

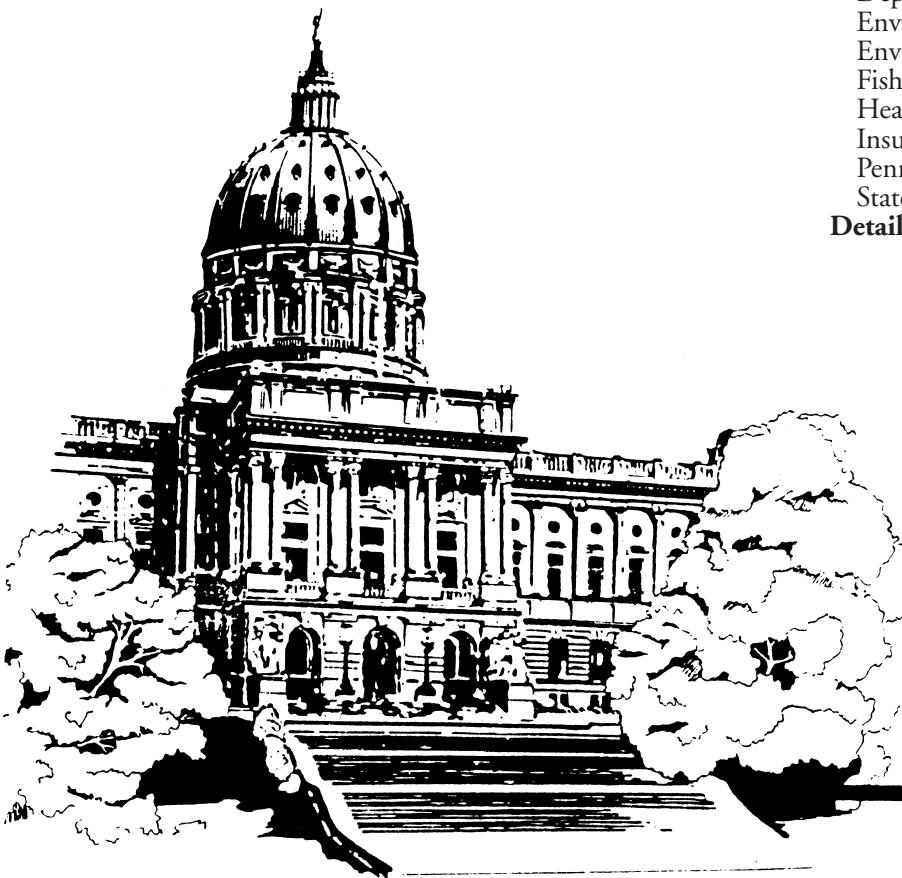
PENNSYLVANIA BULLETIN

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Agencies in this issue

The Governor
The Courts
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Human Services
Department of State
Department of Transportation
Environmental Hearing Board
Environmental Quality Board
Fish and Boat Commission
Health Care Cost Containment Council
Insurance Department
Pennsylvania Public Utility Commission
State Board of Nursing

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

No. 528, November 2018

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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

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THE GOVERNOR

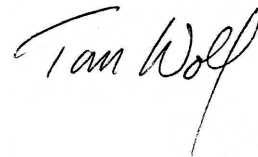
GOVERNOR'S OFFICE

Proclamation; House Bill No. 83, Printer's No. 2769

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2017-2018:

House Bill No. 83, Printer's No. 2769, entitled "Amending the act of February 9, 1999 (P.L.1, No.1), entitled 'An act providing for borrowing for capital facilities; conferring powers and duties on various administrative agencies and officers; making appropriations; and making repeals,' in capital facilities, further providing for bonds, issue of bonds and notes, maturity and interest."

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



Governor

Attest:

IAN J. HARLOW,

Acting Deputy Secretary for Regulatory Programs

[Pa.B. Doc. No. 18-1733. Filed for public inspection November 9, 2018, 9:00 a.m.]

GOVERNOR'S OFFICE

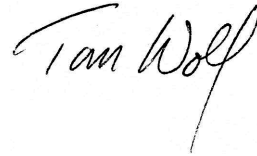
Proclamation; House Bill No. 2138, Printer's No. 3328

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2018:

House Bill No. 2138 Printer's No. 3328, entitled "Amending the act of June 13, 1967 (P.L.31, No.21), entitled 'An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth,' in public assistance, providing for work requirements."

THE GOVERNOR

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



Governor

Attest:

IAN J. HARLOW,

Acting Deputy Secretary for Regulatory Programs

[Pa.B. Doc. No. 18-1734. Filed for public inspection November 9, 2018, 9:00 a.m.]

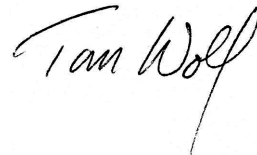
GOVERNOR'S OFFICE

Proclamation; House Bill No. 2157, Printer's No. 3278

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2018:

House Bill No. 2157, Printer's No. 3278, entitled "Amending the act of March 10, 1949 (P.L.30, No.14), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' in terms and courses of study, further providing for Commission of Agricultural Education Excellence; in vocational education, providing for utilization of credits; and providing for classification of program code."

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



Governor

Attest:

IAN J. HARLOW,

Acting Deputy Secretary for Regulatory Programs

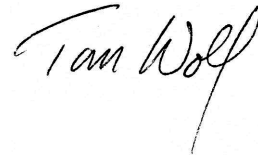
[Pa.B. Doc. No. 18-1735. Filed for public inspection November 9, 2018, 9:00 a.m.]

GOVERNOR'S OFFICE**Proclamation; Senate Bill No. 1172, Printer's No. 2094**

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2018:

Senate Bill No. 1172, Printer's No. 2094, entitled "Amending the act of October 31, 2006 (P.L.1210, No.133), entitled 'An act prohibiting price gouging; and imposing penalties,' further providing for definitions, for price gouging prohibited and for investigation."

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



Governor

Attest:

IAN J. HARLOW,

Acting Deputy Secretary for Regulatory Programs

[Pa.B. Doc. No. 18-1736. Filed for public inspection November 9, 2018, 9:00 a.m.]

GOVERNOR'S OFFICE**Notice of Veto; House Bill 83, Printer's No. 2769**

October 24, 2018

To the Honorable House of Representatives of the Commonwealth of Pennsylvania:

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 83, Printer's Number 2769.

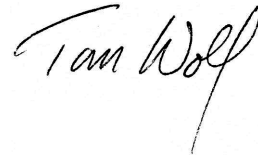
This legislation restricts the state's flexibility to restructure outstanding debt to reduce future liabilities for citizens of the Commonwealth. This lack of flexibility is especially troublesome given current forecasts of rising interest rates. Maximizing the Commonwealth's ability to secure the least

THE GOVERNOR

costly interest rate and repayment terms is essential to enable the Commonwealth to reduce annual debt service payments whenever possible to enable savings to fund other essential Commonwealth programs.

For the reasons set forth above, I must withhold my signature from House Bill 83, Printer's Number 2769.

Sincerely,



Governor

[Pa.B. Doc. No. 18-1737. Filed for public inspection November 9, 2018, 9:00 a.m.]

GOVERNOR'S OFFICE
Notice of Veto; House Bill 2138, Printer's No. 3328

October 19, 2018

To the Honorable House of Representatives
of the Commonwealth of Pennsylvania:

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 2138, Printer's Number 3328.

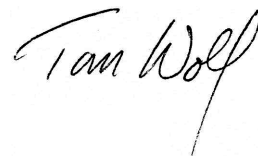
In February 2015, I expanded Medicaid to ensure that Pennsylvanians can receive affordable, straightforward, accessible healthcare without unnecessary delays and confusion. Because of this expansion, more people have access to health care, thousands of jobs were created, and billions of dollars were infused into the economy.

Medicaid has served as a critical resource for Pennsylvanians who are suffering from a substance use disorder as our Commonwealth battles an unprecedented prescription drug and heroin public health crisis. Through Medicaid expansion, almost 124,000 newly eligible Medicaid enrollees were able to access drug and alcohol treatment that is critical to helping patients recover from the disease of addiction.

This legislation does not promote health coverage, access and treatment. Instead, this legislation increases costs, creates unnecessary delays and confusion, penalizes individuals who need healthcare, and terminates health coverage for those who need it the most.

For the reasons set forth above, I must withhold my signature from House Bill 2138, Printer's Number 3328.

Sincerely,



Governor

[Pa.B. Doc. No. 18-1738. Filed for public inspection November 9, 2018, 9:00 a.m.]

GOVERNOR'S OFFICE**Notice of Veto; House Bill 2157, Printer's No. 3278**

October 24, 2018

To the Honorable House of Representatives of the Commonwealth of Pennsylvania:

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 2157, Printer's Number 3278.

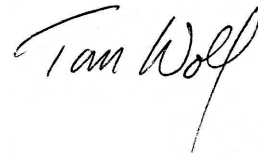
Career Technical Education is a critical pathway into viable, quality jobs across the Commonwealth. My administration and the Commission for Agricultural Education Excellence have been working to increase educational and workforce opportunities in the agricultural industry for the people of the Commonwealth. This legislation, however, reduces those efforts.

This legislation renders certain agricultural education programs ineligible for state and federal funding. Specifically, the Pennsylvania Department of Education is the single state agency that is federally authorized to approve these programs. Last year, my administration distributed approximately \$57,000,000 in state Career and Technical Education funding to schools across the Commonwealth. By removing program approval authority from the department, this bill would impair those schools' ability to receive this funding and would eliminate funding for agricultural education programs approved under this bill's provisions. In addition, the bill would require schools that currently receive Federal Perkins funding for Agriculture Education programs to forego such funds, costing those schools \$6,345,299.

My administration proposed amendatory language that would have maintained this funding, and would have thus ensured that schools across the Commonwealth could continue to provide quality agricultural education programs; however, the General Assembly chose not to consider this proposal.

For the reasons set forth above, I must withhold my signature from House Bill 2157, Printer's Number 3278.

Sincerely,



Governor

[Pa.B. Doc. No. 18-1739. Filed for public inspection November 9, 2018, 9:00 a.m.]

GOVERNOR'S OFFICE**Notice of Veto; Senate Bill No. 1172, Printer's No. 2094**

October 24, 2018

To the Honorable Senate of the Commonwealth of Pennsylvania:

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, Senate Bill 1172, Printer's Number 2094.

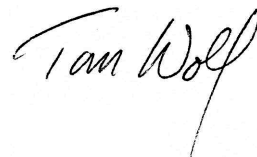
Instead of protecting consumers by prohibiting price gouging for needed goods and services during a state of disaster emergency, this legislation

shifts the burden to a consumer during a state of disaster emergency. The purpose of the Price Gouging Act is to prohibit parties from taking an unfair advantage of consumers by charging unconscionably excessive prices during an emergency. This legislation alters the existing standard in determining price gouging and permits pre-established increased costs during emergencies. Further, the legislation encourages the prices of consumer goods and services to be increased prior to a state of disaster emergency being declared. This legislation undermines the purpose of the act by reducing the standard for determining an unconscionable excessive price and shortens the period of this prohibition.

My administration has outlined legislative actions that can be taken to further address declarations of emergencies, including the declaration of public health emergencies. Rather than burdening consumers, I look forward to continuing to work with the General Assembly to protect the citizens of the Commonwealth during a public health emergency.

For the reasons set forth above, I must withhold my signature from Senate Bill 1172, Printer's Number 2094.

Sincerely,

A handwritten signature in black ink that reads "Tom Wolf". The signature is written in a cursive, flowing style.

Governor

[Pa.B. Doc. No. 18-1740. Filed for public inspection November 9, 2018, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 93]

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 86

By this Order, the Disciplinary Board of the Supreme Court of Pennsylvania is amending its Rules of Organization and Procedure to modify Rule § 93.141 regarding language pertaining to the Philadelphia Traffic Court.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Executive Director of the Board shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect 30 days after publication in the *Pennsylvania Bulletin*.

*By the Disciplinary Board of the
Supreme Court of Pennsylvania*

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

CHAPTER 93. ORGANIZATION AND ADMINISTRATION

Subchapter G. FINANCIAL MATTERS

ANNUAL REGISTRATION OF ATTORNEYS

§ 93.141. Annual registration.

* * * * *

(b) *Inapplicable to justices and judges.* Enforcement Rule 219(b) provides that the following shall be exempt from the annual fee:

(1) Justices or judges serving in the following Pennsylvania courts of record shall be exempt for such time as they serve in office: Supreme, Superior, Commonwealth, Common Pleas, and Philadelphia Municipal; and justices or judges serving an appointment for life on any federal court;

(2) retired attorneys; and

(3) military attorneys holding a limited certificate of admission issued under Pa.B.A.R. 303 (relating to admission of military attorneys).

Official Note: The exemption created by subdivision (b)(1) does not include [**Philadelphia Traffic Court judges,**] Pittsburgh Municipal Court judges, magisterial district judges, arraignment court magistrates or administrative law judges.

[Pa.B. Doc. No. 18-1741. Filed for public inspection November 9, 2018, 9:00 a.m.]

Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. VIII]

Order Approving the Amendment of Pennsylvania Rules of Evidence 803(1) and 803(2); No. 779 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 25th day of October, 2018, upon the recommendation of the Committee on Rules of Evidence; the proposal having been published for public comment at 47 Pa.B. 7422 (December 9, 2017):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rules of Evidence 803(1) and 803(2) 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 December 1, 2018.

Annex A

Title 225. RULES OF EVIDENCE

ARTICLE VIII. HEARSAY

Rule 803. Exceptions to the Rule Against Hearsay— Regardless of Whether the Declarant Is Available as a Witness.

The following are not excluded by the rule against hearsay, regardless of whether the declarant is available as a witness:

Rule 803(1). Present Sense Impression.

(1) *Present Sense Impression.* A statement describing or explaining an event or condition, made while or immediately after the declarant perceived it. **When the declarant is unidentified, the proponent shall show by independent corroborating evidence that the declarant actually perceived the event or condition.**

Comment

This rule [is identical to] differs from F.R.E. 803(1) insofar as it requires independent corroborating evidence when the declarant is unidentified. See Commonwealth v. Hood, 872 A.2d 175 (Pa. Super. 2005).

For this exception to apply, declarant need not be excited or otherwise emotionally affected by the event or condition perceived. The trustworthiness of the statement arises from its timing. The requirement of contemporaneity, or near contemporaneity, reduces the chance of premeditated prevarication or loss of memory.

Rule 803(2). Excited Utterance.

(2) *Excited Utterance.* A statement relating to a startling event or condition, made while the declarant was under the stress of excitement that it caused. When the declarant is unidentified, the proponent shall show by independent corroborating evidence that the declarant actually perceived the startling event or condition.

Comment

This rule [is identical to] differs from F.R.E. 803(2) insofar as it requires independent corroborating evidence when the declarant is unidentified. See Commonwealth v. Upshur, 764 A.2d 69 (Pa. Super. 2000).

This exception has a more narrow base than the exception for a present sense impression, because it requires an event or condition that is *startling*. However, it is broader in scope because an excited utterance (1) need not describe or explain the startling event or condition; it need only *relate* to it, and (2) need not be made contemporaneously with, or immediately after, the startling event. It is sufficient if the stress of excitement created by the startling event or condition persists as a substantial factor in provoking the utterance.

There is no set time interval following a startling event or condition after which an utterance relating to it will be ineligible for exception to the hearsay rule as an excited utterance. In *Commonwealth v. Gore*, [262 Pa. Super. 540, 547,] 396 A.2d 1302, 1305 (Pa. Super. 1978), the court explained:

The declaration need not be strictly contemporaneous with the existing cause, nor is there a definite and fixed time limit. . . . Rather, each case must be judged on its own facts, and a lapse of time of several hours has not negated the characterization of a statement as an "excited utterance." . . . The crucial question, regardless of the time lapse, is whether, at the time the statement is made, the nervous excitement continues to dominate while the reflective processes remain in abeyance.

* * * * *

Official Note: Adopted May 8, 1998, effective October 1, 1998; Comment revised March 23, 1999, effective immediately; Comment revised March 10, 2000, effective immediately; Comment revised May 16, 2001, effective July 1, 2001; amended November 2, 2001, effective January 1, 2002; rescinded and replaced January 17, 2013, effective March 18, 2013; amended November 9, 2016, effective January 1, 2017; **amended October 25, 2018, effective December 1, 2018.**

Committee Explanatory Reports:

Final Report explaining the March 23, 1999 technical revisions to the Comment for paragraph 25 published with the Court's Order at 29 Pa.B. 1714 (April 3, 1999).

Final Report explaining the March 10, 2000 revision of the Comment for paragraph 25 published with the Court's Order at 30 Pa.B. 1641 (March 25, 2000).

Final Report explaining the May 16, 2001 revision of the Comment for paragraph 18 published with the Court's Order at 31 Pa.B. 2789 (June 2, 2001).

Final Report explaining the November 2, 2001 amendments to paragraph 6 published with the Court's Order at 31 Pa.B. 6384 (November 24, 2001).

Final Report explaining the January 17, 2013 rescission and replacement published with the Court's Order at 43 Pa.B. 620 (February 2, 2013).

Final Report explaining the November 9, 2016 amendments to paragraph 6, 8, 10, and revision of the Comment for paragraph 7 and 9 published with the Court's Order at 46 Pa.B. 7436 (November 26, 2016).

Final Report explaining the October 24, 2018 amendments to paragraph 1 and 2 published with the Court's Order at 48 Pa.B. 7112 (November 10, 2018).

FINAL REPORT¹

Amendment of Pa.R.E. 803(1) and 803(2)

On October 25, 2018, effective December 1, 2018, upon recommendation of the Committee on Rules of Evidence, the Court ordered the amendment of Pennsylvania Rules of Evidence 803(1) and 803(2) to add a requirement of independent corroborating evidence when the declarant is unidentified.

Previously, the strict application of Pa.R.E. 803(1) and Pa.R.E. 803(2) did not consider whether the declarant was identified. However, evolving case law added a requirement of independent corroborating evidence that the declarant actually perceived the event or condition when the declarant is unidentified. *See, e.g., Commonwealth v. Upshur, 764 A.2d 69 (Pa. Super. 2000); Commonwealth v. Hood, 872 A.2d 175 (Pa. Super. 2005).* The Committee recommended amendment of Pa.R.E. 803(1) and Pa.R.E. 803(2) to contain this requirement as a means of ensuring the reliability of the declarant's statement, especially if the declarant is not identified.

[Pa.B. Doc. No. 18-1742. Filed for public inspection November 9, 2018, 9:00 a.m.]

