grove Township, Pike County, PA, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

24. *Keystone Anthracite Company, Inc., D-2018-003-1.* An application to approve a total withdrawal of up to 11.3643 mgm of surface water from Intake SSW No. 1 (Pond No. 3) and up to 608 mgm from Intake SSW No. 2 when needed to supplement Pond No. 3 for use in the docket holder's anthracite coal preparation plant. The project withdrawals were formerly operated by South Tamaqua Coal Pockets, Inc., under Commission Certificate of Entitlement No. 256, which was terminated upon the transfer of ownership of the facility to the applicant. The project is located in the Little Schuylkill River Watershed in West Penn Township, Schuylkill County, PA.

25. *Village Utility, LLC, D-2018-008-1.* An application to approve the applicant's new North Village at Sparta 0.12 mgd WWTP and its discharge to groundwater by means of subsurface disposal beds. The discharge is located in the Paulins Kill Watershed in Sparta Township, Sussex County, NJ, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

Public meeting. The public business meeting on December 12, 2018, will begin at 10:30 a.m. and will include: adoption of the minutes of the Commission's September 13, 2018, business meeting; announcement of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of any items for which a hearing has been completed or is not required.

After all scheduled business has been completed and as time allows, the business meeting will also include up to 1 hour of open public comment.

There will be no opportunity for additional public comment for the record at the December 12, 2018, business meeting on items for which a hearing was completed on November 14, 2018, or a previous date.

Commission consideration on December 12, 2018, of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

Advance sign-up for oral comment. Individuals who wish to comment on the record during the public hearing on November 14, 2018, or to address the Commissioners informally during the open public comment portion of the meeting on December 12, 2018, as time allows, are asked to sign-up in advance through EventBrite. Links to EventBrite for the public hearing and the business meeting are available at www.drbc.gov. For assistance contact Paula Schmitt at paula.schmitt@drbc.gov.

Submitting written comment. Written comment on items scheduled for hearing may be made through the Commission's web-based comment system, a link to which is provided at www.drbc.gov. Use of the web-based system ensures that all submissions are captured in a single location and their receipt is acknowledged. Exceptions to the use of this system are available based on need by writing to the attention of the Commission Secretary, Delaware River Basin Commission, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360. For assistance in using the web-based comment system contact Paula Schmitt at paula.schmitt@drbc.gov.

Accommodations for special needs. Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

Additional information and contacts. Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Denise McHugh at (609) 883-9500, Ext. 240. For other questions concerning hearing items, contact David Kovach, Project Review Section Manager, at (609) 883-9500, Ext. 264.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 18-1701. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending October 23, 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

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-22-2018	Orrstown Bank Shippensburg Cumberland County	920 Lititz Pike Lititz Lancaster County	Filed
08-14-2018	ESSA Bank & Trust Stroudsburg Monroe County	600 West Hamilton Street Allentown Lehigh County	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-22-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 628 Greenwich Street Reading Berks County <i>From:</i> 956 North Ninth Street Reading Berks County	Approved

CREDIT UNIONS

Change of Principal Place of Business

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Address</i>	<i>Action</i>
10-22-2018	CONSOL Employees Credit Union McMurray Allegheny County	<i>To:</i> 115 East McMurray Road McMurray Washington County <i>From:</i> 1000 CONSOL Energy Drive Canonsburg Washington County	Effective

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

ROBIN L. WIESSMAN,
Secretary

[Pa.B. Doc. No. 18-1702. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Adjustment to Definition of "Base Figure" in the Loan Interest and Protection Law

The Department of Banking and Securities (Department), as required by the definition of "base figure" in section 101 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 101), known as the Loan Interest and Protection Law, is publishing the following notice regarding the inflation adjusted base figure for the calendar year 2019. The Department has determined that the current base figure of \$250,324 adjusted for annual inflation using the "Consumer Price Index—All Urban Consumers: U.S. All Items 1982—84 = 100" published by the United States Department of Labor Bureau of Labor Statistics results in a base figure of \$256,023. This new base figure will be effective January 1, 2019, for the calendar year 2019.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 18-1703. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by South College to Operate a Location in this Commonwealth

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval for South College to open a location in Pittsburgh, PA. South College has applied to open a marketing office in Pittsburgh for the purpose of coordinating National recruitment efforts for the college's online programs.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests), or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for a review.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or

other accommodations to participate, should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 18-1704. Filed for public inspection November 2, 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>
PA0061085 (Sewage)	Glenburn Service Co. Wastewater Plant 1301 Winola Road Clarks Summit, PA 18411-9445	Lackawanna County Glenburn Township	Ackerly Creek (4-F)	Yes
PA0062944 (Sewage)	Daivd Randich SRSTP 618 Quaker Plain Road Bangor, PA 18013-5756	Northampton County Upper Mount Bethel Township	Unnamed Tributary of East Fork Martins Creek (1-F)	Yes
PA0061565 (Sewage)	Chestnut Lake Camp 326 Trails End Road Beach Lake, PA 18405	Wayne County Berlin Township	Unnamed Tributary to Beach Lake (1-A)	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>
PA0218227 (Industrial)	Municipal Authority of Washington Township WTP 1390 Fayette Avenue Belle Vernon, PA 15012-2535	Fayette County Fayette City Borough	Downers Run and Monongahela River (19-C)	Yes
PA0252662 (Industrial)	Central Indiana County Water Authority WTP 30 East Wiley Street Homer City, PA 15748-1543	Indiana County Center Township	Yellow Creek (18-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0221872 (Industrial)	Universal Stainless & Alloy Products 600 Mayer Street Bridgeville, PA 15017-2705	Crawford County Titusville City	Church Run and Oil Creek (16-E)	Yes
PA0101621 (Industrial Waste)	Bradford City WTP 28 Kennedy Street Bradford, PA 16701-2006	McKean County Bradford Township	West Branch Tunungwant Creek and Kisseem Run (16-C)	Yes
PA0003247 (Industrial)	Lehigh Hanson ECC Bessemer Plant P.O. Box 779 Bessemer, PA 16112-0779	Lawrence County Bessemer Borough	Hickory Run (20-B)	Yes

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

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

PA0052035, Sewage, SIC Code 4952, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940-2818. Facility Name: Heritage Hills WWTP. This existing facility is located in Upper Makefield Township, **Bucks 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), Houghs Creek and Delaware River, is located in State Water Plan watershed 2-E and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.172 MGD.—Limits.

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

<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
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.23	XXX	0.45
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	14.3	XXX	XXX	10	XXX	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	14.3	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200.0 Geo Mean	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	200.0 Geo Mean	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	4.3	XXX	XXX	3.0	XXX	6
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
UV Intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.159 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 (GPD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.23	XXX	0.45
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	13.3	XXX	XXX	10	XXX	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	13.3	XXX	XXX	10	XXX	20
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200.0 Geo Mean	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	200.0 Geo Mean	XXX	1,000.0
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	4.0	XXX	XXX	3.0	XXX	6
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
UV Intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX

Sludge use and disposal description and location(s): Trucked to other treatment plant for further treatment and disposal.

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

0. Notification of designation of responsible operator

1. Proper sludge disposal

2. Operation and Maintenance plan

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

The EPA Waiver is in effect.

PA0051985, Sewage, SIC Code 4952, **Horsham Township Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044-1207. Facility Name: Horsham Township Sewer Authority Park Creek STP. This existing facility is located in Horsham Township, **Montgomery County**.

The receiving stream(s), Park Creek, is located in State Water Plan watershed 2-F and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
Reproduction (TUc)	XXX	XXX	XXX	Daily Max Report	XXX	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	Daily Max Report	XXX	XXX
Growth (TUc)	XXX	XXX	XXX	Daily Max Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	375	563	XXX	20	30	40
May 1 - Oct 31	187	281	XXX	10	Wkly Avg 15	20
Raw Sewage Influent Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	563	844	XXX	30	45	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	Wkly Avg XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Nitrate-Nitrite as N						
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Jul 1 - Oct 31	167.0	XXX	XXX	8.9	XXX	17.8
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	75.0	XXX	XXX	4.0	XXX	8
May 1 - Oct 31	39.4	XXX	XXX	2.1	XXX	4.2
Total Phosphorus						
Nov 1 - Mar 31	22.2	XXX	XXX	1.2	XXX	2.4
Apr 1 - Oct 31	11.1	XXX	XXX	0.6	XXX	1.2
Copper, Total	Report	Report	XXX	Report	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX
PFOA (ug/L)						
Raw Sewage Influent	XXX	XXX	XXX	Report	Report	XXX
PFOA (ug/L)	XXX	XXX	XXX	Report	Report	XXX
PFOS (ug/L)						
Raw Sewage Influent	XXX	XXX	XXX	Report	Report	XXX
PFOS (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Total PFOA and PFOS (ug/L)						
Raw Sewage Influent	XXX	XXX	XXX	Report	Report	XXX
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	Report	Report	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>Annual Average</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX

Sludge use and disposal description and location(s): Waste Activated sludge is stabilized and thickened by aerobic digestion. Digested sludge is dewatered using a centrifuge. Dewatered sludge cake is then disposed at approved landfill.

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

1. Optimization of chlorine dosages
2. Notification of designation of responsible operator
3. Development of treatment facility operations and maintenance plan
4. Hauled-in waste restriction
5. Seasonal effluent limitations for fecal coliform
6. Clarification on Part A Observable Changes
7. Solids management of non-lagoon system
8. WET conditions for no permit limits
9. Requirements applicable to stormwater outfalls for facilities >1.0 MGD

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

The EPA Waiver is not in effect.

PA0245054, Sewage, SIC Code 4952, **Shawn Dougherty**, 1507 Charles Road, West Chester, PA 19382. Facility Name: Dougherty Res. This proposed facility is located in Westtown Township, **Chester County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 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>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septic tank will be pumped and biosolids will be hauled off site.

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

1. SFTF Maintenance including measurement of depth of septage and scum, 3-year septic tank pumping requirement, reporting requirement of a completed AMR form
2. Stormwater prohibition
3. Property rights
4. Proper disposal of solid

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

The EPA Waiver is in effect.

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

PA0276154, Storm Water, SIC Code 3084, **Georg Fischer Harvel LLC**, 300 Kuebler Road, Easton, PA 18040. Facility Name: Georg Fischer Harvel Easton. This proposed facility is located in Forks 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), Bushkill Creek, is located in State Water Plan watershed 1-F and is classified for 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 (stormwater).

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
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Zinc, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

1. Stormwater Outfalls and Authorized Non-Stormwater Discharges
2. Best Management Practices (BMPs)
3. Routine Inspections
4. Preparedness, Prevention and Contingency (PPC) Plan
5. Stormwater Monitoring 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.

Application No. PA0259802, Concentrated Animal Feeding Operation (CAFO), **Wen Crest Farms LLC (Wen Crest Farm CAFO)**, 549 Schaeffer Road, Lebanon, PA 17042-9730.

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.

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

PA0005011, Industrial, SIC Code 4911, **GenOn Northeast Management Co.**, 1442 Power Plant Road, New Florence, PA 15944-9154. Facility Name: GenOn Northeast Management Co., Conemaugh Generating Station. This existing facility is located in West Wheatfield Township, **Indiana County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste, treated sanitary sewage, and stormwater runoff associated with industrial activities.

The receiving stream(s), Unnamed Tributary to Conemaugh River and Conemaugh River, is located in State Water Plan watershed 18-D and is classified for Cold Water Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 003 are based on a design flow of 2.9 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.1	2.2	XXX
Iron, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.7	3.4	XXX
Manganese, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.6	3.2	XXX
Aluminum, Total (lbs/year) ⁽¹⁾	XXX	8,454 Total Annual	XXX	XXX	Report Annual Avg.	XXX
Iron, Total (lbs/year) ⁽¹⁾	XXX	16,908 Total Annual	XXX	XXX	Report Annual Avg.	XXX
Manganese, Total (lbs/year) ⁽¹⁾	XXX	11,272 Total Annual	XXX	XXX	Report Annual Avg.	XXX

⁽¹⁾ Subject to three-year compliance schedule.

The proposed effluent limits for Outfall 004 are based on a design flow of 1.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Osmotic Pressure	XXX	XXX	XXX	4,000	8,000	10,000
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Sulfate, Total	XXX	XXX	XXX	920	1,840	2,300
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total (lbs/mo)	XXX	Report Total Mo	XXX	Report	Report	XXX
Iron, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.7	3.4	4.25
Manganese, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.6	3.2	4.0
Aluminum, Total (lbs/year) ⁽¹⁾	XXX	1,028 Total Annual	XXX	XXX	Report Annual Avg.	XXX
Iron, Total (lbs/year) ⁽¹⁾	XXX	2,056 Total Annual	XXX	XXX	Report Annual Avg.	XXX
Manganese, Total (lbs/year) ⁽¹⁾	XXX	1,371 Total Annual	XXX	XXX	Report Annual Avg.	XXX

⁽¹⁾ Subject to three-year compliance schedule.

The proposed effluent limits for Outfall 006 are based on a design flow of .005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>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

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<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>	
Dissolved Oxygen ⁽¹⁾						
Interim	XXX	XXX	Report	XXX	XXX	XXX
Final	XXX	XXX	4.0	XXX	XXX	XXX
Tot. Residual Chlorine (TRC) ⁽¹⁾						
Interim	XXX	XXX	XXX	Report	Report	XXX
Final	XXX	XXX	XXX	0.5	1.6	XXX
Carbonaceous Biochemical Oxygen Demand (C-BOD ₅)	XXX	XXX	XXX	25.0	50.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	10,000	XXX
May 1 - Sep 30	XXX	XXX	XXX	200	1,000	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total (lbs/mo)	XXX	Report	XXX	Report	Report	XXX
		Total Mo				
Iron, Total (lbs/mo)	XXX	Report	XXX	Report	Report	XXX
		Total Mo				
Manganese, Total (lbs/mo)	XXX	Report	XXX	Report	Report	XXX
		Total Mo				
Aluminum, Total (lbs/year) ⁽¹⁾	XXX	11	XXX	XXX	Report	XXX
		Total Annual			Annual Avg.	
Iron, Total (lbs/year) ⁽¹⁾	XXX	23	XXX	XXX	Report	XXX
		Total Annual			Annual Avg.	
Manganese, Total (lbs/year) ⁽¹⁾	XXX	15	XXX	XXX	Report	XXX
		Total Annual			Annual Avg.	

⁽¹⁾ Subject to three-year compliance schedule.

The proposed effluent limits for Outfall 007 are based on a design flow of 0.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	40,000.0	80,000.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite	XXX	XXX	XXX	Report	Report	XXX
Beryllium, Total	XXX	XXX	XXX	0.008	0.016	XXX
Boron, Total	XXX	XXX	XXX	100.0	200.0	XXX
Copper, Total	XXX	XXX	XXX	0.045	0.09	XXX
Lead, Total	XXX	XXX	XXX	0.1	0.2	XXX
Mercury, Total	XXX	XXX	XXX	0.003	0.006	XXX
Selenium, Total	XXX	XXX	XXX	0.25	0.5	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
Thallium	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total (lbs/mo)	XXX	Report	XXX	Report	Report	XXX
		Total Mo				
Iron, Total (lbs/mo)	XXX	Report	XXX	1.7	3.4	XXX
		Total Mo				
Manganese, Total (lbs/mo)	XXX	Report	XXX	1.6	3.2	XXX
		Total Mo				
Aluminum, Total (lbs/year) ⁽¹⁾	XXX	800	XXX	XXX	Report	XXX
		Total Annual			Annual Avg.	
Iron, Total (lbs/year) ⁽¹⁾	XXX	1,599	XXX	XXX	Report	XXX
		Total Annual			Annual Avg.	
Manganese, Total (lbs/year) ⁽¹⁾	XXX	1,066	XXX	XXX	Report	XXX
		Total Annual			Annual Avg.	

⁽¹⁾ Subject to three-year compliance schedule.

The proposed effluent limits for Internal Monitoring Point 112 are based on a design flow of 0.0005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.4	3.3	XXX
BOD 5-Day	XXX	XXX	XXX	25.0	50.0	XXX

The proposed effluent limits for Outfall 015 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total (lbs/year) ⁽¹⁾	XXX	93	XXX	XXX	Report	XXX
Iron, Total (lbs/year) ⁽¹⁾	XXX	Total Annual 187	XXX	XXX	Annual Avg. Report	XXX
Manganese, Total (lbs/year) ⁽¹⁾	XXX	Total Annual 125	XXX	XXX	Annual Avg. Report	XXX
		Total Annual			Annual Avg.	

⁽¹⁾ Subject to three-year compliance schedule.

The proposed effluent limits for Outfall 016 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total (lbs/year) ⁽¹⁾	XXX	94	XXX	XXX	Report	XXX
Iron, Total (lbs/year) ⁽¹⁾	XXX	Total Annual 187	XXX	XXX	Annual Avg. Report	XXX
Manganese, Total (lbs/year) ⁽¹⁾	XXX	Total Annual 125	XXX	XXX	Annual Avg. Report	XXX
		Total Annual			Annual Avg.	

⁽¹⁾ Subject to three-year compliance schedule.

The proposed effluent limits for Outfall 017 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total (lbs/year) ⁽¹⁾	XXX	93	XXX	XXX	Report	XXX
Iron, Total (lbs/year) ⁽¹⁾	XXX	Total Annual 187	XXX	XXX	Annual Avg. Report	XXX
Manganese, Total (lbs/year) ⁽¹⁾	XXX	Total Annual 125	XXX	XXX	Annual Avg. Report	XXX
		Total Annual			Annual Avg.	

⁽¹⁾ Subject to three-year compliance schedule.

The proposed effluent limits for Outfall 029 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total (lbs/year) ⁽¹⁾	XXX	94	XXX	XXX	Report	XXX
		Total Annual			Annual Avg.	
Iron, Total (lbs/year) ⁽¹⁾	XXX	187	XXX	XXX	Report	XXX
		Total Annual			Annual Avg.	
Manganese, Total (lbs/year) ⁽¹⁾	XXX	125	XXX	XXX	Report	XXX
		Total Annual			Annual Avg.	

⁽¹⁾ Subject to three-year compliance schedule.

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

1. Cooling Water Intake Structures—316(b)
2. A three-year compliance schedule for some water quality based effluent limits.

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

The EPA Waiver is not in effect.

PA0002062, Industrial, SIC Code 4911, **GenOn Northeast Management Co.**, 313 Keystone Lane, Shelocta, PA 15774-2305. Facility Name: Keystone Generating Station. This existing facility is located in Plumcreek Township, **Armstrong County**.

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

The following notice reflects changes to the notice published on April 28, 2018.

The receiving stream(s), unnamed tributary to Plum Creek, unnamed tributary to Crooked Creek, Plum Creek, Crooked Creek, and the Allegheny River, are located in State Water Plan watershed 17-E and is classified for Warm Water Fishes, Cold 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 Internal Monitoring Point 303 are based on a design flow of 0.013 MGD. Limits are modified as follows:

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	0.4	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen (Interim)	XXX	XXX	Report	XXX	XXX	XXX
(Final)	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	2.4	XXX	4.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Chlorodibromomethane	XXX	XXX	XXX	Report	Report	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 7.96 MGD. Limits are modified as follows:

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

<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>	
Total Flow (Total Volume, Mgal)	XXX	Report Total Mo	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.18	XXX	0.33
Heat Rejection Rate (MBTUs/day)						
Jan 1 - 31	XXX	3,481	XXX	XXX	XXX	XXX
Feb 1 - 28	XXX	3,182	XXX	XXX	XXX	XXX
Mar 1 - 31	XXX	5,899	XXX	XXX	XXX	XXX
Apr 1 - 15	XXX	5,459	XXX	XXX	XXX	XXX
Apr 16 - 30	XXX	3,735	XXX	XXX	XXX	XXX
May 1 - 15	XXX	4,401	XXX	XXX	XXX	XXX
May 16 - 31	XXX	7,189	XXX	XXX	XXX	XXX
Jun 1 - 15	XXX	6,369	XXX	XXX	XXX	XXX
Jun 16 - 30	XXX	7,515	XXX	XXX	XXX	XXX
Jul 1 - 31	XXX	3,835	XXX	XXX	XXX	XXX
Aug 1 - 15	XXX	3,283	XXX	XXX	XXX	XXX
Aug 16 - 31	XXX	3,040	XXX	XXX	XXX	XXX
Sep 1 - 15	XXX	1,891	XXX	XXX	XXX	XXX
Sep 16 - 30	XXX	1,456	XXX	XXX	XXX	XXX
Oct 1 - 15	XXX	1,535	XXX	XXX	XXX	XXX
Oct 16 - 31	XXX	1,539	XXX	XXX	XXX	XXX
Nov 1 - 15	XXX	1,946	XXX	XXX	XXX	XXX
Nov 16 - 30	XXX	1,741	XXX	XXX	XXX	XXX
Dec 1 - 31 (Interim)	XXX	Report	XXX	XXX	XXX	XXX
Dec 1 - 31 (Final)	XXX	783	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Suspended Solids (Total Load, lbs)	XXX	Report Total Mo	XXX	XXX	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Mercury, Total (ug/L)	XXX	XXX	XXX	0.098	0.2	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total (ug/L)						
(Interim)	XXX	XXX	XXX	3.0	6.0	XXX
(Final)	XXX	XXX	XXX	0.532	0.831	1.33
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 009 are for variable 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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 014 are based on a design flow of 0.1263 MGD. 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
Total Flow (Total Volume, Mgal)	XXX	Report Total Mo	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids (Total Load, lbs)	XXX	Report Total Mo	XXX	XXX	XXX	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Barium, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	1.53	2.39	3.83

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Daily Minimum	Average Monthly	Daily Maximum	
Manganese, Total (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	1.02	1.59	2.55
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX

All other limits remain unchanged from the April 28, 2018 notice.

In addition, the permit contains the following new special conditions: a schedule of compliance for dissolved oxygen limits at Internal Monitoring Point 303 and a schedule of compliance for the Heat Rejection Rate limit for December at Outfall 003.

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

The EPA Waiver is not in effect.

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

PA0023931-A1, Sewage, SIC Code 4952, **Cambridge Area Joint Authority**, 161 Carringer Street, Cambridge Springs, PA 16403-1005. Facility Name: Cambridge Area Joint Authority STP. This existing facility is located in Cambridge Springs Borough, **Crawford County**.

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

The receiving stream, French Creek, is located in State Water Plan watershed 16-A and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.36	XXX	1.2

Amending the permit to Include the water quality based, total residual chlorine limit. This limit was erroneously left out of the renewal permit issued on 12/15/17.

Sludge use and disposal description and location: Aerobic digestion followed by disposal in an approved landfill.

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

The EPA Waiver is not in effect.

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. 2318402, Sewage, **Central Delaware County Authority**, 212 B Unity Terrace, Rutledge, PA 19070.

This proposed facility is located in Ridley Township, **Delaware County**.

Description of Action/Activity: Construction and operation of a new pumping station and demolish existing pumping station.

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

WQM Permit No. 3518405, Sewage, **Greenfield Township Sewer Authority**, P.O. Box 501, Carbondale, PA 18407.

This existing facility is located in Greenfield Township, **Lackawanna County**.

Description of Proposed Action/Activity: Upgrades will be made to the existing WWTP, including: new influent screen, new splitter box to distribute flows evenly to the SBR reactors, and conversion to fine bubble aeration in the SBRs and aerobic sludge digester for enhanced oxygen transfer and energy conservation.

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

WQM Permit No. 6718404, Sewerage, **Dover Township Sewer Authority**, 2480 West Chester Road, Dover, PA 17315.

This proposed facility is located in Dover Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Joint Interceptor project.

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

WQM Permit No. 6583401-A6, Sewage, **Westmoreland County Municipal Authority**, P.O. Box 730, Greensburg, PA 15601.

This existing facility is located in Hempfield Township, **Westmoreland County**.

Description of Proposed Action/Activity: Addition of chlorine facilities.

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

WQM Permit No. WQG02251801, Sewage, **North East Township Water & Sewer Authority**, 10300 West Main Street, North East, PA 16428.

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

Description of Proposed Action/Activity: Sewer extension on Gay Road.

WQM Permit No. 2018404, Sewage, **Glenn Collins**, 154 Mountain Vista Drive, Rutherfordton, NC 28139-8400.

This proposed facility is located in Oil Creek Township, **Crawford County**.

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

WQM Permit No. 2518415, Sewage, **Dewayne & Yvonne Thomas**, 11161 Phillipsville Road, Wattsburg, PA 16442.

This proposed facility is located in Venango Township, **Erie 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

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD090032	PA Turnpike Commission 700 South Eisenhower Boulevard Middletown, PA 17057-5529	Bucks	West Rockhill, Milford, and Salford Townships	Ridge Valley Creek HQ-TSF-MF Unami Creek HQ-TSF-MF Schmoutz Creek HQ-TSF-MF Molasses Creek HQ-TSF-MF
PAD150098	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341	Chester	Upper Uwchlan Township	March Creek HQ-TSF-MF
PAD150095	Donovan Investment Partners, LP 1595 Paoli Pike West Chester, PA 19380	Chester	West Whiteland Township	Unnamed Tributary to Valley Creek CWF
PAD150097	Stonehaven Berwyn, LLC 354 West Lancaster Avenue Suite 201 Wayne, PA 19087	Chester	Easttown and Tredyffrin Townships	Unnamed Tributary to Darby Creek CWF-MF

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Phillips, Section Chief, 717.705.4802.

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360001	206 Roherstown Road LP 2450 Marietta Avenue Lancaster, PA 17601	Lancaster	East Hempfield Township	Bachman Run (WWF, MF)

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

Potter County Conservation District: 107 Market Street, Coudersport, PA 16915 (814) 274-8411, X 4.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD 530006	Big Level Wind, LLC C/O TransAlta Corp. 110-12th Ave. SW P.O. Box 1900 Station M Calgary, Alberto Canada, T2P2M1	Potter	Harrison Township Hector Township	Baldwin Hollow, HQ-CWF, MF & Dodge Hollow, CWF, MF

Northwest Region: Waterways and 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
PAD370006	American Transmission Systems Inc Kristin Susick 341 White Pond Drive Akron, OH 44320	Lawrence	Taylor Township, North Beaver Township, Little Beaver Township, New Beaver Borough	Beaver River WWF, UNT to Beaver River WWF, Edwards Run WWF, UNT to Edwards Run WWF, Jenkins Run WWF, UNT to Jenkins Run WWF, UNT to Beaverdam Run HQ-CWF, UNT to North Fork Little Beaver Creek HQ-CWF, North Fork Little Beaver Creek HQ-CWF

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

PAG-12 CAFOs

MS4 PAG-13 Notices of Intent Received.

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

NPDES Permit No.	Applicant Name & Address	Municipality, County	Waiver Application Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAG130184	Atglen Borough P.O. Box 250 Atglen, PA 19310-0250	Atglen Borough Chester County	Y	Y
PAG130179	Montgomery County P.O. Box 311 Norristown, PA 19404-0311	Norristown Borough Montgomery County	Y	N
PAG130063	Pennsburg Borough 76 W. 6th Street Pennsburg, PA 18073	Pennsburg Borough Montgomery County	N	Y
PAG130172	West Vincent Township 729 St. Matthews Road Chester Springs, PA 19425	West Vincent Township Chester County	Y	N
PAG130112	Penn State Abington College 1600 Woodland Road Abington, PA 19001	Abington Township Montgomery County	Y	N

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should

include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

ACT 38
NUTRIENT MANAGEMENT PLANS
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Kish View Farm Keith and Kent Spicher 4733 East Main St. Belleville, PA 17004	Mifflin	776.1	1,279.63	Finisher Swine	NA	Renewal
Dale Stoltzfus 160 Farm View Road Schuylkill Haven, PA 17972	Schuylkill	348.4	133.15	Ducks	NA	Renewal
Country View Family Farms, LLC River Valley Farm 504 Doan Rd Knoxville, PA 16928	Tioga	445	3,271.50	Sow	NA	Renewal

Biosolids Individual Permits (PABIG and PABIS).

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to land apply biosolids subject to certain requirements set forth in the permit.

Persons wishing to comment on the proposed permit are invited to submit a statement to the responsible DEP Regional Office previously noted the application within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Water Management Regional Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, comments received, and other information are on file and may be inspected and arrangements made for copying at the responsible DEP Regional Office previously indicated.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service at 1-800-654-5984.

Department of Environmental Protection
Clean Water Program
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707

PABIG 3501, Smiths Disposal Facility, LLC, Berstine Farm Site, Adams County, Straban Township. Smiths Sanitary Septic Service, LLC, 1234 Baltimore Street, Hanover, PA 17331 has applied to renew permit PABIG 3501 for the treatment, storage, and land application of residential septage for beneficial use. The total combined capacity of the residential treatment and storage tanks shall not exceed 1,250,000 gallons. Additional requirements for testing of the residential septage prior to land application, routine tank inspections, mitigating malodors, and the prevention of spills and leaks will apply.

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.

**LAND RECYCLING AND
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995
PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to

use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

Fizzano Residence, 400 Major Circle, Springfield Township, **Delaware County**. Fred Diehl, Bluestone Environmental, Inc., 196 Beach Lake Highway, Honesdale, PA 18431 on behalf of Laura Sperratore, Sperr's Fuel and Heating Company, 421 Smith Bridge Road, Suite 2, Glen Mills, PA 19342 submitted a Notice of Intent to Remediate. The site was found to be contaminated with heating oil which impacted soil under the basement floor. The proposed future use of the property will be an active residence. The Notice of Intent to Remediate was published in *The News & Press Newspaper of Delaware County* on August 22, 2018.

VMM Eckman LP, 4581 Lower Valley Road, West Sadsbury Township, **Chester County**. Colleen Costello, GHD Services, Inc., 1140 Welsh Road, Suite 120, North Wales, PA 19454 on behalf of Tom Estock, Quad/Graphics,

Inc., N61 W23044 Harry's Way, Sussex, WI 53089-3995 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with toluene, benzene, trichloroethylene, arsenic, chromium, and lead which is suspected to have contaminated groundwater on the site. The proposed future use of the property will be non-residential use. The Notice of Intent to Remediate was published in *The Chester County Press* on August 24, 2018.

Clark Residence, 232 Hyde Park Place, Lower Makefield Township, **Bucks County**. Alex Ulmer, Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106 on behalf of Dave Johns, Environmental Restoration Incorporated, 191 Courtdale Avenue, Courtdale, PA 18704 submitted a Notice of Intent to Remediate. Contaminants of concern to be addressed include No. 2 heating oil in groundwater. The future use of the property will remain residential. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on September 12, 2018.

Original Philly Cheesesteak, 520 E. Hunting Avenue, City of Philadelphia, **Philadelphia County**. William D. Kraft, III, Ramboll US Corporation, 101 Carnegie Center, Suite 200, Princeton, NJ 08540 on behalf of John Karamatsoukas, Former Shareholders of Original Philly Holding, Inc., 520 East Hunting Park Avenue, Philadelphia, PA 19124 submitted a Notice of Intent to Remediate. The site has been found to be impacted with PAHs, PCBs, pesticides, lead and other metals in the soil on the site. The proposed future use of the property remains non-residential and like the prior operations. The Notice of Intent to Remediate was published in *The Philadelphia Inquirer* on September 12, 2018.

4001 North American Street, 4001 North American Street, City of Philadelphia, **Philadelphia County**. William D. Kraft III, Ramboll US Corporation, 101 Carnegie Center, Suite 200, Princeton, NJ 08540 on behalf of John Karamatsoukas, Former Shareholders of Original Philly Holding, Inc., 520 East Hunting Park Avenue, Philadelphia, PA 19124 submitted a Notice of Intent to Remediate. Investigations have identified PAHs and metals in soil. The proposed future use of the property remains non-residential and like the prior use. The Notice of Intent to Remediate was published in *The Philadelphia Inquirer* on September 12, 2018.