Title 25—LOCAL COURT RULES

BUTLER COUNTY

Local Family Court Rules—Custody; MsD 18-40281

Order of Court

And Now, this 25th day of October, 2018, it is hereby Ordered and Decreed, that Butler County Local Family Court Rules Explanatory Comment, L1915.1, L1915.3, L1915.4, L1915.4-1, L1915.4-2, L1915.4.2a, L1915.5, L1915.7, L1915.10, L1915.11, L1915.12, L1915.13, L1915.18 are rescinded. Effective thirty (30) days after

¹ The Committee's Final Report should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

publication in the *Pennsylvania Bulletin* the Butler County Court of Common Pleas adopts the following local rules L1915.1, L1915.3, L1915.3-1, L1915.4, L1915.4-3, L1915.4-4, L1915.5, L1915.11-2, L1915.12, L1915.13, and L1915.18.

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

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

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

3. Publish these Rules on the Butler County Court website at www.co.butler.pa.us.

4. Incorporate the local rule into the set of local rules on the Butler County website within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

5. File one (1) copy of the local rule in the office of the Butler County Prothonotary for public inspection and copying.

6. Forward one (1) copy to the *Butler County Legal Journal*.

By the Court

WILLIAM R. SHAFFER,
Administrative Judge

L1915.1. Scope. Definitions.

(a) These rules govern all actions for custody and partial custody including, but not limited to original actions, petitions for relocation, petitions to modify orders and petitions for contempt.

(b) These rules supplement the Pennsylvania Rules of Civil Procedure governing custody actions, Pa.R.C.P. No. 1915.1 et seq.

(c) These rules modify Rules L1915.1—L1915.13 of the Butler County Local Rules of Court.

L1915.3. Commencement of Action. Complaint. Order. Service.

(a) All Custody Complaints and Petitions for Modification shall be filed with the Prothonotary. In addition to the scheduling Order required by Pa.R.C.P. No. 1915.3, there shall be attached by the Conciliator's office, an additional Order with the following text:

"All adult parties to this action, who have not yet attended the seminar for divided families endorsed by the Butler County Family Court, shall within 5 days of receipt of this Order register to attend the next available seminar. Contact 724 XXX-XXXX to register. Attendance at this seminar is mandatory, unless, within 5 days of receipt of the Order, a party seeks permission to attend a comparable program in another county, and within 10 days, permission is granted by the custody conciliator."

(b) In addition to the filing fees assessed by the Prothonotary, an administrative fee for conciliation services shall be assessed by administrative order of court, and shall be submitted to the Prothonotary at the time of the filing of the custody complaint unless otherwise directed by the court.

(c) Within 5 days of service of any claim for custody, partial custody, or visitation, any party to an action who has not previously attended the education seminar for

divided families shall register to attend said seminar. Information concerning the seminar shall be provided by the Prothonotary of the Court of Common Pleas of Butler County, Pennsylvania, to the filing party. Said party shall be responsible for service of such information on the opposing party.

(1) Failure of either party to register for the seminar, prior to the conference, may subject the noncompliant party to such sanctions as may be appropriate, including an award of counsel fees.

(2) Unless otherwise requested by both parties, the parties will be scheduled for separate education seminar sessions.

(d) Fees and policies pertaining to custody conciliation shall be adopted from time to time by administrative orders of court. A copy of said policies and fee schedule will be available at the Domestic Relations office/custody conciliator's office.

(e) The Complaint for Custody and scheduling Order or the Petition for Modification and scheduling Order, in addition to the Order to attend the divided families seminar, shall be served by the moving party in accordance with the Pennsylvania Rules of Civil Procedure.

L1915.3-1. Continuances of Conciliation Conferences or Custody Hearings, Refunds.

(a) Custody matters scheduled before the court, or in the custody conciliators office shall be continued only by leave of court, with good cause shown. General continuances will not be granted. A date certain for the rescheduled conference will be included in every order continuing a conciliation conference. For a request for a continuance to be considered, the motion shall be filed with the court in accordance with local Family Court motions practice/procedure.

(b) Except in the case of a documented medical emergency, or upon consent of both parties, motions to continue, cancel or withdraw a custody conciliation conference must be presented at least 10 days prior to the scheduled conciliation.

(c) If the case is withdrawn from the conciliator's consideration prior to any conciliation conference occurring, and the party paying the initial conciliators fee seeks a refund thereof, he/she shall present a motion requesting a refund not later than 10 days after the last scheduled conciliation conference.*

(d) If the party seeking the imposition of an initial custody order, or the modification of a custody order already in existence, i.e. the moving party, fails to appear at a scheduled custody conference, the court will dismiss the case, and the conciliator's fee will not be refunded.

***Comment:** Requests for refund presented more than 10 days after the conciliation conference will not be granted. The intent of this rule is to process refunds in a timely manner consistent with budgeting and accounting needs of the judicial system and the county.

L1915.4. Initial Contact With the Court.

(a) After filing, all complaints or motions for conferences shall be immediately forwarded to the custody conciliator's office which shall set the time, date, and place for a custody conference. Said conference shall be held no less than 20, nor more than 45 days from the filing of the complaint/order or petition/order, unless the normal time interval is shortened or lengthened by the court, upon good cause shown.

L1915.4-3. Custody Conciliation Conference Consents and Recommendations, Unexcused Failure to Attend Conference.

(a) All parties named in an action for custody shall be present at the custody conciliation conference unless excused by the custody conciliator or by agreement of counsel. Failure of a party to appear at the conference may result in the entry of a custody or partial custody order by the court on the recommendation of the conciliator in the absence of that party. Unless ordered by the court for good cause shown, children shall not be brought to the conciliation and shall not be heard on the issues by the conciliator.

(b) To facilitate the conciliation process and to encourage frank, open and meaningful exchanges between the parties and their respective counsel, statements made by the parties or their attorneys at the conference shall not be admissible as evidence at a later custody hearing. The custody conciliator shall not be a witness for or against any party.

(c) The court-appointed custody conciliator shall encourage consent agreements on the custody issues pending between/among the parties. If agreements are reached, they shall be reduced to writing and submitted to the court for adoption as an order. The parties will also be encouraged to equitably divide the custody administrative fee.

(d) If no consent agreement is reached, the conciliator shall file a report with the court within five days of the conference which may contain the following:

(1) recommendations that custody evaluations be undertaken in cases where shared physical or primary physical custody is at issue and either the conciliator identifies circumstances warranting said evaluation or the parties agree to said evaluation; physical or mental evaluations, home studies, drug and alcohol evaluations, counseling, education seminars, appointment of a guardian ad litem, as well as equitable divisions of costs for any of the fees above. The order directing studies and evaluations, expert reports and seminar attendance shall provide that the conciliator allocate relevant fees subject to reallocation at a later stage, as provided by Rule L1915.4(c). A non-paying or non-participating party shall be subject to the contempt powers of the court;

(2) conciliator's review of jurisdiction, venue, standing and relocation issues;

(3) progress, if any, on issues before the conciliator, as well as any recommendations for temporary custody/partial custody orders, including the need for an expedited hearing in emergency cases;

(4) recommendations concerning an equitable division of the custody administrative fee among the parties;

(5) recommendations that a case be diverted to counseling;

(6) scheduling of pre-trial conferences or requesting trial dates.

(e) In those cases where evaluations are ordered, a pre-trial conference will be scheduled within 120 days from the order scheduling the evaluations. In cases when custody evaluations are not ordered, a pre-trial conference will ordinarily be scheduled after thirty days but within ninety days from the date of the conciliation. The initial conciliation order shall also provide that the costs of any evaluations, home studies or tests, including the cost of in-court testimony needed to authenticate and explain expert reports of the results thereof, shall be shared by the parties, initially as allocated by the court in the post-conciliation order, but subject to reallocation as part of the pre-trial conference order and the final order in the case as the equities in the case may dictate. A copy of the order scheduling the pre-trial conference shall be mailed to the custody evaluator by the Prothonotary, to insure that the evaluator's report is available to counsel for the parties at least 15 days prior to the pre-trial conference.

(f) Upon receipt of evaluation reports, the conciliator's office will make the same available to counsel of record, or pro se litigants where applicable.

L1915.4-4. Pretrial Procedures.

(a) A party may file a Request for Custody Pretrial Conference anytime within 30 days after service of a Custody Order issued as a result of a Conciliation Conference, in cases where a comprehensive agreement is not reached. The Request shall be filed at the Prothonotary's Office. The Prothonotary shall forward the Request to Court Administration for scheduling. Said Request shall be served on the opposing party, or counsel, if represented.

(b) All parties and trial counsel shall be present at the Pretrial Conference unless otherwise provided by Order of Court. Failure of a party to appear at the Pretrial Conference may result in the entry of a custody/visitation order by the Court.

(c) Any agreement reached at the Pretrial Conference shall be reduced to writing and entered as an order of Court.

(d) The Court will enter an order scheduling a trial if the case is not resolved at the Pre-trial Conference. The Prothonotary shall mail a copy of the trial scheduling order to the evaluator, if one has been appointed in the case.

(e) The Request for Custody Pretrial Conference shall be substantially as follows:

(Caption)

REQUEST FOR CUSTODY PRETRIAL CONFERENCE

I, _____, hereby request a pretrial conference before the Court of Common Pleas. This Request is being filed within 30 days of the date of Service of the Custody Order.

The issues to be considered are:

Verification

I verify that the statements made in this request are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsifications to authorities.

Signature of Petitioner or Counsel

Date

(f) The Scheduling Order shall be substantially as follows:

(Caption)

ORDER OF COURT

The above named parties and trial counsel are hereby ordered to appear in person approximately ____ days from the date of this Order on _____, 20____ at _____ o'clock ____m. before the Honorable _____, in Courtroom number ____ in the Butler County Courthouse, for a Pretrial Conference. Counsel or the parties, if unrepresented, shall file a Pretrial Narrative with the Prothonotary's Office at least seven days prior to the Pretrial Conference. Courtesy copies shall not be delivered to the Court prior to the Pretrial Conference. Copies of the Pretrial Narrative shall be served on all parties. The parties are required to attend the Pretrial Conference pursuant to Butler County L1915.4-4(b). One-half hour is allotted.

The Pretrial Narrative shall include:

- (1) Names and addresses of all witnesses, including experts;
- (2) A brief summary of each witness's anticipated testimony;
- (3) Lists of all exhibits¹;
- (4) Proposed parenting plan, pursuant to 23 Pa CSA § 5331;
- (5) Requested stipulation of facts;
- (6) Offer of proof for each of the 16 custody factors.

If no Pretrial Narrative is filed, the offending party may be fined or otherwise sanctioned by the Court.

BY THE COURT:

Date: _____

Judge

L1915.5. Jurisdiction, Venue, Standing, and Relocation Issues.

(a) The court may direct that issues pertaining to jurisdiction, venue, standing, and relocation be referred to custody conciliation.

(b) Alternatively, the court may schedule a hearing before the court for disposition of the jurisdictional, venue, standing or relocation issue, or the court may take such other action as may be prescribed by statute, compact or treaty.

Comment: The court will always dispose of interstate or international jurisdictional issues, outside the conciliation process. In such cases the court may defer to a foreign court the right to conduct a fact-finding hearing related to the jurisdictional issue.

¹ Copies of all exhibits shall be provided to opposing counsel or to the opposing party. Copies of exhibits shall not be included in the original pre-trial narrative filed with the Prothonotary's Office.

L1915.11-2. Fees for Guardian ad litem.

(a) If the Court imposes the cost of a guardian ad litem against one or both of the parties, the court shall specify an amount the responsible part(ies) shall pay to the Prothonotary as a deposit to cover the anticipated cost of the guardian's initial investigation of the case. The Court shall also specify the time within which such deposit is due. A guardian ad litem may from time to time request additional deposits by motion, presented in motions court.

L1915.12. Enforcement. Contempt.

(a) The custody conciliator may attempt to informally explain existing custody orders upon receiving written correspondence from a party or attorney of record that said order is being misinterpreted or willfully disobeyed.

(b) Upon the filing of any motion or petition alleging violation of a custody or partial custody order, and seeking enforcement of the order, whether or not sanctions are requested, the court shall direct the parties to appear before the court for a 15 minute conference to conciliate the disagreement.

(c) If the enforcement request is not disposed of at the initial judicial conciliation, the court shall direct appropriate additional proceedings, which may include a full conciliation with the conciliator, a direction to participate in counseling, temporary orders relative to interpretation of the existing order pending further conciliation or trial, scheduling of a trial date, or such additional matters as justice may require.

(d) Actions referred to the conciliator shall be subject to the administrative fees and conciliation procedures set forth in these Rules.

(e) If no agreement is reached at the scheduled enforcement conciliation conference, a conciliator's report shall be filed and the matter shall be scheduled before the court for hearing.

L1915.13. Special Relief.

(a) All petitions and motions for special relief may be referred to the custody conciliator, pursuant to these Rules, at the discretion of the court.

(b) Alternatively, the court may schedule a hearing to determine the appropriateness of such request for special relief. If a hearing is granted, the court may continue a scheduled custody conference until the court has rendered a decision on the request for special relief.

(c) If, in an emergency, the court grants ex parte special relief, the court shall conduct a hearing within ten days, to address the merits of the petition for special relief. The court may continue the hearing, if requested by the non-moving party, for a reasonable time to allow that party to seek counsel and/or prepare a defense to the petition.

L1915.18. Custody Evaluator's Fee Schedules and Communication Restrictions.

Every court appointed custody evaluator shall maintain with the Butler County conciliator's office a fee schedule for in-court testimony, indicating at least 1/2 day and full

day fees. The evaluator's advance deposit requirements and cancellation/refund policies shall also be clearly stated. Such fee schedule and policies may be amended from time to time at the discretion of the evaluator. Both before and after the submission of the evaluator's written report, counsel for the parties shall not be permitted to communicate with the evaluator as to any substantive issues, without the consent or direct participation of counsel for the other party. This prohibition shall not prevent the evaluator from communicating with counsel for the purpose of preparing to present the evaluator's in-court testimony in support of the evaluator's report.

[Pa.B. Doc. No. 18-1743. Filed for public inspection November 9, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 127]

Electronic Submission of Air Quality General Plan Approval and General Operating Permit Applica- tions

The Environmental Quality Board (Board) amends Chapter 127 (relating to construction, modification, reactivation and operation of sources), Subchapter H (relating to general plan approvals and operating permits) to include electronic means as an option for submitting applications to the Department of Environmental Protection (Department) for the use of air quality general plan approvals (GPA) and general operating permits (GP). This amendment is made to § 127.621(b) (relating to application for use of general plan approvals and general operating permits). Notice of proposed rulemaking is omitted under section 204(3) of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204(3)), known as the Commonwealth Documents Law (CDL).

Section 204(3) of the CDL provides that an agency may omit the notice of proposed rulemaking if “the agency for good cause finds. . . that the public notice and comment procedures specified in sections 201 and 202 are in the circumstances impracticable, unnecessary, or contrary to the public interest.”

Public notice and solicitation of public comments are unnecessary and contrary to the public interest for the amendment included in this final-omitted rulemaking. A public comment period is unnecessary because the amendment in this final-omitted rulemaking does not diminish or replace any existing rights under § 127.621(b) related to how an application is required to be submitted; rather, the amendment provides applicants with the additional option of submitting an application for the use of an applicable GPA or GP through electronic means. This additional means of submission is a beneficial expansion of an existing regulatory requirement and is supported by the regulated community as providing for a more efficient and effective means of submitting GPA and GP applications. The amendment in this final-omitted rulemaking is solely procedural in nature and does not change any regulatory requirements related to the Department’s technical review of these applications or change any other regulatory requirements related to the Department’s activities for GPA or GP applications. Therefore, a public comment period is unnecessary.

A public comment period is also contrary to the public interest because it will delay the implementation of the purely beneficial amendment in this final-omitted rulemaking, which authorizes the electronic submission of GPA and GP applications to the Department. Providing for electronic submission enables the effective and efficient use of Commonwealth resources. The Department will likely realize savings in costs related to review and issuance of permit applications, as well as postage savings through the reduced use of paper documents. This amendment is also supported by the regulated community because it will result in the expedited review of air quality GPA and GP applications, and result in savings associated with postage costs and hand delivery. This

change does not impact the rights of third parties related to a decision on a GPA or GP application. Further, this amendment does not adversely impact the Department’s ability to perform its mission of protecting the environment and public health and welfare. Therefore, a public comment period is not in the public interest.

As a result, the Board finds that the use of the final-omitted rulemaking process to amend § 127.621(b) to include electronic means as an option for submitting applications for the use of an applicable air quality GPA or GP is for good cause.

This final-omitted rulemaking was adopted by the Board at its meeting of August 21, 2018.

A. *Effective Date*

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

B. *Contact Persons*

For further information, contact Viren Trivedi, Chief, Division of Permits, Bureau of Air Quality, Rachel Carson State Office Building, P.O. Box 8468, Harrisburg, PA 17105-8468, (717) 783-9476; or Robert “Bo” Reiley, Assistant Director, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This final-omitted rulemaking is available on the Department’s web site at www.dep.pa.gov (select “Public Participation,” then “Environmental Quality Board (EQB)”).

C. *Statutory Authority*

This final-omitted rulemaking is made under the authority of section 6.1(f) of the Air Pollution Control Act (APCA) (35 P.S. § 4006.1(f)) and section 504(d) of the Clean Air Act (CAA) (42 U.S.C.A. § 7661c(d)), which authorize the establishment of a general permit program to regulate air contamination sources. This final-omitted rulemaking is also authorized under section 5(a)(1) of the APCA (35 P.S. § 4005(a)(1)), which grants the Board the authority to adopt rules and regulations for the prevention, control, reduction and abatement of air pollution in this Commonwealth; and section 5(a)(8) of the APCA (35 P.S. § 4005(a)(8)), which grants the Board the authority to adopt rules and regulations designed to implement the provisions of the CAA.

D. *Background and Purpose*

The Department’s air quality GPA and GP Program was established in Chapter 127, Subchapter H in 1994 at 24 Pa.B. 5899 (November 26, 1994). This program was subsequently approved by the United States Environmental Protection Agency as part of this Commonwealth’s State Implementation Plan. See 61 FR 39594 (July 30, 1996). The regulations under this Program limit the submission of an air quality GPA or GP application to either hand delivery or certified mail return receipt requested. See § 127.621(b).

In 1999, the Pennsylvania Electronic Transactions Act, the act of December 16, 1999 (P.L. 971, No. 69) (Act 69) was enacted which allows Commonwealth government agencies to accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use and rely upon electronic records and electronic signatures. See 73 P.S.

§ 2260.502. Since the passage of Act 69, electronic means of delivery is becoming the norm within the Department because it reduces errors, improves processing and review times and allows for electronic payment of fees.

This final-omitted rulemaking amends § 127.621(b) to include the use of electronic means as an additional way of submitting an air quality GPA or GP application to the Department.

Currently, the Department has 19 air quality GPAs and GPs that regulate air contamination sources in several industrial categories. These air quality GPAs and GPs are available for use by an applicant who demonstrates to the Department that their operations can be regulated through an applicable air quality GPA or GP. Within the past 5 years, the Department has issued 1,922 new authorizations to use an applicable air quality GPA or GP and 204 renewals for a total issuance of 2,126 authorizations to use applicable air quality GPAs and GPs. Adding the option for electronic means of application delivery is expected to enhance Department efficiency by enabling more timely review of these GPA and GP applications.

This final-omitted rulemaking was discussed with, and received the support of, the Air Quality Technical Advisory Committee (AQTAC) on June 14, 2018; the Small Business Compliance Advisory Committee (SBCAC) on July 25, 2018; and the Citizens Advisory Council (CAC) Policy and Regulatory Oversight Committee on June 15, 2018. The Policy and Regulatory Oversight Committee briefed the members of the CAC on June 19, 2018. The CAC provided the Board with a letter of concurrence supporting this final-omitted rulemaking, but included a comment suggesting that the Board consider revising the regulatory language to include the option for the use of 'reputable express service providers.' See June 19, 2018, letter from Donald S. Welsh, Chair, CAC, to Patrick McDonnell, Secretary, Department of Environmental Protection and Chairperson of the Board. The Board appreciates the comment and will take it under advisement for consideration for a future rulemaking.

The AQTAC, SBCAC and CAC meetings are advertised and open to the public.

E. Summary of the Final-Omitted Rulemaking

Subsection 127.621(b) is amended to establish that the application required by this section shall be hand delivered, transmitted by certified mail return receipt requested or submitted electronically.

F. Benefits, Costs and Compliance

Benefits

An owner or operator of a regulated air contamination source or process for which an air quality GPA or GP is available will benefit from this amendment to § 127.621(b) through the opportunity to submit applications for the use of an applicable air quality GPA or GP by electronic means authorized by the Department rather than being limited to hand delivering the application or mailing the application by certified mail with a return receipt requested.

Further, adding the option for electronic means of application delivery is expected to enhance Department efficiency by enabling faster review of these GPA and GP applications. Faster review may also benefit the regulated industry by facilitating timely implementation of the approved permitted activities.

Compliance Costs

This final-omitted rulemaking is expected to be noncontroversial and cost-neutral to the regulated industry. As

noted previously, the regulated industry will benefit from this amendment to § 127.621(b) through the opportunity to submit applications for the use of applicable air quality GPAs and GPs by electronic means authorized by the Department rather than being limited to hand delivering the application or mailing the application by certified mail with a return receipt requested.

A specific estimate of the savings to the regulated industry is not feasible because an applicant can currently choose between hand delivery and certified mail with return receipt requested options for submitting an application for an air quality GPA or GP. When the option for a Department-authorized electronic means of submission is available, an applicant will have a choice of three methods for delivery of an application. The regulated industry may experience savings in postage, fuel and staff time spent on hand delivering applications to Department offices or mailing the applications by certified mail return receipt requested versus staff time spent on filing the application electronically.

Adding the option for electronic submission of applications for the use of air quality GPAs and GPs is expected to greatly enhance Department efficiency by enabling faster review and decision-making related to these GPA and GP applications. The Department will also likely realize savings in costs related to review and issuance of permit applications, as well as postage savings through the reduced use of paper documents. Additionally, support staff assistance will no longer be needed to handle paper files, which will also reduce costs.

New legal, accounting, recordkeeping and reporting, or consulting procedures will not be required.

Compliance Assistance Plan

The Department does not anticipate that compliance assistance will be required, as this final-omitted rulemaking provides the option under § 127.621(b) for the regulated industry to use electronic means authorized by the Department to submit applications for the use of air quality GPAs and GPs as an additional delivery method. Most regulated entities already use computer and electronic recordkeeping methods and have the technical capacity to implement this option. The Department will, however, answer questions and provide guidance as needed through the Department's ongoing compliance assistance program.

Paperwork Requirements

This final-omitted rulemaking does not require additional paperwork or forms.

G. Pollution Prevention

The Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) established a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance requirements. Implementation of this final-omitted rulemaking may reduce paper waste by allowing applicants to submit applications for the use of air quality GPAs and GPs by electronic means authorized by the Department rather than submitting paper copies

by hand delivery or certified mail with return receipt requested. Reductions in vehicle tailpipe emissions may be a cobenefit as well because this regulation provides an additional option that does not involve travelling to a Department office to hand deliver an application.

H. *Sunset Review*

The Board is not establishing a sunset date for these regulations since they are needed for the Department to carry out its statutory authority. The Department will continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary.

I. *Regulatory Review*

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on September 14, 2018, the Department submitted a copy of this final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Environmental Resources and Energy Committees. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on October 17, 2018, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 18, 2018, and approved the final-omitted rulemaking.

J. *Findings*

The Board finds that:

(1) The amendments are appropriate to implement the Air Quality General Plan Approvals and General Permits Application Program.

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

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

K. *Order*

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

(a) The regulations of the Department, 25 Pa. Code Chapter 127, Subchapter H, are amended by amending § 127.621(b) to read as set forth in Annex A.

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

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

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

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

PATRICK McDONNELL,
Chairperson

Fiscal Note: 7-549. No fiscal impact; (8) recommends adoption.

Annex A

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

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE III. AIR RESOURCES

CHAPTER 127. CONSTRUCTION, MODIFICATION, REACTIVATION AND OPERATION OF SOURCES

Subchapter H. GENERAL PLAN APPROVALS AND OPERATING PERMITS

USE OF GENERAL PLAN APPROVALS AND PERMITS

§ 127.621. Application for use of general plan approvals and general operating permits.

(a) A stationary source proposing to use a general plan approval or general operating permit shall notify the Department on a form provided by the Department and receive prior written approval from the Department prior to operating under the general plan approval or general operating permit.

(b) The application required by this section shall be hand delivered, transmitted by certified mail return receipt requested or submitted electronically.

(c) The Department will take action on the application within 30 days of receipt.

[Pa.B. Doc. No. 18-1744. Filed for public inspection November 9, 2018, 9:00 a.m.]

PROPOSED RULEMAKING

BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

DEPARTMENT OF STATE

[49 PA. CODE CH. 43b]

Expungement; Fees

The Commissioner of Professional and Occupational Affairs (Commissioner) proposes to amend 49 Pa. Code, Chapter 43b by adding Subchapters B and C (relating to expungement; and fees) to read as set forth in Annex A.

Effective date

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

Statutory Authority

The act of February 15, 2018 (P.L. 14, No. 6) (Act 6 of 2018) amended section 5(a) of the act of July 3, 1993 (P.L. 345, No. 48) (63 P.S. § 2205(a)) to provide the authority to the Commissioner to expunge certain disciplinary records, provided various criteria are met and requires the applicant for expungement to pay all costs associated with expungement “as established by the commissioner by regulation.” In addition, sections 506 and 810(a)(7) of the Administrative Code of 1929 (71 P.S. §§ 186 and 279.1(a)(7)) provide the Department of State and the Commissioner the general authority to prescribe rules and regulations, not inconsistent with law, and to set fees. This proposed rulemaking effectuates Act 6 of 2018.

Background and Need for the Amendments

This proposed rulemaking is needed to effectuate Act 6 of 2018, which requires the Commissioner to expunge certain disciplinary actions upon application and the payment of all costs associated with expungement “as established by the commissioner by regulation.”

Description of the Proposed Rulemaking

The Commissioner proposes to add two new subchapters to Chapter 43b (relating to Commissioner of Professional and Occupational Affairs). The existing language in Chapter 43b preceding the table of contents will become the heading for Subchapter A (relating to schedule of civil penalties, guidelines for imposition of civil penalties and procedures for appeal).

Subchapter B will set forth the requirements to apply for and obtain expungement of disciplinary records in accordance with Act 6 of 2018. Section 43b.101 (relating to definitions) will set forth the definitions of the terms “expunge or expungement” and “licensee” consistent with the definitions in Act 6 of 2018. Section 43b.102 (relating to expungement of disciplinary records) would provide the criteria for expungement of a disciplinary record. First, expungement is only available for two discrete categories of disciplinary record—discipline imposed for a violation involving failure to complete continuing education requirements; and discipline imposed for a violation involving practice for 6 months or less on a lapsed or expired license, registration, certificate or permit. Act 6 of 2018 prohibits the Commissioner from expunging any other categories of disciplinary record. Section 43b.102 will also

set forth the statutory criteria for expungement of an eligible disciplinary record as set forth in Act 6 of 2018. It must be the licensee’s only disciplinary record. The licensee may not be subject of an active investigation related to professional or occupational conduct, nor may the licensee be in a current disciplinary status (revoked, suspended or on probation). All fees, fines, civil penalties and costs associated with the disciplinary record must be paid in full. Finally, the licensee may not have more than one disciplinary record expunged.

Section 43b.103 (relating to application for expungement) sets forth the procedures for applying for expungement. It is anticipated that licensees will apply for expungement through the Bureau of Professional and Occupational Affairs’ (Bureau) online PALS licensing system, which contains all records associated with a license, registration, certificate or permit, including all disciplinary actions. Section 43b.103 also sets forth the timing of application as set forth in Act 6 of 2018. A licensee must wait at least 4 years from the final disposition of the discipline to apply for expungement. Finally, § 43b.103(c) requires that a licensee applying for expungement shall pay the fee established by the Commissioner, in accordance with the requirement in Act 6 of 2018 that the licensee “shall pay all costs associated with the expungement as established by the commissioner by regulation.”

Subchapter C is proposed to be added. The Commissioner elected to establish a separate subchapter relating to fees to provide for the possibility of future fees being promulgated under the Commissioner’s general authority to “fix the fees to be charged by the several professional and occupational examining boards within the department” as set forth in section 810 of the Administrative Code of 1929 (63 P.S. § 279.1). This proposed rulemaking would set forth a fee of \$155 for the expungement of a disciplinary record. This fee is based on an evaluation of the costs associated with processing expungement applications by the Bureau’s legal office staff, including administrative overhead.

Fiscal Impact and Paperwork Requirements

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The costs to the Bureau and its licensing boards and commissions related to processing applications for expungement will be recouped through fees paid by applicants. Licensees, registrants, certificate holders and permit holders who apply for expungement of disciplinary records will be impacted by the \$155 application fee. Because the PALS licensing system will include an online process to apply for expungement of an applicable disciplinary record, there should be minimal paperwork requirements for applicants.

Sunset Date

The Commissioner continuously monitors the cost effectiveness of the Commissioner’s regulations. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on Thursday, October 25, 2018, the Commissioner submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and

to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Cynthia Montgomery, Counsel to the Commissioner, P.O. Box 69523, Harrisburg, PA 17106-9523, RA-STRegulatoryCounsel@pa.gov within 30 days of publication of this proposed rulemaking in the Pennsylvania Bulletin. Reference No. 16A-060 (Expungement; Fees) when submitting comments.

IAN HARLOW,

Commissioner of Professional and Occupational Affairs

Fiscal Note: 16A-060. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 43b. COMMISSIONER OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

SUBCHAPTER A. SCHEDULE OF CIVIL PENALTIES, GUIDELINES FOR IMPOSITION OF CIVIL PENALTIES AND PROCEDURES FOR APPEAL

* * * * *

(Editor's Note: The following Subchapters are proposed to be added and printed in regular text to enhance readability.)

Subchapter B. EXPUNGEMENT

- Sec. 43b.101. Definitions.
43b.102. Expungement of disciplinary records.
43b.103. Application for expungement.

§ 43b.101. Definitions.

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

Expunge or expungement—Removal of a disciplinary record from a licensee's record accomplished by (1) permanently sealing the affected record from public access; (2) deeming the disciplinary proceedings to which the affected record refers as not having occurred; and (3) except with respect to any subsequent application for expungement, affording the licensee the right to represent that no disciplinary record exists regarding the matter.

Licensee—Any person holding a license, registration, certificate or permit issued by a licensing board or commission under the Bureau.

§ 43b.102. Expungement of disciplinary records.

(a) Eligibility. The following disciplinary records are eligible for expungement:

(1) Discipline imposed for a violation involving failure to complete continuing education requirements.

(2) Discipline imposed for a violation involving practicing for 6 months or less on a lapsed or expired license, registration, certificate or permit.

(b) Prohibition. The Commissioner will not expunge disciplinary records for any violation other than those listed in subsection (a).

(c) Criteria for expungement of an eligible disciplinary record. The Commissioner will expunge an eligible disciplinary record if the following criteria are met:

(1) The disciplinary record must be the licensee's only disciplinary record with a licensing board or commission under the Commissioner's jurisdiction.

(2) The licensee may not be the subject of an active investigation related to professional or occupational conduct.

(3) The licensee may not be in a current disciplinary status, such as revoked, suspended or on probation.

(4) Any fees or fines, including civil penalties and costs imposed in a disciplinary proceeding, assessed against the licensee must be paid in full.

(5) The licensee may not have had a disciplinary record previously expunged by the Commissioner.

§ 43b.103. Application for expungement.

(a) A licensee may apply for expungement in accordance with this subchapter in the manner prescribed by the Commissioner.

(b) A licensee may apply for expungement not earlier than 4 years from the final disposition of the disciplinary record.

(c) A licensee applying for expungement shall pay the fee set forth in § 43b.201 (relating to fees for services) for expungement of a disciplinary record.

Subchapter C. FEES

- Sec. 43b.201. Fees for services.

§ 43b.201. Fees for services.

The following fees are charged for services provided by the Commissioner/Bureau:

Expungement of a disciplinary record \$ 155

[Pa.B. Doc. No. 18-1745. Filed for public inspection November 9, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 91]

[L-2018-3004948]

The Commission's Regulation Governing the Consumer Advisory Council; Advanced Notice of Proposed Rulemaking

Public Meeting held
October 25, 2018

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

The Commission's Regulation Governing the Consumer Advisory Council, 52 Pa. Code Ch. 91; L-2018-3004948

Advance Notice of Proposed Rulemaking

By the Commission:

The Pennsylvania Public Utility Commission (Commission) enters this Advance Notice of Proposed Rulemaking Order (ANOPR) to invite comment on the Commission's regulation, 52 Pa. Code §§ 91.1 et seq., regarding the Consumer Advisory Council (CAC or Council). After more than 40 years of operation under the present regulations, the Commission is interested in exploring changes to the CAC regulations in order to improve its efficiency as an advisory body and to clarify its duties and role.

The Commission seeks comment on 52 Pa. Code Chapter 91 regarding the following: (1) whether to repeal Chapter 91 and concomitantly reestablish the Council via Commission Order; (2) what improvements are needed for CAC operational efficiency; (3) information sharing between Commission Staff and the Council; (4) the Council's ability to file comments in proceedings before the Commission; (5) the diversity of Council membership; (6) Consumer Advisory Council members interactions with the media or at public forums; (7) clarification to the General Assembly and the Governor's Office regarding the appointments and biennial terms of the Council; and (8) ministerial changes to the Council including examining the frequency of meetings and evaluating the Council's composition. Additionally, the Commission proposes to update and revise the CAC's underlying authority and reporting structure to align administratively with current Commission practices.

Background

The Consumer Advisory Council to the Commission was created in 1977 through the adoption of 52 Pa. Code Chapter 91. The Commission's regulations regarding the Council have not been revised or updated since 1994. The purpose of the CAC is to advise the Commission on matters relating to the protection of consumer interests as such interests are affected by the Commission's exercise of its jurisdiction. 52 Pa. Code § 91.2. The Council considers all matters within the scope of Section 91.2 arising from: (1) Consumer inquiry or request; (2) Commission inquiry or request; or (3) the proceedings, deliberations, or motions of the Council. 52 Pa. Code § 91.3.

On June 14, 2017, the Commission made or ratified twelve appointments to the CAC for a two-year term beginning on July 1, 2017 and ending June 30, 2019. Chapter 91 does not provide for a maximum number of

Council members, however, six of the twelve current members were appointed by the Commission to reflect a reasonable geographic representation of the Commonwealth as well as various classes of consumers. 52 Pa. Code § 91.4(c)(1). As required by the current regulation, the remaining six members were appointed by the following public officials: (1) the Governor; (2) the Lieutenant Governor; (3) the Majority Chairperson of the Senate Consumer Protection and Professional Licensure Committee; (4) the Minority Chairperson of the Senate Consumer Protection and Professional Licensure Committee; (5) the Majority Chairperson of the House Consumer Affairs Committee; and (6) the Minority Chairperson of the House Consumer Affairs Committee. 52 Pa. Code § 91.4(c)(3).

Whether to Repeal Chapter 91 and Concomitantly Establish the Council via Commission Order

The Commission seeks greater flexibility in how quickly it can adjust rules and directives for the Council in a changing, ever-evolving public utility landscape and seeks ways to better instruct the CAC about how it might more effectively advise the Commission. To achieve these goals, the Commission first seeks comments from interested parties on whether it should repeal Chapter 91 of the Commission's regulations and reestablish the Council through a Commission Order. The CAC is not a statutorily-created body; rather, it is a general advisory committee created by regulation. In preparing the instant ANOPR, Staff to the Council reached out to several States and determined that no commission that responded had a similar counterpart to the CAC.¹ Repealing Chapter 91 and concomitantly establishing the Council through a Commission Order would allow the Commission, in the future, to amend the authority and composition of the CAC outside the formal rulemaking process using its power pursuant to 66 Pa.C.S. § 501(a).

Reestablishing the Council via Commission Order allows the Commission to expeditiously address ministerial concerns surrounding the CAC that Staff to the Council has consistently faced in recent years (e.g., the frequency of Council meetings, the rules constituting a quorum, and the number of Council members). A Commission Order may also give the Commission greater latitude to engage the Council, seek the CAC's input on various topics, amend the ways the Council communicates with the Commission to respond to technological trends (e.g., the Commission's website), and address how consumers access and receive information.

Irrespective of whether the Commission ultimately proposes to repeal Chapter 91, a Commission rulemaking seeking to update the Council's regulations will continue to explore the ways in which the CAC can meaningfully advise the Commission.

Operational Efficiency of the Consumer Advisory Council

The Commission seeks to bring governance and additional effectiveness of the Council up-to-date with the current configuration and structure of the Commission. Much of this work involves ministerial updates to the rules that govern the Council to reflect internal changes at the Commission in the previous two decades. The Commission acknowledges that Chapter 91 currently requires the Council to communicate its actions in ways that are out-of-date, including the requirement that notice of all Council meetings be made to the media through

¹ The following states in 2017 advised Staff to the Council that they did not have a similar counterpart to the CAC: California, Colorado, Florida, Georgia, Iowa, Kentucky, Maine, Michigan, New York, Oregon, South Carolina, Texas and Virginia. Admittedly, some states identified having groups tailored to a specific issue in their purview.

the now-defunct Public Information Office of the Commission. 52 Pa. Code § 91.3(e). Additionally, the Commission no longer requires CAC actions to be filed with the Secretary of the Commission and the Bureau of Consumer Services (BCS). 52 Pa. Code § 91.3(f). Rather, Council actions are now posted to the Commission's website² and communicated to the Commissioners' Offices by the Commission's Office of Communications.