Colonial Heritage Mobil Homes, 2211 Vaux Drive, New Britain Township, **Bucks County**. Alan R. Hirschfeld, PG, L&A Environmental Specialties, Inc., P.O. Box 26396, Collegeville, PA 19426 submitted a Notice of Intent to Remediate. No. 2 fuel oil was released to soils and groundwater. The intended future use of the property is residential. The Notice of Intent to Remediate was published in *The Intelligencer* on April 20, 2018.

Shup Residence, 104 East 6th Street, Red Hill Borough, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Jennifer Scarcia, Nationwide Indemnity, 1431 Opus Place, Suite 100, Downers Grove, IL 60515I submitted a Notice of Intent to Remediate. A release of petroleum occurred at the site with impacted to site shallow soil. The current and proposed use of the Shup and Bergery site is residential. The Notice of Intent to Remediate was published in *The Town and County* on August 2, 2018.

Hamada Roofing, 2844-2848 Frankford/2845-2855 Emerald Street, City of Philadelphia, **Philadelphia County**. Natalie Griffith, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Stephen Giannascoli, Triad Realty, Inc., 306 South Street, Philadelphia, PA 19147 submitted a Notice of Intent to Remediate. A site investigation identified the presence of fuel oil No. 2/4/5/6 and unleaded gasoline in soil and groundwater. The Notice of Intent to Remediate was published in *The Philadelphia Daily News* on August 23, 2018.

Citron & Rose Tavern & Market, 261 Montgomery Avenue, Lower Merion Township, **Montgomery County**. Juan Luna, P.G., BSTI, 3157 Limestone Road, Coatesville, PA 19330 on behalf of David M. Magerman, VK Real Estate II, LLC, 117 Raynham Road, Merion Station, PA 19066 submitted a Notice of Intent to Remediate. PCE, TCE, and cis-1,2-dichloroethylene has been detected in groundwater on the site. The proposed future use of the property is commercial. The Notice of Intent to Remediate was published in *The Digital First Media* on August 8, 2018.

Ruby Tuesday, 8680 Bartram Avenue, City of Philadelphia, **Philadelphia County**. Jamie Ziemba, Bock & Clark Corporation, 3550 West Market Street, Suite 200, Akron Ohio 44333 on behalf of Kathy McGuire, ACT Engineers, Inc., 1 Washington Blvd, Suite 3, Robbinsville, NJ 08691 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with PAHs which have contaminated groundwater on the site. The proposed future use of the property will be commercial. The Notice of Intent to Remediate was published in *The Philadelphia Tribune* on May 15, 2018.

Limekiln Golf Club, 1176 Limekiln Pike, Horsham Township, **Montgomery County**. Michael Potts, Terraphase Engineering Inc., 100 Canal Pointe Blvd, Suite 108, Princeton, NJ 08540 on behalf of Ken Griffin, Envision/Matrix Limekiln, LLC, Forsgate Drive, CN 400, Cranbury, NJ 08512 submitted a Notice of Intent to Remediate. Arsenic has been identified in soils at the site as a result of historic activities at the property. The Notice of Intent to Remediate was published in *The Philadelphia Inquirer* on June 27, 2018.

Grocery Store Site, 420 MacDade Boulevard, Ridley Township, **Delaware County**. Jeffrey T. Bauer, P.G., Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Patrick Lyon, Lidl US LLC, 2005 Market Street, Suite 1010, Philadelphia, PA 19103 submitted a Notice of Intent to Remediate. The site was found to be contaminated with petroleum-impacted soil. The site is proposed for commercial use. The Notice of Intent to Remediate was published in *The Digital First Media* on August 17, 2018.

Yale Electric Property, 1630 Easton Road, Abington Township, **Montgomery County**. John W. Storb, Jr. PG., Storb Environmental Incorporated, 410 North Easton Road, Willow Grove, PA 19090 on behalf of Morris M. Appelbaum Revocable Trust, 20080 Boca West Drive, Apartment 441, Boca Raton, FL 33434 submitted a Notice of Intent to Remediate. A release of No. 2 fuel oil has impacted the soil. The site is a commercial property formerly occupied by Yale Electric Business. The Notice of Intent to Remediate was published in the *Times Chronicle/Public Spirit* on August 26, 2018.

MUNICIPAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGM042SC001 and General Permit No. WMGM042 Base. Reinford Farms, Inc., 505 Cedar Grove Road, Mifflintown, PA 17059. The application submitted by Reinford Farms requests a major modification to the base General Permit No. WMGM042, as well as Reinford Farm's coverage under the general permit, WMGM042SC001.

General Permit No. WMGM042 authorizes the processing of animal manure mixed with grease trap waste, pre- and post-consumer food waste from commercial and institutional establishments by anaerobic digestion on a farm and the beneficial use of the following:

- (1) Methane gas produced by the anaerobic digestion for use as fuel, including in the production of electricity;
- (2) Waste solids removed from the digester as animal bedding material at the farm; and
- (3) Liquid waste and solids removed from the digester as a soil additive for agricultural purposes.

The proposed modifications would add the processing of packaged food waste using a de-packaging machine to separate the packaging from the food waste to the base general permit. Reinford Farms is also proposing to modify its coverage under WMGM042SC001 to add a second anaerobic digester that would operate in conjunction with the existing anaerobic digester. The application was determined to be administratively complete on October 4, 2018.

Written comments concerning the application should be directed to Chris Solloway, Group Manager, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGM042SC001" 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 application.

RESIDUAL WASTE GENERAL PERMITS

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. WMGR029SW002. Safety-Kleen Systems, Inc., 650 Noble Drive, West Mifflin, PA 15122. Safety-Kleen West Mifflin, 650 Noble Drive, West Mifflin, PA 15122. 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 West Mifflin Borough, **Allegheny County**, was deemed administratively complete by the Southwest Regional Office on October 23, 2018. (Previously assigned permit ID number was WMGR029G.)

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.

General Permit No. WMGR029SW003. Safety-Kleen Systems, Inc., 650 Noble Drive, West Mifflin, PA 15122. Safety-Kleen Johnstown, 150 Allenbill Drive, Johnstown, PA 15904. 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 Richland Township, **Cambria County**, was deemed administratively complete by the Southwest Regional Office on October 23, 2018. (Previously assigned permit ID number was WMGR029I.)

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.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

PLAN APPROVALS

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

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

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

16-132N: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16254), for the proposed facility VOC limit to become a synthetic minor for VOC in Paint Township, **Clarion County**. This is a Title V facility and will remain Title V after approval.

43-252B: Grove City College (100 Campus Drive, Grove City, PA 16127), for the modification of Boiler 034 for natural gas to be the primary fuel with fuel oil as backup in Grove City Borough, **Mercer County**. This is a State Only facility.

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.

46-0026J: Global Packaging Inc. (209 Bower Avenue, Oaks, PA 19456) to install and operate one (1) ten-station flexographic printing press, with the VOC-laden exhaust routed through a permanent total enclosure to one of the two permitted regenerative thermal oxidizers at an existing State-Only facility located in Upper Providence Township, **Montgomery County**. The project does not trigger applicability toward the Federal PSD regulation or the Department's NSR regulation. The potential emissions increase (in tons per year) from this project will be as follows: NO_x—0.44; VOC—8.8; PM/PM₁₀/PM_{2.5}—0.04; CO—0.39; SO₂0.004; and HAPs0.17. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-0225: Adelpia Pipeline Company, LLC (1111 West Ridge Road, Linwood, PA 19061) for the construction and operation of a new natural gas compressor station (with a design throughput of 250 million cubic feet per day) at its Marcus Hook facility, which is located in Lower Chichester Township, **Delaware County**. The main air pollutant emission sources at the facility will include three natural gas-fired reciprocating compressor engines, one natural gas-fired emergency generator, and miscellaneous sources of fugitive emissions (i.e., pigging chambers, small storage tanks, connectors, flanges, valves, etc.). The proposed emissions of carbon monoxide (CO), formaldehyde (HCHO), hazardous air pollutants (HAPs), nitrogen oxides (NO_x), and volatile organic compounds (VOCs) from the facility are as follows:

- CO: 10.78 tons/yr
- HCHO: 2.22 tons/yr
- HAPs: 5.92 tons/yr
- NO_x: 17.07 tons/yr
- VOCs: 16.69 tons/yr

As these emission rates are less than the major facility thresholds for the Southeast Pennsylvania air basin (i.e., 100 tons/yr for CO; 25 tons/yr for total HAPs, NO_x, and VOCs; 10 tons/yr for an individual HAP), the facility will be considered a non-Title V facility.

The facility is subject to the Standards of Performance for New Stationary Sources (NSPS) for Stationary Spark Ignition Internal Combustion Engines [40 CFR Part 60, Subpart JJJJ] and Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015 [40 CFR Part 60, Subpart OOOOa]. In addition, the compressor engines are subject to the additional NO_x requirements specified in 25 Pa. Code §§ 129.203—129.205. The plan approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

A public comment period, beginning November 3, 2018, and ending December 14, 2018, will exist for the submission

of written comments, suggestions, objections, or other information regarding the proposed Plan Approval. Submissions may be made in writing to Janine Tulloch-Reid, P.E., Environmental Engineer Manager, Facilities Permitting Section, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401, or electronically at ra-epseroaqpubcom@pa.gov. Each submission must contain the name, address, and telephone number of the person(s) submitting the comments, identification of the proposed Plan Approval and condition number(s), and a concise statement regarding the relevancy of the information or objections to issuance of the proposed Plan Approval.

Pursuant to 25 Pa. Code §§ 127.44, 127.45 and 127.48, the Pennsylvania Department of Environmental Protection (DEP) will hold a public hearing on Tuesday, December 4, 2018, at the Lower Chichester Township Municipal Building, 1410 Market Street, Linwood, PA 19061, from 7:00—9:00 p.m. The public hearing will be held to receive oral and written testimony regarding DEP's intent to issue Air Quality Plan Approval No. 23-0225. All comments, whether submitted to DEP in writing or delivered orally at the hearing, shall merit equal consideration.

Persons wishing to present testimony at the hearing should contact Virginia Cain, Environmental Community Relations Specialist, at vicain@pa.gov or 484.250.5808. Individuals who do not register may also present testimony the day of the hearing. Oral testimony will be limited to 3 minutes per individual. Each organization is requested to designate one witness to present testimony on its behalf and time may not be relinquished to others. A stenographer will be present to record the testimony. DEP requests that presenters bring two copies of written remarks to aid in the transcription of testimony. All comments, whether submitted to DEP in writing or delivered orally at the hearing, shall merit equal consideration.

Persons unable to attend the hearing may submit three copies of a written statement and exhibits by December 14, 2018, to James D. Rebarchak, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401, or electronically at ra-epseroaqpubcom@pa.gov.

Should inclement weather postpone the hearing date, this information will be posted at www.dep.pa.gov/southeast. Please contact Virginia Cain or monitor our website to determine if a hearing will be held.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodations may contact Virginia Cain through the Pennsylvania AT&T Relay Service at 800.654.5984 (TDD), to discuss how DEP may accommodate your needs.

Copies of the Plan Approval application, proposed Plan Approval, and other relevant information are available for public review online at the above web address, or at DEP's Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. An appointment to review the documents may be scheduled by contacting the Records Management Section of DEP at 484.250.5910 between 8:00 a.m.—4:00 p.m., Monday—Friday, except holidays.

09-0242: Adelpia Pipeline Company, LLC (Rich Hill Road, Quakertown, PA 18951), for the construction and operation of a new natural gas compressor station (with a design throughput of 250 million cubic feet per day) and metering station, and the operation of an

existing metering station, at its Quakertown facility, which is located in West Rockhill Township, **Bucks County**. The main air pollutant emission sources at the facility will include three natural gas-fired reciprocating compressor engines, two natural gas-fired emergency generators (one existing), and miscellaneous sources of fugitive emissions (i.e., pigging chambers, small storage tanks, connectors, flanges, valves, etc.). The proposed emissions of carbon monoxide (CO), formaldehyde (HCHO), hazardous air pollutants (HAPs), nitrogen oxides (NO_x), and volatile organic compounds (VOCs) from the facility are as follows:

- CO: 11.16 tons/yr
- HCHO: 2.11 tons/yr
- HAPs: 5.81 tons/yr
- NO_x: 17.16 tons/yr
- VOCs: 19.93 tons/yr

As these emission rates are less than the major facility thresholds for the Southeast Pennsylvania air basin (i.e., 100 tons/yr for CO; 25 tons/yr for total HAPs, NO_x, and VOCs; 10 tons/yr for an individual HAP), the facility will be considered a non-Title V facility.

The facility is subject to the Standards of Performance for New Stationary Sources (NSPS) for Stationary Spark Ignition Internal Combustion Engines [40 CFR Part 60, Subpart JJJJ] and Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015 [40 CFR Part 60, Subpart OOOOa]. In addition, the compressor engines are subject to the additional NO_x requirements specified in 25 Pa. Code §§ 129.203—129.205. The plan approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

A public comment period, beginning November 3, 2018, and ending December 14, 2018, will exist for the submission of written comments, suggestions, objections, or other information regarding the proposed Plan Approval. Submissions may be made in writing to Janine Tulloch-Reid, P.E., Environmental Engineer Manager, Facilities Permitting Section, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401, or electronically at ra-epseroaqpubcom@pa.gov. Each submission must contain the name, address, and telephone number of the person(s) submitting the comments, identification of the proposed Plan Approval and condition number(s), and a concise statement regarding the relevancy of the information or objections to issuance of the proposed Plan Approval.

Pursuant to 25 Pa. Code §§ 127.44, 127.45, and 127.48, the Pennsylvania Department of Environmental Protection (DEP) will hold a public hearing on Tuesday, December 4, 2018, at the West Rockhill Township Municipal Building, 1028 Ridge Road, Sellersville, PA 18960, from 7:00—9:00 p.m. The public hearing will be held to receive oral and written testimony regarding DEP's intent to issue Air Quality Plan Approval No. 09-0242. All comments, whether submitted to DEP in writing or delivered orally at the hearing, shall merit equal consideration.

Persons wishing to present testimony at the hearing should contact Virginia Cain, Environmental Community Relations Specialist, at vicain@pa.gov or 484.250.5808. Individuals who do not register may also present testimony the day of the hearing. Oral testimony will be limited to 3 minutes per individual. Each organization is

requested to designate one witness to present testimony on its behalf and time may not be relinquished to others. A stenographer will be present to record the testimony. DEP requests that presenters bring two copies of written remarks to aid in the transcription of testimony. All comments, whether submitted to DEP in writing or delivered orally at the hearing, shall merit equal consideration.

Persons unable to attend the hearing may submit three copies of a written statement and exhibits by December 14, 2018, to James D. Rebarchak, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401, or electronically at rapseroaqpubcom@pa.gov.

Should inclement weather postpone the hearing date, this information will be posted at www.dep.pa.gov/southeast. Please contact Virginia Cain or monitor our website to determine if a hearing will be held.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodations may contact Virginia Cain through the Pennsylvania AT&T Relay Service at 800.654.5984 (TDD), to discuss how DEP may accommodate your needs.

Copies of the Plan Approval application, proposed Plan Approval, and other relevant information are available for public review online at the above web address, or at DEP's Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. An appointment to review the documents may be scheduled by contacting the Records Management Section of DEP at 484.250.5910 between 8:00 a.m.—4:00 p.m., Monday—Friday, except holidays.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

06-05040D: Approval of a Reasonably Available Control Technology 2 (RACT 2) plan, as a plan approval, for the **East Penn Manufacturing Co., Inc.** smelter facility, located in Richmond Township, **Berks County**.

In accordance with 25 Pa. Code §§ 129.91—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan, as a plan approval, to be submitted as part of the State Implementation Plan (SIP) for the East Penn Manufacturing Company, Inc. smelter facility. The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT 2 approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed RACT 2 plan, if approved by DEP, will be issued as a plan approval (06-05040D). The relevant RACT 2 requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT 2 approval will be excluded from the SIP submittal.

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

RACT 2 Case-by-Case Requirements

I. Sources 101/108

a. By no later than three years after issuance of Plan Approval No. 06-05040D, East Penn shall implement combustion system modifications to Sources 101/108 as proposed in its Alternative RACT and Compliance Proposal dated 10/24/16, and as clarified in its RACT Response Letter dated 1/5/18.

b. The current NO_x limits in Title V Operating Permit 06-05040, Source Group SG01, Conditions # 002 and # 005 shall remain in effect until the limits in c. below become effective.

c. For the combined exhaust of Sources 101 and 108, the permittee shall limit emissions to the following, once the modifications in a. have been completed:

1. 0.6 lb NO_x/MMBtu of heat input on a 30-day rolling average

2. 71.42 tons of NO_x for any rolling consecutive 12-month period

d. The permittee shall limit the emissions from the furnaces to the following:

1. Total Hydrocarbons—20 ppmv as propane at 4% carbon dioxide (both furnaces)

2. Total Hydrocarbons—360 ppmv as propane at 4% carbon dioxide (blast furnace only)

3. Total Hydrocarbons—20 ppmv as propane at 4% carbon dioxide (reverberatory furnace only)

4. Volatile Organic Compounds (VOC)—28.61 tons

e. The permittee shall pass the exhaust of both furnaces through the afterburner.

f. Source 101/108 shall not exceed 7,680 hours of operation during any consecutive 12-month period (rolling basis). The hours of operation shall be recorded.

g. The permittee shall comply with the requirements of 40 CFR Part 63, Subpart X—National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting, with regard to total hydrocarbon emissions, controls, testing, monitoring, recordkeeping, reporting and work practices.

h. The permittee shall conduct an initial source test for NO_x and VOC on the combined exhaust of Sources 101/108 within 180 days of the first operation of the sources following the modifications described in a.

i. After the initial source test in d. has been completed, source tests for NO_x and VOC shall be conducted once in each 5-year calendar period. Unless otherwise approved in writing by DEP, emission testing for VOC shall be conducted using EPA Methods 1—4, 18 and 25A, and the Method 25A results shall be corrected for non-VOC hydrocarbons using Method 18. Emission testing for NO_x shall also be done using EPA methods.

j. The permittee shall monthly calculate and record the total NO_x emissions from Sources 101/108 for the most recent 12-month period, based on stack test results or other methods approved by the Department.

k. The permittee shall employ good combustion practices when operating Source IDs 101 and 108 to limit NO_x and VOC emissions.

l. The permittee shall keep records to demonstrate compliance with 25 Pa. Code §§ 129.96—129.100. In accordance with 25 Pa. Code § 129.100(i), the records shall be retained by the permittee for 5 years and made

available to the Department upon receipt of a written request from the Department.

II. Source 115

a. Source 115 includes but is not limited to VOC emissions from miscellaneous chemicals like epoxy resin, spray painting with rattle cans and other painting. The permittee shall meet RACT 2 requirements for Source 115 by complying with the following:

1. Engaging in good operating practices to limit VOC emissions. Good operating practices include methods such as proper employee training, standard operating procedures, periodic inspections, good housekeeping and monitoring and recordkeeping.

2. VOC emissions from Source 115 shall not exceed 5 tons in any 12-month rolling period.

Public Comment Details:

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Thomas Hanlon, Environmental Engineering Manager, Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. A 30-day comment period from the date of publication of this notice will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the RACT 2 condition, including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the RACT 2 approval.

Public hearing. A public hearing will be held on Tuesday December 4, 2018, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, please contact Thomas Hanlon at 717-705-4862. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be Tuesday, November 27, 2018.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Thomas Hanlon at 909 Elmerton Avenue, Harrisburg, PA 17110.

All pertinent documents are available for public review between 8 a.m. and 4 p.m., Monday through Friday, except holidays, at the DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110. An appointment to review the documents may be scheduled by contacting the file room at 717-705-4732 between 8:00 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Thomas Hanlon at 717-705-4862 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

07-05003E: Norfolk Southern Railway, Co. (200 N. 4th Avenue, Altoona, PA 16601) for the construction and temporary operation of a new 2,500 kW (3,674 BHP) diesel fired emergency generator and associated 5,100

gallon—aboveground diesel storage tank at the Juniata Locomotive Shop facility located in Logan Township, **Blair County**. The expected increase in facility emissions as a result of the changes proposed are: 9.02 tons per year of NO_x; 1.36 ton per year of CO; 1.00 ton per year of VOCs; and less than one ton each of SO₂, PM and combined HAPs. The facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 60, Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

28-03068A: Pennsylvania Cherry, LLC (P.O. Box 269, Mercersburg, PA 17236) for the installation of a lumber processing facility, located in Montgomery and Peters Townships, **Franklin County**. The Plan Approval will authorize to install a wood fired boiler controlled by an electrostatic precipitator, and lumber trimming and grinding operations controlled by cyclone separators. Maximum emissions from the operation are estimated at 64.61 tons CO; 24.41 tons NO_x; 7.89 tons PM; 6.73 tons PM₁₀; 6.13 tons PM_{2.5}; 2.67 tons SO_x; 8.16 tons VOC; and 3.93 tons HAP. The facility is a State-only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the provisions of 25 Pa. Code Chapter 127.

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.

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

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

46-00298: GlaxoSmithKline, LLC East (709 Swedeland Road, King of Prussia, PA 19406) located in Upper Merion Township, **Montgomery County**, for operation of boilers and generators at the Pharmaceutical Preparation and Manufacturing Plant. Title V Operating Permit No. 46-00035 is being split into three (3) separate Title V

facilities due to a change in ownership with portions of the existing plant. This specific permit is for the East location. The facility remains as a major source for Nitrogen Oxide (NO_x) emissions and an area source for Volatile Organic Compound (VOC) emissions and Hazardous Air Pollutants (HAP). All three (3) sites will be aggregated for New Source review (NSR) and Prevention for significant Deterioration (PSD) purposes only. The requirements of 25 Pa. Code §§ 129.96—129.100 do not apply to sources at GSK; facility-wide potential to emit NO_x emissions are restricted to less than 100 tons per year and facility-wide potential to emit VOC emissions is less than 25 tons per year.

There are no new sources at this facility. The sources addressed in this permit are three (3) Cleaver Brooks boilers located in Building 3 fire natural gas as the primary fuel and No. 6 fuel oil as the secondary fuel, and several engines that fire non-road No. 2 fuel oil. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64 because there are no control devices on the sources at this facility. The source is not a major source for Greenhouse Gases (GHG).

The permit contains all applicable requirements including monitoring, recordkeeping and reporting.

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.

06-05033: Texas Eastern Transmission, LP (306 Station Road, Robensonia, PA 19551) to renew a Title V Operating Permit for the natural gas transmission station located in North Heidelberg Township, **Berks County**. The actual emissions from the facility in 2017 are estimated at 195.7 tpy of NO_x, 7.7 tpy of CO, 1.0 tpy of PM₁₀, 1.8 tpy of SO_x, 8.7 tpy of VOC, 2.5 tpy of Formaldehyde and 2.6 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

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

40-00099: Haines and Kibblehouse, Inc.—Pikes Creek Asphalt (P.O. Box 196, 2052 Lucon Road, Skipack, PA 19474-0196). The Department intends to issue a renewal State-Only Synthetic Minor Permit for the Pikes Creek Asphalt Plant located in Lehman Township, **Luzerne County**. The source is considered a minor emission source of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and report-

ing standards used to verify facility compliance with Federal and State air pollution regulations.

40-00110: Quality Collision, Inc. (365 Courtdale Ave., Courtdale, PA 18704). The Department intends to issue a renewal State-Only Natural Minor Permit for Quality Collision, Inc. located in Courtdale Borough, **Luzerne County**. The sources at this facility include two spray paint booths. 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 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.

67-03144: KRB Machinery (1058 Cool Creek Rd., Wrightsville, PA 17368) for the operation of a tool manufacturing facility in Lower Windsor Township, **York County**. This is for renewal of the existing State-only permit. Potential air emissions from the facility are estimated at 18.65 tpy PM and 5.47 tpy 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.

07-05044: New Enterprise Stone & Lime Co., Inc./Roaring Spring Quarry (P.O. Box 77, New Enterprise, PA 16664) for operation of existing limestone crushing and blacktop plants at the facility in Taylor Township, **Blair County**. The facility potential emissions are estimated 22.84 tons of PM₁₀, 18.5 tons of CO, 10.2 tons of NO_x, 1.87 tons of SO_x, 17.6 tons of VOC, and 3.3 tons of total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants, and 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

67-03035: Martins Potato Chips, Inc. (P.O. Box 28, 5847 Lincoln Highway West, Thomasville, PA 17364), to issue a State only operating permit renewal for Thomasville Plant in Jackson Township, **York County**. The facility's potential emissions are 10 tpy of PM, 6 tpy of NO_x, and 2 tpy of CO. Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

55-00019: Professional Building Systems, Inc. (72 East Market Street, Middleburg, PA 17842-1064) to issue a State only operating permit for their facility located in Middleburg Borough, **Snyder County**. The facility is currently operating under State Only Operating Permit

55-00019. The facility's sources include three # 2 fuel oil-fired boilers, all rated less than 3 million Btu per hour, three propane-fired heaters, all rated less than 0.15 million Btu per hour, two wood-fired boilers, both rated less than 0.61 million Btu per hour, three # 2 fuel oil storage tanks, two parts washers and two modular home manufacturing plants. The facility has potential emissions of 6.77 tons per year of nitrogen oxides, 3.70 tons per year of carbon monoxide, 6.78 tons per year of sulfur oxides, 2.33 tons per year of particulate matter, 11.92 tons per year of volatile organic compounds and 2.12 tons of volatile hazardous air pollutants. The # 2 fuel oil and wood-fired boilers are subject to 40 CFR Part 63, Subpart JJJJJJ of the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers Area Sources. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

60-00012: Ritz-Craft Corporation of PA, Inc. (P.O. Box 70, 15 Industrial Park Road, Middleburg, PA 17844-0070) to issue a State only operating permit for their facility located in Mifflinburg Borough, **Union County**. The facility is currently operating under State Only Operating Permit 60-00012. The facility's sources include twenty-two # 2 fuel oil and natural gas-fired furnaces, all rated less than 1.5 million Btu per hour, two wood-fired boilers, both rated less than 0.90 million Btu per hour, eighty-two natural gas-fired space heaters, all rated at 0.25 million Btu per hour, three modular home manufacturing plants, a specialty paint shop and two parts washers. The facility has potential emissions of 16.09 tons per year of nitrogen oxides, 8.84 tons per year of carbon monoxide, 6.62 tons per year of sulfur oxides, 7.50 tons per year of particulate matter, 40.72 tons per year of volatile organic compounds and 15.24 tons of volatile hazardous air pollutants. The wood-fired boilers are subject to 40 CFR Part 63, Subpart JJJJJJ of the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers Area Sources. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

41-00086: LBV Professional Services, LLC (350 Spruce Street, Montoursville, PA 17754-1706) to issue a State only operating permit for their facility located in Montoursville Borough, **Lycoming County**. The facility is currently operating under State Only Operating Permit

41-00086. The facility's sources include two crematory incinerators and a batch concrete plant. The facility has potential emissions of 0.82 ton per year of nitrogen oxides, 2.80 tons per year of carbon monoxide, 0.70 ton per year of sulfur oxides, 2.56 tons per year of particulate matter and 0.82 ton per year of volatile organic compounds. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

55-00012: Wood-Mode, Inc. (1 2nd St, P.O. Box 250, Kreamer, PA 17833) to issue a renewal State Only "Synthetic Minor" Operating Permit for their Selinsgrove Furniture Plant located in Selinsgrove Borough, **Snyder County**. The facility is currently operating under State Only "Synthetic Minor" Operating Permit 55-00012. The facility's main sources include sanding and milling equipment as well as a coating operation. The facility has potential emissions of 16.9 tons per year (TPY) of particulate matter, 4.5 TPY of nitrogen oxides, 2.7 TPY of carbon monoxide, 3.8 TPY of sulfur oxides, 49.9 TPY of volatile organic compounds, 24.9 TPY of hazardous air pollutants, and 5,229 TPY of greenhouse gases (carbon dioxide equivalents). No emission or equipment changes are being proposed by this action. The emission limits and work practice standards along with monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, including section 129.52 pertaining to surface coating processes and sections 129.101—129.107 pertaining to wood furniture manufacturing operations. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

OP-65-00914: Preform Specialties Inc. (176 Cherry Street, Blairsville, PA 15714-4358), In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal State Only Operating Permit (SOOP-65-00914) to Preform Specialties Inc. to authorize the continued operation of manufacturing of high-strength tungsten carbide preforms at their Powder Processing Plant located in Derry Township, **Westmoreland County**.

The facility's main sources and controls include; three (3) attritors, two (2) vacuum dryers, two (2) hammer mills, seventeen (17) wet grinders, one (1) dry grinder, two (2) extruders, sixteen (16) 55-gallon heptane drums,

one (1) boiler rated at 0.2 MMBtu/hr, one (1) small part washer, and one (1) chiller to capture heptane. Emissions from the facility are controlled by twenty-five (25) Torit dust collectors each rated at 500 scfm, and one (1) Torit Dryflo DM6 oil mister collector rated at 8,800 scfm.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 47.0 tons of VOC, 4.0 tons of PM₁₀, and 1.5 ton of HAP. NO_x emission from the boiler rated at 0.2 MMBtu/hr is negligible and not included. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the operating permit have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

Preform Specialties State Only Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality State Only Operating Permit for this project, a person may contact Jesse Parihar at jparihar@pa.gov or 412.442.4030.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 65-00914) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests and requests for a public hearing should be directed to Jesse S. Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (jparihar@pa.gov, fax 412.442.4194)

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

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

43-00309: Bucks Fabricating, Inc. (3547 Perry Hwy., Hadley, PA 16130), the Department intends to issue the renewal of the State-Only Operating Permit of a facility that manufactures detachable work truck bodies and roll-off containers located in Sandy Creek Township, **Mercer County**. Permitted sources at the facility include two paint booths, two dryers, hand-wiping operations, paint mixing and spray gun cleaning operations, steam cleaning machine, an emergency generator, and miscellaneous heating emissions. The facility is subject to a VOC restriction of 30 tons per 12-month rolling period, which was established through a plan approval. In this renewal, 25 Pa. Code § 129.52d (Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coating) is incorporated in the operating permit, replacing § 129.52 (Surface coating processes). The § 129.52d applies to the two paint booths, hand-wiping operations, and paint mixing and spray gun cleaning operations. Applicability determination showed that the newly promulgated 25 Pa. Code § 129.63a (Control of VOC emissions from industrial cleaning solvents) does not apply to the facility's hand-wiping operations.

61-00218: Tennessee Gas Pipeline Company Station 303 (1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089) the Department intends to issue a renew of the Natural Minor Operating Permit for the natural gas transmission station located in Cranberry Township, **Venango County**. The facility's primary emission sources include a 14,721 hp natural gas compressor turbine, a 578 hp emergency generator fueled by a natural gas engine, miscellaneous natural gas fired sources and minor fugitive emissions. The turbine is subject to 40 CFR 60 Subpart KKKK pertaining to the NSPS for Stationary Combustion Turbines. The emergency engine is subject to 40 CFR 60 Subpart JJJJ pertaining to the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The potential emissions from the facility are 31 TPY NO_x; 68 TPY CO; 5 TPY VOC; 2 TPY SO_x; 4 TPY PM₁₀; 2 TPY formaldehyde; 2TPY HAPs; and 65,910 TPY GHG CO₂e. The conditions of the plan approval were incorporated into the operating permit.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of

requests for 401 Water Quality Certifications are included in individual application notices, as noted.

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

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

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

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

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

Permit No. 32030110, Fossil Fuel, Inc., 690 Weaver Road, Marion Center, PA 15759-5511, renewal for reclamation only of a bituminous surface and auger permit in East Mahoning & Grant Townships, **Indiana County**, affecting 43.0 acres. Receiving stream: unnamed tributaries to Crooked Run to Little Mahoning Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 15, 2018.

Permit No. 11120202 and NPDES No. PA0269085. Maple Coal Co., 254 Interpower Drive, Colver, PA 15927, permit renewal for the continued operation and restoration of a bituminous surface mine in Barr & Blacklick Townships, **Cambria County**, affecting 48.0 acres. Receiving streams: Elk Creek to North Branch of Blacklick Creek to Blacklick Creek to Conemaugh River, classified for the following uses: cold water fishes; trout stocked fishes; warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 15, 2018.

Permit No. 56813006 and NPDES No. PA0125466. PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 285.9 acres. Receiving streams: unnamed tributary to/and Clear Run; unnamed tributary to/and Boone Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 17, 2018.

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

17020110. RAMM Coal, Inc. (1092 Spruce Hill Road, Rockton, PA 15856) Permit revision to postmining land use change from forestland to unmanaged natural habitat to a bituminous surface and auger mine located in Sandy and Brady Townships, **Clearfield County** affecting 145.3 acres. Receiving streams: Unnamed Tributaries to LaBorde Branch and LaBorde Branch classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 3, 2018.

17803023 and NPDES PA0128198. EnerCorp, Inc. (1310 Allport Cutoff, Morrisdale, PA 16858). Permit renewal for continued postmining treatment system on a bituminous surface coal mine located in Cooper Township, **Clearfield County** affecting 14.2 acres. Receiving stream(s): Basin Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 11, 2018.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	

Alkalinity greater than acidity*

*The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments

received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

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

NPDES No. PA0069143 (Mining Permit No. 11841601), E.P. Bender Coal Company, Inc., (P.O. Box 594, Carrolltown, PA 15722). A renewal to the NPDES permit for the Fallentimber Preparation Plant in Reade Township, **Cambria County**. 43 Surface Acres Affected. Receiving stream: UNT 26461 of Clearfield Creek, classified for the following use: CWF. Clearfield Creek Watershed TMDL. Receiving stream: Clearfield Creek, classified for the following use: WWF. Clearfield Creek Watershed TMDL. The application was considered administratively complete on July 14, 2011. Application received: February 1, 2016.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

Outfall 001 discharges to: UNT 26461 of Clearfield Creek

The proposed effluent limits for Outfall 001 (Lat: 40° 41' 51.4" Long: -78° 30' 02") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids ¹	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-

Outfall 004 discharges to: Clearfield Creek

The proposed effluent limits for Outfall 004 (Lat: 40° 41' 35" Long: -78° 30' 14") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids ¹	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-

EPA Waiver is not in effect.

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

NPDES No. PA0269085 (Mining Permit No. 11120202), Maple Coal Company, 254 Interpower Drive, Colver, PA 15927, renewal of an NPDES permit for discharge of water resulting from coal refuse reprocessing in Barr & Blacklick Townships, **Cambria County**, affecting 48.0 acres. Receiving stream: Elk Creek, classified for the following use: Cold Water Fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: October 15, 2018.

The following outfalls discharge to Elk Creek:

Outfall Nos.	New Outfall (Y/N)
001 (Sediment Pond 1)	N
002 (Treatment Pond A)	N

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Outfalls: 001 & 002 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
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 four 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.

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

NPDES No. PA0069736 (Mining Permit No. 26743202), Bute Coal Recovery, LLC, 195 Enterprise Lane, Connellsville, PA 15425, NPDES permit renewal/revision for continued water treatment at a surface coal mine in Dunbar and North Union Townships, **Fayette County** affecting 150.1 acres. The permit includes a 1,500-foot variance to affect within 20-feet of Rankin Run. Two outfalls previously permitted as sediment pond outfalls will be re-permitted as treatment pond outfalls. Receiving stream(s): UNT to Rankin Run and Rankin Run, classified for the following use: WWF. Application received: March 15, 2016, and July 2, 2018.

The following treated wastewater outfalls discharges to UNT to Rankin Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Treatment Facility Outfall
003	N	Treatment Facility Outfall

The proposed effluent limits for the previously listed outfall are as follows:

<i>Outfalls: 001 and 003</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	1.0	2.0	2.5
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	N/A	N/A	N/A
Total Cadmium (mg/l)		Monitor & Report	
Total Silver (mg/l)		Monitor & Report	
Sulfates (mg/L)		Monitor & Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

The following stormwater outfall discharges to Rankin Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	Stormwater Outfall

The proposed effluent limits for the previously listed outfall are as follows:

<i>Outfall: 002</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	1.0	2.0	2.5
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	N/A	N/A	N/A
Total Cadmium (mg/l)		Monitor & Report	
Total Silver (mg/l)		Monitor & Report	
Sulfates (mg/L)		Monitor & Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an

application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E15-903. Brandywine Station, LLC, 707 Eagleview Boulevard, Exton, PA 19341, Downingtown Borough, and East Caln Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway/floodplain of the East Branch of Brandywine Creek (WWF, MF), including tributaries, associated with the River Station Mixed-Use Redevelopment—Phase 2.

1. To construct and maintain a 10-foot wide pedestrian bridge situated above the floodway measuring approximately 125-feet in length.
2. Removal of an existing water control structure, utility pipe crossing, and pedestrian bridge from the former mill raceway.
3. To construct and maintain 2 stormwater outfall structures along the stream and the stormwater ditch.
4. Construction of recreational trail in the southwest portion of the Project Site, including associated 8-foot wide pedestrian bridge over the old mill raceway.
5. Construction of walkway improvements in Johnstontown Park, and earthwork/grading activities.

The site is located at about 2,000 feet southeast of the intersection of Lancaster Avenue (RT. 30) and Manor Avenue (RT. 322), (USGS Downingtown, PA Quadrangle Latitude 40.001045; Longitude -75.703665).

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

F67-920: Dover Township, 2480 West Canal Road, Dover, Dover Township, **York County**, U.S. Army Corps of Engineers Baltimore.

To remove structures from the floodplain at the locations listed. The projects propose to temporarily affect approximately 1.16 acre of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	John V. Taurins 2301 Pine Road York, PA 17408	Little Conewago Creek	Trout Stocked Fishes, Migratory Fishes (TSF, MF)	West York	39°58'47.7" N	76°48'31.8" W
2	Donald L. & Irene F. Bonsell 2311 Pine Rd. York, PA 17408	Little Conewago Creek	Trout Stocked Fishes, Migratory Fishes (TSF, MF)	West York	39°58'47.3" N	76°48'32.6" W
3	Donald L. & Irene F. Bonsell 2318 Pine Rd. York, PA 17408	Little Conewago Creek	Trout Stocked Fishes, Migratory Fishes (TSF, MF)	West York	39°58'46.1" N	76°48'32.6" W
4	Homer F. & Michelle R. Dodson 2430 Pine Rd. York, PA 17408	Little Conewago Creek	Trout Stocked Fishes, Migratory Fishes (TSF, MF)	West York	39°58'46.6" N	76°48'34.6" W
5	Donald L. & Irene F. Bonsell 2330 Pine Rd. York, PA 17408	Little Conewago Creek	Trout Stocked Fishes, Migratory Fishes (TSF, MF)	West York	39°58'44.7" N	76°48'35.0" W

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
6	Donald L. & Irene F. Bonsell 2400 Pine Rd. York, PA 17408	Little Conewago Creek	Trout Stocked Fishes, Migratory Fishes (TSF, MF)	West York	39°58'43.9" N	76°48'36.4" W

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701.

E5929-081: Eclipse Resources—PA, LP, 2121 Old Gatesburg Road, State College, PA 16803 Deerfield Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats a 18 inch diameter waterline, a 3 inch diameter steel airline, and a 4 inch diameter PVC conduit for electrical and communication lines impacting 9,006 square feet of a 10+ acre palustrine emergent (PEM) wetland (Knoxville, PA Quadrangle 41°57'02"N, 77°26'24"W);

2) A temporary road crossing using timber mats a 18 inch diameter waterline, a 3 inch diameter steel airline, and a 4 inch diameter PVC conduit for electrical and communication lines impacting 5,199 square feet of a palustrine emergent (PEM) wetland (Knoxville, PA Quadrangle 41°56'55"N, 77°26'23"W);

3) A temporary road crossing using timber mats a 18 inch diameter waterline, a 3 inch diameter steel airline, and a 4 inch diameter PVC conduit for electrical and communication lines impacting 8 linear feet of an unnamed tributary to Cowanesque River (WWF) and 92 linear feet of another unnamed tributary to Cowanesque River (WWF) (Knoxville, PA Quadrangle 41°56'49"N, 77°26'23"W);

4) A temporary road crossing using timber mats a 18 inch diameter waterline, a 3 inch diameter steel airline, and a 4 inch diameter PVC conduit for electrical and communication lines impacting 5 linear feet of an un-

named tributary to Cowanesque River (WWF) (Knoxville, PA Quadrangle 41°56'49"N, 77°26'25"W).

The project will result in 105 linear feet of temporary stream impacts and 14,205 square feet (0.33 acre) of temporary wetland impacts all for the purpose of installing a waterline in Deerfield Township, Tioga County.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.

D65-032EA. Chris Kerr, Manager, Westmoreland County Municipal Authority, P.O. Box 730, Greensburg, PA 15601, **Westmoreland County**, USACOE Pittsburgh District.

Project proposes to remove the Furnace Run Dam to eliminate a threat to public safety and to restore approximately 710 feet of stream channel to a free-flowing condition. The project is located in the Furnace Run watershed (EV) (Ligonier, PA Quadrangle, Latitude: 40.2095; Longitude: -79.1796).

D65-184EA. Chris Kerr, Manager, Westmoreland County Municipal Authority, P.O. Box 730, Greensburg, PA 15601, **Westmoreland County**, USACOE Pittsburgh District.

Project proposes to remove the Upper Borough Reservoir Dam to eliminate a threat to public safety and to restore approximately 150 feet of stream channel to a free-flowing condition. The project is located in the Furnace Run watershed (EV) (Ligonier, PA Quadrangle, Latitude: 40.2085; Longitude: -79.1789).

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.

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0244210 (Industrial)	Crystal, Inc. 601 W. 8th Street Lansdale, PA 19446-1808	Montgomery County Lansdale Borough	Unnamed Tributary to West Branch Neshaminy Creek 2-G	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0011762 (Industrial)	American Nickeloid 131 Cherry Street Walnutport, PA 18088-1608	Northampton County Walnutport Borough	Lehigh Canal and Lehigh River (2-C)	Yes
PA0065030 (Sewage)	Meshoppen Borough WWTP Sterling Street Meshoppen, PA 18630	Wyoming County Meshoppen Borough	Susquehanna River (4-G)	No

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0086622 SEW	Newport Plaza Associates, LP 44 S Bayles Avenue Port Washington, NY 11050-3765	Howe Township, Perry County	Unnamed Tributary to Juniata River in Watershed(s) 12-B	Y
PA0082244 IW	Susquehanna Area Region Airport Authority 1 Terminal Drive Suite 300 Middletown, PA 17057-5048	Lower Swatara Township, Dauphin County	Susquehanna River in Watershed(s) 7-C	Y
PA0082015 SEW	Meadows Sewer Co. P.O. Box 604 Exton, PA 19341-0604	Middlesex Township, Cumberland County	Conodoguinet Creek in Watershed(s) 7-B	Y
PA0248321 SEW	Steve A Hurley & Michael A Morrison 50 Frytown Road Newville, PA 17241-9706	Upper Frankford Township, Cumberland County	Unnamed Tributary to Conodoguinet Creek in Watershed(s) 7-B	Y
PA0009458 IW	Pittsburgh Glass Works, LLC 4408 E Pleasant Valley Blvd Tyronne, PA 16686	Antis Township Blair County	Little Juniata River/11-A	Y
PA0083143 SEW	Saxton Borough Munic Auth 707 9th Street Saxton, PA 16678-1109	Saxton Borough Bedford County	Raystown Branch Juniata River/11-D	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0081264 SEW	GLP Capital LP— Penn National Horse Race Track and Hollywood Casino P.O. Box 32 Hollywood Blvd. Grantville, PA 17028	Dauphin County East Hanover Township	UNT Swatara Creek/7-F	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>
PA0228877 (Sewage)	Lazafame SRSTP 15 Stoneybrook Road Orangeville, PA 17859-9017	Columbia County Orange Township	Stony Brook (5-C)	Yes
PA0232378 (Sewage)	Max Showver SRSTP P.O. Box 144 1625 Sunshine Lane Tavares, FL 32778-0144	Union County Union Township	West Branch Susquehanna River (10-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0006238 (Industrial)	Vorteq Valencia Plant 125 McFann Road Valencia, PA 16059-1917	Butler County Middlesex Township	Glade Run (20-C)	Yes
PA0222381 (Sewage)	Dubois Region Airport 377 Aviation Way Reynoldsville, PA 15851-8143	Jefferson County Washington Township	Unnamed Tributary to Keys Run, Kyle Run, and Keys Run (17-C)	Yes
PA0037974 (Sewage)	Washington Township Sewer Authority Kline Rd STP 11800 Edinboro Road Edinboro, PA 16412-1024	Erie County Washington Township	Unnamed Tributary to Darrows Creek (16-A)	Yes
PA0222909 (Sewage)	Kinzua Warren County WWTP 119 Mead Boulevard Clarendon, PA 16313-1119	Warren County Mead Township	Allegheny River (16-B)	Yes

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

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

NPDES Permit No. PA0255424, Industrial, SIC Code 4619, **Laurel Mountain Midstream Operations, LLC**, 111 Enterprise Lane, Connellsville, PA 15425.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated hydrostatic test water.

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

NPDES Permit No. PA0102628, Sewage, SIC Code 4952, **Henderson Township Municipal Authority Jefferson County**, P.O. Box 56, Stump Creek, PA 15863-0056.

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

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

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

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

WQM Permit No. 02141801, Sewage, SIC Code 8211, **Penns Valley Area School District**, 4528 Penns Valley Road, Spring Mills, PA 16875-8500.

This proposed facility is located in Penn Township, **Centre County**.

Description of Proposed Action/Activity: Decommissioning of the existing wastewater treatment plant and construction/operation of a pump station and associated force main to convey sewage to the Gregg Township Sewer Authority's collection system.

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

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150085	Haym Salomon Memorial Park, Inc. 4737 Street Road Trevose, PA 19053	Chester	East Whiteland Township	Valley Creek EV
PAD230024	AG-RW Edgmont Parent, LLC 25A Hanover Road Suite 301 Florham Park, NJ 07932	Delaware	Edgmont Township	Ridley Creek HQ Plumstock Run HQ

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

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390081	Lower Macungie Township 3400 Brookside Rd. Macungie, PA 18062-1427	Lehigh	Lower Macungie Township	Little Lehigh Creek— HQ-CWF, MF
PAD390094	Hunt Meadows Estates, L.P. 2288 Meadow Lane Emmaus, PA 18049	Lehigh	Weisenberg Township	UNT to Lyon Creek— HQ-CWF, MF UNT to Mill Creek— TSF, MF
PAD390091	Lehigh Valley Health Network Facilities & Construction Dept. 5th Floor 2100 Mack Blvd. P.O. Box 4000 Allentown, PA 18105	Lehigh	Salisbury Township	Little Lehigh Creek— HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480043	City of Bethlehem 10 East Church Street Bethlehem, PA 18018	Northampton	City of Bethlehem	Saucon Creek (HQ-CWF, MF)
PAD480065	Triple Net Investments XLIII, LLC 171 State Route 173 Asbury, NJ 08802	Northampton	Hanover Township	Monocacy Creek (HQ-CWF, MF)

VII. Approvals to Use NPDES and/or Other General Permits.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types.

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage

PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Chester Delaware County	PAC230080	Agronomed Pharmaceuticals 511 Anthonys Drive Exton, PA 19341-2349	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Chester Delaware County	PAC230074	City of Chester 1 4th Street Chester, PA 19013	Chester Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Delaware County	PAC230020	BPG Properties, Ltd. 3843 West Chester Pike Newtown Square, PA 19073-2304	Preston Run to Crum Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510086	Philadelphia School District 440 North Broad Street Philadelphia, PA 19130-4015	Delaware Direct WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC400073	PennDOT District 4-0 Susan Hazelton 55 Keystone Industrial Park Dunmore, PA 18512	Luzerne	Plains Twp	Laurel Run (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC450010	First Baptist Church of East Stroudsburg 160 N Courtland St East Stroudsburg, PA 18301	Monroe	Smithfield Twp	UNT To Little Sambo Creek (TSF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC520003	Pike Health Properties LLC 401 Moltke Ave Ste 100 Scranton, PA 18505	Pike	Westfall Twp	Delaware River (WWF, MF)

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>
Oxford Township Adams County Issued	PAC010077	New Oxford Municipal Authority 409 Water Works Road New Oxford, PA 17350	South Branch Conewago Creek (WWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Silver Spring Township Cumberland County Issued	PAC210099	Shaffer Trucking, Inc. 400 NW 56th Street Lincoln, NE 68528	Hogestown Run (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Swatara Township Dauphin County Issued	PAC220123	Weideman Funeral Home and Cremation Services, Inc 357 S 2nd St Steelton, PA 17113	Laurel Run (WWF, MF) Susquehanna River (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County Issued	PAC220137	Lower Paxton Township 425 Prince St Harrisburg, PA 17108	Beaver Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
East Hanover Township Dauphin County Issued	PAC220118	Fleet Repair Solutions LLC 550 Firehouse Rd Grantville, PA 17028	UNT Raccoon Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County Issued	PAC220030	Hershey Trust Co 100 Mansion Rd E Hershey, PA 17033-0445	UNTs Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Swatara Township Dauphin County Issued	PAC220120	Triple Crown Corp 5351 Jaycee Ave Harrisburg, PA 17112	UNTs Susquehanna River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

Facility Location and Municipality

<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Reade Township PAC110043	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16602	Muddy Run (CWF); Powell Run (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Adams Township, Butler County	PAC100102	Giant Eagle, Inc 261 Kappa Drive Pittsburgh, PA 15238	Breakneck Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Adams Township, Butler County	PAC100123	Mr. Thomas Lower 441 Watter Station Road Evans City, PA 16033	UNT Breakneck Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270

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

General Permit Type—PAG-05

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>
Barkeyville Borough Venango County	PAG058399	United Refining Co. of PA 15 Bradley Street P.O. Box 688 Warren, PA 16365-3224	North Branch Slippery Rock Creek—20-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

NUTRIENT MANAGEMENT PLAN PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Dr. Joe Jurgielewicz & Son, Ltd. Hegins Farm 886 E Mountain Road Hegins, PA 17938	Schuylkill	1	45.31	Ducks	N/A	Approved
Dwight Manbeck 917 Schwartz Valley Road Schuylkill Haven, PA 17972	Schuylkill	196.7	679.17	Finishing Hogs	N/A	Approved

<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>
JoBo Holstein Farms, LLC 200 Tall Oaks Road Gettysburg, PA 17325	Adams	1,008	1,826.72	Dairy	N/A	Approval
Hord Family Farms LLC Franklin Hog Farm 8815 Dry Run Road Mercersburg, PA 17236	Franklin	96	1,588.70	Swine	N/A	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. 4018521 , Public Water Supply.
Applicant Hazleton City Authority 400 E. Arthur Gardner Parkway Hazleton, PA 18201
[Borough or Township] Hazle & Mahanoy Township
County Luzerne & Schuylkill
Type of Facility PWS
Consulting Engineer John Synoski, PE Hazleton City Authority 400 E. Arthur Gardner Parkway Hazleton, PA 18201

Permit to Construct Issued	10/16/2018
Permit No. 2450086 , Public Water Supply.	
Applicant Aqua PA, Inc. 1 Aqua Way White Haven, PA 18661	
[Township or Borough] Tobyhanna Township, Monroe County	
Responsible Official Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872	
Type of Facility PWS	
Consulting Engineer Michael E. Bisignani, PE GHD 326 East Second Street Bloomsburg, PA 17815 (570) 387-5283	
Permit Issued	10/09/2018
Permit No. 2400111 , Public Water Supply.	
Applicant Aqua PA, Inc. 1 Aqua Way White Haven, PA 18661	
[Township or Borough] Rice Township, Luzerne County	
Responsible Official Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872	
Type of Facility PWS	
Consulting Engineer Michael E. Bisignani, PE GHD 326 East Second Street Bloomsburg, PA 17815 (570) 387-5283	
Permit Issued	09/24/2018
Permit No. 2450039 , Public Water Supply.	
Applicant Aqua PA, Inc. 1 Aqua Way White Haven, PA 18661	
[Township or Borough] Barrett Township, Monroe County	
Responsible Official Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872	
Type of Facility PWS	

Consulting Engineer Michael E. Bisignani, PE
GHD
326 East Second Street
Bloomsburg, PA 17815
(570) 387-5283

Permit Issued 10/09/2018

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

Operation Permit No. 0618509 MA issued to: **Pike Township Sportsman's Association (PWS ID No. 3060601)**, Pike Township, **Berks County** on 10/23/2018 for facilities at Pike Township Sportsmen Club approved under Construction Permit No. 0618509 MA.

Operation Permit No. 2818508 MA issued to: **Bear Valley, Franklin County, Pennsylvania Joint Authority (PWS ID No. 7280043)**, Peters Township, **Franklin County** on 10/23/2018 for facilities approved under Construction Permit No. 2818508 MA.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. 1714502MA—Operation—Public Water Supply.

Applicant **Union Township Municipal Authority**

Township/Borough Clearfield Township

County **Union County**

Responsible Official Mr. Jarome D. Heffner, Chairman
Union Township Municipal Authority
P.O. Box 98
Rockton, PA 15856

Type of Facility Public Water Supply—Operation

Consulting Engineer Mr. Brian S. Sekula
The EADS Group, Inc.
15392 Route 322
Clarion, PA 16214

Permit Issued October 16, 2018

Description of Action Authorizes operation of the re-coated 100,000-gallon and 80,000-gallon finished water storage tanks.

Permit No. 5517501MA—Operation—Public Water Supply.

Applicant **Penn Township Municipal Authority**

Township/Borough Penn Township

County **Snyder County**

Responsible Official Mr. Thomas C. Ferry, Chairman
Penn Township Municipal Authority
P.O. Box 155
Selinsgrove, PA 17870

Type of Facility Public Water Supply—Operation

Consulting Engineer Mr. Edward J. Brown
Larson Design Group, Inc.
1000 Commerce Park Drive
Suite 200
Williamsport, PA 17701

Permit Issued October 17, 2018

Description of Action Authorizes operation of the new 100,000-gallon, bolted-steel, glass-lined, water-storage tank and 10-inch diameter fill-draw line, while the existing 530,000-gallon water storage tank is rehabilitated during phase 2 of the Water Storage Tank Project. All conditions contained in Construction Permit 5517501MA remain in effect until the project is complete.

Permit No. 0818502—Construction—Public Water Supply.

Applicant **Towanda Municipal Authority**

Township/Borough North Towanda Township

County **Bradford County**

Responsible Official Mr. Michael Walsh, Chairman
Towanda Municipal Authority
724 Main Street
Towanda, PA 18848

Type of Facility Public Water Supply—Construction

Consulting Engineer Mr. Brian D. Shura
Stiffler McGraw and Associates, Inc.
1731 N Juniata Street
Hollidaysburg, PA 16648

Permit Issued October 17, 2018

Description of Action Authorizes Towanda Municipal Authority to install: a 16.78'-diameter, 65.09'-high, glass-fused-to-steel, water-storage tank with trihalomethane removal system, which will contain: 106,031 gallons when filled to overflow, 375 LF 8" transmission main, and two 30 HP vertical, multistage-centrifugal pumps, and an 8" magnetic-water meter in McEwen Booster Pump Station, along with removal of the fire pump and two horizontal centrifugal pumps from McEwen booster pump station.

Permit No. 4918506—Construction & Operation—Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**

Township/Borough Coal Township

County **Northumberland County**

Responsible Official Mr. Patrick Burke, PE
Aqua Pennsylvania, Inc.
204 East Sunbury Street
Shamokin, PA 17827-0909

Type of Facility Public Water Supply—Construction & Operation

Consulting Engineer Mr. Peter J. Lusardi, P.E.
GHD, Inc.
1240 N. Mountain Road
Harrisburg, PA 17112

Permit Issued October 17, 2018

Description of Action Authorizes replacement of the tri-media filter system with a conventional, dual-media filter system.

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

Operation Permit issued to Parkside Motel, PWSID No. 6201039, Summit Township, Crawford County. Permit Number 208501 issued October 19, 2018 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals 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 Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Plan Location:

Borough or Township	Borough or Township Address	County
Upper Leacock Township	P.O. Box 325 Leola, PA 17540	Lancaster

Plan Description: The planning module for new land development for the David W. Stoltzfoos Subdivision, DEP Code No. A3-36954-202-2, consisting of the subdivision of a 67.4-acre farm into three lots, one with the existing farm buildings and house served by an on lot sewage disposal system (OLDS), another with an existing single family dwelling served by an OLDS, and a third for a proposed new dwelling to be served by an OLDS is denied. The project is located on the west side of South Groffdale Road, south of East Eby Road in Upper Leacock Township, Lancaster County. The plan is denied because the applicant failed to address the technical deficiencies within the time allotted for response. The plan was deficient because 1) The minimum lot size as determined by the preliminary hydrogeologic study contained in the planning module is 2.6 acres. Proposed Lot 3 is only 2.0 acres in size. This proposed lot fails to meet the minimum lot size requirement. This lot must meet the minimum lot size requirement or in some way mitigate the acreage deficiency, and 2) The Unnamed Tributary to Mill Creek bisects the property into nearly equal portions in an east to west fashion. The stream is perennial and forms a barrier to groundwater flow forming what is known as a groundwater discharge divide between proposed Lot 2, and the Residual Lot 1 and Lot 3. The groundwater sampling conducted for the preliminary hydrogeologic study was taken from a well located on the north side of this divide. That well sample may not accurately characterize the groundwater that lies to the south of the groundwater divide. A groundwater sample must be taken from a well on the south side of the divide to present an accurate representation of the groundwater quality underlying proposed Lot 2. This can be accomplished by sampling the well serving an adjacent property or by drilling a shallow test well on proposed Lot 2.

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:

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

Loonstyn Holding LP, 2333-2347 Fairmount Avenue, City of Philadelphia, **Philadelphia County**. John W. Storb, Jr. PG., Storb Environmental Incorporated, 410 North Easton Road, Willow Grove, PA 19090 on behalf of John Loonstyn, Wallace Street Construction LLC, 2048A Fairmount Avenue, Philadelphia, PA 19130 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Wyndmoor Properties, 919 East Willow Grove Avenue, Springfield Township, **Montgomery County**. Kenny Kim, JK Environmental Services, LLC, P.O. Box 609, Lafayette Hill, PA 19444 submitted a Final Report concerning remediation of site soil contaminated with PAH's. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Rohm & Haas Chemical LLC Bristol Manufacturing Area, 200 Route 413, Bristol Township, **Bucks County**. David J. Kistner, AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428 on behalf of Jerome E. Cibrik, Rohm and Haas Company, P.O. Box 8361, 2001 Union Carbide Drive, South Charleston, WV 25303 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with PCB's and pesticides. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Jackson, Cook, Caracappa & Scott, P.C., 312 Oxford Valley Road, Falls Township, **Bucks County**. Matthew Mercuri, PG., Mercuri & Associates, Inc., 2198 Pennsbury Drive, Jamison, PA 18929 on behalf of Joe Crooks, Super Tank & Energy Co LLC, 302 Jefferson Avenue, Bristol, PA 19007 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

51 & 52 West Marshall Avenue, 51 & 52 West Marshall Avenue, Lansdowne Borough, **Delaware County**. Angelo Fatiga, Pennoni Associates, Inc., 1900 Market Street, Philadelphia, PA 19103 on behalf of Mark Fuessinger, One Creative, 16 Campus Boulevard, Newtown Square, PA 19073 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with chlorinated compounds. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Pine Road/Red Lion Road, Pine Road/Red Lion Road, Lower Moreland Township, **Montgomery County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Gregory T. Rogerson, JERC Partners XIII, LP, 171 State Route 173, Suite 201, Asbury, NJ 08802 submitted a Final Report concerning remediation of site soil contaminated with organic compounds. The report is intended to document remediation of the site to meet the Site-Specific Standard.

805-807 West Berks Street, 805-807 West Berks Street, City of Philadelphia, **Philadelphia County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142 on behalf of Nicholas Dema, North Central Phase I, LP, 1800 South 32nd Street, Philadelphia, PA 19145 submitted a Remedial Investigation Report/Cleanup Plan and Final Report concerning remediation of site soil contaminated with benzo(a)pyrene, lead, and vanadium. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Grocery Store Site, 420 MacDade Boulevard, Ridley Township, **Delaware County**. Jeffrey T. Bauer, PG, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Patrick Lyon, Lidl US, LLC, 2005 Market Street, Suite 1010, Philadelphia, PA 19103 submitted a Final Report concerning remediation of site soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Sunoco Station 0004 8413, 1 East Uwchlan Avenue, Uwchlan Township, **Chester County**. Marco Droese, PG, Aaquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382 on behalf of William J. Brochu, Retail/Services Stations Operations, a series of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 200, Wilmington, PA 19803 submitted a Final Report concern-

ing remediation of site groundwater and soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Wells Fargo, 101 South Main Street, Borough of Phoenixville, **Chester County**. John W. Wagenen, Coventry Environmental Associates, Inc., P.O. Box 224, St. Peters, PA 19470 submitted a Remedial Investigation Report/Final Report concerning remediation of site soil contaminated with No. 5 fuel oil. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Taco Bell/Pizza Hut, 121 North MacDade Boulevard, Glenolden Borough, **Delaware County**. Jason Pero, Resource Control Consultants, 10 Lippincott Lane, Unit 1, Mt. Holly, NJ 19007 on behalf of Joe DePascale, Winterstar Corporation, AKA Summerwood Corporation, 14 Balligomingo Road, Conshohocken, PA 19428 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Colonial Heritage Mobile Homes, 221 Vaux Drive, New Britain Township, **Bucks County**. Alan R. Hirschfeld, PG., L&A Environmental Specialties, Inc., 219 Lauren Road, Schwenksville, PA 19473 on behalf of James Morrow, GHR Consulting Services, Inc., P.O. Box 362, Montgomeryville, PA 18936 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

1405-21 Frankford Avenue/1406-12 Marlborough Street, 1405-21 Frankford Avenue/1406-12 Marlborough Street, City of Philadelphia, **Philadelphia County**. Andrew D. Miller, Ally Services Company, 7047 Germantown Avenue, Suite 101, Philadelphia, PA 19119 submitted a Final Report concerning remediation of site soil contaminated with lead and arsenic. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Dreshertown Plaza, 1442 Dreshertown Road, Upper Dublin Township, **Montgomery County**. Craig Herr, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406-3207 on behalf of Jim Bladel, Dreshertown Plaza, L.P., 1301 Lancaster Avenue, Berwyn, PA 18312 submitted a Cleanup Plan concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the Site-Specific Standard.

1201 South 35th Street, 1201 South 35th Street, City of Philadelphia, **Philadelphia County**. Angelo Waters, PE, LLED AP, Urban Engineers, Inc., 53 Walnut Street, Philadelphia, PA 19106 on behalf of Kate McNamara, Esq., Philadelphia Industrial Development Corporation, 1500 Market Street, Suite 2600 West, Philadelphia, PA 19102 submitted a Final Report concerning remediation of site soil contaminated with VOC's, SVOC's and metals. The report is intended to document remediation of the site to meet the Statewide Health Standard.