The Commission seeks comment on how the Council might best "make periodic reports to the Commission regarding the actions of the Council and its recommendations as to how the Commission may better serve the public and, particularly, the interest of ratepayers," pursuant to the current regulation at 52 Pa. Code § 91.3(b).

Information Sharing Between the Commission and the Consumer Advisory Council

The Commission continually seeks the appropriate balance between the Commission presenting overviews to the Council made by Commission Staff regarding topics of material interest in utility regulation, trending utility issues, and activities of the Commission, and then separately the responsibility of Council members to gather and report on consumer concerns in their respective communities and constituencies. Chapter 91 requires the Council to make periodic reports to the Commission regarding the activities of the Council and its recommendations as to how the Commission may better serve the public and, particularly, the interest of ratepayers. 52 Pa. Code § 91.3(b). Council members in the current term, and during the previous two terms, have convened via conference call—as a subcommittee—in months the full Council has not met and have actively participated in certain Commission proceedings (e.g., rulemakings) that have sought comments from interested parties.³ At other times, the Council has operated for lengthy periods without any formal action, merely receiving Staff presentations. Therefore, the Commission seeks comments regarding the most effective ways the Council can connect with its constituencies to fulfill the requirement of Section 91.3 to regularly bring consumers' concerns and feedback to the Commission's attention.

Additionally, Chapter 91 currently enables the Council to "conduct investigations and . . . solicit and receive comments from interested parties and the general public." 52 Pa. Code § 91.3(c). While the allowance to conduct investigations and solicit comments have not been previously utilized, at least not recently, by the CAC, the Commission is concerned that these provisions may be duplicative of the work conducted by other bureaus and offices in the Commission and that there may be budgetary difficulties should the Council decide to use these mechanisms. The Commission seeks comments on whether the directive and charge of the Council—to provide advice to the Commission regarding matters of protecting consumer interests—requires the ability to conduct investigations and solicit and receive public comments from interested parties and the general public.

² http://www.puc.pa.gov/about_puc/consumer_advisory_council.aspx.

³ See Comments of the CAC re: Chapter 14 Implementation (66 Pa.C.S. §§ 1401–1419), Docket No. M-2014-2448824 (March 2, 2015); Comments of the CAC re: Amending 52 Pa. Code Chapter 53 to Prohibit Public Utilities from Charging Customers a Fee to Receive a Printed Utility Bill, Docket No. L-2014-2411278 (April 13, 2015); Comment of the CAC re: Standards and Billing Practices for Residential Utility Service at Chapter 56, Docket No. L-2015-2508421 (April 18, 2017); Comments of the CAC Supporting the Commission's Decision to Require Regulated Utilities to Provide Information Necessary to Determine the Impact to Consumers of the Tax Cuts and Jobs Act of 2017 (March 9, 2018).

The Consumer Advisory Council's Ability to File Comments with the Commission

Chapter 91 of the Commission's regulations requires the Council to make periodic reports to the Commission regarding the activities of the Council and its recommendations as to how the Commission may better serve the public and the interest of ratepayers.⁴ However, the current regulation does not expressly provide the Council with the ability to file comments as a party to Commission proceedings. There is a lengthy precedent of the Commission permitting the CAC to provide electronically-filed comments—facilitated by the Office of Communications—in rulemakings and other public proceedings. Otherwise, the Council provides advice and makes reports to the Commission through motions recorded in CAC meeting minutes and uploaded to the Commission's website. The Commission seeks comments on whether the Council should be empowered and explicitly authorized to file comments in public proceedings before the Commission.

The Diversity of Consumer Advisory Council Membership

Pursuant to Section 91.4(c)(1), "[t]he Council shall be composed of persons who, as a group, reflect a reasonable geographic representation of this Commonwealth and shall include low-income individuals, members of minority groups and various classes of consumers." The Council is reasonably representative of the Commonwealth from a geographic perspective—although, admittedly, there is currently no member from the City of Philadelphia—and is comprised of members who advocate for low-income consumers as well as various other consumer classes. Still, to continue meeting these diversity of membership mandates, the Commission seeks comments regarding organizations from which to include representatives in the future, ideas for recruiting Council members from minority communities, and whether the diversity obligation should be amended to allow for representatives or organizations that advocate low-income consumers' interests or if low-income consumers should be sought directly for Council membership. Further, the Commission requests comments on whether the appointments by the Governor, Lieutenant Governor, and the General Assembly should be derived from certain organizations.

Consumer Advisory Council Members Interaction with the Media or at Public Forums

Presently, no Council member may speak on behalf of the CAC without a quorum of the Council granting such authority. Nothing in the current regulation limits a Council member from speaking in their capacity as an individual in their respective community. However, Chapter 91 is silent about whether Commission approval is required before Council members speak publicly to persons in the media or at events like community meetings and public input hearings. The Commission seeks comments on whether the Commission's approval should be a prerequisite and what parameters need to exist, if any, before Council members speak publicly about the work of the Council or the Commission.

Clarifying to the General Assembly and the Governor's Office the Biennial Terms of the Consumer Advisory Council

Chapter 91 is also silent as to when CAC terms begin and end biennially. The Commission's present practice, which has been used for a number of years, is to make or ratify appointments at a Public Meeting every other June to become effective for a two-year term beginning July 1

⁴ 52 Pa. Code § 91.3(b).

of the same year. No matter how the Commission may decide to amend the governance and efficiency of the Council, the Commission believes its current practice for CAC terms beginning July 1 of a certain year should be specified so that the Governor's and Lieutenant Governor's Offices and the General Assembly are aware and know when they can be expected to make their Council appointments. The Commission invites comments regarding these biennial terms.

Ministerial Changes to the Council Including the Frequency of Council Meetings and Evaluating the Council's Composition

Section 91.3(d) of the regulation states, in pertinent part, that "[t]he Council shall hold regular meetings not less than quarterly." Currently, the entire Council meets bi-monthly and, as mentioned above, a subcommittee meets via conference call during the other months; this has been the practice for roughly seven years. Prior to this schedule, the CAC met monthly. However, in recent years the Council has often struggled to reach a quorum during its regular meetings, meaning the CAC cannot act, even to take cursory actions like approving the minutes from the previous meeting. The Commission seeks comments on whether it may be prudent to examine the frequency of Council meetings and whether regular meetings should be held monthly, bi-monthly, quarterly, or at the call of the Chairperson.

A quorum of the CAC consists of one more than half of the appointed members;⁵ thus, in the current term a quorum is seven Council members. At times in recent terms the Council has struggled to reach a quorum for its general meetings, which means that ministerial and administrative tasks like approving the meeting agenda or the minutes from the previous meeting cannot be completed. Staff to the Council has also been tasked occasionally with trying to glean how many CAC members will be participating in a given meeting to determine whether the meeting should even take place. Given these recent difficulties, the Commission seeks comment on whether a simple majority vote of Council members present during general meetings should be satisfactory to approve meeting minutes. Further, the Commission seeks comment on whether the Council's rules regarding what constitutes a quorum should be amended and, if so, how a quorum should be deemed convened. The Commission welcomes any additional comments about quorum and how the CAC and the Commission can encourage greater attendance for Council meetings.

There is no provision in Chapter 91 that directs how many Council members should be appointed for each two-year term. As stated above, currently the CAC is comprised of twelve members. In recent terms, the Council has consisted of as many as sixteen members. Noting the concerns described herein about reaching a quorum regularly, the Commission seeks comments from interested parties about whether there should be minimum membership and/or maximum membership for the Council each term. If so, the Commission seeks input about what those membership requirements should be.

Finally, Chapter 91 expressly provides for the selection of a Chairperson from the members of the Council and designates that additional officers can be selected as the CAC deems appropriate.⁶ However, these other officers are not named specifically. In practice, a "Vice Chairperson" is elected alongside the Chairperson at the start of each two-year Council term. The Regulation also does not

include a provision for the Council to form subcommittees such as the one that currently exists to help set and create the Council's agendas and priorities, as well as to draft comments when the CAC decides to participate in a public proceeding before the Commission. The Commission seeks comments on whether it would be prudent to formally require the Council to select a Vice Chairperson or other officers for each term. The Commission also seeks comments about whether it should expressly empower the CAC to form subcommittees from its membership to achieve specific, assigned tasks; *Therefore,*

It Is Ordered That:

1. Interested parties are requested to comment on this Advance Notice of Proposed Rulemaking regarding the procedures governing the Commission's Consumer Advisory Council.

2. The Law Bureau shall duly deposit this Order with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

3. Written comments referencing Docket No. L-2018-3004948 be submitted within 45 days of publication in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn: Secretary, 400 North Street, Harrisburg, PA 17120. Comments may also be e-filed consistent with the Commission's e-filing instructions at: <http://www.puc.pa.gov/efiling/default.aspx>.

4. This Order be served on the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, low-income advocates, current Consumer Advisory Council Members, the Energy Association of Pennsylvania, the Pennsylvania Telephone Association, the Governor, Lieutenant Governor and the House Consumer Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee.

5. A copy of this Order shall be posted on the Commission's website.

6. The Law Bureau, in conjunction with the Office of Communications, prepare a recommendation to the Commission regarding a Consumer Advisory Council proposed rulemaking.

7. The contact persons for this matter are Tom Charles, Office of Communications, (717) 787-9504, thcharles@pa.gov; and Colin W. Scott in the Law Bureau, (717) 783-5949, colin.scott@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

Statement of Vice Chairperson Andrew G. Place

Before us today for disposition is an Advance Notice of Proposed Rulemaking regarding the Commission's regulations governing the Consumer Advisory Council (CAC). The Commission is exploring whether any changes, including potentially rescinding the regulations, are warranted to improve the efficiency and role of this advisory body. I believe the Council and its members provide value to the Commission and the consumers they represent, both of which are not served if this group and its accompanying authority are stricken from the regulations.

While I agree that regulations should be periodically reviewed to determine their effectiveness, this review of Chapter 91 considers an outcome of rescinding the Commission's regulations including the Council's governance and operations in total and replacing it via a mechanism other than a formal regulation. Additionally, preserving

⁵ 52 Pa. Code § 91.4(b).

⁶ 52 Pa. Code § 91.4(a)(2)(i)-(ii).

the Council's ability to file comments in proceedings before the Commission and interacting with the media and the public would appear to be of clear public interest. While I encourage comments on these topics, with this understanding, I cannot support the Chapter 91 review.

There are several areas on which the Commission is seeking feedback through the Advance Notice of Proposed Rulemaking. I believe that it would be instructive to receive comments regarding similar consumer advisory councils for other state and/or federal regulatory agencies including the number of their respective members, the scope of their functions, and their interactions with their respective enabling regulatory agencies or other governmental bodies. I am also particularly interested in receiving and reviewing comments that address the additional issues articulated in this Advance Notice of Proposed Rulemaking such as the potential role that the Council

can provide to the Commission. I specifically encourage the Consumer Advisory Council, its individual members, and the specific organizations that these members may represent to submit comments at this docket.

There may indeed be ways in which the Council can increase its effectiveness and I am interested in evaluating those ideas and proposals which are not hinged upon a rescission of the CAC's regulatory language. However, because the potential rescission of this important Council is also part of this proposal, I am dissenting on the issuance of the Advance Notice of Proposed Rulemaking.

ANDREW G. PLACE,
Vice Chairperson

[Pa.B. Doc. No. 18-1746. Filed for public inspection November 9, 2018, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending October 30, 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

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-1-2018	Emclair Financial Corp. Emlenton Venango County	Effective
	Application for approval to acquire 100% of Community First Bancorp, Inc., Reynoldsville, and thereby indirectly acquire 100% of Community First Bank, Reynoldsville.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-30-2018	Compass Savings Bank Wilmerding Allegheny County	87 Rocky Road Irwin Westmoreland County	Withdrawn
10-30-2018	Ambler Savings Bank Ambler Montgomery County	1515 The Fairway Rydal Montgomery County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-30-2018	Prudential Bank Philadelphia Philadelphia County	28 North Third Street Philadelphia Philadelphia County	Closed

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-30-2018	TruMark Financial Credit Union Fort Washington Montgomery County	Approved
	Application for approval to merge Ward Federal Credit Union, Philadelphia, with and into TruMark Financial Credit Union, Fort Washington.	

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 18-1747. Filed for public inspection November 9, 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>
PA0070114 (Sewage)	Melanie Manor MHP P.O. Box 537 Bainbridge, PA 17502-0537	Schuylkill County Union Township	Unnamed Tributary to Dark Run (5-E)	Yes
PA0070092 (Sewage)	Evergreen Village MHP 45 North Courtland Street East Stroudsburg, PA 18301	Northampton County Upper Mount Bethel Township	Unnamed Tributary to Allegheny Creek (1-F)	Yes

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<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>
PA0061905 (Sewage)	Hickory Run Turnpike Plaza P.O. Box 8 Middletown, PA 17057-0008	Carbon County Penn Forest Township	Stony creek (2-B)	Yes
PA0043362 (Sewage)	Camp Equinunk Blue Ridge P.O. Box 808 East Hampton, NY 11937-0811	Wayne County Manchester Township	Unnamed Tributary of Little Equinunk Creek (1-A)	Yes
PA0061077 (Sewage)	Lake Winola WWTP P.O. Box 59 Lake Winola, PA 18625-0059	Wyoming County Overfield Township (TP) Tunkhannock Township (Outfall)	Mill Run (4-G)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0087882 SEW	Vissagio's Ristorante 6990 Wertzville Road Enola, PA 17025-1037	Cumberland County/ Silver Spring Township	Simmons Creek/7B	Y
PA0084328 SEW	Magnesita Refractories Co. 425 South Salem Church Road York, PA 17408-5955	York County/ West Manchester Township	UNT Honey Run/7F	Y
PA0087921 SEW	Berwick Township 85 Municipal Road Hanover, PA 17331	Adams County/ Berwick Township	Pine Run/7F	Y
PA0246620 SEW	Rutherford Intermodal Norfolk Southern Railway Co. 1200 Peachtree Street, NE Atlanta, GA 30309-3579	Dauphin County/ Swatara Township	UNT Spring Creek/7C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS236103 (Storm Water)	Ferro Corp 251 W Wylie Avenue Washington, PA 15301-2276	Washington County Canton Township	Chartiers Creek (20-F)	Yes
PA0217395 (Storm Water)	Danzer Veneer Americas Darlington Plant 119 Aid Drive Darlington, PA 16115-1637	Beaver County Darlington Township	North Fork Little Beaver Creek (20-B)	Yes
PA0001198 (Industrial)	PPG Industries Springdale Complex 125 Colfax Street Springdale, PA 15144-1506	Allegheny County Springdale Borough	Allegheny River (18-A)	Yes
PA0025798 (Sewage)	Centerville Borough Sanitary Authority Richeyville WWTP P.O. Box 332 Richeyville, PA 15358-0332	Washington County Centerville Borough	Pike Run (19-C)	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>
PA0032026 (Sewage)	Family Affair Campground 9640 Findley Lake Road North East, PA 16428-5330	Erie County North East Township	Unnamed Tributary of Sixteenmile Creek (15-A)	Yes
PA0272647 (Sewage)	J. Thomas & Karen L. Chatham SRSTP P.O. Box 242 Polk, PA 16342	Venango County Frenchcreek Township	Unnamed Tributary to the Little Sandy Creek (16-G)	Yes

<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>
PA0025607 (Sewage)	Barkeyville Sewer WWTP P.O. Box 941 Oil City, PA 16301-0941	Venango County Barkeyville Borough	North Branch Slippery Rock Creek (20-C)	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.

PA0244031, Sewage, SIC Code 4952, **Chadds Ford Township Sewer Authority Delaware County**, 10 Ring Road, Chadds Ford, PA 19317-0628. Facility Name: Turners Mill STP. This existing facility is located in Chadds Ford Township, Delaware 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), Harvey Run, is located in State Water Plan watershed 3-H 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 0.14 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>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Min	XXX	9.0Max	XXX
Dissolved Oxygen	XXX	XXX	6.0 Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	12.0	18.0	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	12.0	18.0	XXX	10.0	15.0	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	50	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	Geo Mean Report Min	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Mo Avg Report	XXX	XXX
Total Nitrogen	46.7	XXX	XXX	40	XXX	80
Ammonia-Nitrogen						
Nov 1 - Apr 30	5.3	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	1.8	XXX	XXX	1.5	XXX	3
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX

Sludge use and disposal description and location(s): Hauled to DELCORA for final disposal.

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

- A. Notification of Designation of Operator
- B. Remedial Measures
- C. No Stormwater
- D. Acquire Necessary Property Rights
- E. Change of Ownership
- F. TRC Requirements
- G. Sludge Removal
- H. Operator Certification
- I. IMAX
- J. Operation and Maintenance Plan

K. Laboratory Certification

L. Fecal Coliform

M. Hauled-in Waste Requirements

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.

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

PA0026212, Sewage, **Washington-East Washington Joint Authority**, 60 E Beau Street, Washington, PA 15301-4514. Facility Name: Washington E Washington STP. This existing facility is located in S. Strabane Twp., **Washington 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), Chartiers Creek, is located in State Water Plan watershed 20-F 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 9.77 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	
Cyanide, Free (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
Dinitrotoluene, Total (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
2,4-Dinitrotoluene (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
2,6-Dinitrotoluene (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
Chlorodibromomethane (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
Dichlorobromomethane (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
Chloroform (µg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 9.77 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Average Monthly	Daily Maximum	Maximum	
Cyanide, Free (µg/L)	XXX	XXX	5.829	9.094	XXX	XXX
Dinitrotoluene, Total (µg/L)	XXX	XXX	0.093	0.146	XXX	XXX
2,4-Dinitrotoluene (µg/L)	XXX	XXX	Report	Report	XXX	XXX
2,6-Dinitrotoluene (µg/L)	XXX	XXX	Report	Report	XXX	XXX
Chlorodibromomethane (µg/L)	XXX	XXX	0.748	1.167	XXX	XXX
Dichlorobromomethane (µg/L)	XXX	XXX	1.028	1.604	XXX	XXX
Chloroform (µg/L)	XXX	XXX	10.658	16.628	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 9.77 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average	Average Monthly	Weekly Average	Maximum	
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Sulfate, Total	Avg Qrtly	XXX	XXX	Avg Qrtly	XXX	XXX
	Report			Report		
Chloride	Avg Qrtly	XXX	XXX	Avg Qrtly	XXX	XXX
	Report			Report		
Bromide	Avg Qrtly	XXX	XXX	Avg Qrtly	XXX	XXX
	Report			Report		
	Avg Qrtly			Avg Qrtly		

The proposed effluent limits for Outfall 001 are based on a design flow of 9.77 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average	Average Monthly	Weekly Average	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
		Daily Max	Inst Min			
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	XXX	XXX	0.13
			0.04			

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Weekly Average	Maximum	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	1,631	2,446	20.0	30.0	XXX	40
May 1 - Oct 31	1,223	1,834	15.0	22.5	XXX	30
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	Report Wkly Avg	XXX	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	Report	XXX	XXX	XXX
Total Suspended Solids	2,446	3,669	30.0	45.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	326	XXX	4.0	XXX	XXX	8
May 1 - Oct 31	163	XXX	2.0	XXX	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of 9.77 MGD.—Limits.