300-302 MacDade Boulevard Property, 300-302 MacDade Boulevard, Collingdale Borough, **Delaware County**. Richard S. Werner, P.G., Environmental Consulting, Inc., 2002 Renaissance Boulevard, King of Prussia, PA 19406 on behalf of David D. Waltz, The Bryn Mawr Trust Company, 801 Lancaster Avenue, Bryn Mawr, PA 19010 submitted a Remedial Investigation Report/Risk

Assessment Report/Cleanup Plan/Final Report concerning remediation of site soil and groundwater contaminated with PCE. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Whitby Avenue Property, 1300 South 58th Street, City of Philadelphia, **Philadelphia County**. Mark T. Smith, Element Environmental Solutions, Inc., 61 Willow Street, P.O. Box 921, Adamstown, PA 19501 on behalf of Mark T. Allen, Southwest Leadership Academy Charter School, 7101 Paschall Avenue, Philadelphia, PA 19142 submitted a Final Report concerning remediation of site soil contaminated with other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Exeter 6400 Bristol LLC, 6400 Bristol Pike, Bristol Township, **Bucks County**. Michael A. Christie, P.G., Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Jason A. Honesty, Exeter 6400 Bristol LLC, 101 West Elm Street, Suite 600, Conshohocken, PA 19428 submitted a Cleanup Plan/Remedial Investigation Report/Risk Assessment Report concerning remediation of site soil and ground contaminated with SVOC's, VOCs's and metals. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Rubinstein Property, 250 East Market Street, Borough of West Chester, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Downingtown, PA 19335 on behalf of Eli Kahn, 250 E. Market Partners, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Cleanup Plan concerning remediation of site groundwater contaminated with inorganics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

1245 Ridge Avenue, 1245 Ridge Avenue, City of Philadelphia, **Philadelphia County**. Paul White, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Ryan Reich, 1245 Ridge Avenue, LLC, 31832 Paseo Alto Plano, San Juan Capistrano, CA 92675 submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum related SVOC's and lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

The Phelps School, 583 Sugartown Road, Willistown Township, **Chester County**. Michael P. Raffoni, P.G., Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of Stephany P. Fahey, The Phelps School, 583 Sugartown Road, Malvern, PA 19355 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Berwyn Shopping Center, 500 Lancaster Avenue, Pottstown Township, **Chester County**. Aaron Epstein, P.G., Partner Engineering and Science, Inc., 100 Deerfield Lane, Suite 200, Malvern, PA 19355 on behalf of Theresa Susco, Berwyn Center, LP, 725 Conshohocken State Road, Bala Cynwyd, PA 19004 submitted a Cleanup Plan/Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Longacre, 471 Harleysville Pike, Franconia Township, **Montgomery County**. Philip Getty, Boucher & James, Inc, 1456 Ferry Road, Building 500, Doylestown, PA 18901 submitted a Final Report concerning remediation

of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Fizzano Residence, 400 Major Circle, Springfield Township, **Delaware County**. Fred Diehl, Bluestown Environmental, Inc., 196 Beach Lake Highway, Honesdale, PA 18431 on behalf of Laura Sperratore, Sperr's Fuel and Heating Company, 421 Smith Bridge Road, Glen Mills, PA 19342 submitted a Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Hamilton Residence, 1574 Shadyside Road, West Bradford Township, **Chester County**. Richard D. Trimpi, Trimpi D. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Linda Shidel, State Farm Insurance, PA Fire Claims, P.O. Box 106110, Atlanta, GA 30348-61110 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

WP Warrington LLC, 2081-2091 Garden Avenue, Warrington Township, **Bucks County**. James Connor, PG., Compliance Management International, 1350 Welsh Road, Suite 200, North Wales, PA 19454 on behalf of Bill Rountree, PE., WP Warrington, LLC, 20 South Olive Street, Suite 203, Media, PA 19063 submitted a Remedial Investigation Report/Cleanup Plan/Risk Assessment Report concerning remediation of site groundwater and soil contaminated with benzo(a) pyrene, vanadium and arsenic. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Ashbourne Meadows, 1100 Ashbourne Road, Cheltenham Township, **Montgomery County**. Michael Potts, Terraphase Engineering, Inc., 100 Canal Point Boulevard, Suite 108, Princeton, NJ 08540 on behalf of Kenneth Griffin, Matrix/Ashbourne Associates, LP, Forsgate Drive, CN400, Cranbury, NJ 08512 submitted a Final Report concerning remediation of site groundwater and soil contaminated with inorganics. The report is intended to document remediation of the site to meet the site-Specific Standard.

3955 Bristol Pike, 3955 Bristol Pike, Bensalem Township, **Bucks County**. Matthew Mercuri, PG., Mercuri & Associates, Inc. 2198 Pennsbury Drive, Jamison, PA 18929 on behalf of Michael Hoffman, Wood Environmental & Infrastructure Solns, 4232 North Brandywine Drive, Suite A, Peoria, IL 61614 submitted a Final Report concerning remediation of site soil and groundwater contaminated with benzene, ethylbenzene, naphthalene, tetrachloroethene, MTBE and vinyl chloride. The report is intended to document remediation of the site to meet the Statewide Health Standard.

1110 Naamans Creek Property, 1110 Naamans Creek Property, Bethel Township, **Delaware County**. David Farrington, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Jim Brown, Milez Garage, 1110 Naamans Creek Road, Garnet Valley, PA 19060 submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former Cramp Shipyard Site, 2001 Richmond Street, 2005 Richmond Street and 2001 Beach Street, City of Philadelphia, **Philadelphia County**. Craig Herr,

PG., RT Environmental Services, Inc., 215 West Church Road, Suite 300, King of Prussia, PA 19406 on behalf of James Anderson, Dyott Corporation/Columbus Boulevard Associates, LP/Beach Street Corporation, 6958 Torresdale Avenue, Philadelphia, PA 19135 submitted a Final Report concerning remediation of site groundwater contaminated with PAH's. The report is intended to document remediation of the site to meet the Statewide Health Standard.

201-203 West Chester Pike, 201-203 West Chester Pike, Ridley Park Borough, **Delaware County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Paul O'Connor, Apartment Management LLC, 116 North Swarthmore Avenue, Suite 1, Ridley, PA 19078 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Entenmanns Bakery, 690 East Lincoln Highway, West Whiteland Township, **Chester County**. Michael S. Welsh, PE, Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of El Kahn, 690 East Lincoln Associates, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with ethylbenzene, 1,2,4, TMB and 1,3,5 TMB. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Kinder Morgan Liquids Terminal LLC, 330 North Delaware Avenue, City of Philadelphia, **Philadelphia County**. Gregory Connell, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Richard Sherman, Kinder Morgan Liquids Terminals, LLC, One Terminal Road, Carteret, NJ 07008 submitted a Cleanup Plan/Risk Assessment concerning remediation of site soil and groundwater contaminated with inorganic compounds. The report is intended to document remediation of the site to meet the Site-Specific Standard.

2045 Maryland Road, 2405 Maryland Road, Upper Moreland Township, **Montgomery County**. Ed Phillips, Potomac-Hudson Environmental, Inc, P.O. Box 7, South Amboy, NJ 08879 on behalf of Tom Gough, 2405 Maryland Road, Property Owner LLC, et al, 520 US Highway 22 East, P.O. Box 6872, Bridgewater, NJ 08807 submitted a Final Report concerning remediation of site soil contaminated with vanadium and cadmium. The report is intended to document remediation of the site to meet the Background Standard.

Acme Store 7721, Starr Street and Nutt Road, Borough of Phoenixville, **Chester County**. Michel S. Welsh, PE., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Adam Loew, P-Ville Associates, LP, 55 County Club Drive, Downingtown, PA 19335 submitted a Cleanup Plan concerning remediation of site groundwater contaminated with tetrachloroethylene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Spray Products Corporation, 1323 Conshohocken Road, Plymouth Township, **Montgomery County**. Bruce Middleman, Stantec Consulting Services, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of Jamison Bell, Spray Products Corporation, 1323 Conshohocken Road, Plymouth Meeting, PA 19462 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater

contaminated with other organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

5901 Market Street, 5901-17 Market Street, City of Philadelphia, **Philadelphia County**. David Van Keuren, Earth Engineering Inc., 115 West Germantown Pike, Suite 200, East Norriton, PA 19401 on behalf of Kurt J. Spiess, EMG Remediation Services, LLC, 5066R West Chester Pike, P.O. Box 129, Edgemont, PA 19028 submitted a Final Report concerning remediation of site soil contaminated with petroleum fuels. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Kalis Residence, 919 Briar Lane, Lower Pottsgrove Township, **Montgomery County**. Brittany Potter, Center Point Tank Services, Inc., 536 East Benjamin Franklin Highway, Douglasville, PA 19518 submitted a 90-day Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

1801 Bridgetown Pike, 1801 Bridgetown Pike, Lower Southampton Township, **Bucks County**. Richard S. Werner, Environmental Consulting, Inc, 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Vincent and Louis Modes, c/c Marte and Toadvine, 344 South Bellevue Avenue, Langhorne, PA 19047 submitted a Final Report concerning remediation of site soil and groundwater contaminated with diesel fuel and fuel oil No. 2. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Yale Electric Property, 1630 Easton Road, Abington Township, **Montgomery County**. John W. Storb, Jr., PG., Storb Environmental Incorporated, 410 North Easton Road, Willow Grove, PA 19090 on behalf of Morris M. Appelbaum Revocable Trust, 20080 Boca West Drive, Apartment 441, Boca Raton, FL 33434 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Linwood Nursing and Rehab Center, 100 Florida Avenue, Scranton City, **Lackawanna County**. Bluestone Environmental Inc., 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of Pennsylvania LTC, Inc., 100 Florida Avenue, Scranton, PA 18505 submitted a final report concerning remediation of site soils and groundwater contaminated with diesel from an underground storage tanks. The report is intended to document remediation of the site to meet Statewide Health Standards.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Former Exxon Station 22387 ("Site"), 2001 Brownsville Road, City of Pittsburgh, **Allegheny County**. Arcadis U.S., Inc., 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090, on behalf of ExxonMobil Environmental Services, 1900 East Linden Avenue, Building 28A, Linden, NJ 07036 has submitted a Final Report concerning the remediation of Site soil and groundwater using the Statewide Health Standard and Site Specific Standard. The report was published in the *Pittsburgh Post-Gazette* on September 5, 2018.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

1405-21 Frankford Avenue/1406-12 Marlborough Street, 1405-21 Frankford Avenue/1406-12 Marlborough Street, City of Philadelphia, **Philadelphia County**. Andrew D. Miller, Ally Service Company, 7047 Germantown Avenue, Suite 101, Philadelphia, PA 19119 submitted a Final Report concerning the remediation of site soil

contaminated with lead and arsenic. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 24, 2018.

1110 Naamans Creek Property, 1110 Naamans Creek Property, Bethel Township, **Delaware County**. David Farrington, PG., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Jim Brown, Milez Garage, 1110 Naamans Creek Road, Garnet Valley, PA 19060 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline and lead gasoline. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 21, 2018.

Former Camp Shipyard Site, 2001 Richmond Street, 2005 Richmond Street and 2001 Beach Street, City of Philadelphia, **Philadelphia County**. Craig Herr, PG., RT Environmental Services, Inc., 215 West Church Road, Suite 300, King of Prussia, PA 19406 on behalf of James Anderson, Dyott Corporation/Columbus Boulevard Associates, LP/Beach Street Corporation, 6958 Torresdale Avenue, Suite 200, Philadelphia, PA 19135 submitted a Final Report concerning the remediation of site groundwater contaminated with PAHs. The Final Report did not demonstrate attainment of the statewide health standard and was disapproved by the Department on September 24, 2018.

The Phelps School, 583 Sugartown Road, Willistown Township, **Chester County**. Michael P. Rafoni, Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of Stephany P. Fahey, The Phelps School, 583 Sugartown Road, Malvern, PA 19355 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 16, 2018.

Whitby Avenue Property, 1300 South 58th Street, City of Philadelphia, **Philadelphia County**. Mark T. Smith, Element Environmental Solutions, Inc, 61 Willow Street, P.O. Box 921, Adamstown, PA 19501 on behalf of Mark K. Allen, Southwest Leadership Academy Charter School, 7101 Paschall Avenue, Philadelphia, PA 19142 submitted a Final Report concerning the remediation of site soil contaminated with other organics. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 13, 2018.

Yale Electric Property, 1630 Easton Road, Abington Township, **Montgomery County**. John W. Storb, Jr., PG., Storb Environmental Incorporated, 410 North Aston Road, Willow Grove, PA 19090 on behalf of Morris M. Applebaum Revocable Trust, 20080 Boca West Drive, Apartment 441, Boca Raton, FL 33434 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 20, 2018.

1801 Bridgetown Pike, 1801 Bridgetown Pike, Lower Southampton Township, **Bucks County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Vincent and Louis Modes, c/o Marte and Toadvine, 344 South Bellevue Avenue, Langhorne, PA 19047 submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final Report demon-

strated attainment of the statewide health standard and was approved by the Department on September 25, 2018.

5901 Market Street, 5901-17 Market Street, City of Philadelphia, **Philadelphia County**. David Van Keuren, Earth Engineering Incorporated, 115 West Germantown Pike, East Norristown, PA 19401 on behalf of Kurt J. Spiess, EMG Remediation Services, 5066R West Chester Pike, P.O. Box 129, Edgemont, PA 19028 submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 20, 2018.

2405 Maryland Road, 2405 Maryland Road, Upper Moreland Township, **Montgomery County**. Edward Phillips, Potomac-Hudson Environmental, Inc., P.O. Box 7, South Amboy, NJ 08879 on behalf of Tom Gough, 2405 Maryland Road Property Owner LLC, 520 US Highway 22 East, P.O. Box 6872, Bridgewater, NJ 08807 submitted a Final Report concerning the remediation of site soil contaminated with vanadium. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 5, 2018.

510 East Bernard Street, 510 East Bernard Street, West Chester Borough, **Chester County**. Paul White, PG., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Natalie Drury Howell, Sophisticated Way, Inc., 20 Miner Street, P.O. Box 3125, West Chester, PA 19381 submitted a Final Report concerning the remediation of site soil contaminated with semivolatile organics and metals. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 14, 2018.

U.S. Steel Corp—52 Acre Parcel, One Ben Fairless Drive, Falls Township, **Bucks County**. John A. Garges, GHD, 410 Eagleview Blvd, Suite 110, Exton, PA 19341 on behalf of Michael H. Leon, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning the remediation of site soil contaminated with VOCs, SVOCs, PCBs, metal and cyanide. The Report demonstrated attainment of the site-specific standard and was approved by the Department on September 12, 2018.

1200 Chester Pike, 1200 Chester Pike, Borough of Sharon Hill, **Delaware County**. Kenneth Kim, JK Environmental Services, LLC, P.O. Box 509, Lafayette Hill, PA 19444 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 7, 2018.

701 Associates Property, 616-618 West Lancaster Avenue, Haverford Township, **Delaware County**. John C. Lydzinski, PG., RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406-3207 on behalf of Richard D. Orlow, Piazza Management Company, 401 South Schuylkill Avenue, Norristown, PA 19403 submitted a Final Report concerning the remediation of site soil contaminated with leaded gasoline and unleaded gasoline. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 30, 2018.

Gretz Beverage Company, 600 East Main Street, Norristown Borough, **Montgomery County**. Carl Rinkevich, II, Reliance Environmental Inc, 235 Duke

Street, Lancaster, PA 17602 on behalf of Aaron Muderick TIPCO, LLC, 700 East Main Street, Norristown, PA 19401 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with MTBE and other organics. The Report was approved by the Department on September 20, 2018.

Flamer Property, 553 East Chestnut Street, City of Coatesville, **Chester County**. Andrew Markoski, Patriot Environmental Management, LLC, 21 Unionville Road, P.O. Box 629, Douglasville, PA 19518 on behalf of Gregory Woerth, Whitelock and Woerth, Inc., 1220 Georgetown Road, Christiana, PA 17509 submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final Report demonstrated attainment of the statewide health standard Report was approved by the Department on July 31, 2018.

1331-1339 South Juniper Street, 1331-1339 South Juniper Street, City of Philadelphia, **Philadelphia County**. Paul Martino, Pennoni Associates, Inc., 1900 Market Street, Philadelphia, PA 19103 on behalf of Jason Cutaiar, Made Constructions, 1701 Reed Street, Philadelphia, PA 19146 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site groundwater and soil contaminated with gasoline. The Report was approved by the Department on August 20, 2018.

Flint Property/Steel Town Village, 730 Wheatland Street, Phoenixville Borough, **Chester County**. Alexander Ulmer, PG, Berry Isett & Associates, 1003 Egypt Road, Phoenixville, PA 19460 submitted a Final Report concerning the remediation of site groundwater contaminated with arsenic. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 21, 2018.

Dobos Residence, 50 Village Lane, Falls Township, **Bucks County**. Thomas J. O'Brien, PG., HomeBiz LLC, 3900 Ford Road, Philadelphia, PA 19131 on behalf of Jacob Grouser, Hoagland, Longo, Morgan, Dunst & Doukas, LLC, 40 Patterson Street, New Brunswick, NJ 08903 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on July 17, 2018.

62 Robins Road, 62 Robins Road, Bethel Township, **Delaware County**. Gilbert Marshall, PG., Marshall Geoscience, Inc., 170 First Avenue, Colledgeville, PA 19426 on behalf Michael McCann, JOMILIN Partnership, 270 Bodley Road, Aston, PA 19014 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 27, 2018.

Wyeth Lab, 611 East Nields Street, West Chester Borough, **Chester County**. Daniel P. Sheehan, PE, Arcadis U.S. Inc., Suite 820, 824 East Market Street, Wilmington, DE 19801 on behalf of Eli Kahn, 611 East Nields Street, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with lead, PAHs and chlorinated solvents. The Report was disapproved by the Department on August 17, 2018.

Armstrong Engineering Associates, Inc., 1845 West Strasburg Road, West Bradford Township, **Chester County**. Thomas Petrecz, Penn E&R., 2755 Bergey Road,

Hatfield, PA 19440 on behalf of Eric A. Nicholas, Armstrong Engineering Associates, Inc., 1845 West Strasburg Road, Coatesville, PA 19320 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with lead and inorganics. The Report was disapproved by the Department on August 17, 2018.

Jakes Fireworks, 1901 Chichester Avenue, Upper Chichester Township, **Delaware County**. Joseph Diamadi Jr., Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Eric Easter, Mmxvii Land Company, LLC, 1500 East 27th Terrace, Pittsburg, KS 66762 submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 22, 2018.

Sunoco Marcus Hook Refinery AOI-6, 100 Green Street, Marcus Hook Borough, **Delaware County**. Colleen Costello, GHD, 1140 Welsh Road, Suite 120, North Wales, PA 19454 on behalf of Tiffany L. Doerr, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Report was approved by the Department on August 21, 2018.

318 Boro Road, 318 Boro Road, Upper Darby Township, **Delaware County**. Michael Napolitano, PG, Taylor GeoService, 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073 on behalf of Mr. & Mrs. Barnett and Eileen Daly submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with other organics. The Report was approved by the Department on September 12, 2018.

448 Maple Avenue, 448 Maple Avenue, Lower Salford Township, **Montgomery County**. Christina Moretti, ATC Group Services, LLC, 3 Terri Lane, Suite 4, Burlington, NJ 09016 on behalf of Andrew Shields, Nationwide Mutual Insurance Company, One National Plaza, Columbus, OH 43215 submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on July 11, 2018.

Comcast Cable Communication, LLC, 1700 North 49th Street, City of Philadelphia, **Philadelphia County**. Rhonda Stone, Arcadis U.S. Inc., 10 Friends Lane, Suite 200, Newtown, PA 18940, Darryl D. Borelli, Manko, Gold, Katcher & Foxx, LLP, 401 City Avenue, Suite 901, Bala Cynwyd, PA 19004 on behalf of Monica Alston, Comcast of Philadelphia, LLC, 3800 Horizon Boulevard, Suite 300, Trevese, PA 19053 submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with No. 2 fuel oil. The Report was approved by the Department on September 7, 2018.

300 Turner Industrial Way, 300 Turner Industrial Way, Aston Township, **Delaware County**. Joseph Diamadi, Jr., Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Whitney Bachrach, Aston Investment Associates, 725 Skippack Pike, P.O. Box 1305, Blue Bell, PA 19422 submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 13, 2018.

Wedgewood Gardens, 890 North Middletown Road, Edgemont Township, **Delaware County**. Joseph

Diamadi, Jr., Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Sona Hoplamazian, 4 Hampton Lane, Glen Mills, PA 19342 submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 13, 2018.

Burke Revocable Living Trust, 3725 Bristol Road, Doylestown Borough, **Bucks County**. Sean M. Fullmer, Compliance Management International Inc., 1350 West Road, Suite 200, North Wales, PA 19455 on behalf of Elizabeth Burke, 3725 Bristol Road, Doylestown, PA 18901 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 heating oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 7, 2018.

Dutton Mill Properties/Sweeney Landfill, 308 Dutton Mill Road, Middletown Township, **Delaware County**. Paul Martino, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Herbert T. Sweeney III, Dutton Mill Properties, 308 Dutton Mill Road, Middletown Township, PA 19015 submitted a Cleanup Plan/Remedial Investigation Report concerning the remediation of site soil contaminated with organics, metals and PAHs. The Report was disapproved by the Department on August 1, 2018.

Convoy Realty LP, 6318 West Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Michael A. Christie, Penn E&R, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Jonathan Silverman, Esquire, Convoy Realty, LP, 360 Madison Avenue, 22nd Floor, New York, NY 10017 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on August 15, 2018.

French Creek Apartments, 45 North Main Street, Phoenixville Borough, **Chester County**. Craig Herr, RT Environmental, 215 West Church Road, King of Prussia, PA 19406-3207 on behalf of Charles Elliott, French Creek Acquisitions, LP, 250 Gibraltar Road, 3W, Horsham, PA 19044 submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 24, 2018.

Corona Corporation, Main Street and Ninth Street, Red Hill Borough, **Montgomery County**. Andrew Markiski, Patriot Environmental Management, LLC, P.O. Box 629, Douglasville, PA 19518 on behalf of Harriet Litz., Esq., Corona Corporation, 589 Main Street, P.O. Box 24, Red Hill, PA 18076 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with CVOCs, metals and VOCs. The Report was approved by the Department on September 24, 2018.

Laurel Pipe Line Company, L.P., 3398 Garnet Mine Road and 3221 Foulk Road, Bethel Township, **Delaware County**. Paul Miller, Environmental Alliance, Inc., 5341 Limestone Road, Wilmington, DE 19808 on behalf of Jeff Brudereck, Laurel Pipeline Company, LP, Five TEK Park, 9999 Hamilton Boulevard, Brieningsville, PA 18031 submitted a Remedial Investigation Report/Cleanup Plan Report concerning the remediation of site soil and

groundwater contaminated with unleaded gasoline. The Report was approved by the Department on September 24, 2018.

Edgmont Country Club, 5180 West Chester Pike, Edgmont Township, **Delaware County**. Michael Shaw, GZA GeoEnvironmental, Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102 on behalf of Richard Abramo, Code Environmental, 400 Middlesex Avenue, Carteret, NJ 07008 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with pesticides. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 12, 2018.

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

Dennis McClure Property, 147 North Route 183, Wayne Township, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of MJ Electric, P.O. Box 686, Iron Mountain, MI 49801, submitted a final report concerning remediation of site soils contaminated by a release of gasoline and hydraulic fluid that was caused when a vehicle struck a MJ Electric service truck parked on the driveway of the Dennis McClure property. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on October 18, 2018.

500 Fashion Group, 39 West 21st Street, Northampton Borough, **Northampton County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of Posh Properties No. 33 Northampton Family LP, 2216 Willow Park Road, Bethlehem, PA 18020, submitted a combined Remedial Investigation Report and Final Report concerning remediation at this former garment manufacturing site. Groundwater was contaminated with chlorinated solvents. The report documented remediation of the site to meet Site Specific Standards and was approved by the Department on October 18, 2018.

Roman Range Unit 20 Well Pad, 5312 Three Lakes Road, New Milford Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, has resubmitted a revised Final Report concerning remediation of site soils contaminated with brine. The report documented remediation of the site to meet a combination of Background and Statewide Health Standards and was approved by the Department on October 19, 2018.

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

Parker Hannifin Corporation (201 Titusville Road), 201 Titusville Road, Borough of Union City, **Erie County**. AECOM Technical Services, Inc., 525 Vine Street, Suite 1800, Cincinnati, OH 45202, on behalf of Parker-Hannifin Corporation, 6035 Parkland Boulevard, Cleveland, OH 44124, submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site soil contaminated with benzo[a]pyrene, arsenic, chromium (VI), trichloroethylene and groundwater contaminated with 1,1,2-trichloro-1,2,2-trifluoroethane, 1,1-dichloroethane, cis-1,2-dichloroethane, benzene, trichloroethylene, and vinyl chloride. The Report was disapproved by the Department on October 17, 2018.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Draft permits issued, revised or withdrawn under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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

PAD087561015. International Metals Recovery Company (Inmetco), LLC, One Inmetco Drive, P.O. Box 720, Ellwood City, PA 16117, Ellwood City Borough, **Lawrence County**. Inmetco in Ellwood City is seeking to renew their current Hazardous Waste TSD permit for processing and storage. The existing permit expired July 14, 2016 but was administratively extended until a final decision is made on the application received November 9, 2015. Inmetco has been operating under a hazardous waste permit, PAD087561015 since November 6, 1992. A draft renewal permit was sent out on October 17, 2018.

Facility Description

Inmetco specializes in recycling of waste materials generated by the specialty steel industry, the metal finishing industry and other industries generating chromium, and/or nickel bearing wastes. Since many of the wastes received and processed are classified as hazardous or residual wastes, Inmetco is considered a hazardous waste storage and treatment facility. Hazardous wastes received are stored in container and tank storage areas while awaiting the Inmetco treatment processes. These processes convert these wastes to a high quality chrome-nickel-iron alloy, which are then offered back to the steel industry for sale.

Public Review, Public Comment, Public Hearing

The Hazardous Waste Regulations, 25 Pa. Code § 270a.80(2) Public Notice and Comment requirements state: The Department gives public notice of the following actions: A draft permit is prepared under § 270a.10(c).

Section 270a.80(b) of 25 Pa. Code requires that the public be given 45 days (from date of this publication) to comment on each draft permit prepared under the Solid Waste Management Act. Persons interested in commenting on the permit or to obtain further information, including a copy of the draft permit, may contact Christina Wilhelm, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 (814) 332-6411. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Final Determination

When making a determination regarding the issuance of a hazardous waste permit to Inmetco the Department will consider written comments received during the comment period, and oral or written statements received during the public hearing (if requested), the requirements of the hazardous waste regulations of 25 Pa. Code Chapters 260—270 and the Department's permitting policies.

Permit(s) issued, 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 Operate or for the closure and post-closure care of a Hazardous Waste Treatment, Storage or Disposal Facility.

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

Permit No. PAD000739672: United States Steel Corporation, 600 Grant Street, Pittsburgh, PA 15219. RCRA Post-closure permit for continued post-closure care and monitoring of the U.S. Steel Corp South Taylor Environmental Park Hazardous Waste Landfill located at 555 Delwar Road, Pittsburgh, PA 15236, West Mifflin Borough, **Allegheny County** issued by the Regional Office on October 15, 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

Bed Rock, Inc. dba TSMTCO, 8141 East 7th Street, Joplin, MO 64801. License No. PA-AH 0697. Effective Oct 23, 2018.

Dart Trucking Company, Inc., P.O. Box 157, North Lima, OH 44452. License No. PA-AH 0219. Effective Oct 23, 2018.

Disttech, LLC dba Disttech, 4366 Mt Pleasant Street NW, North Canton, OH 44720. License No. PA-AH 0799. Effective Oct 23, 2018.

Environmental Transport Group, Inc., P.O. Box 296, Flanders, NJ 07836-0296. License No. PA-AH 0104. Effective Oct 23, 2018.

Neier, Inc., P.O. Box 151, Coatesville, IN 46121. License No. PA-AH 0777. Effective Oct 23, 2018.

RSB Logistic Inc., 219 Cardinal Crescent, Saskatoon, SK S7L7K8. License No. PA-AH 0854. Effective Oct 23, 2018.

Transport Rollex Ltee, 910 Boulevard Lionel-Boulet, Varennes, QC J3X1P7. License No. PA-AH 0544. Effective Oct 23, 2018.

US Environmental, Inc., 409 Boot Road, Downingtown, PA 19335. License No. PA-AH 0675. Effective Oct 23, 2018.

Hazardous Waste Transporter License Issued

Bionomics, Inc., P.O. Box 817, Kingston, TN 37763. License No. PA-AH 0730. Effective Oct 23, 2018.

Subsurface Technologies Inc., 1301 Avondale Rd., New Windsor, MD 21776. License No. PA-AH 0877. Effective Oct 22, 2018.

US Environmental, Inc., 409 Boot Road, Downingtown, PA 19335. License No. PA-AH 0675. Effective Oct 23, 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.

Renewal Applications Received

Clym Environmental Services, LLC, 1539 Tilco Drive, Frederick, MD 21704. License No. PA-HC 0253. Effective Oct 23, 2018.

CYNTOX, LLC, 64 Beaver Street, New York, NY 10004. License No. PA-HC 0260. Effective Oct 23, 2018.

Triumvirate Environmental (Florida), Inc., 200 Inner Belt Road, Somerville, MA 02143. License No. PA-HC 0272. Effective Oct 23, 2018.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

Clym Environmental Services, LLC, 1539 Tilco Drive, Frederick, MD 21704. License No. PA-HC 0253. Effective Oct 23, 2018.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

GP19-08-00006: UTC Railcar Repair Services, LLC (403 North Thomas Avenue, Sayre, PA 18840) on October 12, 2018, for the authorization construct and operate a railcar abrasive blasting operation pursuant to the General Plan Approval and/or General Operating Permit for Dry Abrasive Blasting Operations (BAQ-PGPA/GP-19) at the Sayre Shop # 222 located in Borough of Sayre, **Bradford County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

54-00072B Jeld Wen Inc. (1162 Keystone Blvd., Pottsville, PA 17901) on October 23, 2018 for the installation of new stain booths at their facility located in Cass Twp., **Schuylkill County**.

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

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

AMS IP18-000169: Kinder Morgan Liquid Terminals, LLC—Point Breeze Terminal (6310 West Passyunk, Philadelphia, PA 19153) issued on October 17, 2018 for the installation of a 902 actual cubic feet per minute (ACFM) hydrocarbon vapor recovery unit with a new volatile organic compound (VOC) continuous emissions monitoring system (CEMS) as a primary control device to control loading/unloading from the tank truck rack during gasoline and fuel grade ethanol loading. The facility's gasoline throughput has been reduced from 365,000,000 to 353,000,000 gallons per year. The plan approval includes a change to the facility's hourly and annual emission limits for gasoline loading. The potential emissions from the facility are limited to less than 25 tons per rolling 12-month period of VOCs, 10 tons per rolling 12-month period of individual Hazardous Air Pollutants (HAPs), and 25 tons per rolling 12-month period of combined HAPs. The plan approval contains operating, monitoring, testing, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (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.

46-0027E: Janssen Research & Development LLC (Welsh & McKean Rd., Spring House, PA 19477) On October 17, 2018 an extension for the installation and temporary operation of two dual fuel boilers, each with a heat input of 21 MMBtu/hr in Lower Gwynedd Township, **Montgomery County**.