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

Sludge use and disposal description and location(s): The solids are anaerobically digested and hauled to the Arden Landfill.

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. 2318403, Sewage, **Middletown Township Sewer Authority**, P.O. Box 9, Lima, PA 19037.

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

Description of Action/Activity: Extension of the existing Chester Creek Interceptor.

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

WQG02-651801, Sewage, **Derry Township Municipal Authority**, P.O. Box 250, 5760 Route 982, New Derry, PA 15671.

This proposed facility is located in Derry Township, **Westmoreland County**.

Description of Proposed Action/Activity: Proposed construction of Pump Station, Force Main, and Sanitary Sewers to serve Keystone State Park and some existing residences with on-lot septic systems. Treatment to be provided at the existing New Alexandria STP.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania’s State Revolving Fund has been identified as a potential funding source.

WQM Permit No. 1195401-A1, Sewage, **Jackson—East Taylor Sewer Authority**, 2603 William Penn Avenue, Johnstown, PA 15909.

This proposed facility is located in Jackson Township, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of Pump Stations, Force Main, Sanitary Sewers, and Single Residence Grinder Pumps to serve existing residences in the Ford’s Corner Area with on-lot septic systems. Treatment to be provided at the existing Johnstown STP.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania’s State Revolving Fund has been identified as a potential funding source.

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

WQM Permit No. 6218409, Sewage, **Tyler Laird**, 2490 Route 957, Russell, PA 16345-2606.

This proposed facility is located in Farmington Township, **Warren 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.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510034	Port Richmond, LLC 44 South Bayles Avenue Port Washington, NY 11050	Philadelphia	City of Philadelphia	Delaware River

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

Carbon County Conservation District, 5664 Interchange Road, Lehighton, PA 18235.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130014	Phase III Environmental 1120 Mauch Chunk Rd Palmerton, PA 18071	Carbon	Palmerton Boro	Lehigh River (TSF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390099	Devonshire Properties LLC 1348 Hamilton St Allentown, PA 18102	Lehigh	South Whitehall Twp	Cedar 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>
PAD480075	Bob Nasuti Wind Gap Investors LLC 14 Balligomingo Rd Conshohocken, PA 19428	Northampton	Plainfield Twp	Little Bushkill Creek (HQ-CWF, MF)
PAD480077	Rudy Amelio MA Bushkill Holding LLC 1348 Hamilton St Allentown, PA 18102	Northampton	Bushkill Twp	UNT to Bushkill Creek (HQ-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>
PAD380006	Black Horse Group, LLC 800 Starbuck Ave Watertown, NY 13601	Lebanon	Union & Annville Township	Quereg Run (WWF)

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

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD180017 Previously PAI041813001(R)	Robert Carlson SR 0880 Loganton, PA 17747	Clinton	Logan Township	Fishing Creek HQ-CWF

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD030003	3NS, LLC 117 Hinchberger Road Butler, PA 16002	Armstrong County	South Buffalo Township	UNT to Pine Run (HQ-TSF)

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD0200115	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Allegheny County	Shaler Township	Pine Creek (TSF)
PAD020017	Trek Development Group The Century Building 130 Seventh Street Suite 300 Pittsburgh, PA 15222	Allegheny County	City of Pittsburgh	Allegheny River (WWF)
PAD630032	Myers Well Service 40 Industry Drive Eighty Four, PA 15330	Washington County	North Strabane Township	UNT to Chartiers Creek (HQ-WWF)
PAD650015	Robert & Amy Kreutel 3361 Lake Ridge Drive Murrysville, PA 15668	Westmoreland County	Municipality of Murrysville	Haymakers Run (HQ-CWF)

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

PAG-12 CAFOs

MS4 PAG-13 Notices of Intent Received.

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136353	Cambria County 200 Center Street Ebensburg, PA 15931	Ebensburg Borough Cambria County	Y	N
PAG136235	McDonald Borough Washington County 151 School Street McDonald, PA 15057-1288	McDonald Borough, Washington County	N	Y

Northwest Regional Office: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481. Phone: 814.332.6942.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG138302	South Pymatuning Township Mercer County 3483 Tamarack Drive Sharpsville, PA 16150-9321	South Pymatuning Township, Mercer 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>
Amos Newswanger (Garreau Farm) 158 Miller Road Lewisburg, PA 17837	Union	828.3	543.47	Swine and Poultry	HQ	Renewal

PUBLIC WATER SUPPLY (PWS) PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Application No. 5518502—Construction—Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. Pennsvew
Township/Borough	Penn Township
County	Snyder County

Responsible Official	Mr. Patrick Burke 204 E. Sunbury Street Shamokin City, PA 17872
Type of Facility	Public Water Supply— construction
Consulting Engineer	Mr. Jonathan Morris, P.E. GHD, Inc. 326 East 2nd Street Bloomsburg, PA 17815
Application Received	10/16/18
Description of Action	Authorizes permit Well No. 4 as a replacement well for the water system. Well No. 4 will replace the existing Well No. 1 and serve as a backup to Well No. 3. The project will also include the construction of a raw water line from Well No. 4 to the existing well station where Well No. 4 will be treated.

Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Application No. 6518515, Public Water Supply.

Applicant	Highridge Water Authority 17 Maple Avenue Blairsville, PA 15717
[Township or Borough]	Burrell Township
Responsible Official	George Sulkosky Executive Director Highridge Water Authority 17 Maple Avenue Blairsville, PA 15717
Type of Facility	Water system
Consulting Engineer	Gibson Thomas Engineering Co., Inc. 1004 Ligonier Street Latrobe, PA 15650
Application Received Date	October 22, 2018
Description of Action	Installation of the Turner Drive pump station.

Application No. 3018518, Public Water Supply.

Applicant	The Monongalia County Coal Company 46226 National Road St. Clarisville, OH 43950
[Township or Borough]	Wayne Township

Responsible Official Joseph Svonavec
Mine Engineer
The Monongalia County Coal
Company
46226 National Road
St. Clarisville, OH 43950

Type of Facility Water system

Consulting Engineer CME Engineering, LP
165 East Union Street
Somerset, PA 15501

Application Received Date October 15, 2018

Description of Action Installation of approximately
1,650 feet of 12-inch diameter
pipe for chlorine residual.

Application No. 3218512, Public Water Supply.

Applicant **Indiana County Municipal
Services Authority**
602 Kolter Drive
Indiana, PA 15701

[Township or Borough] Plumville Borough, South
Mahoning Township, Washington
Township and Rayne Township

Responsible Official Michael Duffalo
Executive Director
Indiana County Municipal
Services Authority
602 Kolter Drive
Indiana, PA 15701

Type of Facility Water system

Consulting Engineer Gibson Thomas Engineering Co.,
Inc.
1004 Ligonier Street
Latrobe, PA 15650

Application Received Date October 15, 2018

Description of Action Construction of a new pressure
filter treatment plant to treat
the existing Plumville well;
installation of approximately
6.69 miles of 8-inch diameter
waterline to interconnect the
Plumville system with the
Crooked Creek system; and
installation of a new pressure
reducing valve vault which will
allow Crooked Creek to provide
water to Plumville in the event
of an emergency.

SAFE DRINKING WATER MINOR AMENDMENT

**Applications Received Under the Pennsylvania Safe
Drinking Water Act (35 P.S. §§ 721.1—721.17).**

*Southwest Region: Water Supply Management Program
Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-
4745.*

Application No. 0418529MA, Minor Amendment.

Applicant **Borough of Shippingport**
P.O. Box 76
Shippingport, PA 15077

[Township or Borough] Nicholson and Springhill
Townships

Responsible Official Lauren Korcan, Secretary
Borough of Shippingport
P.O. Box 76
Shippingport, PA 15077

Type of Facility Water system

Consulting Engineer Lennon, Smith, Souleret
Engineering, Inc.
846 Fourth Avenue
Coraopolis, PA 15108

Application Received Date October 22, 2018

Description of Action Interconnection with the
Municipal Authority of the
Borough of Midland.

Application No. 3218511MA, Minor Amendment.

Applicant **Indiana County Municipal
Services Authority**
602 Kolter Drive
Indiana, PA 15701

[Township or Borough] Cherryhill Township

Responsible Official Michael Duffalo, Executive
Director
Indiana County Municipal
Services Authority
602 Kolter Drive
Indiana, PA 15701

Type of Facility Water system

Consulting Engineer Gibson Thomas Engineering Co.,
Inc.
1004 Ligonier Street
Latrobe, PA 15650

Application Received Date October 15, 2018

Description of Action Installation of approximately
4,000 feet of 8-inch diameter
waterline and appurtenances
(Spirit Life waterline project).

**LAND RECYCLING AND
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995
PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environ-
mental Remediation Standards Act (act) (35 P.S.
§§ 6026.302—6026.305) require the Department to pub-
lish 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 Stan-
dard, 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:

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

Vulcan Materials Company/Miller Chemical Company Fire, Jacobs Road, West of the CSX Railway, Hanover, PA 17331, Conewago Township, **Adams County**. Ramboll Environ US Corporation, 4350 North Fairfax Drive, Suite 300, Arlington, VA 22203, on behalf of Miller Chemical & Fertilizer, LLC, 120 Radio Road, Hanover, PA 17332, and Vulcan Materials Company, 875 Oxford Avenue, Hanover, PA 17331 submitted a Notice of Intent to Remediate soil contaminated with fertilizer constituents. The site will be remediated to the Background and Residential Statewide Health Standard and remain a quarry. The Notice of Intent to Remediate was published in the *The Evening Sun* on October 14, 2018.

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

Pilot Thomas Logistics Facility, 120 Choate Circle, Montoursville, Fairfield Township, **Lycoming County**. ATC Group Services, LLC, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Pilot Thomas Logistics, P.O. Box 459, Nitro, West Virginia, 25143, has submitted a Notice of Intent to Remediate site soil contaminated with motor oil. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The Williamsport Sun-Gazette* on October 5, 2018.

RESIDUAL WASTE GENERAL PERMITS

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

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. WMGR105. Appvion, Inc. (Appvion), 100 Paper Mill Road, Roaring Spring, PA 16673; **Blair County**. On January 12, 2015, Appvion submitted a renewal application to maintain coverage under General Permit No. WMGR105, which authorized the beneficial use of bottom ash generated from the burning of fuels, including coal, bark, wood, and pulp and paper mill sludge in a circulating fluidized bed boiler for use as a construction material, anti-skid material, and in reclamation of active and abandoned mines. This application was determined to be administratively complete on February 3, 2015, as published in the *Pennsylvania Bulletin* on March 21, 2015. General Permit No. WMGR105 expired on July 12, 2015, prior to the Department being able to conduct a review of Appvion's existing and modified ongoing operations.

General Permit Application No. WMGR161. Appvion, Inc. (Appvion), 100 Paper Mill Road, Roaring Spring, PA 16673; **Blair County**. This application seeks to expand the coverage previously issued to Appvion and authorized under General Permit No. WMGR105 by including additional types of wastes for beneficial use. This application is for a new Statewide general permit for the beneficial use of fly ash or fly ash/bottom ash mixtures generated from the burning of fuels, including coal, bark, wood, and pulp and paper mill sludge in a circulating fluidized bed boiler for use as a construction material, anti-skid material, and in reclamation of active and abandoned mines. This application was determined to be administratively complete on September 26, 2018.

Written comments concerning the application should be directed to Chris Solloway, Environmental Group Manager, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGR161" 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.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application received under the Solid Waste Management Act of July 7, 1980, P.L. 35 P.S. §§ 6018.101—6018.1003, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and regulations to operate a Solid Waste Processing or Disposal Area or Site.

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

Permit Application ID No. 100592. USA South Hills Landfill, Inc., 3100 Hill Road, Library, PA 15129. A Solid Waste Management permit application was received for a 10-year renewal for the South Hills Landfill, located in South Park Township, **Allegheny County** and Union Township, **Washington County**. The application for the permit renewal was received in the Regional Office on October 8, 2018.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure

that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

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

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

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

48-00003F: Keystone Cement Co. (P.O. Box A, Routes 329 and 987, Bath, PA 18014) for the use of natural gas in the kiln system (kiln and preheater). The project will include the installation of equipment and ancillary support system necessary to enable the use of pipeline grade natural gas at their facility in East Allen Township, **Northampton County**.

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

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

42-004K: American Refining Group, Inc. (77 North Kendall Avenue, Bradford, PA 16701-1726), application received for the installation of a flare control device and for revisions to their current operating permit in order to comply with RACT II requirements. VOC and HAP Emissions from the facility will be reduced as a result of this project. Low amounts of combustion related emissions will increase as a result of the flare's operation. Their existing Title V facility is located in the City of Bradford, **McKean County**.

OPERATING PERMITS

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

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

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

13-00008: Kovatch Mobile Equipment Corp. (1 Industrial Complex, Nesquehoning, PA 18240-1420) The Department intends to issue a Title V Operating Permit renewal for operation of a specialty mobile equipment manufacturing facility in Nesquehoning Borough, **Carbon County**. The sources on site include paint booths, welding, solvent cleaning, adhesive and sealant application, plasma cutting, and emergency generators. Paint booths are controlled by media filters and the plasma cutting operations are controlled by baghouses. The pro-

posed Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

01-05041: McClarin Plastics, LLC (15 Industrial Drive, Hanover, PA 17331) to issue an initial Title V Operating Permit for the thermoformed plastic and fiberglass-reinforced plastic products manufacturing facility located in Conewago Township, **Adams County**. The actual emissions from the facility in 2017 were reported to be 20.5 tons VOC; 0.2 ton CO; 0.2 ton NO_x; 9.8 tons styrene; and 9.8 tons total HAPs. The Operating Permit will include emission limits and work practice standards along with testing, 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 Part 63, Subpart WWWW—National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production (Source IDs 101, 102, 103, 104, 105, and 301); 40 CFR Part 63, Subpart VVVV—National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing (Source IDs 101, 102, 103, 104, 105, and 301); 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (Source ID 031); 40 CFR Part 63, Subpart PPPP—National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products (Source IDs 102, 201, 202, and 203); and 25 Pa. Code § 129.52d (Source IDs 104, 201, 202, and 203).

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

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

TV-32-00065: Specialty Tires of America, Inc. (1600 Washington Street, Indiana, PA 15701-2893), 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 modification to an existing Title V Operating Permit (TV-32-00065) to Specialty Tires of America Inc. (“STA”) to incorporate Reasonably Available Control Technology (RACT II) requirements for their existing specialty rubber tires manufacturing at their Indiana Plant facility located in the Borough of Indiana, **Indiana County**.

The previously installed sources include: Steam boiler rated at 70 MMBtu/hr; under-tread cement rated at 40 lbs/hr; tread end cement rated at 25 lbs/hr; green tire spraying operation rated at 40 lbs/hr; other solvent usage rated at 10 lbs/hr; jetzone pellet dryer rated at 3.0 tph; banbury mixers rated at 3.0 tph; four (4) tire buffers rated at 123 tires/hr; carbon black transfer station rated at 123 tires/hr; and eight (8) parts washers. PM emissions are controlled by multiple dust collectors.

After incorporating RACT II requirements, facility-wide potential VOC emissions from all sources will not exceed 117.0 tpy which includes 44.0 tons VOC from under-tread cement, 7.0 tons VOC from tread end cement, 17.0 tons VOC from green tire building, and 49.0 tons VOC from

other solvent usage. This action will reduce allowable VOC emissions from the facility by approximately 60.0 tons annually and will not change the existing expiration date of this operating permit. This facility is subject to applicable requirements of RACT II in accordance with 25 Pa. Code Chapter 129 requirements for major sources of NO_x and VOC. The facility is not major for NO_x. STA has limitation on potential emissions, monitoring, record keeping, reporting, and work practice, and performance testing requirements.

STA Title V Operating Permit (“TVOP”) RACT II modification application, the Department’s Air Quality Review Memorandum, and the proposed Air Quality TVOP 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 TVOP RACT modification application, to receive an electronic copy of the Department’s Air Quality Review Memorandum, or to receive an electronic copy of the Department’s proposed Air Quality Title V Operating Permit for this project, a person may contact Thomas Kaminski at thkaminski@pa.gov or 412.442.4097.

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 (TV-32-00065); 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, Phone 412.442.4030).

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

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

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

09-00083: HOP Energy, LLC—dba Brinker's Fuels, Inc. (445 North West Street, Doylestown, PA 18901) for renewal of a Non-Title V Facility, State-Only, Natural Minor Permit in Doylestown Borough, **Bucks County**. Brinker's Fuels, Inc. operates and maintains a bulk gasoline plant, underground gasoline storage tanks, and aboveground storage tanks for the storage of home heating oil, on-road diesel fuel, and off-road diesel fuel. Volatile organic compounds are the main emissions from this facility, and the facility has the potential to emit 5.8 tons of volatile organic compounds per year. The requirements of 40 C.F.R. Part 63, Subparts BBBBBB and CCCCCC apply to the bulk gasoline plant. The permit includes monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

46-00240: JBS Souderton, Inc. (249 Allentown Rd, Souderton, PA 18964) for an animal slaughtering, meat processing and meat packing plant, synthetic minor facility in Franconia Township, **Montgomery County**. This action is a renewal of the facility's State Only Operating Permit. The facility shall continue to comply with the NO_x facility—wide limit of 21 TPY. The renewal does not allow any new changes other than updating of source inventory and changes of minor significance. The operation is subjected to Federal NESHAPS and NSPS regulations. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

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

48-00055: Hilltop Center, LLC (300 Cherryville Road, Northampton, PA 18067-9548). The Department intends to issue a renewal State-Only Natural Minor Permit for Hilltop Center, LLC located in Lehigh Township, **Northampton County**. The source at this location is a boiler. 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 reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

36-03056: Weaver Industries, Inc. (425 South 4th Street, Denver, PA 17517) to issue a State-Only Operating Permit for the operation of the graphite products manufacturing facility in Denver Borough, **Lancaster County**. The subject facility has the potential-to-emit 33.5 tpy PM. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 123.13 and 129.63.

06-03028: Can Corporation of America (326 June Ave., Blandon, PA 19510-9566) to issue a State-Only Operating Permit for the operation of the metal can manufacturing facility in Muhlenberg Township, **Berks**

County. Actual emissions from the facility in 2016 were estimated at 0.34 ton of CO, 0.41 ton of NO_x, 0.01 ton of PM₁₀, 10.05 tons of VOC, 0.71 ton of a single HAP (xylene), and 0.86 ton of combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 123.13, 123.52 and 129.63.

29-03008: Bluegrass Materials Co. LLC/Warfordsburg Quarry (1424 Pigeon Cove Road, Warfordsburg, PA 17267) for operation of a limestone crushing plant in Bethel Township, **Fulton County**. The facility has estimated potential Particulate Matter controlled emissions of 18 tons per year. 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.

06-03140: McNeilus Truck & Manufacturing, Inc. (524 Highway Street East, P.O. Box 70, Dodge Center, MN 55927) for the truck repair and replacement parts facility in Caernarvon Township, **Berks County**. The actual emissions from the facility in 2017 year are estimated at 0.9 ton of VOC and 0.2 ton of HAP. 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 HHHHHH.

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

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

08-00010: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) to issue a renewal State Only "Synthetic Minor" Operating Permit for their Towanda Facility located in North Towanda Township and Towanda Borough, **Bradford County**. The facility is currently operating under State Only "Synthetic Minor" Operating Permit 08-00010. The facility's main sources include multiple calciners, furnaces, chemical processing vessels, and gas-fired boilers. Air emissions from the facility are controlled primarily through the use of several dozen fabric filters and wet scrubbers.

After the synthetic minor emissions restrictions, the facility has potential emissions of 85.2 tons per year (TPY) of NO_x, 67.0 TPY of CO, 0.6 TPY of SO_x, 12.4 TPY of PM, 35.9 TPY of VOCs, 3.3 TPY of HAPs, 107.2 TPY of ammonia, and 87,473 TPY of greenhouse gas (as carbon dioxide equivalent). The proposed renewal operating permit also incorporates the applicable terms and conditions of Plan Approvals 08-00010I, 08-00010J, 08-00010L, and General Permit-9 authorization GP9-08-00010.

The emission limits and work practice standards along with monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Part 60 Subparts Dc, IIII, and JJJJ, as well as Part 63 Subpart ZZZZ.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

04-00679: Tri-State River Products, Inc. (334 Insurance Street, Beaver, PA 15009), for a renewed facility-wide State Only Operating Permit for the operation of a mobile dredge facility, known as the William L. Price Dredge Facility, located in Beaver Borough, **Beaver County**. The facility contains air contamination sources consisting three crushers, nine screens sand dewatering screws, a magnetic separator, and various conveyers, feeders, and transfer points. Air pollution prevention processes at the facility includes water sprays and 3-way catalytic converters. Potential facility emissions are 24 tons of NO_x, 7 tons of CO, 5 tons of PM₁₀, and 2 tons of PM_{2.5}, per year. The facility is subject to 40 CFR Part 60, Subparts A, OOO, 40 CFR Part 63, Subparts A and ZZZZ, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, reporting and recordkeeping requirements for the facility.

Allegheny River Terminals' 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 Thomas Kaminski at thkaminski@pa.gov or 412.442.4000.

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 04-00679); 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 Martin L. Hochhauser, P.E., Air Quality Engineer, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (mhochhause@pa.gov, fax 412-442-4194).

63-00565: Washington Penn Plastics (450 Racetrack Road, Washington, PA 15301) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Washington Penn Plastics/Arden Division to authorize the production of custom polyolefin compounds. The facility is located in South Strabane, **Washington County**.

The operation process at this facility include ten extrusion lines, blenders, mixers, silos, an emergency generator and several dust collectors to control emissions. The facility has the potential to emit 39.80 tpy PM₁₀ and less than 1 ton per year of NO_x, VOC, CO and SO_x. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145, 40 CFR Part 63, Subpart ZZZZ- National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (63-00565) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Washington Penn Plastics State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Washington Penn Plastics State Only Operating Permit 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 Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

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

63-00641: Regal Industrial Corporation/Donora Plant (98 E. 1st Street, Donora, PA 15033). In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only, Synthetic Minor Operating Permit Renewal in Donora Borough, **Washington County**.

The facility operates an abrasive blasting and industrial coatings facility. Changes that have taken place at

the facility since the Operating Permit was last issued, include the replacement of the Blast Building 2 baghouse (Source C02), the removal of Blast Building 2A baghouse (Source C06), and the removal of a portable baghouse and engine (Source 107). The primary pollutant of concern is volatile organic compounds (VOC) and Hazardous Air Pollutants (HAP) from the painting and coating operations. To maintain a synthetic minor operating status, facility emissions are restricted to 45.0 tons VOC, 9.4 tons single HAP, and 24.0 tons combined HAP. The renewal of this operating permit does not authorize any increase in air emissions of any regulated pollutants above previously approved levels. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (63-00641) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Regal Industrial Corporation State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Regal Industrial Corporation State Only Operating Permit 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 Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

Permit No. 56110108 and NPDES No. PA0263354. Robindale Energy Services, Inc., 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, transfer of an existing bituminous surface and auger mine from Sherpa Mining Contractors, Inc., 337 Benny Road, Hooversville, PA 15936, located in Shade Township, **Somerset County**, affecting 176.9 acres. Receiving streams: unnamed tributaries to and Oven Run and unnamed tributaries to Stonycreek River, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority intake on Stonycreek River approximately 1 mile downstream. Application received: October 19, 2018.

Permit No. 56960107 and NPDES No. PA0234231, PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from Wildlife Habitat and Forestland to Pastureland in Jenner Township, **Somerset County**, affecting 135 acres. Receiving streams: unnamed tributaries to and Quemahoning Creek, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: October 25, 2018.

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

30140101 and NPDES Permit No. PA0278106. Stash Mining, LLC (675 Old Route 51 Road, Waltersburg, PA 15488). Revision application for land use change from forestland to pastureland to an existing bituminous surface mine, located in Monongahela Town-

ship, **Greene County**, affecting 150 acres. Receiving streams: unnamed tributaries to Monongahela River and unnamed tributaries to Whiteley Creek, classified for the following use: WWF. Carmichaels Municipal Authority and Masontown Municipal Authority are the potable water supply intakes within 10 miles downstream from the point of discharge. Application received: October 22, 2018.

Noncoal Applications Received

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

<i>Parameter</i>	<i>Table 2</i>		
	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

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

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

03020402 and NPDES Permit No. PA0250406. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in West Franklin Township, **Armstrong County**, affecting 160.8 acres. Receiving streams: unnamed tributary and Buffalo Creek, classified for the following use: HQTSE. Creekside Mushrooms, Limited is the potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: October 22, 2018.

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

Permit No. 58110301C and NPDES No. PA0224901. Popple Construction, Inc., (220 South River Street, Plains, PA 18705), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in New Milford and Jackson Township, **Susquehanna County** affecting 135.7 acres, receiving stream: Mitchell Creek and Salt Lick Creek, classified for the following uses: cold water fished, migratory fishes and high quality—cold water fishes. Application received: October 4, 2018.

Permit No. 8173SM1C19 and NPDES No. PA0594148. Hanson Aggregates Pennsylvania, LLC, (7660 Imperial Way, Allentown, PA 18195), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in East Caln and West Whiteland Townships, **Chester County** affecting 303.62 acres, receiving stream: unnamed tributary to Valley Creek/Chester Creek, classified for the following uses: cold water fishes and migratory fishes. Application received: October 15, 2018.

Permit No. 06070301C2 and NPDES No. PA0224588. Glen-Gery Corporation, (1166 Spring Street, Wyomissing, PA 19610), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Perry Township, **Berks County** affecting 184.2 acres, receiving stream: unnamed tributaries to Schuylkill River, classified for the following use: warm water fishes. Application received: October 16, 2018.

Permit No. 58000827. Bill O'Dell, (233 Delaware Street, Forest City, PA 18421), Stage I, II & III bond release of a quarry operation in Great Bend Township, **Susquehanna County** affecting 5.0 acres on property owned by Bill O'Dell. Application received: October 19, 2018.

Permit No. 58970813. Bill O'Dell, (233 Delaware Street, Forest City, PA 18421), Stage I, II & III bond release of a quarry operation in Great Bend Township, **Susquehanna County** affecting 3.0 acres on property owned by Bill O'Dell. Application received: October 19, 2018.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

Coal NPDES Draft Permits

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

NPDES No. PA0125466 (Mining Permit No. 56813006), PBS Coals, Inc., P.O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, renewal of an NPDES permit for surface mining activities in Stonycreek Township, **Somerset County**, affecting 285.9 acres. Receiving streams: unnamed tributaries to/and Clear Run and to Boone Run, classified for the following use: cold water fishes. Application received: October 17, 2018.

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

The following outfalls discharge to unnamed tributaries to/and Clear Run and Boone Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002	N
006	N
008	N
009	N

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

<i>Outfalls: 002, 006, 008, & 009</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			

The following outfalls discharge to unnamed tributaries to/and Clear Run and Boone Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003	N
004	N
005	N
010	N

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

<i>Outfalls: 003, 004, 005, & 010</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 not less than 6.0 standard units nor greater than 10.5 standard units at all times			
Alkalinity must exceed acidity at all times			

The following outfall listed below discharges to Clear Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N

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

<i>Outfall: 001</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)	1.0	2.0	3.0
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			

NPDES No. PA0263354 (Mining Permit No. 56110108), Robindale Energy Services, Inc., 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, renewal of an NPDES permit for discharge of water resulting from surface coal mining and refuse reprocessing in Shade Township, **Somerset County**, affecting 176.9 acres. Receiving streams: unnamed tributaries to/and Oven Run and unnamed tributaries to Stonycreek River, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: October 19, 2018.

The following outfalls discharge to unnamed tributaries to/and Oven Run and unnamed tributaries to Stonycreek River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond 1)	N
002 (Treatment Pond 2)	N
003 (Treatment Pond 3)	N
004 (Sediment Pond 1)	N
005 (Sediment Pond 2)	N
006 (Sediment Pond 3)	N
007 (Sediment Pond 4)	N

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

<i>Outfalls: 001-007 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Chapter 87 Subchapter F, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Chapter 87.102(a) Group A, whichever is least stringent.

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

NPDES No. PA0104779 (Permit No. 24880103). Energy Resources, Inc. (c/o Murray Energy Corporation, 46226 National Road, St. Clairsville, OH 43950) Renewal of an existing NPDES permit for a bituminous surface mine in Horton Township, **Elk County**, affecting 541.0 acres. Receiving streams: Unnamed tributary to Mead Run, classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: September 14, 2018.

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

The following outfall(s) discharge to Unnamed tributary to Mead Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
3TR	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
¹ The parameter is applicable at all times.				
Iron (mg/l)		2.34	4.68	5.85
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35.0	70.0	90.0

NPDES No. PA0259403 (Permit No. 10120107). Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Renewal of an existing NPDES permit for a bituminous surface mine in Donegal Township, **Butler County**, affecting 194.1 acres. Receiving streams: Unnamed tributaries to Buffalo Creek and Buffalo Creek, classified for the following uses: HQ-CWF. TMDL: None. Application received: September 18, 2018.

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

The following outfall(s) requires a non-discharge alternative:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	N
TP3	N
TP4	N
TP5	N

The following outfall(s) requires a non-discharge alternative:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SPA	N
SPB	N
SPE	N

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

NPDES No. PA0243311 (Mining Permit No. 17020110), RAMM Coal, Inc., 1092 Spruce Hill Road, Rockton, PA 15856, renewal of an NPDES permit for bituminous coal surface mining in Sandy & Brady Townships, **Clearfield County**, affecting 145.3 acres. Receiving stream(s): LaBorde Branch, classified for the following use(s): CWF. Luthersburg Branch and LaBorde Branch TMDL. Application received: August 14, 2018.

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

The following outfall(s) discharge to LaBorde Branch:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
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
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

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

NPDES No. PA 0251542 (Mining permit No. 03080106), Amerikohl Mining, Inc., 1384 State Route 711, Stahlstown, PA 15687, renewal and revised NPDES permit for a bituminous surface mine in Redbank Township, **Armstrong County**, affecting acres 225. Receiving stream: Unnamed Tributaries to Mahoning Creek, classified for the following use: CWF. Application received: September 9, 2018.

The following treated wastewater outfalls discharge to unnamed tributary # 4 to Mahoning Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
009	Y	MDT

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (lbs./day)	NA	NA	13.86
Manganese (lbs./day)	NA	NA	10.40
Aluminum (lbs./day)	NA	NA	3.85
Total Suspended Solids (mg/l)	35	70	90
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 treated wastewater outfalls discharge to unnamed tributary # 10 to Mahoning Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
010	Y	MDT

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (lbs./day)	NA	NA	1.24
Manganese (lbs./day)	NA	NA	0.83
Aluminum (lbs./day)	NA	NA	0.42
Total Suspended Solids (mg/l)	35	70	90
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			

Noncoal NPDES Draft Permits

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

NPDES No. PA0224359 (Mining Permit No. 28030302), St. Thomas Development, Inc., 1750 Walton Road, Blue Bell, PA 19422, revision of an NPDES permit for discharge of stormwater from a limestone quarry in St. Thomas Township, **Franklin County**, affecting 352.5 acres. Receiving stream: unnamed tributary to Campbell Run, classified for the following use: Cold Water Fishes. Application received: August 17, 2018.

The following outfall discharges to an unnamed tributary to Campbell Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
002	Y
003	Y
004	Y
005	Y
006	Y

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

<i>Outfall: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Specific Conductance		Monitor Only	
Temperature		Monitor Only	
Flow		Monitor Only	
pH (S.U.): Must be between 6.0 and 9.0 standard units			
<i>Outfalls: 002, 004, 005, 006 (Dry Weather to ≤10-yr/24-hr Precip. Event) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units			
<i>Outfalls: 003 (Dry Weather to ≤10-yr/24-hr Precip. Event) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Oil and Grease		Monitor Only	
pH (S.U.): Must be between 6.0 and 9.0 standard units			
<i>Outfall: 002, 003, 004, 005, 006, 007, 008 (>10-yr/24-hr Precip. Event)</i>			

pH (S.U.): Must be between 6.0 and 9.0 standard units

NPDES No. PA0595985 (Mining Permit No. 44930301), Glenn O. Hawbaker, Inc., 1952 Waddle Road, Suite 203, State College, PA 16803, renewal of an NPDES permit for a limestone quarry in Armagh Township, **Mifflin County**, affecting 173.8 acres. Receiving stream: unnamed tributary to Honey Creek, classified for the following use: high quality cold water fishes. Application received: October 18, 2018.

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

The following outfall discharges to Laurel Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			

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

NPDES No. PA0614181 (Mining permit No. 60840401), New Enterprise Stone & Lime, Inc., dba Eastern Industries, Inc., 3724 Crescent Court West, Suite 200, Whitehall, PA 18052, permit revision adding an NPDES discharge point for Noncoal Surface Mine in Buffalo Township, **Union County**, affecting 218.7 acres. Receiving stream(s): Buffalo Creek, classified for the following use(s): TSF, MF. Application received: October 5, 2018.

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

The following outfall discharge to Buffalo Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
009 (STZ)	Y

A sampling point has been established at the check dam located above Sediment Trap Z on the Lewisburg II permit. This sampling point will monitor the surface water runoff from the onsite Reclaimed Asphalt Product (RAP) pile for Lewisburg II permit. In addition to the BAT effluent limits previously mentioned, the proposed effluent limits for Outfall 009 (STZ) will also include:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Oil and Grease	Monitor Only	Monitor Only	Monitor Only	Monitor Only

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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 Johnstown 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).

E09-1028. Bucks County Public Works Department, 55 East Court Street, Doylestown, PA 18901, Hilltown Township, Bucks County, ACOE Philadelphia District.

The Bucks County Public Works Department is proposing to construct and maintain the following water obstruction and encroachment activities associated with the Rickert Road over Morris Run (TSF-MF) bridge replacement project.

1. To remove a structurally deficient reinforced 80-foot long, 60-foot clear span, Portland cement concrete deck girder bridge and in its place, construct and maintain a precast concrete arch bridge with a clear span of 60 feet over Morris Run (Impact 3, TSF-MF) resulting in 20 linear feet (52 square feet, 0.001 acre) permanent watercourse impact, 95 linear feet (1,860 square feet, 0.043 acre) of temporary watercourse impact, 2,850 square feet (0.065 acre) permanent floodway impact and 2,877 square feet (0.066 acre) temporary floodway impact.

2. To place and maintain fill within a wetland (Wetland 1, PEM) associated with the construction of the West roadway embankment resulting in 638 square feet (0.015 acre) of permanent wetland impact and 452 square feet (0.010 acre) of temporary wetland impact.

3. To place and maintain fill within a wetland (Wetland 2, PEM) associated with the construction of the East roadway embankment resulting in 89 square feet (0.002 acre) of permanent wetland impact and 189 square feet (0.004 acre) of temporary wetland impact.

4. To construct and maintain an 18-inch stormwater outfall located on an unnamed tributary to Morris Run (Impact 4, TSF-MF) resulting in 585 square feet (0.0134 acre) of permanent watercourse impact. This activity also involves the placement of riprap rock apron.

The existing bridge was built in 1908 and was determined eligible listing in the National Register of Historic Places (National Register) in 2001. The project is located on Rickert Run Rd. South of Frontier Rd. in Hilltown Township, Bucks County. (USGS PA Doylestown Quadrangle—Latitude 40.366794, Longitude 75.220479 W).

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E40022-814. Paul W. Rollman, Jr., 15 First Street, Harveys Lake, PA 18612, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 2,150 sq. ft., pile-supported dock and boathouse within the basin of Harveys Lake (HQ-CWF). The project is located at Pole # 27 along Lakeside Drive (S.R. 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 39"; Longitude: -76° 2' 2") in Harveys Lake Borough, Luzerne County. (Harveys Lake, PA Quadrangle, Latitude: 41°21'39"; Longitude: -76°2'2").

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

E38-206: Lebanon County, 400 S 8th Street, Room 207, Lebanon, PA 17042 in Union Township, **Lebanon County**, U.S. Army Corps of Engineers Baltimore District.

To (1) construct and maintain a wetland crossing consisting of 1 24-inch HDPE pipe permanently impacting 1,088 square feet of PFO wetland, (2) construct and maintain a single span bridge having a normal span of 46.79-feet, a width of 17 feet and an underclearance of 8.5-feet permanently impacting 272 square feet of a UNT to Swatara Creek and (3) construct and maintain a 14-foot wide trail permanently impacting 9,000 square feet of the floodway of Swatara Creek, all for the purpose of connecting county owned property to an existing pedestrian trail. The project is located along State Route 22 east of the intersection of State Route 72, (Latitude: 40.422308, Longitude: -76.491139) in Union Township Lebanon County.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E41-696. Pennsylvania Department of Transportation, Engineering District 3-0, P.O. Box 218 Montoursville, PA 17754-0218. S.R. 0220 Section 122, Widening and Safety Improvement Project Piatt and Woodward Townships, **Lycoming County**, Baltimore ACOE (Linden, PA Quadrangle N: 41° 13' 55"; W: -77° 06' 38").