09-0196L: Abington Reldan Metals LLC (550 Old Bordentown Rd., Fairless Hills, PA 19030-4510) On October 23, 2018 an extension to replace the existing Thermal Destructor 2 Baghouse (C02B) with a new Baghouse (C14B) 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.

60-00024A: GAF Keystone, LLC (2093 Old Route 15, New Columbia, PA 17856) on October 12, 2018, to extend the plan approval expiration date to April 23, 2019 to allow completion of construction and continued operation of several plastic roofing materials manufacturing lines at its facility in White Deer Township, **Union County**.

08-00010I: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on October 10, 2018, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from

October 21, 2018 to April 19, 2019, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

47-00001D: Montour LLC (P.O. Box 128, Washingtonville, PA 17884) on October 10, 2018, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from October 13, 2018 to April 11, 2019, at the Montour Steam Electric Station located in Derry Township, **Montour County**. The plan approval has been extended.

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

Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.

30-00170A: Laurel Mountain Midstream Operating, LLC (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) on October 19, 2018, to extend the period of temporary operation of one Caterpillar G3612 lean burn natural gas-fired compressor engine rated at 3,550 bhp at the existing Brown Compressor Station located in Greene Township, **Greene County**. The new expiration date is April 28, 2019.

PA-63-00549B: Arden Landfill, Inc. (200 Rangos Lane, Washington, PA 15301) on October 19, 2018, to extend the temporary operation period for the landfill expansion at Arden Landfill located in Chartiers Township, **Washington County**. The new expiration date is April 28, 2019.

65-00634A: Dominion Energy Transmission, Inc. (5000 Dominion Boulevard—2NE, Glen Allen, VA 23060) On October 22, 2018, to begin the period of temporary operation of the for the modified Cooper Compressor Engine at the JB Tonkin Compressor Station located in Murrysville Borough, **Westmoreland County**.

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

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

10-265E: Iron Mountain Information Management, LLC (1137 Branchton Road, Boyers, PA 16020) on October 19, 2018, has issued a plan approval extension for the construction of 6 new emergency generators and eliminating the current individual engine hour run time limits of 100 hr/engine in Cherry Township, **Butler County**. This is a State Only facility. This expires on April 30, 2019.

16-132K: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16254) on October 19, 2018, has issued a plan approval extension for exhausting the 2nd and 3rd stage dryers to atmosphere through baghouses, for removal of the press enclosure, and for inclusion of existing sources not included in the facility operating permit in Paint Township, **Clarion County**. This is a Title V facility. This expires on December 31, 2018.

42-004J: American Refining Group Inc. (77 North Kendall Ave., Bradford, PA 16701) on October 19, 2018, has issued a plan approval extension for the installation, startup, and shakedown of the new gas fired # 6 Boiler (Source ID 035) in Bradford City, **McKean County**. This expires April 30, 2019. This is a Title V facility.

43-252A: Grove City College (100 Campus Drive, Grove City, PA 16127) on October 19, 2018, has issued a plan approval extension for construction of a 21 MMBtu/hr natural gas fired boiler; the elimination of fuel oil for Boiler 031 and 032; and the elimination of coal for Boiler 032 in Grove City Borough, **Mercer County**. This expires May 31, 2019. This is a State Only facility.

43-377A: Austin Rubber Company, LLC (93 Werner Rd, Greenville, PA 16125) on October 19, 2018, has issued a plan approval extension for the installation and operation of a rubber devulcanization facility in Sugar Grove Township, **Mercer County**. This expires April 30, 2019.

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

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

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

TVOP-65-00837 Dominion Energy Transmission, Inc (5000 Dominion Blvd, Glen Allen, VA 23060) In accordance with 25 Pa. Code § 127.431, the Department of Environmental Protection (DEP) is providing notice that on October 15, 2018, DEP issued a renewed Title V Operating Permit to Dominion Energy Transmission, Inc for the operation of a natural gas compressor station, known as the Oakford Compressor Station, located in Salem Township, **Westmoreland County**. The Oakford Compressor Station is a portion of single Title V facility, which also includes the Rock Springs Compressor Station (TVOP-65-00983). Both of these facilities will be issued Title V Operating Permits, because ownership differs between the two facilities.

The station is a pipeline and storage natural gas compressor station. The main sources at this facility are twelve, SI, 2SLB, NG-fired, 2,500-bhp engines, powering natural gas compressors; two, SI, NG-fired, 2SRB, 1,445-bhp, emergency generator engines; and two, NG-fired, 16.74 MMBtu/hr boilers. NO_x emissions from all of the NG compressor engines are controlled by Clean Burn Systems. Also, CO emissions from four of the NG compressor engines are controlled by oxidation catalysts.

Annual potential emissions for the Oakford Station are 908 tons of NO_x, 209 tons of CO, 108 tons of VOC, 54 tons of PM₁₀, and 54 tons of PM_{2.5}. Oakford also has potential annual emissions of 62 tons of formaldehyde, 9 tons of acrolein, 9 tons of acetaldehyde, 89 tons of the sum of all HAPs combined, and 221,742 tons of CO_{2e}. Emissions from the entire Title V facility are 941 tons of NO_x, 219 tons of CO, 115 tons of VOC, 56 tons of PM₁₀, and 56 tons of PM_{2.5}. The entire facility also has potential annual emissions of 65 tons of formaldehyde, 10 tons of acetaldehyde, 10 tons of acrolein, 96 tons of the sum of all HAPs combined, and 250,248 tons of CO_{2e}. No emission or equipment changes have been approved by this action. Emission sources at the station have applicable requirements under 40 CFR Part 63, Subparts A, ZZZZ, and DDDDD. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 63, 70, 98 and 25 Pa. Code Article III, Chapters 121—145.

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.

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

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

60-00011 United States Department of Justice (P.O. Box 3500, White Deer, PA 17887) on October 11, 2018, for the Allenwood Federal Correctional Complex located in Gregg Township, **Union County**. Sources at the facility consist of multiple natural gas-fired combustion units less than 2.5 million Btu per hour rated heat input, three (3) 25.1 million Btu per hour, dual-fired boilers, four (4) natural gas-fired emergency generators, two (2) diesel-fired generators, one (1) parts washer and a wood finishing operation. The operating permit includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

60-00017: New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc. (3716 Crescent Court West, Whitehall, PA 18052), on September 20, 2018, for their Lewisburg Quarry located in Buffalo Township, **Union 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 SMOP 60-00017.

60-00021: Iddings Quarry Inc. (900 Chestnut St., Mifflinburg, PA 17844) on October 16, 2018, was issued a renewal State only “synthetic minor” operating permit for their facility located in Limestone Township, **Union County**. The facility’s main sources include a stone screening and crushing operation and four diesel-fired engines. The renewal State only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.

The City of Philadelphia, Air Management Services (AMS) has intended to issue a Minor State Only Operating Permit for the following facilities:

OP17-000050: Cross Connect Solutions, Inc. (1309 Noble St., Philadelphia, PA 19123) for the operation of a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility’s air emission sources include two (2) diesel-fired emergency generators rated at 1,120 horsepower (hp) and 1,109 hp.

OP18-000009: Original Philly Holdings, Inc. (4001 N. American St., Philadelphia, PA 19140) for the operation of a food processing facility in the City of Philadelphia, **Philadelphia County**. The facility’s air emission sources include the following: one (1) boiler capable of firing natural gas and No. 2 fuel oil with a capacity of 20.412 million British thermal units per hour (MMBtu/hr), and one (1) natural gas-fired warm air furnace with a capacity of 0.35 MMBtu/hr.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

Permit No. 11880201. Ebensburg Power Company, 11 Lloyd Avenue, Suite 200, Latrobe, PA 15650, commencement, operation and restoration of a bituminous surface mine to change the land use from Wildlife Habitat to Industrial/Commercial in Cambria Township, **Cambria County**, affecting 56.5 acres. Receiving streams: unnamed tributary to/and South Branch Blacklick Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 7, 2018. Permit issued: October 18, 2018.

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

17020101 and NPDES PA0243205. Junior Coal Contracting (2330 Six Mile Road, Philipsburg, PA 16866). Permit renewal for continued operation and restoration of a bituminous surface coal mine located in Decatur Township, **Clearfield County** affecting 61.0 acres. Receiving stream(s): Big Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 17, 2018. Permit issued: October 3, 2018.

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

Permit No. 54830103R7. KK Coal, LLC, (P.O. Box 8, Cumbola, PA 17930), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 160.0 acres, receiving stream: Schuylkill River. Application received: April 30, 2018. Renewal issued: October 16, 2018.

Permit No. PAM113028R. KK Coal, LLC, (P.O. Box 8, Cumbola, PA 17930), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54830103 in Blythe Township, **Schuylkill County**, receiving stream: Schuylkill River. Application received: April 30, 2018. Renewal issued: October 16, 2018.

Permit No. 54061302R2 and PA0224341. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal for reclamation activities only of an

existing anthracite underground mine operation and NPDES Permit for discharge of treated mine drainage in Porter Township, **Schuylkill County** affecting 61.3 acres, receiving stream: unnamed tributary to Wiconisco Creek. Application received: August 8, 2017. Renewal issued: October 18, 2018.

Permit No. 54813011R7. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe and Norwegian Townships, **Schuylkill County** affecting 497.5 acres, receiving stream: Schuylkill River. Application received: May 24, 2018. Renewal issued: October 18, 2018.

Permit No. PAM113035R Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54813011 in Blythe and East Norwegian Townships, **Schuylkill County**, receiving stream: Schuylkill River. Application received: May 24, 2018. Renewal issued: October 18, 2018.

Noncoal Permits Issued

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

Permit No. 6477SM5 and NPDES No. PA0009059, Specialty Granules, LLC, 145 Old Waynesboro Road, Blue Ridge Summit, PA 17214, commencement, operation and restoration of a noncoal surface mine to revise the permit by adding 37.3 acres to the permit boundary and allowing an access road to the proposed Route 16 State Highway, in Hamiltonban Township, **Adams County**, affecting 343.9 acres. Receiving streams: unnamed tributaries # 1, # 2 and # 3 to Miney Branch classified for the following uses: cold water fishes and migratory fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 27, 2017. Permit Issued: October 16, 2018.

The stream encroachment activity for Unnamed Tributary # 1 to Miney Branch is the construction of a 15' long, 7'-9" single radius arch culvert for the access road crossing.

The stream encroachment activity for Unnamed Tributary # 2 to Miney Branch is the construction of a 40' long, 15'-7" single radius arch culvert for the access road crossing.

The stream encroachment activity for Unnamed Tributary # 3 to Miney Branch is the construction of a 375' long, 33.5' wide, bridge crossing for the access road.

In conjunction with this approval, the Department is granting 401 Water Quality Certification certifying that the approved activities will comply with the applicable provision of sections 301—303, 306 and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards.

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

53110802. Scott R. Fessenden (2060 SR 49, West Ulysses, PA 16948). Final bond release for a small industrial minerals surface mine, located in Portage Township, **Potter County**. Restoration of 1.0 acre completed. Receiving stream(s): unnamed tributary to West Branch Freeman Run. Application received: August 13, 2018. Final bond release approved: October 18, 2018.

53060801. Seymour Stone & Wood Products, (832 Railroad Avenue, Roulette, PA 16746). Final bond release for a small industrial minerals surface mine, located in Roulette Township, **Potter County**. Restoration of 2.0 acres completed. Receiving stream(s): Little Dan Reed tributary to Allegheny River. Application received: September 18, 2017. Final bond release approved: October 18, 2018.

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

Permit No. 58910301C7 and NPDES Permit No. PA0595454. F.S. Lopke Contracting, Inc., (3430 State Route 434, Apalachin, NY 13732), renewal of NPDES permit for discharge of treated mine drainage in Forest Lake Township, **Susquehanna County**, receiving stream: Middle Branch Wyalusing Creek. Application received: February 22, 2018. Renewal issued: October 16, 2018.

Permit No. 58172802. T & M Stone Supply, LLC, (12147 SR 3004, Springville, PA 18844), commencement, operation and restoration of a quarry operation in Auburn Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Riley Creek. Application received: July 10, 2017. Permit issued: October 17, 2018.

Permit No. PAM117030. T & M Stone Supply, LLC, (12147 SR 3004, Springville, PA 18844), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58172802 in Auburn Township, **Susquehanna County**, receiving stream: unnamed tributary to Riley Creek. Application received: July 10, 2017. Permit issued: October 17, 2018.

Permit No. PAM118023, Airport Sand & Gravel Co., Inc., (500 Swetland Lane, West Wyoming, PA 18644), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 35080301 in Benton, Lenox and Nicolson Townships, Lackawanna, **Susquehanna and Wyoming Counties**, receiving stream: Tunkhannock Creek. Application received: June 4, 2018. Permit issued: October 19, 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. 15184116. Brubacher Excavating, Inc., (825 Reading Road, Bowmansville, PA 17507), construction blasting for Buck Hill Farms in Downingtown Borough, **Chester County** with an expiration date of September 27, 2019. Permit issued: October 15, 2018.

Permit No. 15184117. Valley Rock Solutions, LLC, (P.O. Box 246, Macungie, PA 18062), construction blasting for Woodlands at Greystone in West Goshen Township, **Chester County** with an expiration date of September 28, 2019. Permit issued: October 15, 2018.

Permit No. 52184102. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting for Camp Speers in Delaware Township, **Pike County** with an expiration date of October 10, 2019. Permit issued: October 15, 2018.

Permit No. 36184135. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for 500 Weaverland Valley Road in East Earl Township, **Lancaster County** with an expiration date of December 30, 2018. Permit issued: October 17, 2018.

Permit No. 06184114. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Hamburg Commerce highway/road in Perry Township, **Berks County** with an expiration date of October 19, 2019. Permit issued: October 19, 2018.

Permit No. 15184118. Brubacher Excavating, Inc., (825 Reading Road, Bowmansville, PA 17507), construction blasting for Greystone Project in West Chester Borough, **Chester County** with an expiration date of October 4, 2019. Permit issued: October 19, 2018.

Permit No. 36184136. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Kissel Hill Commons in Manheim Township, **Lancaster County** with an expiration date of October 11, 2019. Permit issued: October 19, 2018.

Permit No. 36184137. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Amos Stoltzfus dwelling in Upper Leacock Township, **Lancaster County** with an expiration date of December 30, 2018. Permit issued: October 19, 2018.

Permit No. 38184116. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Curt Zimmerman chicken house in Jackson Township, **Lebanon County** with an expiration date of January 30, 2019. Permit issued: October 19, 2018.

Permit No. 67184116. J Roy's, Inc., (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Heritage Business Park in Manheim Township, **York County** with an expiration date of October 5, 2019. Permit issued: October 19, 2018.

Permit No. 67184117. J Roy's, Inc., (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Heritage Business Park off-site utilities in Manchester Township, **York County** with an expiration date of October 15, 2019. Permit issued: October 19, 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

Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E15-899. Pennsylvania Department of Transportation Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Newlin Township, **Chester County**, ACOE Philadelphia District.

The Pennsylvania Department of Transportation (PennDOT) is proposing to perform the below listed water obstruction and encroachment activities associated with the SR 3095, Section BCR Brandywine Creek Road Slope Stabilization Project:

1) To place and maintain riprap rock channels in three (3) locations along the West Branch of the Brandy Wine Creek (WWF) associated with the construction of three (3) roadway drainage outfalls resulting in a total of 433 square feet of permanent floodway impact and 448 square feet of temporary floodway impacts. Stream impacts associated with this activity also include 30.2 linear feet (286 square feet) of permanent stream impact and 16 linear feet (274 square feet) of temporary stream impact.

2) To stabilize, protect and maintain rock slope stream bank protection and a series of rock vanes along and within the West Branch of the Brandy Wine Creek (WWF) resulting in 9,900 square feet of permanent floodway impacts and 16,053 square feet of temporary floodway impacts. Stream impacts associated with this activity include 345.35 linear feet (6,427 square feet) of permanent stream impacts and 471.15 linear feet (11,803 square feet) of temporary stream impacts.

This project lies within the Lower Brandywine Creek Scenic River Corridor System and is located on Brandywine Creek Road south of Harvey Bridge Road in Newlin, Chester County (USGS PA Coatesville; Unionville Quadrangle—Latitude: 39.931968 N, Longitude: 75.747761 W).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E23-546. AG-RW Edgmont Parent, LLC, 25 A Hanover Road, Suite 310, Florham Park, NJ, 07932, Edgmont Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain a residential development associated with the construction of 166 dwellings subdivision a.k.a. the Edgmont Preserve, impacting approximate 0.482 acre of the 100-year of the assumed floodway of Plumock Run, .03645 of permanent wetland impact, five utility line stream crossing and one outfall structure.

The site is located at 5180 West Chester Pike between Providence Road and Delchester Road (Media, PA USGS map; Lat: 39.966774; Long; -75.463129).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E46-1165. Premier A-2 Huntingdon Valley PA, LLC, 2375 Philmont Avenue, Huntingdon Valley, PA 19006, Lower Moreland Township, **Montgomery County**, ACOE Philadelphia District.

To rehabilitate and maintain an existing vacant commercial/industrial facility including partial demolition and removal of the parking area within the 100-year floodway/floodplain of the Huntingdon Valley Creek (TSF, MF) associated with the establishment of the storage facility. The project also includes about 175-foot stream bank stabilization per GP03461830.

The site is located at about 1,000 feet southeast of Huntingdon Pike and Philmont Pike (Hatboro & Frankford, PA USGS Quadrangles Latitude: 40.118044; Longitude: -75.064573).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E45-615. Barbara Patterson, 12 Miller Road, Newton, PA 18940. Coolbaugh Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a 16-foot long by 22-foot wide dock in Arrowhead Lake (EV, MF). The project is located at 184 North Arrow Drive (Thornhurst, PA Quadrangle Latitude: 41° 9' 44"; Longitude: -75° 34' 5") in Coolbaugh Township, Monroe County. (Thornhurst Quadrangle Latitude: 41°9'44"; Longitude: -75°34'5"). Subbasin 2A.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E22-643: Lower Paxton Township Authority, 425 Prince Street, Harrisburg, PA 17109 in Lower Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To abandon portions of an existing sanitary sewer line and to install, operate, and maintain 12 utility line stream crossings and 14 utility line wetland crossings impacting 0.71 acre of palustrine emergent wetlands, 0.17 acre of palustrine scrub shrub wetlands, 0.73 acre of palustrine forested wetlands, and approximately 510 linear feet of an unnamed tributary to Beaver Creek (WWF,

MF) (individually identified in the attached table) for the purpose of replacing or rehabilitating approximately 39,200 feet of sanitary sewer located near the intersection of Blue Ridge Avenue and Blue Bell Avenue (centered on Latitude: 40° 20' 12.91", Longitude: -76° 46' 15.0") in Lower Paxton Township, Dauphin County. The permit was issued on October 18, 2018.

<i>Impact</i>	<i>Type</i>	<i>Material</i>	<i>Location</i>
1	Wetland 1	15-inch PVC Pipe	Lat: 40.331118, Long: -76.764826
2	Stream 1	Bank protection	Lat: 40.331065, Long: -76.765162
3	Stream 1	16-inch Ductile Iron Pipe	Lat: 40.331862, Long: -76.765801
4	Wetland 2	15-inch PVC Pipe	Lat: 40.331364, Long: -76.766737
5	Wetland 3	15-inch PVC Pipe	Lat: 40.331913, Long: -76.768529
6	Stream 1	Bank protection	Lat: 40.331862, Long: -76.768565
7	Stream 1	16-inch Ductile Iron Pipe	Lat: 40.331949, Long: -76.768763
8	Wetland 4	15-inch PVC Pipe	Lat: 40.332818, Long: -76.769458
9	Stream 1	16-inch Ductile Iron Pipe	Lat: 40.332901, Long: -76.769475
10	Stream 2	16-inch Ductile Iron Pipe	Lat: 40.332996, Long: -76.769492
11	Stream 1	6-inch PVC Pipe	Lat: 40.332991, Long: -76.769790
12	Stream 1	Bank protection	Lat: 40.333341, Long: -76.770966
13	Stream 1	Ford crossing	Lat: 40.333588, Long: -76.771684
14	Wetland 5	15-inch PVC Pipe	Lat: 40.334315, Long: -76.772376
15	Stream 1	16-inch Ductile Iron Pipe	Lat: 40.334437, Long: -76.773355
16	Stream 3	Bank protection	Lat: 40.334279, Long: -76.773850
17	Wetland 6	15-inch PVC Pipe	Lat: 40.334816, Long: -76.773353
18	Wetland 7	15-inch PVC Pipe	Lat: 40.335269, Long: -76.773762
19	Wetland 8	15-inch PVC Pipe	Lat: 40.336264, Long: -76.775281
20	Stream 1	16-inch Ductile Iron Pipe	Lat: 40.336311, Long: -76.775733
21	Wetland 9	15-inch PVC Pipe	Lat: 40.336328, Long: -76.775889
22	Wetland 9	15-inch PVC Pipe	Lat: 40.336294, Long: -76.776282
23	Stream 1	Bank protection	Lat: 40.336587, Long: -76.776757
24	Wetland 9	15-inch PVC Pipe	Lat: 40.336500, Long: -76.777008
25	Wetland 10	Fill (manhole abandonment)	Lat: 40.336631, Long: -76.778961
26	Wetland 11	15-inch PVC Pipe	Lat: 40.336680, Long: -76.780188
27	Wetland 11	15-inch PVC Pipe	Lat: 40.336695, Long: -76.780436
28	Stream 1	16-inch Ductile Iron Pipe	Lat: 40.336822, Long: -76.781334
29	Wetland 12	15-inch PVC Pipe	Lat: 40.336954, Long: -76.781720
30	Stream 1	6-inch PVC Pipe	Lat: 40.336927, Long: -76.781882
31	Stream 1	6-inch PVC Pipe	Lat: 40.336926, Long: -76.782479
32	Stream 1	16-inch Ductile Iron Pipe	Lat: 40.337055, Long: -76.783052
33	Stream 1	10-inch PVC Pipe	Lat: 40.339209, Long: -76.787599

E22-645: The McNaughton Company, 2090 Lingles-town Road, Harrisburg, PA 17110 in Lower Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To 1) install an 8.0-inch ductile iron sanitary sewer crossing impacting approximately 772 ft² of wetland and 240 ft² of stream, 2) fill approximately 7,214 ft² of wetland to extend Continental Drive, 3) install, operate, and maintain 70 feet of 6-foot by 5-foot concrete box culvert to carry an unnamed tributary to Paxton Creek (WWF, MF) beneath Continental Drive, and 4) replace an

18-inch culvert with three 50-foot by 15-inch HDPE culverts to improve an existing access drive across approximately 1,387 ft² of wetlands for the purpose of constructing 50 homes during phases III and IV of a residential housing development. The project is located at the intersection of Continental Drive and Patton Road (Lat: 40° 20' 52" N, Long: 76° 49' 16" W) in Lower Paxton Township. To compensate for wetland impacts, 0.32 acre of wetland replacement will occur on-site. The permit was issued on October 18, 2018.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1764, Pennsylvania Turnpike Commission, 700 South Eisenhower Boulevard, Middletown, PA 17057, South Fayette Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

1. Place and maintain fill in 1,191 LF of an Unnamed Tributary (UNT) to Coal Run (aka UNT 15 Coal Run) (WWF).
2. Place and maintain fill in 363 LF of a UNT to Coal Run (aka C2-1 UNT H Coal Run) (WWF).
3. Place and maintain fill in 28 LF of a UNT to Coal Run (aka C2-1 UNT D Coal Run) (WWF).
4. Place and maintain fill in 46 LF of a UNT to Coal Run (aka C2-1 UNT C Coal Run) (WWF).
5. Place and maintain fill in 127 LF of a UNT to Coal Run (aka C2-1 UNT B Coal Run) (WWF).
6. Place and maintain fill in 514 LF of a UNT to Coal Run (aka C2-1 UNT A Coal Run) (WWF).
7. Place and maintain fill in 89 LF of a UNT to Chartiers Creek (aka C2-1 UNT J) (WWF).
8. Place and maintain fill in 22 LF of a UNT to Chartiers Creek (aka UNT 5 Chartiers) (WWF).
9. Place and maintain fill in 222 LF of a UNT to Chartiers Creek (aka UNT 4 Chartiers) (WWF).
10. Place and maintain fill in 0.835 acre of PEM wetland in the Coal Run and Chartiers Creek watersheds (WWF).
11. Install and maintain road associated stormwater facilities and outfalls in the Coal Run and Chartiers Creek watersheds (WWF).
12. Place and maintain fill in 11.12 acres of floodplain in the Coal Run and Chartiers Creek watersheds (WWF).

In association with the construction of a new section (55C2-1) of the Pennsylvania Turnpike, as a component of the overall construction of a new 13.3-mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between U.S. Route 22, and Interstate 79 (a.k.a. The Southern Beltway Project). The activities requiring authorizing for Section 55C2-1 in South Fayette Township, Allegheny County (Canonsburg, PA Quadrangle; starting at Latitude: 40° 19' 43.62" Longitude: -80° 09' 25.06"; and ending at Latitude: 40° 18' 15.11", Longitude: -80° 08' 56.74") will permanently impact a total of approximately 2,602 linear feet (LF) of various watercourses, resulting in a permanent loss of 2,602 LF of regulated watercourses and 0.835 acre of wetland, and temporarily impact a total of approximately 504 LF of various watercourse.

To compensate for the watercourse impacts associated with Section 55C2-1 of the Southern Beltway Project, the stream mitigation plan includes on-site relocation, and restoration of various tributaries in the Buck Run watershed, in Donegal Township, Washington County (West Middletown, PA Quadrangle; Latitude: 40° 8' 53" Longitude: -80° 26' 19"). The total impacts resulting from all of the subprojects associated with the Southern Beltway Project will permanently affect a cumulative total of approximately 7.62 acres wetlands. As compensation for these wetland impacts, the applicant will construct ap-

proximately 8.35 acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

E02-1782, PennDOT District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017; Bethel Park Borough and South Park Township; **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Remove the existing single 16' span, 6.9' rise, and 31.2' long stone arch bridge carrying SR 88 over Piney fork (TSF) with a drainage area of 2.1 square miles; construct and maintain a replacement 86' long single 20' span precast box culvert on the existing alignment and having a minimum underclearance of 6.5' with 1' depressed; remove the existing single 16' span, 5.6' rise, 31.1' long stone arch bridge carrying SR 88 over an unnamed tributary (UNT) to Piney Fork (TSF) with a drainage area of 2.31 square miles; and construct and maintain a replacement 67' long, 24' span precast box culvert having a minimum underclearance of 5' with 1' depressed on the existing alignment. Place and maintain fill in 245' of UNT to Piney Fork and construct and maintain 221' of relocated replacement channel to align the stream with the replacement box culvert. In addition, permanently impact 125' of Piney Fork and 96' of UNT to Piney Fork for bank stabilization, construction of appurtenant structures, and associated stormwater facilities adjacent to the two culverts. Construct and restore 697' of temporary stream impacts including two temporary pedestrian bridges. Impacts will be mitigated on site. The project is located at the intersection of SR 88 (Library Road) and SR 3004 (Clifton Road) (Bridgeville, PA Quadrangle; Latitude: 40° 17' 34.8"; Longitude: -80° 1' 50.9"; Sub-basin 19C; USACE Pittsburgh District), in Bethel Park Borough and South Park Township, Allegheny County.

E02-1785, PennDOT District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017; Elizabeth Township and Lincoln Borough; **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

1. Remove the existing 61' long 36" diameter CMP/RCP culvert carrying SR 2025 over an unnamed tributary to the Youghiogheny River (WWF) having a drainage area of 0.13 square mile; construct and maintain a 68' long 48" diameter replacement RCP culvert on an altered alignment. In addition, place and maintain fill in 174' of this same UNT to the Youghiogheny River and construct and maintain a 168' long relocated replacement channel.

2. Remove the existing 89' long, 50.5 SF opening, arch and CMP culvert carrying SR 48 over a second UNT to the Youghiogheny River (WWF) having a drainage area of 0.21 square mile; construct and maintain a replacement 76' long, 10' wide, 7.5' underclearance box culvert on existing alignment.

3. Remove the existing 31' long 18" concrete pipe carrying SR 48 over a third UNT to the Youghiogheny River (WWF) having a drainage area of less than 100 acres; construct and maintain a replacement 55' long 18" diameter concrete pipe on an adjacent alignment.

4. In addition, place and maintain fill in a de minimis 0.049 acre of PEM wetlands, construct and maintain associated stormwater facilities, and temporarily impact 528' of stream for the purpose of constructing these encroachments.

Impacts will be mitigated on site. The project is located at the intersection of SR 2025 (Pierce Road) and SR 48, approximately 0.5 mile from the intersection of SR 48 and Lovedale Road (McKeesport, PA Quadrangle; Latitude: 40° 17' 24"; Longitude: -79° 50' 09"; Sub-basin 19D; USACE Pittsburgh District). in Elizabeth Township, Allegheny County.

E63-705, Pennsylvania Turnpike Commission, 700 South Eisenhower Boulevard, Middleton, PA 17057, Cecil Township, **Washington County**, Pittsburgh ACOE District.

Has been given consent to:

1. Construct and maintain a 6' x 6' culvert extension (SB-282) extending 299 LF in length in a UNT to Chartiers Creek (aka UNT 1) (WWF).

2. Construct and maintain a 24" RCP culvert extension (SB-283) extending 157 LF in length in a UNT to Chartiers Creek (aka UNT 1) (WWF).

3. Construct and maintain a 60" CMP culvert extension (SB-284) extending 350 LF in length in a UNT to Chartiers Creek (aka UNT 3) (WWF).

4. Construct and maintain a varying 24" to 42" culvert extension extending 1,390 LF in length in a UNT to Chartiers Creek (aka UNT 2) (WWF).

5. Construct and maintain a 42" CMP culvert extension (CE-608) extending 35 LF in length in a UNT to McPherson Creek (aka C2-1 UNT O) (WWF).

6. Construct and maintain a 48" CMP culvert (SB-285) 366 LF in length in a UNT to Chartiers Creek (aka UNT 9) (WWF).

7. Construct and maintain dual 84" RCP culverts (SB-292) 290 LF in length in a UNT to McPherson Creek (aka UNT 2) (WWF).

8. Construct and maintain a 36" RCP culvert (SB-295) 539 LF in length in a UNT to McPherson Creek (aka UNT 3) (WWF).

9. Widen and maintain the existing I-79 three span bridges over SR 1010 41.5 LF in width over McPherson Creek (WWF).

10. Place and maintain fill in 142 LF of a UNT to Chartiers Creek (aka C2-1 UNT R) (WWF).

11. Place and maintain fill in 29 LF of a UNT to Chartiers Creek (aka C2-1 UNT 2) (WWF).

12. Place and maintain fill in 153 LF of a UNT to Chartiers Creek (aka UNT 8) (WWF).

13. Place and maintain fill in 231 LF of a UNT to Chartiers Creek (aka C2-1 UNT M) (WWF).

14. Place and maintain fill in 313 LF of a UNT to McPherson Creek (aka C2-1 UNT N) (WWF).

15. Place and maintain fill in 112 LF of a UNT to Chartiers Creek (aka C2-1 UNT S) (WWF).

16. Place and maintain fill in 36 LF of a UNT to Chartiers Creek (aka C2-1 UNT V) (WWF).

17. Place and maintain fill in 98 LF of a UNT to McPherson Creek (aka C2-1 UNT AB) (WWF).

18. Place and maintain fill in 18 LF of a UNT to McPherson Creek (aka C2-1 UNT T) (WWF).

19. Place and maintain fill in 14 LF of a UNT to McPherson Creek (aka C2-1 UNT W) (WWF).

20. Relocate 149 LF of a UNT to Chartiers Creek (aka C2-1 UNT O) (WWF).

21. Relocate 67 LF of a UNT to Chartiers Creek (aka C2-1 UNT U) (WWF).

22. Relocate 881 LF of a UNT to McPherson Creek (aka UNT 2) (WWF).

23. Relocate 495 LF of a UNT to McPherson Creek (aka UNT 3) (WWF).

24. Place and maintain fill in 1.62 acre of PEM wetland in the Chartiers Creek and McPherson Creek Watersheds (WWF).

25. Install and maintain road associated stormwater facilities and outfalls in the Chartiers Creek and McPherson Creek Watersheds (WWF).

26. Place and maintain fill in 16.43 acres of floodplain in the Chartiers Creek and McPherson Creek Watersheds (WWF).

In association with the construction of a new section (55C2-1) of the Pennsylvania Turnpike, as a component of the overall construction of a new 13.3-mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between U.S. Route 22, and Interstate 79 (a.k.a. The Southern Beltway Project). The structures and activities requiring authorizing for Section 55C2-1 in Cecil Township, Washington County (Canonsburg, PA Quadrangle; starting at Latitude: 40° 19' 43.62" Longitude: -80° 09' 25.06"; and ending at Latitude: 40° 18' 15.11", Longitude: -80° 08' 56.74") will permanently impact a total of approximately 7,013 linear feet (LF) of various watercourses, resulting in a permanent loss of 5,220 LF of regulated watercourses and 1.62 acre of wetland, and temporarily impact a total of approximately 3,495 LF of various watercourse and 0.001 acre of wetland.

To compensate for the watercourse impacts associated with Section 55C2-1 of the Southern Beltway Project, the stream mitigation plan includes on-site relocation, and restoration of various tributaries in the Buck Run watershed, in Donegal Township, Washington County (West Middletown, PA Quadrangle; Latitude: 40° 8' 53" Longitude: -80° 26' 19"). Total impacts resulting from all of the subprojects associated with the Southern Beltway Project will permanently affect a cumulative total of approximately 7.62-acres wetlands. As compensation for these wetland impacts, the applicant will construct approximately 8.35-acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.

D09-031EA. Edward E. Raptosh, Pennsylvania Department of Conservation and Natural Resources, Bureau of Facility Design and Construction, P.O. Box 8451, Harrisburg, PA 17105, East Rockhill and Haycock Townships, **Bucks County**, USACOE Philadelphia District.

Project proposes to remove the Haskins Dam to eliminate a threat to public safety and to restore approximately 1,100 feet of stream channel to a free-flowing condition. The project is located across Tohickon Creek (TSF, MF) (Quakertown, PA Quadrangle, Latitude: 40.4416; Longitude: -75.2701).

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222

ESCGP-2 # ESX18-125-0009
Applicant Name CNX Gas Company, Inc
Contact Person Adam White
Address 1000 Consol Energy Drive
City, State, Zip Canonsburg, PA 15317
County Washington County
Township(s) South Franklin Township
Receiving Stream(s) and Classification(s) UNTs to Tenmile Creek (TSF), Tenmile Creek (TSF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESG18-019-0012-Per W57 Well Pad
Applicant PennEnergy Resources, LLC.
Contact Mr. Gregg Stewart
Address 1000 Commerce Drive, Park Place One, Suite 400
City Pittsburgh State PA Zip Code 15275
County Butler Township(s) Winfield
Receiving Stream(s) and Classification(s) UNT to Sarver Run/Buffalo Creek-Allegheny River/UNT to Little Buffalo Creek/Buffalo Creek-Allegheny River

ESCGP-2 # ESX18-085-0002—Mills 2089 Well Site
Applicant SWEPI LP
Contact Jason Shoemaker
Address 150 n Dairy Ashford E1296E
City Houston State TX Zip Code 77079
County Butler Township(s) Perry
Receiving Stream(s) and Classification(s) UNT to Little Shenango River (TSF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESG29-027-18-0001
Applicant Name Range Resources—Appalachia, LLC

Contact Person Karl Matz
Address 3000 Town Center Boulevard
City, State, Zip Canonsburg, PA 15317
County Centre
Township(s) Snow Show Twp.
Receiving Stream(s) and Classification(s) (1) Dry Hollow (HQ), (2) UNT to Black Moshannon Creek (HQ), and (3) Black Moshannon Creek (HQ).
Secondary Watershed(s): (1) and (2) Black Moshannon Creek (HQ), and (3) Moshannon Creek (TSF).

ESCGP-2 # ESX29-117-18-0032
Applicant Name Eclipse Resources—PA, L.P.
Contact Person Bruce Carpenter
Address 2121 Old Gatesburg Rd, Suite 110
City, State, Zip State College, PA 16803
County Tioga
Township(s) Deerfield Twp.
Receiving Stream(s) and Classification(s) Cowanesque River (WWF), Boatman Brook (WWF)

ESCGP-2 # ESX29-117-18-0031
Applicant Name Eclipse Resources—PA, L.P.
Contact Person Bruce Carpenter
Address 2121 Old Gatesburg Road, Suite 110
City, State, Zip State College, PA 16803
County Tioga
Township(s) Deerfield and Westfield Twps.
Receiving Stream(s) and Classification(s) Cowanesque River (WWF), Broughton Hollow (WWF), Jemison Creek (WWF)

ESCGP-2 # ESG29-081-18-0043
Applicant Name ARD Operating, LLC
Contact Person Stephen Barondeau
Address 33 West Third Street, Suite 300
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) McHenry Twp.
Receiving Stream(s) and Classification(s) Primary Watershed(s): (1) English Run (HQ-CWF), and (2) UNT to Pine Creek (HQ-CWF).
Secondary Watershed(s): (1) Browns Run (HQ-CWF), and (2) Pine Creek (EV).

ESCGP-2 # ESG29-115-18-0044
Applicant Name SWN Production Company, LLC
Contact Person Nicki Atkinson
Address 917 State Route 92 North
City, State, Zip Tunkhannock, PA 18657
County Susquehanna
Township(s) New Milford Twp.
Receiving Stream(s) and Classification(s) Smith Creek (HQ-CWF, MF) and unnamed tributaries thereto, and East Lake Creek (HQ-CWF, MF)

ESCGP-2 # ESX12-081-0130(02)
Applicant Name ARD Operating, LLC
Contact Person Stephen Barondeau
Address 33 West Third Street, Suite 300
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Pine
Receiving Stream(s) and Classification(s) Primary Watershed(s): (1) UNT to Bonnell Run (EV), (2) Bonnell Run (EV), (3) UNTs to English Run (CWF, MF), and (4) English Run (CWF, MF).
Secondary Watershed(s): (1) Bonnell Run (EV), (2) Little Pine Creek (EV), (3) English Run (CWF, MF), and (4) Little Pine Creek (EV).

SPECIAL NOTICES

AIR QUALITY

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

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

Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen, Volatile Organic Compounds, and Notice of Public Hearing for the Revised Air Quality Operating Permit 46-00011

Approval of a Reasonably Available Control Technology (Alternate RACT II) plan for **Arcelormittal Plate LLC Company** located in Plymouth Township, **Montgomery County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a determination for an alternate RACT II plan and seeks approval of the amendment to the State Implementation Plan (SIP) for the Steel manufacturing facility/blast furnaces owned and operated by Arcelormittal Plate LLC Company located in Plymouth Township, Montgomery County.

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

The proposed amendments to the RACT II determination have been incorporated into this revised operating permit 46-00011 for the facility. After the public participation requirements of 40 CFR 51.102 are met, including that public hearings to be held on the dates and at the location advertised below, the relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded and/or redacted from the SIP submittal.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source ID</i>	<i>Source Name</i>	<i>Proposed RACT II</i>
101	Drever Furnace	Good operating practices, NO _x limit 34.34 tons/12 consecutive months and Fuel limit is 490,571 MCF/YR; record hours of operation and fuel usage monthly; calculate and record emissions monthly and 12-month rolling using Emission Factor (E.F.) 0.14 lb. NO _x /Mcf;
102	Quench Furnace	Good operating practices, NO _x limit 50.55 tons/12 consecutive months and natural gas limit of 722,143 Mcf per year; record hours of operation and fuel usage monthly; calculate and record emissions monthly and 12 month rolling using E.F.0.14 lb. NO _x /Mcf.
106	Rose Annealing Furnace	Good operating practices, NO _x limit 36.84 tons/12 consecutive months with current natural gas limit of 526,286 MCF/Yr; record hours of operation and fuel usage monthly; calculate and record emissions monthly and 12 month rolling using E.F.0.14 lb. NO _x /Mcf.
110	Slab Heating Furnace 1	Good operating practices, NO _x limit 86.01 tons/12 consecutive months with current natural gas limit: 1,563,901 MCF/Yr; record hours of operation and fuel usage monthly; calculate and record emissions monthly and 12 month rolling using E.F.0.11 lb. NO _x /Mcf.
110	Slab Heating Furnace 2	Good operating practices, NO _x limit 187.34 tons/12 consecutive months with current natural gas limit: 1,821,848 MCF/Yr; record hours of operation and fuel usage monthly; calculate and record emissions monthly and 12 month rolling using E.F.0.198 lb. NO _x /Mcf.
152	Temper Furnace	Good operating practices, NO _x limit 19.78 tons/12 consecutive months with current natural gas limit: 282,839 MCF/Yr; record hours of operation and fuel usage monthly; calculate and record emissions monthly and 12 month rolling using E.F.0.10 lb. NO _x /Mcf.

Public hearing. The hearing will be held on December 11, 2018, at 8:00 AM at the Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. To register to speak at the hearing, or to inquire if a hearing will be held, contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808. The last day to pre-register to speak at the hearing will be December 4, 2018. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/default.aspx>.

The Department asks that individuals contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808 or monitor the web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808 at least 1 week in advance of the hearing to reserve a time to present testimony.

Oral testimony will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit a written statement and exhibits within 10 days thereafter to James Rebarchak, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401 or electronically to RA-EPSEROAQPUBCOM@pa.gov.

The 30-day comment period from November 3, 2018 will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan. Persons wishing to file a written protest or provide comments or additional information, which they believe should be amending the SIP, may submit the information to the James Rebarchak, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401 or electronically to RA-EPSEROAQPUBCOM@pa.gov.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. Appointments for scheduling a review may be made by calling the Department at 484-250-5910.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen, Volatile Organic Compounds, and Notice of Public Hearing for the Revised Air Quality Operating Permit 09-00016

Approval of a Reasonably Available Control Technology (Alternate RACT II) plan for **Exelon Generation Company Croydon Generation Station** located in Bristol Township, **Bucks County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a determination for an alternate RACT II plan and seeks approval of the amendment to the State Implementation Plan (SIP) for the eight (8) combustion turbines owned and operated by Exelon Generation Company Croydon Generation Station located in Bristol Township, Bucks County.

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

The proposed amendments to the RACT II determination, have been incorporated into this revised operating permit 09-00016 for the facility. After the public participation requirements of 40 CFR 51.102 are met, including that public hearings to be held on the dates and at the location advertised below, the relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded and/or redacted from the SIP submittal.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source Description</i>	<i>Proposed RACT II Requirement</i>	<i>TVOP 09-00016 Condition No.</i>
Facility-wide Testing	Stack test shall be performed on at least three (3) of (8) turbines listed in the permit once within the 5-year term of the permit, and all eight (8) within three permit terms. Results to be within 10% for similar loads and capacities.	Section C, Condition # 007
Simple Cycle Turbine # 11 (031); Simple Cycle Turbine # 12 (032); Simple Cycle Turbine # 21 (033); Simple Cycle Turbine # 22 (034); Simple Cycle Turbine # 31 (035); Simple Cycle Turbine # 32 (036A); Simple Cycle Turbine # 41 (037); Simple Cycle Turbine # 42 (038)	The NO _x emissions for this turbine shall not exceed 0.70 pound per MMBtu or 587 pounds per hour, whichever is more stringent.	Section D, Condition # 004
	(a). The capacity factor for this turbine shall not exceed 20% in any consecutive 12-month rolling period. The capacity factor is defined as the ratio of net electrical power generation, in megawatt hours (MWH), for the last twelve (12) months to the maximum capacity of the unit (MW) times the number of hours in the same twelve (12) months.	Section D, Condition # 006
	(b). The rolling 12-month capacity factor is expressed in the following formula: [(Last 12 months net electric power generation (MWH))*(100)]	

*Source Description**Proposed RACT II Requirement*TVOP 09-00016
Condition No.

(a). The permittee shall record the following information for this turbine:

Section D,
Condition # 009

- (1). Monthly fuel consumption;
- (2). Monthly net electrical power (MWH) generated.
- (3). The dates and times of operation of this turbine, including discharge temperature and operation conditions related to stack opacity;
- (4). Monthly and 12 month rolling capacity factor;
- (5). Monthly NO_x emissions calculated using the emission factors from the most recent stack test result;

Public hearing. The hearing will be held on December 11, 2018, at 2:00 PM at the Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. To register to speak at the hearing, or to inquire if a hearing will be held, contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808. The last day to pre-register to speak at the hearing will be December 4, 2018. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/default.aspx>.

The Department asks that individuals contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808 or monitor the web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit a written statement and exhibits within 10 days thereafter to James Rebarchak, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401 or electronically to RA-EPSEROAQPUBCOM@pa.gov.

The 30-day comment period from November 3, 2018 will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan. Persons wishing to file a written protest or provide comments or additional information, which they believe should be amending the SIP, may submit the information to the James Rebarchak, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401 or electronically to RA-EPSEROAQPUBCOM@pa.gov.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. Appointments for scheduling a review may be made by calling the Department at 484-250-5910.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen, Volatile Organic Compounds, and Notice of Public Hearing for the Revised Air Quality Operating Permit 23-00003

Approval of a Reasonably Available Control Technology (Alternate RACT II) plan for **Monroe Energy, LLC** located in Trainer Borough, **Delaware County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a determination for an alternate RACT II plan and seeks approval of the amendment to the State Implementation Plan (SIP) for the petroleum refinery owned and operated by Monroe Energy, LLC in Trainer Borough, Delaware County.

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

The proposed amendments to the RACT II determination, have been incorporated into this revised operating permit 23-00003 for the facility. After the public participation requirements of 40 CFR 51.102 are met, including that public hearings to be held on the dates and at the location advertised below, the relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded and/or redacted from the SIP submittal.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

Source

Source 101—Fluid Catalytic Cracking Unit (FCCU)

Source 104—Marine Vessel Ballasting Condition #

Source 105—Marine Vessel Loading Condition #

Source 111 & 700—Cooling Towers Condition #

Source 118—Railcar Loading LPG & Butane Condition #

Source 130—Peabody Heater, 74.0 MMBtu/hr

Source 735—Kerosene/HCN HTU Heater, 23.0 MMBtu/hr

Source 736—Diesel HTU Heater, 39.0 MMBtu/hr

RACT II Requirement

For NO_x, good operating practices, continued use of SNCR, and compliance with emission limits of TVOP Condition # 001(a)(2) and (3).

For VOC, good operating practices, continued use of CO Boiler, and compliance with VOC emission limit of 8.1 tons per 12-month rolling period. Condition #

For VOC, limiting vessel ballasting to 2% total volume of receipts.

For VOC, good operating practices and continued use of MVR System.

For VOC, good operating practices and compliance with 40 CFR Part 63, Subpart CC LDAR requirements.

For VOC, good operating practices and continued use of flare gas recovery system to meet the VOC limit of 3.94 tons per 12-month rolling period.

For NO_x, good operating practices and compliance with the NO_x limit of 7.6 tons per 12-month rolling period. Condition #

For NO_x, good operating practices, compliance with NO_x limit of 14.32 tons per 12-month rolling period, and conducting an annual tune-up. Condition #

For NO_x, good operating practices, compliance with NO_x limit of 24.36 tons per 12-month rolling period, and conducting an annual tune-up. Condition #

Public hearing. The hearing will be held on December 11, 2018, at 10:00 AM at the Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. To register to speak at the hearing, or to inquire if a hearing will be held, contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808. The last day to pre-register to speak at the hearing will be December 4, 2018. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/default.aspx>.

The Department asks that individuals contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808 or monitor the web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit a written statement and exhibits within 10 days thereafter to James Rebarchak, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401 or electronically to RA-EPSEROAQPUBCOM@pa.gov.

The 30-day comment period from November 3, 2018 will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan. Persons wishing to file a written protest or provide comments or additional information, which they believe should be amending the SIP, may submit the information to the James Rebarchak, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401 or electronically to RA-EPSEROAQPUBCOM@pa.gov.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. Appointments for scheduling a review may be made by calling the Department at 484-250-5910.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Virginia Cain, Environmental Community Relations Specialist at 484-250-5808 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

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

PAG-02-27-11-18-001, Ridge Energy Company, 265 Swamp Road, Clymer, PA 15728. General NPDES Permit for Stormwater Discharges Associated with Construction Activities on GFCC Permit No. 11-18-01 in Cresson

Township, **Cambria County**. Receiving streams: unnamed tributary to Clearfield Creek classified for the following uses: cold water fishes, migratory fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: May 24, 2018. Coverage Approved: October 19, 2018.

[Pa.B. Doc. No. 18-1705. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

2019 Environmental Education Grants

The Department of Environmental Protection (Department) announces a new round of Environmental Education Grants for 2019. The grant round is now open and all applications must be completed and submitted by January 11, 2019. Two types of grants will be offered including general grants that will be funded up to \$25,000 and mini-grants that will be funded up to \$3,000.

Over the Environmental Education Grants Program's (Program) tenure, grantees have included schools and school districts, nonprofit organizations, colleges and universities, county conservation districts and businesses. These grant-funded organizations have used the funding to address important environmental education topics within their communities. Priority topics include water, climate change and environmental justice.

The Program was established by the Environmental Education Act (35 P.S. §§ 7521—7528), which mandates setting aside 5% of the pollution fines and penalties the Department collects annually for environmental education in this Commonwealth. In its 25-year history, the Program has funded more than \$12 million in environmental education grants.

The grant guidelines and application instructions are available on the Department's web site at www.dep.pa.gov (select "Citizens," then "Environmental Education," then "Grants"). Applications must be submitted online through the eGrants system at https://dep.pa.gov/EE_Grants.

Questions concerning the grant solicitation should be directed to the Environmental Education Center at gimyers@pa.gov or (717) 705-3767.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1706. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Alternative Fuels Incentive Grant Program; FAST Act Alternative Fuel Corridor Infrastructure Program Grant Solicitation

The Department of Environmental Protection (Department) announces an opportunity to apply for grants under PA's FAST Act Alternative Fuel Corridor Infrastructure Program (Program). This is a special solicitation under the Alternative Fuels Incentive Grant Program

(AFIG) which will provide up to a 50% reimbursement grant to install public refueling infrastructure along the highway corridors in this Commonwealth designated as alternative fuel corridors by the Fixing America's Surface Transportation Act (Pub.L. No. 114-94) as "signage ready" or "signage pending" by the Federal Highway Administration. These corridors include specific sections of interstates I-76, I-276, I-376, I-476, I-79, I-90, I-95 and I-80.

Approximately \$1 million in grants will be available to municipal authorities, political subdivisions, nonprofit entities, corporations, and limited liability companies or partnerships incorporated or registered in the Commonwealth to install public-use electric, hydrogen, propane and compressed natural gas refueling infrastructure. The infrastructure must support public vehicles seeking to undertake alternative fuel refueling including, electric vehicle charging, or hydrogen, propane or compressed natural gas refueling. Individual project awards will be capped at \$500,000.

Eligible project infrastructure must be publicly accessible 24/7; incorporate roadway signage compliant with the FAST Act; offer an open and common payment platform; feature standardized nozzles and connectors; be co-located with convenient consumer amenities at safe locations; and provide travelers with measures of assurance that the fuel will be available during their planned stop. Project infrastructure must be designed to meet 5-year future projections of anticipated usage for the public at the proposed public stations. All projects must be sited within 5 roadway miles of the eligible corridor segment.

The Program guidelines and application are available on the Department AFIG web site under the FAST Act Alternative Fuel Corridor Infrastructure Program section at www.dep.pa.gov (select "Citizens," then "Grants, Loans and Rebates," then "Alternative Fuels Incentive Grant").

The application period will open November 9, 2018. Applications must be submitted using the Department of Community and Economic Development Electronic Single Application online grants system. Applications must be submitted by 4 p.m. on February 8, 2019.

Questions concerning this grant solicitation should be directed to the Energy Programs Office at jdziubek@pa.gov or (717) 783-8411.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1707. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of National Pollutant Discharge Elimination System General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems (PAG-05)

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department), by this notice, informs the public of the availability of the final National Pollution Discharge Elimination System (NPDES) PAG-05 General Permit for

Discharges from Petroleum Product Contaminated Groundwater Remediation Systems (PAG-05) for a new 5-year term.

The PAG-05 General Permit is intended to provide NPDES permit coverage to existing and proposed petroleum product contaminated groundwater remediation systems for the remediation of groundwater contaminated with gasoline or other petroleum products where eligibility requirements of the General Permit are met. The General Permit may not be used to cover other types of facilities with discharges resulting from treatment of groundwater contaminated with chlorinated solvents or other pollutants that are not associated with gasoline or other petroleum products.

The PAG-05 General Permit will become effective on December 29, 2018, and will expire on December 28, 2023. All permittees with existing coverage under the PAG-05 General Permit will be automatically covered under the reissued General Permit on December 29, 2018, and will be subject to the terms and conditions of the reissued General Permit. Submission of a Notice of Intent (NOI) to renew coverage is not necessary for those with existing coverage under the General Permit. The NOI fee is \$500 per year of operation under the General Permit.

Notice of the availability of a draft PAG-05 General Permit was published at 48 Pa.B. 4586 (July 28, 2018). A 30-day comment period was provided, and interested parties were directed to submit comments to the Department's eComment system. The Department received no comments during the comment period. No changes were made to the final PAG-05 General Permit (3800-PM-BCW0171d) and associated documents in comparison to the draft PAG-05 General Permit documents published at 48 Pa.B. 4586.

The General Permit package can be accessed through the Department's eLibrary web site at www.eLibrary.dep.state.pa.us (select "Permit and Authorization Packages," then "Clean Water," and then "PAG-05 Discharges from Petroleum Product Contaminated Groundwater Remediation Systems 3800-PM-BCW0171)."

In accordance with 25 Pa. Code § 92a.84(c)(3) (relating to public notice of general permits), the Department will

publish notice in the *Pennsylvania Bulletin* for every approval of coverage under the PAG-05 General Permit.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1708. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Justice Advisory Board Meeting

The Environmental Justice Advisory Board (Board) meeting scheduled for Tuesday, November 13, 2018, will begin at 8:30 a.m. in the Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The Board will then convene with the Citizens Advisory Council (Council) at 10 a.m. in Room 105 for a joint Board/Council meeting.

Questions concerning the November 13, 2018, meeting can be directed to John B. Brakeall at jbrakeall@pa.gov or (717) 783-9731. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Environmental Justice Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact John B. Brakeall at (717) 783-9731 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1709. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Bureau of Occupational and Industrial Safety Fee Schedule Update

Under section 240.13A(c) of the Administrative Code of 1929, 71 P.S. § 240.13A(c), the Department of Labor and Industry is publishing the following fee increases, effective October 30, 2018:

Elevators and Other Lifting Devices

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
1	Plans/Permit Approval Application		
	A. Passenger, freight and combination passenger/freight elevators (not hydraulic elevators) 1—7 floors		
	Standard Fee	\$663.00	\$677.59
	Expedited plan review, approvals and inspections fee		
	Flat Rate	\$1,663.00	\$1,699.59
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
	B. Passenger, freight and combination passenger/freight elevators (not hydraulic elevators) 8—20 floors		
	Standard Fee	\$768.00	\$784.90
	Expedited plan review, approvals and inspections fee		
	Flat Rate	\$1,768.00	\$1,806.90
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	C. Passenger, freight and combination passenger/freight elevators (not hydraulic elevators) More than 20 floors		
	Standard Fee	\$950.00	\$970.90
	Expedited plan review, approvals and inspections fee		
	Flat Rate	\$1,950.00	\$1,992.90
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	D. Hydraulic passenger, freight, combination passenger/freight elevators vertical lifts, inclined platform lifts, inclined stairway chair lifts, belt man lifts, orchestra lifts, stage lifts, organ lifts and		
	Standard Fee	\$581.00	\$593.78
	Expedited plan review, approvals and inspections fee		
	Flat Rate	\$1,581.00	\$1,615.78
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	E. Ski Lifts (aerial passenger ropeways)		
	Standard Fee	\$2,800.00	\$2,861.60
	Expedited plan review, approvals and inspections fee		
	Flat Rate	\$3,500.00	\$3,577.00
	Plus per hour for inspections that occur outside normal business hours	\$320.00	\$327.04
	F. Ski Lifts non-aerial (surface lifts)		
	Standard Fee	\$600.00	\$613.20
	Expedited plan review, approvals and inspections free		
	Flat Rate	\$1,600.00	\$1,635.20
	Plus per hour for inspections that occur outside normal business hours	\$320.00	\$327.04
	G. Escalators and moving walks		
	Standard Fee	\$558.00	\$570.28
	Expedited plan review, approvals and inspections fee		
	Flat Rate	\$1,558.00	\$1,592.28
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
2	Alterations and major repairs		
	Standard Fee	\$696.00	\$711.31
	Expedited plan review, approvals and inspections fee		
	Flat Rate	\$1,696.00	\$1,733.31
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
3	Certificate renewals		
	Two-year renewals	\$72.00	\$73.58
	Four-year renewals	\$144.00	\$147.17

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
4	Elevator inspections		
	A. Passenger, freight and combination passenger/freight elevators except hydraulic elevators 1—7 floors		
	Standard Fee	\$200.00	\$204.40
	Expedited inspections fee		
	Flat Rate	\$300.00	\$306.60
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	B. Passenger, freight and combination passenger/freight elevators except hydraulic elevators 8—20 floors		
	Standard Fee	\$236.00	\$241.19
	Expedited inspections fee		
	Flat Rate	\$336.00	\$343.39
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	C. Passenger, freight and combination passenger/freight elevators except hydraulic elevators More than 20 floors		
	Standard Fee	\$250.00	\$255.50
	Expedited inspections fee		
	Flat Rate	\$350.00	\$357.70
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	D. Hydraulic passenger, freight, combination passenger/freight elevators and other lifting devices		
	Standard Fee	\$207.00	\$211.55
	Expedited inspections fee		
	Flat Rate	\$307.00	\$313.75
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	E. Ski Lifts (aerial passenger ropeways)		
	Standard Fee	\$780.00	\$797.16
	Expedited inspections fee		
	Flat Rate	\$880.00	\$899.36
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	F. Ski Lifts non-aerial (surface lifts)		
	Standard Fee	\$175.00	\$178.85
	Expedited inspections fee		
	Flat Rate	\$275.00	\$281.05
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	G. Escalators and moving walks		
	Standard Fee	\$150.00	\$153.30
	Expedited inspections fee		
	Flat Rate	\$250.00	\$255.50
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
5	Witnessing periodic test		
	A. Electric elevators with one to ten openings		
	Standard Fee	\$435.00	\$444.57
	Expedited action fee		
	Flat Rate	\$635.00	\$648.97
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52

<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
B. Electric elevators with 11—20 openings		
Standard Fee	\$475.00	\$485.45
Expedited action fee		
Flat Rate	\$675.00	\$689.85
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
C. Electric elevators with more than 20 openings		
Standard Fee	\$530.00	\$541.66
Expedited action fee		
Flat Rate	\$730.00	\$746.06
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
D. Roped hydraulic elevators and roped/chained vertical reciprocal conveyors		
Standard Fee	\$530.00	\$541.66
Expedited action fee		
Flat Rate	\$730.00	\$746.06
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
E. Hydraulic elevator, limited use/limited application elevator and direct hydraulic vertical reciprocating conveyor		
Standard Fee	\$435.00	\$444.57
Expedited action fee		
Flat Rate	\$635.00	\$648.97
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
F. Escalators and moving walk		
Standard Fee	\$435.00	\$444.57
Expedited action fee		
Flat Rate	\$635.00	\$648.97
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
G. Wheelchair lift or inclined stair chair lift		
Standard Fee	\$280.00	\$286.16
Expedited action fee		
Flat Rate	\$480.00	\$490.56
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
H. Orchestra lift, belt man lift, stage lift and organ lift		
Standard Fee	\$530.00	\$541.66
Expedited action fee		
Flat Rate	\$730.00	\$746.06
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
I. Aerial tramways and detachable aerial grips		
Standard Fee	\$2,400.00	\$2,452.80
Expedited action fee		
Flat Rate	\$2,600.00	\$2,657.20
Plus per hour for inspections that occur outside normal business hours	\$320.00	\$327.04

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
	J. Fixed grip aerial lifts		
	Standard Fee	\$2,400.00	\$2,452.80
	Expedited action fee		
	Flat Rate	\$2,600.00	\$2,657.20
	Plus per hour for inspections that occur outside normal business hours	\$320.00	\$327.04
	K. Other equipment		
	Standard Fee	\$435.00	\$444.57
	Expedited action fee		
	Flat Rate	\$635.00	\$648.97
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
6	Special Approval		
	Standard Fee	\$1,000.00	\$1,022.00
	Expedited special approval inspections fee		
	Flat Rate	\$2,000.00	\$2,044.00
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
7	Reinspection following failed acceptance inspection		
	Standard Fee	\$500.00	\$511.00
	Expedited special approval inspections fee		
	Flat Rate	\$1,500.00	\$1,533.00
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
8	Reinspection following failure to correct violations within allotted time period		
	Standard Fee	\$200.00	\$204.40
	Expedited special approval inspections fee		
	Flat Rate	\$1,200.00	\$1,226.40
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
9	Copy of UCC Regulations for Elevators	\$7.00	\$7.15
10	Duplicate certificate of operation	\$25.00	\$25.55
11	PA Industrial Board variances, appeals or requests for extensions of time		
	Standard Fee	\$321.00	\$328.06
	Expedited action fee	\$1,321.00	\$1,350.06
12	PA Accessibility Advisory Board variances, appeals or requests for extensions of time		
	Standard Fee	\$321.00	\$328.06
	Expedited action fee	\$1,321.00	\$1,350.06

Boilers and Unfired Pressure Vessels

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
1	Certificates of Operation-Annual		
	Unfired Pressure Vessel	\$72.00	\$73.58
	Boiler	\$44.00	\$44.97

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
2	Internal inspection of power boilers, high-pressure, high-temperature water boilers and miniature boilers		
	A. Boilers with heating surface of 50 sq. ft. or less		
	Standard Fee	\$65.00	\$66.43
	Expedited inspections		
	Flat Rate	\$165.00	\$168.63
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	B. Boilers with heating surface of 51 to 3,999 sq. ft.		
	Standard Fee	\$125.00	\$127.75
	Expedited inspections		
	Flat Rate	\$225.00	\$229.95
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	C. Boilers with heating surface of 4,000 to 9,999 sq. ft.		
	Standard Fee	\$175.00	\$178.85
	Expedited inspections		
	Flat Rate	\$275.00	\$281.05
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	D. Boilers with heating surface to 10,000 sq. ft. or more		
	Standard Fee	\$210.00	\$214.62
	Expedited inspections		
	Flat Rate	\$310.00	\$316.82
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	E. Miniature Boilers		
	Standard Fee	\$35.00	\$35.77
	Expedited inspections		
	Flat Rate	\$135.00	\$137.97
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
3	External inspection of power boilers, high-pressure, high-temperature water boilers		
	A. Boilers with heating surface of 50 sq. ft. or less		
	Standard Fee	\$55.00	\$56.21
	Expedited inspections		
	Flat Rate	\$155.00	\$158.41
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	B. Boilers with more than 50 sq. ft. of heating surface		
	Standard Fee	\$80.00	\$81.76
	Expedited inspections		
	Flat Rate	\$180.00	\$183.96
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
4	Internal or External inspection of low-pressure boilers		
	A. Heating boiler without a manhole		
	Standard Fee	\$55.00	\$56.21
	Expedited inspections		
	Flat Rate	\$155.00	\$158.41
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
	B. Heating boiler with a manhole		
	Standard Fee	\$100.00	\$102.20
	Expedited inspections		
	Flat Rate	\$200.00	\$204.40
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	C. Hot water supply boiler/water heater		
	Standard Fee	\$55.00	\$56.21
	Expedited inspections		
	Flat Rate	\$155.00	\$158.41
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
5	Internal or External inspection of pressure vessels		
	A. Each pressure vessel subject to inspection having a cross-sectional area of 50 sq. ft. or less		
	Standard Fee	\$45.00	\$45.99
	Expedited inspections fee		
	Flat Rate	\$145.00	\$148.19
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	B. Each additional 100 sq. ft. of area in excess of 50 sq. ft.		
	Standard Fee	\$45.00	\$45.99
	Expedited inspections fee (per each additional 100 sq. ft. in excess of 50 sq. ft.)		
	Flat Rate	\$145.00	\$148.19
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
6	“Intent to Install” approval		
	A. Complete mechanical room drawings—boilers and other vessels		
	Standard Fee	\$165.00	\$168.63
	Expedited action fee		
	Flat Rate	\$1,165.00	\$1,190.63
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	B. High-pressure boilers		
	Standard Fee	\$100.00	\$102.20
	Expedited action fee		
	Flat Rate	\$1,100.00	\$1,124.20
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
	C. Low-pressure boilers		
	Standard Fee	\$100.00	\$102.20
	Expedited action fee		
	Flat Rate	\$1,100.00	\$1,124.20
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
7	Boiler Inspections		
	Inspector’s examination fee	\$150.00	\$153.30
	New credential card (annual renewal)	\$25.00	\$25.55

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
8	Hydrostatic test (witnessed)		
	Standard Fee	\$65.00	\$66.43
	Expedited action		
	Flat Rate	\$165.00	\$168.63
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
9	Inspection of repair fee		
	Standard Fee	\$65.00	\$66.43
	Expedited inspections		
	Flat Rate	\$165.00	\$168.63
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
10	Copy of department boiler regulations (including mailing expense)	\$7.00	\$7.15
11	Acceptance of boilers and pressure vessels not originally destined for use within this Commonwealth		
	Standard Fee	\$1,500.00	\$1,533.00
	Expedited action		
	Flat Rate	\$2,500.00	\$2,555.00
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
12	Industrial board variance, appeal and request for extension of time		
	Standard Fee	\$321.00	\$328.06
	Expedited request	\$1,321.00	\$1,350.06

Buildings and Structures

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
1	Permit for new buildings and additions		
	Standard Fee (plus per square foot of floor area or each fraction of floor area)	321 + \$0.65 per sq. ft.	328.06 + \$0.66 per sq. ft.
	Expedited Permits (plus per square foot of floor area or each fraction of floor area)		
	Flat Rate	\$1,321.00	\$1,350.06
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
2	Permit for new structures and facilities other than buildings		
	Standard fee	\$965.00	\$986.23
	Expedited Permits		
	Flat Rate	\$1,965.00	\$2,008.23
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
3	Permit for alterations, renovations or modifications to existing building structures		
	Standard fee	\$321.00	\$328.06
	Plus for each \$1,000 of estimated cost for alterations, renovations or modification as certified by the applicant	\$65.00	\$66.43
	Expedited Permits	\$1,321.00	\$1,350.06
	Plus for each \$1,000 of estimated cost for alterations, renovations or modification as certified by the applicant	\$65.00	\$66.43
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
4	Accessibility plan review and inspection		
	Standard fee	\$645.00	\$659.19
	Expedited Permits		
	Flat Rate	\$1,645.00	\$1,681.19
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
5	Permit for building structure or structure demolition		
	Standard Fee	\$321.00	\$328.06
	Expedited Permit		
	Flat Rate	\$1,321.00	\$1,350.06
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
6	Annual Permit		
	Standard Fee	\$321.00	\$328.06
	Expedited Permits		
	Flat Rate	\$1,321.00	\$1,350.06
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
7	Revision of approved plans		
	Standard Fee	\$500.00	\$511.00
	Expedited Permits		
	Flat Rate	\$1,500.00	\$1,533.00
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
8	Industrial board variance, appeal and request for extension of time		
	Standard Fee	\$321.00	\$328.06
	Expedited Permits	\$1,321.00	\$1,350.06
9	Accessibility Advisory Board variance, appeal and request for extension of time		
	Standard Fee	\$321.00	\$328.06
	Expedited Permits	\$1,321.00	\$1,350.06
11	Permit phased (accelerated) approval	\$300.00	Not Applicable
12	Permit for in home day care	\$100.00	Not Applicable
13	Copies of approval construction documents (per page)	\$5.00	Not Applicable
14	Duplicate certificate of occupancy (each)	\$5.00	Not Applicable

Flammable and Combustible Liquids

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
1	Permit for the installation or replacement of tanks and pumps or dispensers		
	Standard Fee	\$700.00	\$715.40
	Expedited Permits and Inspections		
	Flat Rate	\$1,700.00	\$1,737.40
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
2	Permit for the installation or replacement of tanks		
	Standard Fee	\$500.00	\$511.00
	Expedited Permits and Inspections		
	Flat Rate	\$1,500.00	\$1,533.00
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
3	Permit for the installation or replacement of pumps or dispensers		
	Standard Fee	\$200.00	\$204.40
	Expedited Permits and Inspections		
	Flat Rate	\$1,200.00	\$1,226.40
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
4	Permit for the installation and rebuild of containers for compressed natural gas		
	Standard Fee	\$500.00	\$511.00
	Expedited Permits and Inspections		
	Flat Rate	\$1,500.00	\$1,533.00
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
5	Permit for the installation or replacement of compressed natural gas pumps and dispensers		
	Standard Fee	\$200.00	\$204.40
	Expedited Permits and Inspections		
	Flat Rate	\$1,200.00	\$1,226.40
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
6	Duplicate Permit	\$75.00	\$76.65
7	Industrial board variance, appeal and requests for extension of time		
	Standard Fee	\$321.00	\$328.06
	Expedited Permits	\$1,321.00	\$1,350.06

Liquified Petroleum Gas

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
1	New registration and plan approval for bulk plants of 30,000 gallons or less		
	Standard Fee	\$360.00	\$367.92
	Expedited Permits and Inspections		
	Flat Rate	\$1,360.00	\$1,389.92
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
2	New registration and plan approval for bulk plants of 30,001—90,000 gallons		
	Standard Fee	\$430.00	\$439.46
	Expedited Permits and Inspections		
	Flat Rate	\$1,430.00	\$1,461.46
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52

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	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
3	New registration and plan approval for bulk plants of 90,001 gallons or more		
	Standard Fee	\$475.00	\$485.45
	Expedited Permits and Inspections		
	Flat Rate	\$1,475.00	\$1,507.45
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
4	New registration and plan approval for industrial or utility users of 2,001—30,000 gallons		
	Standard Fee	\$250.00	\$255.50
	Expedited Permits and Inspections		
	Flat Rate	\$1,250.00	\$1,277.50
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
5	New registration and plan approval for industrial or utility users of 30,001—180,000 gallons		
	Standard Fee	\$360.00	\$367.92
	Expedited Permits and Inspections		
	Flat Rate	\$1,360.00	\$1,389.92
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
6	Registration and plan approval for industrial or utility users of 180,001 gallons or more		
	Standard Fee	\$475.00	\$485.45
	Expedited Permits and Inspections		
	Flat Rate	\$1,475.00	\$1,507.45
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
7	Plan approval of dispensing stations (please include applicable distributor registration fee with application)		
	Standard Fee	\$50.00	\$50.00
	Expedited Permits and Inspections		
	Flat Rate	\$1,050.00	\$1,050.00
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
8	Registration and plan approval for retail cylinder or exchange cabinets		
	Standard Fee	\$150.00	\$153.30
	Expedited Permits and Inspections		
	Flat Rate	\$1,150.00	\$1,175.30
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52
9	Initial and annual registration renewal for distributors having less than 1,000 customers	\$175.00	\$178.85
10	Initial and annual registration renewal for distributors having 1,000—2,999 customers	\$300.00	\$306.60
11	Initial and annual registration renewal for distributors having 3,000—5,999 customers	\$375.00	\$383.25
12	Initial and annual registration renewal for distributors having 6,000 or more customers	\$500.00	\$511.00
13	Copy of department LP gas regulations	\$5.00	\$5.11
14	Annual registration renewal for bulk plants and industrial users	\$135.00	\$137.97
15	Annual registration renewal for cylinder or exchange cabinets	\$75.00	\$76.65

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
16	Industrial board variance, appeal and request for extension of time		
	Standard Fee	\$321.00	\$328.06
	Expedited request	\$1,321.00	\$1,350.06

Certification, Accreditation and Licensing

	<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
Boiler Inspectors			
	Inspector's examination fee	\$150.00	\$153.30
	New credential card (annual renewal)	\$25.00	\$25.55
Fees for Bedding and Upholstery			
	Manufacturer's license	\$150.00	\$153.30
	Sterilization permit	\$75.00	\$76.65
	Sterilization renewal	\$35.00	\$35.77
	Auctioneer permit	\$75.00	\$76.65
	Auctioneer renewal	\$35.00	\$35.77
	Quarterly reports	\$0.05	\$0.05
	Duplicate license or permit	\$25.00	\$25.55
	Secondhanded initial application	\$100.00	\$102.20
	Secondhanded renewal	\$50.00	\$51.10
Industrial board variance, appeal and request for extension of time for Bedding and Upholstery			
	Standard Fee	\$321.00	\$328.06
	Expedited Permits	\$1,321.00	\$1,350.06
Fees for Asbestos Occupations			
	Worker certification of less than six months	\$30.00	\$30.66
	Worker certification of six months or more	\$60.00	\$61.32
	Supervisor certification of less than six months	\$58.00	\$59.28
	Supervisor certification of six months or more	\$116.00	\$118.55
	Project designer certification of less than six months	\$175.00	\$178.85
	Project designer certification of six months or more	\$350.00	\$357.70
	Inspector certification of less than six months	\$175.00	\$178.85
	Inspector certification of six months or more	\$350.00	\$357.70
	Management planner certification of less than six months	\$175.00	\$178.85
	Management planner certification of six months or more	\$350.00	\$357.70
	Dual inspector or management planner of less than six months	\$175.00	\$178.85
	Dual inspector or management planner of six months or more	\$350.00	\$357.70
	Individual contractor certification of less than six months	\$290.00	\$296.38
	Individual contractor certification of six months or more	\$580.00	\$592.76
	Company certification	\$150.00	\$153.30
	Training course accreditation	\$2,000.00	\$2,044.00
	Duplicate certification	\$25.00	\$25.55

<i>Service</i>	<i>Fees Effective October 30, 2017</i>	<i>CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)</i>
Fees for Lead-based Paint Occupations		
Worker certification of less than six months	\$30.00	\$30.66
Worker certification of six months or more	\$60.00	\$61.32
Supervisor certification of less than six months	\$58.00	\$59.28
Supervisor certification of six months or more	\$116.00	\$118.55
Project designer certification of less than six months	\$175.00	\$178.85
Project designer certification of six months or more	\$350.00	\$357.70
Inspector certification of less than six months	\$175.00	\$178.85
Inspector certification of six months or more	\$350.00	\$357.70
Risk assessor certification of less than six months	\$175.00	\$178.85
Risk assessor certification of six months or more	\$350.00	\$357.70
Dual inspector and risk assessor of less than six months	\$175.00	\$178.85
Dual inspector and risk assessor of six months or more	\$350.00	\$357.70
Third-party examination	\$50.00	\$51.10
Initial training course accreditation	\$2,000.00	\$2,044.00
Renewal training course accreditation	\$1,500.00	\$1,533.00
Refresher of initial or renewal training course accreditation	\$1,500.00	\$1,533.00
Duplicate certification	\$25.00	\$25.55
Lead companies	\$500.00	\$511.00
Fees for Stuffed Toys		
Initial registration and renewals	\$75.00	\$76.65
Duplicate	\$25.00	\$25.55
Industrial board variance, appeal and request for extension of time for Stuffed Toys		
Standard Fee	\$321.00	\$328.06
Expedited Permits	\$1,321.00	\$1,350.06
Fees for Uniform Construction Code Certifications		
Initial code official certification and renewal	\$100.00	\$102.20
Initial third-party agency certification and renewal	\$300.00	\$306.60
Duplicate	\$25.00	\$25.55

W. GERARD OLEKSIK,
Secretary

[Pa.B. Doc. No. 18-1710. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania 4s Galore Fast Play Game 5044

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 4s Galore (hereinafter “4s Galore”). The game number is PA-5044.

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, 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 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.

(i) *PRIZE*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *Progressive Top Prize*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold.

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the "YOUR NUMBERS" play symbols, determine whether a player wins a prize.

(l) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the Your Numbers Area that, when matched against the "WINNING NUMBERS," determine whether a player wins the prize shown under the "YOUR NUMBERS" play symbol.

3. *Price*: The price of a 4s Galore ticket is \$2.

4. *Description of the 4s Galore lottery game*:

(a) The 4s Galore lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. 4s Galore 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) 4s Galore is played by matching the play symbols located in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. If the player's ticket contains a 4 (WIN4) symbol in the "YOUR NUMBERS" area, the player wins \$4 instantly. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A 4s Galore 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 4s Galore 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 4s Galore game ticket and select the 4s Galore 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. *4s Galore ticket characteristics*:

(a) A 4s Galore 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 4s Galore ticket play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" Area. The Your Numbers Area consists of "YOUR NUMBERS" play symbols. The play symbols located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), and 30 (THIRTY). The play symbols located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY) and a 4 (WIN4) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$6⁰⁰ (SIX DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$12⁰⁰ (TWELV), \$14⁰⁰ (FORTEEN), \$20⁰⁰ (TWENTY), \$24⁰⁰ (TWY FOR), \$44⁰⁰ (FRY FOR), \$100 (ONE HUN) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes*: The prizes that can be won in this game are: \$2, \$3, \$4, \$5, \$6, \$8, \$10, \$12, \$14, \$20, \$24, \$44, \$100 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$400 and increases by 20¢ every time a 4s Galore ticket is purchased. When Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$400. A player can win up to 10 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 2,400,000 tickets will be available for sale for the 4s Galore lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All 4s Galore prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "Progressive Top Prize." The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$400.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$44.⁰⁰ (FRY FOR) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$44.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$24.⁰⁰ (TWY FOR) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$24.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$14.⁰⁰ (FORTEEN) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$14.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$12.⁰⁰ (TWELV) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$8.⁰⁰ (EGT DOL) appears in the "PRIZE" area under the

matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$6.⁰⁰ (SIX DOL) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 4 (WIN4) symbol and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in the "PRIZE" area under that 4 (WIN4) symbol, on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$3.⁰⁰ (THR DOL) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,400,000 Tickets</i>
\$2	\$2	8.63	278,160
\$3	\$3	100	24,000
\$2 × 2	\$4	90.91	26,400
\$4 w/ 4 SYMBOL	\$4	20	120,000
\$4	\$4	90.91	26,400
\$3 + \$2	\$5	200	12,000
\$5	\$5	200	12,000
\$4 + \$2	\$6	1,000	2,400
(\$4 w/ 4 SYMBOL) + \$2	\$6	200	12,000
\$6	\$6	2,000	1,200
\$4 × 2	\$8	500	4,800
(\$4 w/ 4 SYMBOL) + \$4	\$8	142.86	16,800
\$8	\$8	500	4,800
(\$4 × 2) + \$2	\$10	1,000	2,400

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,400,000 Tickets</i>
(\$4 w/ 4 SYMBOL) + (\$3 × 2)	\$10	416.67	5,760
\$10	\$10	1,000	2,400
\$6 × 2	\$12	1,000	2,400
(\$4 × 2) + (\$2 × 2)	\$12	1,000	2,400
(\$4 w/ 4 SYMBOL) + (\$4 × 2)	\$12	285.71	8,400
\$12	\$12	1,667	1,440
(\$4 × 2) + \$6	\$14	2,000	1,200
(\$4 w/ 4 SYMBOL) + (\$4 × 2) + \$2	\$14	1,000	2,400
\$14	\$14	2,000	1,200
(\$4 × 2) + \$12	\$20	2,000	1,200
(\$5 × 2) + (\$4 × 2) + \$2	\$20	2,000	1,200
(\$4 w/ 4 SYMBOL) + (\$4 × 2) + \$5 + \$3	\$20	666.67	3,600
\$20	\$20	2,000	1,200
(\$6 × 2) + (\$4 × 2) + (\$2 × 2)	\$24	3,000	800
(\$4 w/ 4 SYMBOL) + (\$4 × 2) + (\$3 × 2) + (\$2 × 3)	\$24	857.14	2,800
\$24	\$24	3,000	800
(\$20 × 2) + \$4	\$44	3,000	800
(\$4 w/ 4 SYMBOL) + (\$6 × 2) + (\$4 × 2) + (\$3 × 2) + (\$2 × 2) + \$10	\$44	1,000	2,400
\$44	\$44	3,000	800
(\$24 × 2) + (\$4 × 2) + \$44	\$100	60,000	40
(\$4 w/ 4 SYMBOL) + (\$14 × 2) + (\$12 × 2) + (\$10 × 2) + (\$2 × 2) + \$20	\$100	60,000	40
\$100	\$100	60,000	40
PROGRESSIVE TOP PRIZE	\$400*	6,000	400

Get a "4" (WIN4) symbol, win \$4 instantly!

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$400. The PROGRESSIVE TOP PRIZE increases by 20¢ every time a ticket is purchased, and resets to \$400 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) 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.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this 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.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the 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.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of 20¢ from the sale of each 4s Galore ticket will be accumulated in the Progressive Top Prize pool.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the 4s Galore game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The Progressive Top Prize and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a Progressive Top Prize being reset without the actual sale of a Progressive Top Prize winning ticket, all prize money that had accumulated into the Progressive Top Prize pool (i.e. 20¢ from the sale of each ticket) shall be awarded as part of the next Progressive Top Prize won.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the 4s Galore lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell 4s Galore lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game

ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote 4s Galore or through normal communications methods.

20. *Applicability:* This notice applies only to the 4s Galore lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-1711. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania I Heart Cash Fast Play Game 5043

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 I Heart Cash (hereinafter “I Heart Cash”). The game number is PA-5043.

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, 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 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.

(i) *PRIZE:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *Progressive Top Prize:* The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold.

(k) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the “YOUR NUMBERS” play symbols, determine whether a player wins a prize.

(l) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the Your Numbers Area that, when matched against the “WINNING NUMBERS,” determine whether a player wins the prize shown under the “YOUR NUMBERS” play symbol.

3. *Price:* The price of an I Heart Cash ticket is \$5.

4. *Description of the I Heart Cash lottery game:*

(a) The I Heart Cash lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. I Heart Cash 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) I Heart Cash is played by matching the play symbols located in the “YOUR NUMBERS” area to the play symbols located in the “WINNING NUMBERS” area. If the player’s ticket contains a 10 (WIN10) symbol in the “YOUR NUMBERS” area, the player wins \$10 instantly. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) An I Heart Cash 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 an I Heart Cash 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 an I Heart Cash game ticket and select the I Heart Cash 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. *I Heart Cash ticket characteristics:*

(a) An I Heart Cash 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 I Heart Cash ticket play area will contain a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17

(SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY) and a 10 (WIN10) symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5^{.00} (FIV DOL), \$10^{.00} (TEN DOL), \$15^{.00} (FIFTEEN), \$20^{.00} (TWENTY), \$25^{.00} (TWY FIV), \$40^{.00} (FORTY), \$50^{.00} (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$1,000 (ONE THO) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$40, \$50, \$100, \$200, \$1,000 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$50,000 and increases by 60¢ every time an I Heart Cash ticket is purchased. When Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$50,000. A player can win up to 9 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 3,600,000 tickets will be available for sale for the I Heart Cash lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All I Heart Cash prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of a “Progressive Top Prize.” The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$50,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “PRIZE” area under

the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50^{.00} (FIFTY) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40^{.00} (FORTY) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25^{.00} (TWY FIV) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20^{.00} (TWENTY) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15^{.00} (FIFTEEN) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10^{.00} (TEN DOL) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5^{.00} (FIV DOL) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 3,600,000 Tickets</i>
\$5	\$5	9.09	396,000
\$5 × 2	\$10	25	144,000
\$10	\$10	24.94	144,360

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 3,600,000 Tickets</i>
\$5 × 3	\$15	125	28,800
(\$10 w/ 10 SYMBOL) + \$5	\$15	34.48	104,400
\$15	\$15	125	28,800
\$10 × 2	\$20	1,000	3,600
(\$5 × 2) + \$10	\$20	1,000	3,600
(\$10 w/ 10 SYMBOL) + (\$5 × 2)	\$20	1,000	3,600
(\$10 w/ 10 SYMBOL) + \$10	\$20	1,000	3,600
\$20	\$20	833.33	4,320
(\$5 × 3) + \$10	\$25	1,000	3,600
(\$5 × 2) + \$15	\$25	1,000	3,600
(\$10 × 2) + \$5	\$25	1,000	3,600
(\$10 w/ 10 SYMBOL) + \$15	\$25	1,000	3,600
(((\$10 w/ 10 SYMBOL) × 2) + \$5	\$25	1,000	3,600
\$25	\$25	1,000	3,600
(\$20 × 2) + \$10	\$50	2,400	1,500
(((\$10 w/ 10 SYMBOL) × 2) + (\$15 × 2)	\$50	2,400	1,500
(((\$10 w/ 10 SYMBOL) × 2) + (\$10 × 2) + (\$5 × 2)	\$50	2,400	1,500
(((\$10 w/ 10 SYMBOL) × 2) + (\$5 × 2) + \$20	\$50	2,400	1,500
(\$10 w/ 10 SYMBOL) + \$40	\$50	2,000	1,800
\$50	\$50	2,000	1,800
\$50 × 2	\$100	6,000	600
(\$20 × 3) + \$40	\$100	6,000	600
(\$20 × 2) + (\$15 × 2) + (\$10 × 3)	\$100	6,000	600
(\$10 w/ 10 SYMBOL) + (\$20 × 3) + (\$10 × 3)	\$100	6,000	600
(\$10 w/ 10 SYMBOL) + (\$25 × 2) + (\$20 × 2)	\$100	6,000	600
(((\$10 w/ 10 SYMBOL) × 2) + (\$40 × 2)	\$100	6,000	600
\$100	\$100	12,000	300
\$100 × 2	\$200	120,000	30
(((\$10 w/ 10 SYMBOL) × 2) + (\$40 × 2) + \$100	\$200	120,000	30
(\$10 w/ 10 SYMBOL) + (\$40 × 3) + (\$20 × 3) + (\$5 × 2)	\$200	120,000	30
\$200	\$200	120,000	30
(\$200 × 4) + (\$100 × 2)	\$1,000	360,000	10
(\$200 × 3) + (\$100 × 3) + (\$50 × 2)	\$1,000	360,000	10
(\$200 × 3) + (\$100 × 2) + (\$50 × 4)	\$1,000	360,000	10
\$1,000	\$1,000	360,000	10
PROGRESSIVE TOP PRIZE	\$50,000*	120,000	30

Get a "10" (WIN10) symbol, win \$10 instantly!

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$50,000. The PROGRESSIVE TOP PRIZE increases by 60¢ every time a ticket is purchased, and resets to \$50,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) 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.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this 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.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the 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.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of 60¢ from the sale of each I Heart Cash ticket will be accumulated in the Progressive Top Prize pool.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the I Heart Cash game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The Progressive Top Prize and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a Progressive Top Prize being reset without the actual sale of a Progressive Top Prize winning ticket, all prize money that had accumulated into the Progressive Top Prize pool (i.e. 60¢ from the sale of each ticket) shall be awarded as part of the next Progressive Top Prize won.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the I Heart Cash lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell I Heart Cash lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote I Heart Cash or through normal communications methods.

20. *Applicability:* This notice applies only to the I Heart Cash lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-1712. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Millionaire Raffle XXVIII Raffle Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 874.4 (relating to notice of raffle lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following raffle lottery game:

1. *Name:* The name of the raffle lottery game is Pennsylvania Millionaire Raffle XXVIII.

2. *Price:* The price of one Pennsylvania Millionaire Raffle XXVIII lottery game ticket is \$20.

3. *Ticket Sales and Drawing Date:* Pennsylvania Millionaire Raffle XXVIII lottery game ticket sales will commence on or after November 6, 2018, and will continue until all 500,000 tickets have been sold, or 8:00 p.m. on January 5, 2019, whichever occurs earlier.

4. *Ticket Characteristics:* Each Pennsylvania Millionaire Raffle XXVIII lottery game ticket will contain one unique computer-generated eight-digit number between 00000001 and 00500000, the drawing date, amount bet, and validation data.

5. *Prizes:* The prizes that can be won in this game are \$100, \$1,000, \$100,000 and \$1,000,000.

6. *Maximum Number of Tickets Printed and Sold for the Game:* There will be no more than 500,000 tickets printed and sold for the Pennsylvania Millionaire Raffle XXVIII lottery game. The chances will be sequentially issued on a statewide basis from the range of individual unique numbers representing the chances available for the game.

7. *Weekly Drawings:*

(a) *Conduct of the Weekly Drawings:* The Lottery will conduct eight (8) Weekly Drawings, each of which will award two (2) prizes of \$50,000, for a total of sixteen (16) prizes.

(1) Each ticket purchased during the entry period for each Weekly Drawing will be automatically entered into that week's Weekly Drawing, as described in section 7(b) (relating to the Weekly Drawing entry periods), as well as the Millionaire Raffle Drawing on January 5, 2019, as described in section 8 (relating to conduct of Millionaire Raffle Drawing).

(2) A computer-generated randomizer will be used to conduct each Weekly Drawing. Two (2) unique eight-digit numbers will be drawn from the range of numbers representing the chances sold during each Weekly Drawing entry period. The unique eight-digit numbers drawn will be the winning numbers.

(3) The winning ticket numbers for each Weekly Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(b) *Weekly Drawing Entry Periods:*

(1) All tickets sold between November 6, 2018 at 12:00:00 a.m. and November 12, 2018 at 11:59:59 p.m. will be entered into Weekly Drawing 1, held between November 13, 2018 and November 19, 2018, with winners announced by November 19, 2018.

(2) All tickets sold between November 13, 2018 at 12:00:00 a.m. and November 19, 2018 at 11:59:59 p.m. will be entered into Weekly Drawing 2, held between

November 20, 2018 and November 26, 2018, with winners announced by November 26, 2018.

(3) All tickets sold between November 20, 2018 at 12:00:00 a.m. and November 26, 2018 at 11:59:59 p.m. will be entered into Weekly Drawing 3, held between November 27, 2018 and December 3, 2018, with winners announced by December 3, 2018.

(4) All tickets sold between November 27, 2018 at 12:00:00 a.m. and December 3, 2018 at 11:59:59 p.m. will be entered into Weekly Drawing 4, held between December 4, 2018 and December 10, 2018, with winners announced by December 10, 2018.

(5) All tickets sold between December 4, 2018 at 12:00:00 a.m. and December 10, 2018 at 11:59:59 p.m. will be entered into Weekly Drawing 5, held between December 11, 2018 and December 17, 2018, with winners announced by December 17, 2018.

(6) All tickets sold between December 11, 2018 at 12:00:00 a.m. and December 17, 2018 at 11:59:59 p.m. will be entered into Weekly Drawing 6, held between December 18, 2018 and December 24, 2018, with winners announced by December 24, 2018.

(7) All tickets sold between December 18, 2018 at 12:00:00 a.m. and December 24, 2018 at 11:59:59 p.m. will be entered into Weekly Drawing 7, held between December 25, 2018 and December 31, 2018, with winners announced by December 31, 2018.

(8) All tickets sold between December 25, 2018 at 12:00:00 a.m. and December 31, 2018 at 11:59:59 p.m. will be entered into Weekly Drawing 8, held between January 1, 2019 and January 5, 2019, with winners announced by January 5, 2019.

(9) All tickets sold after December 31, 2018 at 11:59:59 p.m. will only be eligible for the Millionaire Raffle drawing.

(c) *Determination of Weekly Drawing Prize Winners.*

(1) The first and the second unique eight-digit numbers drawn from among the tickets automatically entered into each of the Weekly Drawings will be winning numbers and the holders of the tickets that match the winning numbers shall each be entitled to a prize of \$50,000.

(2) The tickets bearing the winning numbers from each Weekly Drawing shall be ineligible to win a prize in any subsequent Weekly Drawing, but shall be entered into the Millionaire Raffle Drawing, as described in section 8 (relating to conduct of Millionaire Raffle Drawing), and shall be eligible to win a prize described in section 9 (relating to determination of Millionaire Raffle Drawing winners).

(d) *Conduct of Weekly Drawings in the Event that All Tickets Are Sold.*

(1) If all Raffle tickets are sold during any of the Weekly Drawing entry periods described in section 7(b) (relating to Weekly Drawing entry periods), the Lottery

will conduct the Weekly Drawing for that entry period from among all tickets sold during that entry period. For all subsequent Weekly Drawings, all non-winning tickets from the prior Weekly Drawing(s) will be eligible to be entered into any remaining Weekly Drawings, subject to section 7(d)(2).

(2) A winning ticket selected in any Weekly Drawing conducted under subsection 7(d) (relating to conduct of Weekly Drawings in the event that all tickets are sold) will be ineligible to win in any subsequent Weekly Drawings conducted under this subsection.

(e) The odds of an entry being selected in each Weekly Drawing depend upon the number of tickets sold during the entry period for each Weekly Drawing.

(f) The entry periods for the Weekly Drawings will be posted to the Pennsylvania Lottery's publicly accessible website.

8. *Conduct of Millionaire Raffle Drawing:* The results of the Pennsylvania Millionaire Raffle XXVIII lottery game will be posted to the Lottery's publicly accessible website on January 5, 2019, after 10:00 p.m. A computer-generated randomizer will be used to conduct the drawing. Six-thousand (6,000) unique eight-digit numbers will be drawn from the range of numbers representing the chances sold. The first four unique eight-digit numbers drawn will be the first-prize-tier winning numbers. The fifth through eighth unique eight-digit numbers drawn will be the second-prize-tier winning numbers. The ninth through 108th unique eight-digit numbers drawn will be the third-prize-tier winning numbers. The 109th through 6,000th unique eight-digit numbers drawn will be the fourth-prize-tier winning numbers. A player may only win one time on each ticket or chance for the Millionaire Raffle Drawing.

9. *Determination of Millionaire Raffle Drawing Prize Winners:*

(a) Holders of tickets upon which the unique eight-digit number exactly matches one of the first-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which the unique eight-digit number exactly matches one of the second-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which the unique eight-digit number exactly matches one of the third-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which the unique eight-digit number exactly matches one of the fourth-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100.

10. *Number and Description of Prizes and Approximate Odds:* The Millionaire Raffle Drawing prizes and determination of winners are as follows:

<i>Ticket Matching Exactly the Unique Eight-digit Number Drawn:</i>	<i>Win Prize Of:</i>	<i>Maximum Odds Of Winning Are 1 In:</i>	<i>Number Of Winners</i>
First-Prize-Tier	\$1,000,000	125,000	4
Second-Prize-Tier	\$100,000	125,000	4
Third-Prize-Tier	\$1,000	5,000	100
Fourth-Prize-Tier	\$100	84.86	5,892

The odds of winning are based on selling all 500,000 tickets. If all 500,000 tickets are not sold, the odds of winning will depend on the total number of tickets sold. All Pennsylvania Millionaire Raffle XXVIII lottery game prize payments, including first-prize-tier prizes, will be made as one-time, lump-sum cash payments. Federal income tax withholding will be automatically deducted from the lump-sum cash payment for all first-prize-tier and second-prize-tier prizes.

11. *Consumer Promotional Programs:* The Lottery may conduct promotional activities to promote the sale of Pennsylvania Millionaire Raffle XXVIII lottery game tickets, including offering tickets at a discounted price. Details of any such offering will be disseminated through media used to advertise or promote the Pennsylvania Millionaire Raffle XXVIII lottery game or through normal communications methods.

12. *Retailer Bonus:* The Lottery in its sole discretion may offer a retailer bonus in connection with the sale of Pennsylvania Millionaire Raffle XXVIII 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. 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 winning ticket is claimed and validated or approximately 30 days after the date of the drawing in which the winning ticket was entered, provided that Lottery security can and has verified the sales transaction as valid. A bonus will not be awarded to a Lottery retailer that sells a Pennsylvania Lottery Millionaire Raffle XXVIII ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize in that second-chance drawing or promotion.

13. *Promotional Drawings:* The Pennsylvania Lottery may conduct promotional drawings associated with the Pennsylvania Millionaire Raffle XXVIII lottery game. If the Lottery does conduct such a promotional drawing, Pennsylvania Millionaire Raffle XXVIII lottery game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular Pennsylvania Millionaire Raffle XXVIII drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

14. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Millionaire Raffle XXVIII lottery game tickets. The conduct of the Program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).

15. *Unclaimed Prize Money:* Unclaimed prize money on winning Pennsylvania Millionaire Raffle XXVIII lottery

game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the announced close of the Pennsylvania Millionaire Raffle XXVIII lottery game. If no claim is made within 1 year of the announced close of the Pennsylvania Millionaire Raffle XXVIII lottery game conducted by the State Lottery, the right of a ticket holder to claim the prize represented by that ticket, if any, expires and the prize money will be paid into the State Lottery Fund and used for purposes otherwise provided for by statute.

16. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-1713. Filed for public inspection November 2, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Innovation Council Meeting

The State Transportation Innovation Council will hold its business meeting on Wednesday, November 14, 2018, from 9 a.m. to 12 p.m. in Conference Room 112, PEMA Headquarters Building, 1310 Elmerton Avenue, Harrisburg, PA. For more information, contact Anja Walker (717) 425-6288, anjwalker@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 18-1714. Filed for public inspection November 2, 2018, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The November 13, 2018, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is scheduled for Tuesday, December 18, 2018, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger at ledinger@pa.gov or (717) 783-8727. The agenda and meeting materials for the December 18, 2018, meeting will be available on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board (EQB)").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Laura Edinger at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 18-1715. Filed for public inspection November 2, 2018, 9:00 a.m.]

GAME COMMISSION

Chronic Wasting Disease—Designation of Disease Management Areas and Endemic States and Canadian Provinces Order # 6

Executive Order

Whereas, Chronic Wasting Disease (CWD) is an infectious and progressive neurological disease that is found in, and always proves fatal to, members of the family Cervidae (deer, elk or moose, and other susceptible species, collectively called cervids); and

Whereas, There are no known treatments for CWD infection, no vaccines to protect against CWD infection, and no approved tests that can detect the presence of CWD in live cervids; and

Whereas, CWD is designated as a “dangerous transmissible disease” of animals by order of the Secretary of Agriculture under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases); and

Whereas, The Game and Wildlife Code (Code) (34 Pa.C.S. §§ 101 et seq.) and regulations promulgated thereunder (58 Pa. Code §§ 131.1 et seq.) collectively provide broad authority to the PGC to regulate activities relating to the protection, preservation, and management of game and wildlife, including cervids; and

Whereas, On March 28, 2017 (effective May 16, 2017), the Commission added 58 Pa. Code § 137.35 (relating to Chronic Wasting Disease Restrictions) to give more permanent status and structure to the CWD requirements and restrictions previously established and maintained over the prior decade by and through executive orders; and

Whereas, Section 137.35(d) provides the Executive Director with the authority to designate CWD Disease Management Areas (DMAs) within this Commonwealth; and

Whereas, Section 137.35(d) also provides the Executive Director with the authority to designate CWD-endemic States or Canadian Provinces; and

Whereas, Previous executive orders concerning designation of CWD DMAs and CWD-endemic States and Canadian Provinces within this Commonwealth were issued by the Commission on June 1, 2017, July 24, 2017, October 6, 2017, February 16, 2018 and May 21, 2018; and

Whereas, The Commission has determined that further designation of CWD DMAs and CWD-endemic States and Canadian Provinces is necessary to fully implement the Commission’s CWD program.

Now Therefore, I, BRYAN J. BURHANS, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. DMAs within this Commonwealth are designated as set forth below. These DMAs are more graphically illustrated on the maps titled “DMA 2,” “DMA 3” and “DMA 4” attached hereto and incorporated by reference herein. Should any conflict exist between the below-listed written boundaries and maps of DMA 2, DMA 3 and DMA 4, the written descriptions shall prevail.

a. *DMA 1*: Eliminated.

b. *DMA 2*: Adams, Bedford, Blair, Cambria, Clearfield, Cumberland, Franklin, Fulton, Huntingdon, Juniata, Mif-

flin, Perry and Somerset counties, bounded and described as follows: Beginning in the Southeastern extent of the DMA at the intersection of Taneytown Road (State Highway 134) and the Maryland State Line, proceed north on Highway 134 for approximately 7.4 miles to the intersection of Steinwehr Avenue in Gettysburg. Follow right on Steinwehr Avenue to Baltimore Street. Follow left on Baltimore Street through downtown Gettysburg. Proceed halfway around the traffic circle at the square unto Carlisle Street (State Highway 34). The DMA boundary follows Highway 34 north for approximately 23.1 miles to the intersection of the Baltimore Avenue (State Highway 94). Follow Highway 94 north for approximately 3 miles to the intersection of W. Old York Road (State Highway 174). Turn left and follow Highway 174 west for approximately 7.6 Miles to State Highway 233 (Centerville Road). Turn right and follow State Highway 233 north 22.8 Miles to the intersection with State Highway 850 (Montour Road) just north of Landisburg. Proceed west on State Highway 850 for 22 miles to State Highway 35 (Shade Valley Road). Head south on State Highway 35 for 0.2 miles and turn right onto State Route 4005 (Black Log Road). Follow Black Log Road south for 5.25 miles. Continue south onto Township Route 371 (Black Log Road) for 5.7 Miles. At the Huntingdon and Juniata County Lines continue south onto State Route 2017 (Black Log Valley Road) for 3.3 miles to the intersection with State Route 2012 (Black Log Mountain Road). Turn right onto Black Log Mountain Road for 4.2 miles to State Route 2019 (German Valley Road). Follow German Valley Road 0.25 miles north to State Highway 103 (Beacon Lodge Road). Turn left onto State Highway 103 and proceed west 3.4 miles to US Highway 522 (Croghan Pike). Follow US Highway 522 west for 1.6 miles to the intersection of US Highway 22. The DMA boundary follows US Highway 22 west for 20.3 miles to State Highway 453, then north along State Highway 453 for 20.5 miles to intersection of State Highway 253. Follow State Highway 253 south for 8.1 miles to State Highway 53 in Van Ormer. The DMA continues on State Highway 53 south for 1.7 miles to Marina Road. At Marina Road the boundary follows for 5.5 miles to the intersection of Glendale Lake Road. Continue left on Glendale Lake Road and in 3 miles join onto State Highway 36. The DMA boundary follows State Highway 36 west into the town of Patton and then straight onto Magee Avenue to the intersection of 5th Avenue. Continue south on 5th Avenue for about .3 miles where the road becomes Mellon Avenue. Continuing on Mellon Avenue for .4 miles the road becomes Carroll Road once in East Carroll Township. The boundary continues south on Carroll Road for 3.7 miles to State Highway 219 in Carrolltown. The DMA boundary follows State Highway 219 south for 26.7 miles to State Highway 56 East and then follows State Highway 56 east for 3.9 miles to State Highway 160. Following State Highway 160 southward the boundary continues for 26.5 miles to the borough of Berlin, then west through downtown Berlin on State Highway 2030 (Main Street) for 0.44 miles to the intersection of State Highway 219. Finally south along State Highway 219 for 20.6 miles to the Maryland border.

c. *DMA 3*: Armstrong, Cambria, Clarion, Clearfield, Indiana and Jefferson counties, Pennsylvania, bounded and described as follows: Beginning at the southwestern corner at the intersection of State Highway 403 and State Highway 286 in the town of Clymer, proceed north on State Highway 403 for 8.5 Miles to US 119 in Marion Center. Follow US 119 north for 14.2 Miles to State Highway 36 in Punxsutawney; continue north on State Highway 36 for 3.2 Miles to State Highway 536; west on

State Highway 536 for 16.6 Miles to State Highway 28; north on State Highway 28 for 7.4 Miles to State Highway 949 in Summerville; north on State Highway 949 for 4.2 Miles to US 322 in the town of Corsica. Proceed west on US 322 for 0.3 Miles to State Highway 949; north on State Highway 949 for 23.4 Miles to SR 4005, Richardsville Road in Green Briar; south on Richardsville Road for 2 Miles to Game School Road; proceed south on Game School Road 7.4 Miles south to State Highway 28 in Sugar Hill; east on State Highway 28 for 2.8 Miles to US 219 in Brockway; south on US 219 for 7.5 Miles to Interstate 80; east on I-80 for 9.4 Miles (Mile Marker 106) to Township Route 339, Anderson Creek Road; south on Anderson Creek Road for 1.8 miles to Township Route 340, Home Camp Road; south on Home Camp Road for 2.5 miles to US 322 in Rockton; west on US 322 for 4 Miles to US 219; south on US 219 for 9.6 Miles to State Highway 729 in Grampian; south on State Highway 729 for 7.7 Miles to State Route 3016, Marron Road; then west on Marron Road for 2.7 Miles to State Route 3005, Cherry Corner Road; west on Cherry Corner Rd for 0.3 Miles to State Route 3016, La Jose Road; south on La Jose Rd for 3.6 Miles to State Highway 36; south on State Highway 36 for 8.8 Miles to Sylvis Road; Travel west on Sylvis Road for 5.8 Miles to US 219 near Cherry Tree.; south on US 219 through Cherry Tree for 2.4 Miles to State Highway 240; west on State Highway 240 for 8.5 Miles to State Highway 286; west on State Highway 286 for 4.9 Miles to State Highway 403 in Clymer; the place of beginning.

d. *DMA 4*: Lancaster, Lebanon and Berks counties, bounded and described as follows: Beginning in the northwestern extent of the DMA in the city of Lebanon at the intersection of State Routes 897 and US 422 proceed easterly on US 422 for 12.3 miles to the intersection with State Route 419. Turn left on SR 419 and proceed northerly for 2.3 miles to the intersection with Christmas Village Rd. (4010). Turn right, proceeding easterly on Christmas Village Rd. for 5.1 miles to the intersection with North Heidelberg Rd. (3033). Turn left on North Heidelberg Rd., proceeding northeasterly for .6 miles to the intersection with State Route 183. Turn right on SR 183, proceeding southeasterly for 7.7 miles to the intersection with US 222. Turn right on US 222 proceeding southwesterly for 3.2 miles to the interchange with US Route 422 Bypass. Proceed on US 422 Bypass for 2.4 miles to intersection with Business Route 222E (Lancaster Ave.). Proceed southerly on Business 222E for .6 miles to the intersection with State Route 625. Turn left onto SR 625 and proceed southerly for 16.7 miles to

the intersection with Route 23. Turn right on Route 23, proceeding westerly for 9.7 miles to intersection with State Route 772 (Glenbrook Rd.). Turn right on SR 772, proceeding northwesterly for 9.3 miles to the intersection with State Route 501 (Furnace Hills Pike). Turn right on SR 501, proceeding northerly for 5 miles to the intersection with US 322 (West 28th Division Highway). Turn left on US 322, proceeding westerly for 1.3 miles to intersection with the PA Turnpike (US 76). Turn right on US 76, proceeding easterly for .7 miles to the western boundary of Pennsylvania State Game Land 46. Proceed northerly then easterly for 1.2 miles along the game land boundary to the intersection with State Route 501 (Furnace Hills Pike). Turn left on SR 501, proceeding northerly for 4.1 miles to the intersection with State Route 419. Turn left, proceeding westerly for .1 miles to the intersection with State Route 897 (South 5th Street). Turn right on SR 897, proceeding northwesterly for 6.2 miles to the starting point at the intersection of SR 897 and US 422.

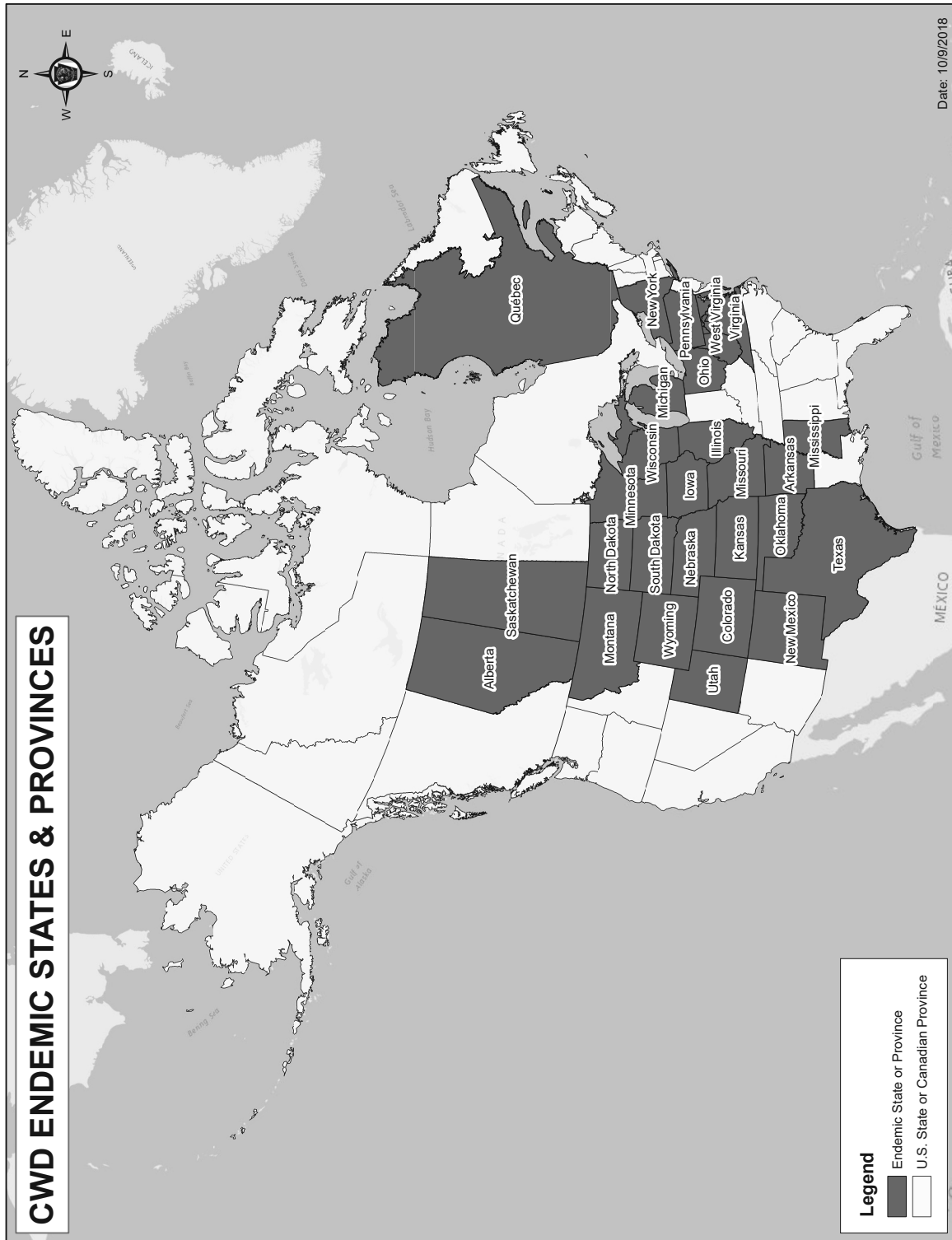
2. CWD-endemic States or Canadian Provinces are designated to include the following specific States and Canadian Provinces: Alberta, Arkansas, Colorado, Illinois, Iowa, Kansas, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, New York, North Dakota, Ohio, Oklahoma, Quebec, Saskatchewan, South Dakota, Texas, Utah, Virginia, West Virginia, Wisconsin, and Wyoming. These CWD-endemic States and Canadian Provinces are more graphically illustrated on the map titled "CWD Endemic States and Canadian Provinces" attached hereto and incorporated by reference herein. Should any conflict exist between the above-listed CWD-endemic States and Canadian Provinces and the "CWD Endemic States and Canadian Provinces" map, the written listing shall prevail.

3. The previous executive order concerning designation of CWD DMAs and CWD-endemic States and Canadian Provinces within this Commonwealth that was issued by the Commission on May 21, 2018 and published in the *Pennsylvania Bulletin* on June 16, 2018 at 48 Pa.B. 3668 is hereby rescinded in its entirety and replaced by this Order.

4. This Order is effective immediately and shall remain in effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 22nd day of October, 2018.

BRYAN J. BURHANS,
Executive Director



[Pa.B. Doc. No. 18-1716. Filed for public inspection November 2, 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, October 18, 2018, and announced the following:

Regulation Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective October 17, 2018

Department of Conservation and Natural Resources # 7B-8: Conservation of Pennsylvania Native Wild Plants (amends 17 Pa. Code Chapter 45)

Action Taken—Regulations Approved:

Department of Human Services # 14-540: Home and Community-Based Supports and Licensing (amends 55 Pa. Code, Chapters 51, 2380, 2390, 6100, 6200, 6400 and 6500)

Department of Revenue # 15-459: Withholding of Tax (amends 61 Pa. Code Chapter 113)

Environmental Quality Board # 7-549: Electronic Submission of Air Quality General Plan Approval and General Operating Permit Applications (amends 25 Pa. Code Chapter 127)

Environmental Quality Board # 7-530: Administration of the Storage Tank and Spill Prevention Program (amends 25 Pa. Code Chapter 245)

Approval Order

Public Meeting Held
October 18, 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 Human Services
Home and Community-Based Supports and Licensing
Regulation No. 14-540 (# 3160)*

On October 25, 2016, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Human Services (Department). This rulemaking amends 55 Pa. Code, Chapters 51, 2380, 2390, 6100, 6200, 6400 and 6500. The proposed regulation was published in the November 5, 2016 *Pennsylvania Bulletin* with a public comment period ending on December 19, 2016. The final-form regulation was submitted to the Commission on August 24, 2018.

This regulation supports Pennsylvanians with an intellectual disability or autism to live in and participate fully in the life of their communities, to achieve greater independence and to have the full range of opportunities enjoyed by all citizens.

We have determined this regulation is consistent with the statutory authority of the Department (62 P.S. §§ 201(2), 403(b), 403.1(a) and (b), 911 and 1021, and 50 P.S. § 4201(2)) 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
October 18, 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 Revenue
Withholding of Tax
Regulation No. 15-459 (# 3183)*

On October 18, 2017, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Revenue (Department). This rulemaking amends 61 Pa. Code Chapter 113. The proposed regulation was published in the October 28, 2017 *Pennsylvania Bulletin* with a public comment period ending on November 27, 2017. The final-form regulation was submitted to the Commission on September 12, 2018.

This regulation requires employers that file ten or more withholding statements to transmit the data electronically to the Department. In addition, the rulemaking deletes obsolete language and references to specific tax forms.

We have determined this regulation is consistent with the statutory authority of the Department (72 P.S. § 7354) 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
October 18, 2018

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board
Electronic Submission of Air Quality General Plan
Approval and General Operating Permit Applications
Regulation No. 7-549 (# 3215)*

On September 14, 2018, the Independent Regulatory Review Commission (Commission) received this regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 127. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking allows for the electronic submittal of air quality general plan approval and general operating permit applications to the Department of Environmental Protection.

We have determined this regulation is consistent with the statutory authority of EQB (35 P.S. §§ 4005(a)(1) and (8) and 4006.1(f)) 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
October 18, 2018

Commissioners Voting: George D. Bedwick, Chairperson;
John F. Mizner, Esq., Vice Chairperson; W. Russell
Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board
Administration of the Storage Tank and
Spill Prevention Program
Regulation No. 7-530 (# 3199)*

On February 13, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 245. The proposed regulation was published in the February 24, 2018 *Pennsylvania Bulletin* with a public comment period ending on March 26, 2018. The final-form regulation was submitted to the Commission on September 14, 2018.

This final-form rulemaking updates underground storage tank provisions of Chapter 245 to be consistent with the United States Environmental Protection Agency's revised State Program Approval regulations at 40 CFR Part 280. It also updates requirements for vaulted aboveground storage tanks and underground storage tanks.

We have determined this regulation is consistent with the statutory authority of EQB (35 P.S. §§ 6021.106, 6021.301 and 6021.501) 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.

GEROGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1717. Filed for public inspection November 2, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

<i>Emergency Certified Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
12-109	Department of Labor and Industry Uniform Construction Code	10/22/18	12/6/18

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1718. Filed for public inspection November 2, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Continental General Insurance Company (SERFF # GLTC-131682546); Rate Increase Filing for Forms 80650 1/97 PA and 80880 NTQ 1/98 PA

Continental General Insurance Company is requesting approval to increase the premium 20% on 363 policyholders with forms 80650 1/97 PA and 80880 NTQ 1/98 PA.

Unless formal administrative action is taken prior to January 17, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA

17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1719. Filed for public inspection November 2, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Continental General Insurance Company (SERFF # GLTC-131682870); Rate Increase Filing for Forms 82000 1/01 PA and 82120 9/01 PA

Continental General Insurance Company is requesting approval to increase the premium 20% on 87 policyholders with forms 82000 1/01 PA and 82120 9/01 PA.

Unless formal administrative action is taken prior to January 17, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1720. Filed for public inspection November 2, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Alexander A. Priel, III; License Denial Appeal; Doc. No. AG18-10-008

Under Article VI-A of The Insurance Department Act of Act of 1921 (40 P.S. §§ 310.1—310.99a), Alexander A. Priel, III has appealed the denial of an application for an insurance producer's license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for November 29, 2018, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before November 27, 2018. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene or notices of intervention, if any, must be filed on or before November 14, 2018, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to protests, petitions to intervene or notices of intervention, if any shall be filed on or before November 27, 2018.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1721. Filed for public inspection November 2, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

General Rule Transaction

A-2018-3005522. BCM One, Inc. Application of BCM One, Inc. for approval of a general rule transaction transfer of control.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 19, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: BCM One, Inc.

Through and By Counsel: Kenny Perkins, Sr., Chairperson/CEO, RTC Associates, LLC, Consultant to BCM One, Inc., Suite 425, 3075 Breckinridge Boulevard, Duluth, GA 30096

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1722. Filed for public inspection November 2, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2018-3005504. UGI Utilities, Inc.—Gas Division. Application of UGI Utilities, Inc.—Gas Division for approval of the abandonment of natural gas service to three residential customers located in Pinegrove Township, Venango County and Elk Township, Clarion County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 19, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: UGI Utilities, Inc.—Gas Division

Through and By Counsel: Devin T. Ryan, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1723. Filed for public inspection November 2, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility

Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed in the event that there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by November 19, 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 contract carriers for transportation of persons as described under each application.

A-2018-3004796. Medi-Trans Group, LLC (522 Windy Way, New Cumberland, Cumberland County, PA 17070) for MTM, Inc., from points in Harrisburg, Dauphin County, to points in Pennsylvania, and return.

A-2018-3005505. Twista Transport, Inc., t/a Twista Transport (909 North 42nd Street, Philadelphia, Philadelphia County, PA 19104) for Pennsylvania Medical Assistance Program, from points in the Counties of Bucks, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2018-3004747. Comforting Ride Transportation Services, LLC (380 Red Lion Road, Suite 201, Huntingdon Valley, Montgomery County, PA 19006) in wheelchair and stretcher vans in paratransit service between points in Montgomery County.

A-2018-3005429. Quality Care Transportation Services, LLC (4400 Linglestown Road, Suite 100, Harrisburg, Dauphin County, PA 17112) in paratransit service from points in the Counties of Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon and Perry, to points in Pennsylvania, and return.

Application of the following for approval of the amended right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.

A-2018-3005136. Center for Independent Living of Central Pennsylvania (207 House Avenue, Suite 107, Camp Hill, Cumberland County, PA 17011) in paratransit service, limited to people with disabilities and adults over the age of 55 with functional limitations in mobility, from points in the Counties of Adams, Berks, Centre, Clinton, Columbia, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Lycoming, Mifflin, Montour, Northumberland, Perry, Schuylkill, Snyder, Sullivan, Union and York, to points in Pennsylvania, and return.

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-2018-3000375. A+ Transit, Inc. (208 Mountain Avenue, Pittsburgh, Allegheny County, PA 15210) discontinuance of service and cancellation of the certificate, to transport, as a common carrier, by motor vehicle, persons

in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Allegheny County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2018-3005420. Richard C. Travers, d/b/a Dubois Taxi Service (225 Maple Avenue, Dubois, Clearfield County, PA 15801) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons upon call and demand service, in the City of Dubois, Clearfield County, and within a 25-mile radius of said city. *Attorney:* Ferraro, Kruk & Ferraro LLC, Attorneys at Law, 690 Main Street, Brockway, PA 15824.

A-2018-3005527. Carolyn Hart (4949 Elizabethtown Road, Manheim, Lancaster County, PA 17545) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, of persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1724. Filed for public inspection November 2, 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 November 19, 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. Accommodating Brilliant Caring Travels, LLC; Docket No. C-2018-3004671

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 Accommodating Brilliant Caring Travels, LLC, (respondent) is under suspension effective September 05, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 2021 B Cunningham Dr., Ste. 2, Hampton, VA 23666.

3. That respondent was issued a Certificate of Public Convenience by this Commission on October 02, 2017, at A-6419669.

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-6419669 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: 9/24/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1725. Filed for public inspection November 2, 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 November 19, 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-18-10-07. Kamal Taxi, LLC (125 North Pennock Avenue, Upper Darby, PA 19082): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-18-10-08. Ruhi Rami Liya Taxi, LLC (233 Glendale Road, 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-18-10-09. Rafin Taxi, LLC (50 Sellers Avenue, 1st Floor, 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-18-10-10. Arman Taxi, LLC (47 Hurley Court, 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-18-10-11. Ratul, Inc. (7758 Wayne 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:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-18-10-12. AK3M 786, LLC (1330 Tulane Road, Wilmington, DE 19803): 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:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-18-10-13. AK3M 786, LLC (1330 Tulane Road, Wilmington, DE 19803): 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:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 18-1726. Filed for public inspection November 2, 2018, 9:00 a.m.]

PORT OF PITTSBURGH COMMISSION

Financial Statement

Summary Financial Information
Derived from the Audited Financial Statements

Summary Statement of Net Position
June 30, 2018

Assets and Deferred Outflows of Resources	
<u>Assets:</u>	
Cash and cash equivalents	\$ 3,075,386
Other assets	54,738
Capital assets, net of accumulated depreciation	608,178
Total Assets	<u>3,738,302</u>
<u>Deferred Outflows of Resources</u>	207,660
Total Assets and Deferred Outflows of Resources	<u>\$ 3,945,962</u>
<u>Liabilities, Deferred Inflows of Resources, and Net Position</u>	
<u>Liabilities</u>	\$ 3,617,496
<u>Deferred Inflow of Resources</u>	361,628
<u>Net Position:</u>	
Net investment in capital assets	(591,822)
Restricted for port development	558,660
Total Net Position	<u>(33,162)</u>
Total Liabilities, Deferred Inflows of Resources, and Net Position	<u>\$ 3,945,962</u>

Summary Statement of Activities
Year Ended June 30, 2018

Functions/Programs	Expenses	Program Revenues		Net (Expense) Revenue and Changes in Net Position
		Charges for Services	Operating Grants and Contributions	Governmental Activities
<u>Governmental Activities:</u>				
Port development	\$ <u>1,570,715</u>	\$ <u>824,414</u>	\$ <u>895,420</u>	\$ 149,119
General revenues:				
Gain (loss) on disposal of other asset				(11,634)
Investment income				<u>34,688</u>
Change in Net Position				172,173
<u>Net Position:</u>				
Beginning of year—as restated				<u>(205,335)</u>
Ending of year				<u>\$ (33,162)</u>

MARY ANN BUCCI,
Executive Director

[Pa.B. Doc. No. 18-1727. Filed for public inspection November 2, 2018, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Richard V. Tran; Case No. 18-45-000434

On January 19, 2018, Richard V. Tran, license Nos. CL018378L and CQ111196, last known of Cranberry Township, Butler County, was suspended under the Order of the Court of Common Pleas of Allegheny County dated December 15, 2017, which the court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Deputy Chief Counsel, State Board of Cosmetology, P.O. Box 69523, Harrisburg, PA 17106-9523.

STEPHEN A. WALLIN,
Chairperson

[Pa.B. Doc. No. 18-1728. Filed for public inspection November 2, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Samuel Louis Coleman, RN; File No. 15-51-06716

On March 30, 2018, Samuel Louis Coleman, RN, Pennsylvania license No. RN621173, last known of Hillsboro, OR, had his nursing license revoked based on receiving disciplinary action by the proper licensing authority of another state.

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-1729. Filed for public inspection November 2, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Blythe Fatimah Crawley, LPN; Case No. 16-51-03300

On September 26, 2018, Blythe Fatimah Crawley, LPN, license No. PN301543, last known of Conshohocken, Montgomery County, was ordered to pay a \$1,000 civil penalty, complete 3 hours of continuing education and was suspended for at least 2 years, the first 3 months to be served as an active suspension, with the ability to stay the remaining 21 months to probation, based on having committed fraud or deceit in the practice of practical

nursing or in securing her admission to the practice by failing to report having pled guilty to a crime of moral turpitude to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-1730. Filed for public inspection November 2, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Stephanie Glatts, RN; Case No. 17-51-10425

On February 28, 2018, Stephanie Glatts, RN, license No. RN562530, of Media, Delaware County, had her registered nurse license suspended for no less than 3 years, retroactive to October 27, 2017, based on violating the terms of a previous State Board of Nursing (Board) order.

Individuals may obtain a copy of the final order by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-1731. Filed for public inspection November 2, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Norma A. Greer, RN; Case No. 17-51-10018

On February 28, 2018, Norma A. Greer, RN, license No. RN546995, of Philadelphia, Philadelphia County, had her registered nurse license suspended for no less than 3 years, retroactive to September 14, 2017, based on violating the terms of a previous State Board of Nursing (Board) order.

Individuals may obtain a copy of the final order by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-1732. Filed for public inspection November 2, 2018, 9:00 a.m.]