PA DOT Engineering District 3-0 proposes to improve a 6 mile section of SR 0220 between the SR 2014 (Fourth Street, Williamsport) Interchange and the SR 0287 Intersection. The project is required to improve safety and mobility along the corridor. The project will include limiting access to SR 0220, acceleration/deceleration lanes, turning lanes, and bridge or culvert rehabilitation and replacement. The project will include a new Front Street Structure and roadway realignment, Quenshukeny Bridge Replacement, Young's Road Structure replacement, several Unnamed Tributaries structure upgrades or extensions, North Bound Pine Run Structure Replacement, South Bound Pine Run Structure widening, and Larry's Creek Bridge Replacement. Traffic will be maintained during construction. The project will temporarily impact 1,178 L.F. and permanently impact 1,163 L.F. of intermittent and perennial streams. The project will temporarily impact 0.5 acre and permanently impact 0.56 acre of jurisdictional wetlands. The wetland impacts require mitigation. Larry's Creek is classified as an Exceptional Value Stream by Title 25, Chapter 93 Water Quality Standards and listed as a Wild Trout stream by PA Fish and Boat Commission. All other streams and tributaries are classified as Warm Water Fisheries by Title 25, Chapter 93 Water Quality Standards.

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

E0829-118: Rockdale Marcellus, LLC, 4600 J. Barry Court, Suite 120, Canonsburg, PA 15317, Canton Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12 inch diameter temporary waterline impacting 44 square feet of an unnamed tributary to Towanda

Creek floodway (CWF, MF) (Grover, PA Quadrangle, Latitude: 41°37'08", Longitude: -76°52'40");

2. a 12 inch diameter temporary waterline impacting 9 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Grover, PA Quadrangle, Latitude: 41°37'08", Longitude: -76°52'35");

3. a 12 inch diameter temporary waterline impacting 35 square feet of an unnamed tributary to Towanda Creek floodway (CWF, MF) (Grover, PA Quadrangle, Latitude: 41°37'08", Longitude: -76°52'31");

4. a 12 inch diameter temporary waterline impacting 86 square feet of an unnamed tributary to Towanda Creek floodway (CWF, MF) (Grover, PA Quadrangle, Latitude: 41°37'13", Longitude: -76°52'26");

5. a 12 inch diameter temporary waterline impacting 1,101 square feet of an unnamed tributary to Towanda Creek floodway (CWF, MF) (Grover, PA Quadrangle, Latitude: 41°37'14", Longitude: -76°52'14");

6. a 12 inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Grover, PA Quadrangle, Latitude: 41°37'23", Longitude: -76°52'07");

7. a 12 inch diameter temporary waterline impacting 35 linear feet of Towanda Creek (CWF, MF) (Grover, PA Quadrangle, Latitude: 41°37'27", Longitude: -76°52'07");

8. a 12 inch diameter temporary waterline impacting 698 square feet of an unnamed tributary to Towanda Creek floodway (CWF, MF) (Grover, PA Quadrangle, Latitude: 41°37'22", Longitude: -76°51'59");

9. a 12 inch diameter temporary waterline and a timber mat bridge impacting 2,656 square feet of a Palustrine Emergent Wetland (EV) (Canton, PA Quadrangle, Latitude: 41°37'45", Longitude: -76°50'52");

10. a 12 inch diameter temporary waterline and a timber mat bridge impacting 3,472 square feet of a Palustrine Emergent Wetland (EV) (Canton, PA Quadrangle, Latitude: 41°37'29", Longitude: -76°50'39");

11. a 12 inch diameter temporary waterline and a timber mat bridge impacting 18 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) and impacting 3,648 square feet of an adjacent Palustrine Emergent Wetland (EV) (Canton, PA Quadrangle, Latitude: 41°37'27", Longitude: -76°50'38");

12. a 12 inch diameter temporary waterline and a timber mat bridge impacting 1,232 square feet of a Palustrine Emergent Wetland (EV) (Canton, PA Quadrangle, Latitude: 41°37'29", Longitude: -76°49'40");

The project will result in 82 linear feet and 622 square feet of temporary stream impacts and 11,008 square feet (0.25 acre) of temporary PEM wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development in Canton Township, Bradford County. This project is associated with permit application number WL5929-18-003.

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.

D15-125EA. Rick Smith, Township Manager, East Goshen Township, 1580 Paoli Pike, West Chester, PA

19380, East Goshen Township, **Chester County**, USACOE Philadelphia District.

Project proposes to remove the Hershey's Mill Dam to eliminate a threat to public safety and to restore approximately 900 feet of stream channel to a free-flowing

condition. The proposed restoration project includes construction of grade control and habitat enhancement structures in the stream channel through the former reservoir. The project is located across a tributary to Ridley Creek (HQ-TSF) (Malvern, PA Quadrangle, Latitude: 40.0136; Longitude: -75.5574).

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.

<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>
PA0051306 (Sewage)	Camp Green Lane STP 249 Camp Green Lane Road Green Lane, PA 18054-2306	Montgomery County Salford Township	Ridge Valley Creek 2-G	Y
PA051250 (Sewage)	Bucks County Water & Sewer Authority 1275 Almshouse Road Warrington, PA 18976-1209	Bucks County Warrington Township	Neshaminy Creek 2-F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062570 (Sewage)	Covington Township Sewer Authority WWTP P.O. Box 266 Moscow, PA 18444	Lackawanna County Covington Township	Roaring Brook (05A)	Yes
PA0043044 (Sewage)	Ringtown Borough Municipal Authority 31 S Center Street Ringtown, PA 17967-9736	Schuylkill County Ringtown Borough	Dark Run (5-E)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0261611 SEW	Robert E Plank 477 Herrs Ridge Road Gettysburg, PA 17325-7253	Cumberland Township, Adams County	Unnamed Tributary to Willoughby Run in Watershed(s) 13-D	Y
PA0082627 SEW	CBM Ministries Inc. 3741 Joy El Drive Greencastle, PA 17225-9001	Saint Thomas Township, Franklin County	Back Creek in Watershed(s) 13-C	Y
PA0261777 SEW	Alvin K Fisher Jr. 6750 McClays Mill Road Newburg, PA 17240-9617	Lurgan Township, Franklin County	Unnamed Tributary to Conodoguinet Creek in Watershed(s) 7-B	Y
PA0261718 SEW	Winter Greenes Homeowners Association 12001 Morningstar Place Lovettsville, VA 20180	Montgomery Township, Franklin County	Little Conococheague Creek in Watershed(s) 13-C	Y
PA0022179 SEW	Mercersburg Sewer Authority 113 S Main Street Mercersburg, PA 17237	Mercersburg Borough, Franklin County	Johnston Run in Watershed(s) 13-C	Y
PA0080683 SEW	Millers Skyview Sales Inc. 200 Ridge Road Etters, PA 17319-9110	Newberry Township, York County	Unnamed Tributary of Bennett Run in Watershed(s) 7-F	Y
PA0083712 SEW	Bear Valley Franklin County PA Joint Authority 218 School House Road Saint Thomas, PA 17252-9646	Saint Thomas Township, Franklin County	Broad Run in Watershed(s) 13-C	Y
PA0080730 SEW	West Perry School District 2606 Sherman's Valley Rd. Elliottsburg, PA 17024	Blain Borough, Perry County	Unnamed Tributary to Sherman Creek in Watershed(s) 7-A	Y
PA0084034 SEW	West Perry School District 2606 Sherman's Valley Rd. Elliottsburg, PA 17024	Carroll Township, Perry County	Unnamed Tributary to Sherman Creek in Watershed(s) 7-A	Y
PA0082511 SEW	Roxbury Holiness Camp Inc. P.O. Box 28 Roxbury, PA 17251-0028	Letterkenny Township, Franklin County	Conodoguinet Creek in Watershed(s) 7-B	Y
PA0080454 IW	Borough of Carlisle 53 West South Street Carlisle, PA 17013-3458	North Middleton Township, Cumberland County	Conodoguinet Creek in Watershed(s) 7-B	Y
PA0041220 SEW	Hershey RV Park & Lodging LLC P.O. Box 544 Glenmoore, PA 19343	Conewago Township, Dauphin County	Unnamed Tributary to Conewago Creek in Watershed(s) 7-G	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0097110 (Industrial)	Shade Landfill 1176 No 1 Road Cairnbrook, PA 15924-8406	Somerset County Shade Township	Dark Shade Creek and Laurel Run (18-E)	No

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. PA0214396, Storm Water, SIC Code 5052, **Three Rivers Marine & Rail Terminal, LLC**, 17 Arentzen Boulevard, Suite 206, Charleroi, PA 15022-1085.

This proposed facility is located in Glassport Borough, **Allegheny County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

NPDES Permit No. PA0218529, Industrial, SIC Code 4500, **Beaver County Airport Authority**, 15 Piper Street, Beaver Falls, PA 15010-1043.

This proposed facility is located in Chippewa Township, **Beaver County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of Stormwater Associated with Industrial Activities.

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

NPDES Permit No. PA0271501, Sewage, SIC Code 4952, **Perry Township Mercer County**, P.O. Box 69, Hadley, PA 16130.

This proposed facility is located in Perry Township, **Mercer County**.

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

NPDES Permit No. PA0103250, Industrial, SIC Code 3321, **Urlick Foundry Co. Inc.**, 1501 Cherry Street, Erie, PA 16502-1732.

This existing facility is located in Erie City, **Erie County**.

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

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

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

WQM Permit No. 4618408, Sewage, **Berks Montgomery Municipal Authority**, 136 Municipal Drive, P.O. Box 370, Gilbertsville, PA 19525-9463.

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

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

WQM Permit No. 1518406, Sewage, **East Brandywine Township Municipal Authority**, 1214 Horseshoe Pike, Downingtown, PA 19335.

This proposed facility is located in East Brandywine Township, **Chester County**.

Description of Action/Activity: Construction and operation of Mapleview Pump Station and Force main.

WQM Permit No. 4618410, Sewage, **Franconia Sewer Authority**, 671 Allentown Road, Teleford, PA 18969.

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

Description of Action/Activity: Construction of sewers including 22,350 ft. of pressure sewer in Morwood Village, 4,350 ft. in Allentown Rd from Indian Creek & Rte 113 & (c) 1,850 ft. of gravity sewer in Rittenhouse Place & Indian Creek Road.

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

WQM Permit No. 3518404, Sewage, SIC Code 4952, **Waverly Township**, Lake Henry Drive, P.O. Box 8, Waverly, PA 18471-0008.

These existing facilities are located in Waverly Township, **Lackawanna County**.

Description of Proposed Action/Activity: The project is for the replacement of two pump stations within the sewage conveyance system in Waverly Township. The existing packaged underground 9.5' diameter steel duplex dry pit pump station with a separate buried concrete wet well located on Oakford Road will be replaced with a self-contained package duplex self-priming station placed on top of the existing wet well. The existing packaged submersible duplex grinder pump station housed in a 4' diameter and 9' deep structure located on Clinton Street will be replaced in its entirety with

a similar in-ground packaged submersible duplex grinder pump station. This new fiberglass station will incorporate a separate dry pit chamber to house the discharge piping and valves.

WQM Permit No. 4807404A-1, Sewage, SIC Code 4952, **Bethlehem City**, 10 East Church Street, Bethlehem, PA 18018.

This existing facility is located in Bethlehem City, **Northampton County**.

Description of Proposed Action/Activity: The proposed Easton Road Pump Station modification project increases the pumping capacity from 20,000 gallons per day (gpd) to 45,475 gpd. This will include new submersible grinder pumps, new emergency generator, and minor electrical upgrades.

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

WQM Permit No. 0270416 A-4, Sewage, SIC Code 4952, **Elizabeth Borough Municipal Authority Allegheny County**, 1 Locust Street, Elizabeth, PA 15037-1763.

This existing facility is located in Elizabeth Borough, **Allegheny County**.

Description of Proposed Action/Activity: Installation/Construction of new replacement pump station for EBMA.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 6518200, Industrial, SIC Code 5171, **Buckeye Terminal LLC**, 134 BP Tank Lane, Greensburg, PA 15601-6420.

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

Description of Proposed Action/Activity: The mobile treatment system trailer includes pre-filters, two (2) 10,000-pound granulated carbon (GAC) vessels and post filter. The pre-filters consist of one (1) dual 6-stage bag filter housing (10-micron nominal) followed by another dual 6-stage bag filter housing (0.5-micron nominal). The post-filter consists of one (1) dual 6-stage bag filter housing (1-micron high efficiency).

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

WQM Permit No. 4318411, Sewage, **Perry Township Mercer County**, P.O. Box 69, Hadley, PA 16130.

This proposed facility is located in Perry Township, **Mercer County**.

Description of Proposed Action/Activity: Construction of sanitary sewers and pump station to serve Clarks Mill community on-lot disposal system.

WQM Permit No. 4318410, Sewage, **Perry Township Mercer County**, P.O. Box 69, Hadley, PA 16130.

This proposed facility is located in Perry Township, **Mercer County**.

Description of Proposed Action/Activity: Sewers and wastewater treatment plant for Hadley and Camp Perry areas.

WQM Permit No. 1618409, Sewage, **Knox Township Clarion County Municipal Authority**, P.O. Box 64, Lucinda, PA 16235.

This proposed facility is located in Knox Township, **Clarion County**.

Description of Proposed Action/Activity: Installation of a new sewer system and sewage treatment plant for the Village of Lucinda.

WQM Permit No. 1018408, Sewage, **Allegheny Clarion Valley Development Corp**, P.O. Box 311, Foxburg, PA 16036-0311.

This proposed facility is located in Allegheny Township, **Butler County**.

Description of Proposed Action/Activity: Interim replacement wastewater treatment plant.

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD450061	Buy the Load, LLC P.O. Box 427 Pocono Summit, PA 18346	Monroe	Tobyhanna Township	UNT to Upper Tunkhannock Creek (HQ-CWF, MF)

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD360035 Issued	David H. Martin 420 Nottingham Road Nottingham, PA 19362	Lancaster	Little Britain Township	UNT Little Conowingo Creek (HQ-CWF, MF)

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

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD180016	R.C. Bowman, Inc. 7416 Nittany Valley Drive	Clinton	Lamar Township	Fishing Creek HQ-CWF
PAI041806003(R)	Mill Hall, PA 17751			

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD040004	PTV 1020, LLC 1563 Woodward Drive Extension Greensburg, PA 15601	Beaver County	Raccoon Township	UNT to Service Creek (HQ-CWF); UNT to Haden Run (WWF)

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Buckingham Township Bucks County	PAC090209	Toll PA, XI, L.P. 250 Gibraltar Road Horsham, PA 19044-2323	Unnamed Tributary to Mill Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plumstead Township Bucks County	PAC090201	Cross Keys Family Partnership LP 3960 Airport Boulevard Doylestown, PA 18902-1037	Pine Run Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Plumstead Township Bucks County	PAC090191	Prestige Property Partners, LLC 1126 Horsham Road Maple Glen, PA 19002-1178	Unnamed Tributary to Delaware River TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warminster Township Bucks County	PAC090196	SP Warminster LLC 301 Oxford Valley Rd Suite 501 Yardley, PA 19067-7706	Unnamed Tributary to Neshaminy WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Britain Township Bucks County	PAC090134	Kurt Schaller 3144 Fox Drive Chalfont, PA 18914	North Branch Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Delaware County	PAC230071	BT Granite Run, LP 200 Dryden Road Suite 2000 Dresher, PA 19025-1048	Chrome Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Darby Township Delaware County	PAC230077	SEPTA 1234 Market Street Philadelphia, PA 19107-3780	Cobbs Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

Lackawanna County Conservation District, 1038 Montdale Road, Scott Township, PA 18447.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAC350034	Highland Development LLC 1815 Copley Place Delray Beach, FL 33445	Lackawanna	Scott Twp	Unnamed Tributaries South Branch Tunkhannock Creek (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAC390063	Lehigh Northampton Airport Authority 3311 Airport Rd Allentown, PA 18109	Lehigh	Hanover Twp	Lehigh River (CWF, MF)

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>
PAC400057	Eagle Rock Community Assoc Jim Sebia 1 Country Club Dr Hazle Twp, PA 18202	Luzerne	Hazle Twp	UNT to Black Creek (CWF, MF) UNT to Stony Creek (CWF, MF) Sugarloaf Creek (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>
PAC480027	Willow Brook Farm Trust Et al c/o Bob Dwyer 721 Old State Rd Berwyn, PA 19312	Northampton	North Catasauqua Boro Northampton Boro	Catasauqua Creek (CWF, MF)
PAC480045	Jeff Thomas First Industrial Pennsylvania LP 717 Eagleview Blvd, Ste 110 Exton, PA 19341	Northampton	Lower Nazareth Twp	Shoeneck Creek (CWF, 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>
PAC660013	Pilgrim Holiness Church of Tunkhannock 135 W Tioga St Tunkhannock, PA 18657	Pike	Washington Twp	UNT to Susquehanna River (CWF, MF)

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

*Facility Location:
Municipality & County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bedford Township Bedford County Issued	PAC050027 RER Energy Group 4700 Pottsville Pike Reading, PA 19605	Dunning Creek (WWF, MF)	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900, ext. 4
Caernarvon Township Berks County Issued	PAC060066 John Panizza, JEP, LLC 566 Cricket Lane Downingtown, PA 19335	East Branch Conestoga River (WWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Borough of Hamburg Berks County Issued	PAC060159 Exide Technologies 3000 Montrose Avenue Reading, PA 19605	UNT Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Marion Township Berks County Issued	PAC060142 Jeremy Troutman 991 Stouchsburg Road Richland, PA 17073	Tributary 01966 Tulpehocken Creek (Wetlands, TSF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Snyder Township Blair County Issued	PAC070034 Capital Telecom Holdings II, LLC 1500 Mount Kemble Avenue Suite 203 Morristown, NJ 07960	Little Juniata River (TSF, CWF) UNT Juniata River (WWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Southampton Township Cumberland County Issued	PAC210095 Hickory Grove Mennonite Church 980 Britton Road Shippensburg, PA 17257	Bulls Head Branch (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Lower Allen Township & New Cumberland Borough Cumberland County Issued	PAC210087 PPL Electric Utilities Corporation Two North Ninth Street GENN 4 Allentown, PA 18101	Yellow Breeches Creek (CWF, MF) Cedar Run (CWF) UNT Yellow Breeches Creek (WWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
East Donegal Township Lancaster County Issued	PAC360305 Blue Note Motor Inn 1210 River Road Marietta, PA 17547	UNT Susquehanna River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Rapho Township Lancaster County Issued	PAC360330	Jason Wenger 5376 Elizabethtown Road Manheim, PA 17545	UNT Brubaker Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Conoy Township Lancaster County Issued	PAC360295	Almost Home Dog Adoption 300 Obie Road Lebanon, PA 17042	UNT Susquehanna River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Paradise Township Lancaster County Issued	PAC360269	MK Partners LP 5227 Strasburg Road Parkesburg, PA 19365	Eshleman Run (CWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Earl Township Lancaster County Issued	PAC360325	Elmer King 525 Hollander Road New Holland, PA 17557	UNT Mill Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Lancaster City Lancaster County Issued	PAC360240	JL Clark Inc. 303 North Plum Street Lancaster, PA 17602	Conestoga River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Conestoga Township Lancaster County Issued	PAC360298	Robert Jones 210 Daltrey Court Mountville, PA 17554	Tributary 07549 Conestoga River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Providence Township Lancaster County Issued	PAC360268	LMSE Management Group 2001 Beaver Valley Pike Strasburg, PA 17579	Big Beaver Creek, South Fork (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manchester Township York County Issued	PAC670175	Columbia Gas of Pennsylvania Inc. 1600 Colony Road York, PA 17408	Codorus Creek (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
York Township York County Issued	PAC670191	Fair Valley Ventures LLC 330 Dubs Church Road Hanover, PA 17331	Codorus Creek (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
City of York York County Issued	PAC670188	York Family Residences LLC One Brewery Park 1301 North 31st Street Philadelphia, PA 19121	Willis Run (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Penn Township York County Issued	PAC670222	LCL, York Village Associates LP 199 Baldwin Road Parsippany, NJ 07054	Oil Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

*Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Receiving Water / Use**Contact Office & Phone
No.*Franklin Township
York County
Issued

PAC670171

Clint R Williams
135 Coffeetown Road
Dillsburg, PA 17019Bermudian Creek
(CWF)York County
Conservation District
118 Pleasant Acres Road
York, PA 17402
717-840-7430*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.**Facility Location &
Municipality**Permit No.**Applicant Name &
Address**Receiving
Water / Use**Contact Office &
Phone No.*Franklin Township
Lycoming County

PAC410031

Franklin Township
61 School Lane
Lairdsville, PA 17742Big Run—CWF
Muncy Creek—CWFLycoming County
Conservation District
542 County Farm Rd
Ste 202
Montoursville, PA 17754
(570) 433-3003Fairfield Township
Lycoming County

PAC410033

Fairfield Township
356 Laurens Rd
Montoursville, PA 17754UNT to West Branch
Susquehanna
River—WWF
Bennetts
Run—WWFLycoming County
Conservation District
542 County Farm Rd
Ste 202
Montoursville, PA 17754
(570) 433-3003*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**Permit No.**Applicant Name and
Address**Receiving
Water / Use**Contact Office and
Phone No.*

Reade Township

PAC110043

Altoona Water Authority
900 Chestnut Avenue
Altoona, PA 16602Muddy Run (CWF);
Powell Run (CWF)Cambria County
Conservation District
401 Candlelight Drive
Suite 229
Ebensburg, PA 15931
(814) 472-2120South Union
Township

PAC260012

Maxim Development
121 Regency Way
Uniontown, PA 15401UNT to Lick Run
(WWF)Washington County
Conservation District
50 Old Hickory Ridge
Road
Suite 1
Washington, PA 15301
(724) 705-7098

Cecil Township

PAC630020A

Canonsburg-Houston
Joint Authority
68 East Pike Street
Suite 103
Canonsburg, PA 15317UNT to Chartiers
Creek (WWF)Washington County
Conservation District
50 Old Hickory Ridge
Road
Suite 1
Washington, PA 15301
(724) 705-7098Cecil Township
(Washington
County); South
Fayette Township
(Allegheny County)

PAC630033

The Pennsylvania
Turnpike Commission
P.O. Box 67676
Harrisburg, PA
17106-7676Coal Run (WWF);
Chartiers Creek
(WWF); McPherson
Creek (WWF)Washington County
Conservation District
50 Old Hickory Ridge
Road
Suite 1
Washington, PA 15301
(724) 705-7098

Peters Township

PAC630099

RyWood, LLC
122 Cedar Lane
McMurray, PA 15317UNT to Brush Run
(WWF)Washington County
Conservation District
50 Old Hickory Ridge
Road
Suite 1
Washington, PA 15301
(724) 705-7098

NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
California Borough	PAC630103A	California University of Pennsylvania 250 University Drive California, PA 15419	Pike Run (TSF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
Peters Township	PAC630105	Peters Creek Sanitary Authority 3502 Lincoln Avenue P.O. Box 3 Finleyville, PA 15332	UNT to Peters Creek (TSF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
North Strabane Township; South Strabane Township	PAC630106	Washington Investments 6200 Mid Atlantic Drive Morgantown, WV 26508	UNT to Chartiers Creek (WWF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
Chartiers Township	PAC630108	Woodside Development Company 382 West Chestnut Street Suite 102 Washington, PA 15301	Brush Run (WWF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Bristol Township Bucks County	PAG030003	Riverside Construction Materials, Inc. 355 Newbold Road Fairless Hills, PA 19030	Unnamed Tributary to Delaware River and Delaware River 2-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Glassport Borough Allegheny County	PAR216187	Wendell H. Stone Company dba Stone & Company, Inc. 606 McCormick Avenue Connellsville, PA 15425	Monongahela River— 19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Tarentum Borough Allegheny County	PAR216156	Wendell H. Stone Company dba Stone & Company, Inc. 606 McCormick Avenue Connellsville, PA 15425	Allegheny River— 18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-4

<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>
Dover Township, York County	PAG043966	Kip A Hershey 5550 Pinchtown Road Dover, PA 17315	Watershed 7-F	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-10

<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>
Drumore Township, Lancaster County	PA0266744	Williams Transcontinental Gas Pipe Line Company LLC 2800 Post Oak Boulevard Level 11 Houston, TX 77056	UNT to Bowery Run in Watershed(s) 7-K	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

STATE CONSERVATION COMMISSION**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Lazy Hog Farm 4390 Mountain Rd. McAlisterville, PA 17049	Juniata	449.9	839.40	Swine	HQ	Approved
Elvin Zimmerman 180 Degan Rd. McAlisterville, PA 17049	Juniata	1.8	299.47	Broilers 1 Steer & 1 Calf	HQ	Approved
Benner's Swine Barn LLC 56 Platt Hollow Road Thompsontown, PA 17094	Juniata	574	611.45	Swine	NA	Approved
Mason Dixon Farms 1800 Mason Dixon Road Gettysburg, PA 17325	Adams	2,984.8	5,433.77	Dairy	NA	Approval

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. 2400371, Transfer of Operation Permit, Public Water Supply.

Applicant	River of Life Fellowship (formerly Lake Lehman School District) P.O. Box 21 Outlet Road Lehman, PA 18627
Municipality	Lehman Township
County	Luzerne
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit to Operate Issued	October 25, 2018

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Operation Permit No. 0616515 issued to: **Reading Area Water Authority (PWS ID No. 3060059)**, Reading, **Berks County** on 10/24/2018 for facilities approved under Construction Permit No. 0616515.

Comprehensive Operation Permit No. 3060059 issued to: **Reading Area Water Authority (PWS ID No. 3060059)**, Ontelaunee Township, **Berks County** on 10/23/2018 for the operation of facilities submitted under Application No. 3060059.

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

Operation Permit issued to **Reynoldsville Water Authority, PWSID No. 6330011**, Reynoldsville Borough, **Jefferson County**. Permit Number 3391503 issued October 24, 2018 for the removal of Fluoride from their permit.

Operation Permit issued to **Brady Hills MHC, PWSID No. 5100869**, Brady Township, **Butler County**. Permit Number 1017507 issued October 24, 2018 for the operation of the water system and newly installed GreensandPlus filtration system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on October 11, 2018.

Permit No. 2491503-MA1, Public Water Supply.

Applicant	Borough of Ridgway
Township or Borough	Ridgway Borough
County	Elk

Type of Facility	Public Water Supply
Consulting Engineer	Jason G. Saylor, P.E. Utility Service Company, Inc. 1230 Peachtree Street NE Suite 1100 Atlanta, GA 30309

Permit to Construct Issued	October 26, 2018
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Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 0415504, Public Water Supply.

Applicant	Center Township Water Authority 224 Center Grange Road Aliquippa, PA 15001
[Borough or Township]	Center and Potter Townships
County	Beaver
Type of Facility	Addition of Earth Tec QZ
Consulting Engineer	Lennon Smith Souleret Engineering Inc. 846 Fourth Avenue Coraopolis, PA 15108
Permit to Construct Issued	October 23, 2018

Permit No. 6517533, Public Water Supply.

Applicant	Municipal Authority of the Borough of Derry 620 North Chestnut Street Derry, PA 15627
[Borough or Township]	Derry Borough
County	Westmoreland
Type of Facility	High service pumps
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street P.O. Box 853 Latrobe, PA 15650
Permit to Construct Issued	October 25, 2018

Permit No. 3217515-A1, Public Water Supply.

Applicant	Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
[Borough or Township]	Young Township
County	Indiana
Type of Facility	Waterline relocation
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street P.O. Box 853 Latrobe, PA 15650
Permit to Construct Issued	October 25, 2018

Permit No. 5618508-E, Public Water Supply.
 Applicant **Somerset County General Authority**
 300 North Center Avenue
 Suite 500
 Somerset, PA 15501
 [Borough or Township] Jenner Township
 County **Somerset**
 Type of Facility Chemical change
 Consulting Engineer Somerset Planning &
 Engineering Services, LLC
 222 West Main Street
 Suite 100
 Somerset, PA 15501
 Permit to Construct October 18, 2018
 Issued

Permit No. 3218503, Public Water Supply.
 Applicant **Crystal Waters, Inc.**
 4639 Highway 119 North
 Home, PA 15747
 [Borough or Township] Rayne Township
 County **Indiana**
 Type of Facility Relocation of the chlorine
 injection point
 Consulting Engineer G Force Engineering Services,
 LLC
 1630 Philadelphia Street
 Unit 10
 Indiana, PA 15701
 Permit to Construct October 26, 2018
 Issued

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (PWSID # 5320048) Center Township, **Indiana County** on October 17, 2018 for the operation of facilities approved under Construction Permit # 3217503.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (PWSID # 5320109) Creekside Borough and Washington Township, **Indiana County** on October 23, 2018 for the operation of facilities approved under Construction Permit # 3217517MA.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (PWSID # 5320048) Center Township, **Indiana County** on October 25, 2018 for the operation of facilities approved under Construction Permit # 3217507MA.

Operations Permit issued to: **Ford City Borough**, 1000 4th Avenue, Ford City, PA 16226, (PWSID # 5030005) Ford City Borough, **Armstrong County** on October 25, 2018 for the operation of facilities approved under Construction Permit # 0314503-A1.

Operations Permit issued to: **Beaver Falls Municipal Authority**, 1425 Eighth Avenue, Beaver Falls, PA 15010, (PWSID # 5040012) Eastvale Borough, **Beaver County** on October 23, 2018 for the operation of facilities approved under Construction Permit # 0418523.

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, 1442 Jefferson Road, P.O. Box 187, Jefferson, PA 15344, (PWSID # 5300017)

Jefferson Township, **Greene County** on October 23, 2018 for the operation of facilities approved under Construction Permit # 3018502MA.

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, 1442 Jefferson Road, P.O. Box 187, Jefferson, PA 15344, (PWSID # 5300017) Jefferson Township, **Greene County** on October 23, 2018 for the operation of facilities approved under Construction Permit # 3013501WMP17.

Operations Permit issued to: **Somerset County General Authority**, 300 North Center Avenue, Suite 500, Somerset, PA 15501, (PWSID # 4560009) Jenner Township, **Somerset County** on October 24, 2018 for the operation of facilities approved under Construction Permit # 5618503MA.

Operations Permit issued to: **Somerset County General Authority**, 300 North Center Avenue, Suite 500, Somerset, PA 15501, (PWSID # 4560009) Jenner Township, **Somerset County** on October 24, 2018 for the operation of facilities approved under Construction Permit # 5618509MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID # 5020039) Union Township, **Washington County** on October 24, 2018 for the operation of facilities approved under Construction Permit # 0217508MA.

Permit No. 1118502MA, Minor Amendment. Public Water Supply.

Applicant **Greater Johnstown Water Authority**
 640 Franklin Street
 Johnstown, PA 15901
 [Borough or Township] Westmont Borough
 County **Cambria**
 Type of Facility Waterline relocation (Kernville to
 Westmont tank line)
 Consulting Engineer Gibson-Thomas Engineering Co.,
 Inc.
 1004 Ligonier Street
 P.O. Box 853
 Latrobe, PA 15650
 Permit to Construct October 24, 2018
 Issued

Permit No. 3018515MA, Minor Amendment. Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**
 P.O. Box 187
 1442 Jefferson Road
 Jefferson, PA 15344
 [Borough or Township] Morris Township
 County **Greene**
 Type of Facility Shamrock Road waterline project
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024
 Permit to Construct October 17, 2018
 Issued

Permit No. 1118501MA, Minor Amendment. Public Water Supply.

Applicant **Glendale Valley Municipal Authority**
1800 Beaver Valley Road
Flinton, PA 16640

[Borough or Township] White Township

County **Cambria**

Type of Facility Waterline

Consulting Engineer Keller Engineers, Inc.
420 Allegheny Street
P.O. Box 61
Hollidaysburg, PA 16648

Permit to Construct Issued October 26, 2018

Project Location:

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Clymer Borough Municipal Authority	470 Adams Street Clymer, PA 15728-1156	Indiana

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project.

Problems: The residents of Clymer Borough are experiencing unpleasant taste and odor issues caused by the presence of hydrogen sulfide and old pipes. The existing pipes are old, asbestos concrete and are leaking in several areas. This proposed project will correct the leakage and antiquated pipes. The new aerator scrubber will remove hydrogen sulfide at the existing water treatment plant. The existing clearwell's roof experienced holes and partial collapse exposing the finished water to contaminants. An emergency permit was issued to Clymer to repair holes and have an interconnection with ICMSA to provide finished water. The clearwell was out of operation for approximately 1 month.

Description: The Authority is proposing to install a forced draft aerator for the removal of hydrogen sulfide prior to filtration. In addition, due to the age and condition of the 200,000-gallon tank, it will be replaced along with the plant's above ground clearwell. Also, 7,750 feet of leaking transite waterline will be replaced with 8" C-900 PVC pipe. Installation of 7,750 linear feet of PVC waterline includes 150 3/4" services, 39 gate valves, 11 interconnections, replace 7 existing fire hydrants with new ones, all waterline and appurtenances shall be in Clymer Borough. A new 250,000-gallon water storage tank will be constructed on Clymer Road in Cherryhill Township.

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

WA45-1001, Water Allocation, **Pocono Jackson Joint Water Authority**, P.O. Box 196, Reeders, PA 18352, **Monroe County**. This permit grants the right to purchase up to 40,000 gallons per day, based on a daily average in a peak month, from the Brodhead Creek Regional Authority.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Stockertown Borough	209 Main Street Stockertown, PA 18083	Northampton
Tatamy Borough	423 Broad Street Tatamy, PA 18085	Northampton

Plan Description: The purpose of the Plan is to address the wastewater treatment and disposal needs of Stockertown Borough resulting from the inability of the Borough's existing wastewater lagoon treatment facility to consistently achieve compliance with certain stream discharge limits. The chosen solution alternative (identified in the Plan as Alternative 1) provides for abandonment of the existing wastewater treatment lagoons and construction of a 4,000 ft. gravity interceptor sewer line to connect Stockertown's wastewater collection system to Forks Township's existing conveyance system, resulting in the wastewater being transported to and ultimately treated at the Easton Area Joint Sewer Authority's (EAJSA) wastewater treatment facility. The proposed gravity interceptor will be owned, operated, and maintained by Stockertown Borough. The interceptor will also pass through Borough of Tatamy.

To facilitate the chosen alternative, the Borough will purchase 86,500 gpd of Forks Township's current allocation capacity at EAJSA's plant. This will provide for future growth in the Borough relative to its current existing average sewage flows. The chosen alternative will eliminate the need for the Borough's existing lagoon WWTP, which will be decommissioned and demolished following the construction and initiation of operation of the interceptor sewer. The Plan does not provide for any increase in Stockertown Borough's sewer service area.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or Authority as appropriate.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Londonderry Township	655 East Ridge Road Palmyra, PA 17078	Lebanon

Plan Description: Approval of a revision to the official plan of North Londonderry Township, Lebanon County. The project is known as Pinnacle at Winding Creek/Summer Layne. The plan provides for 355 retirement residential units, 184 single family residential lots, and a community center, with total flows of 81,000 gallons per day using sewer service provided by the North Londonderry Township Authority. The proposed development is located on Killinger Road and Hoffer Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal.

The DEP Code Number for this planning module is A3-38918-145-3 and the APS Id is 975314. Any required NPDES Permits or WQM permits must be obtained in the name of the North Londonderry Township Authority.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Green Acres Mobile Home Park, 8785 Turkey Ridge Road, Upper Macungie Township, **Lehigh County**. Light-Heigel & Associates, 430 East Main Street, Palmyra, PA 17078, on behalf of Equity Lifestyle Properties, Inc., 2 North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a revised Final Report concerning remediation of a release of kerosene to the soil. The report is intended to document remediation of the site to meet Statewide Health Standards.

R. Mackey Pad 1, 17281 Dimock to Nicholson Road, Lathrop Township, **Susquehanna County**. Woodward &

Curran, 12 Frear Hill Road, Tunkhannock, PA 18657, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of a release of brine to the soil. The report is intended to document remediation of the site to meet a combination of Background and Statewide Health Standards.

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

Willow Valley Lakes Community, 300 Willow Valley Lakes Drive, Willow Street, PA 17584, West Lampeter Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Slaymaker Group, 146 Penn Street, Washington Borough, PA 17582, and Willow Valley Communities, 300 Willow Valley Lakes Drive, Willow Street, PA 17584 submitted a Final Report concerning remediation of site soil and surface water contaminated with hydraulic oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Vulcan Materials Company/Miller Chemical Company Fire, Jacobs Road, West of the CSX Railway, Hanover, PA 17331, Conewago Township, **Adams County**. Ramboll Environ US Corporation, 4350 North Fairfax Drive, Suite 300, Arlington, VA 22203, on behalf of Miller Chemical & Fertilizer, LLC, 120 Radio Road, Hanover, PA 17332, and Vulcan Materials Company, 875 Oxford Avenue, Hanover, PA 17331 submitted a Final Report concerning remediation of site soil contaminated with fertilizer constituents. The report is intended to document remediation of the site to meet the Background and Residential Statewide Health Standards.

Lanchester Landfill/UMO Release, 481 South Churchtown Road, Narvon, PA 17555, Caernarvon Township, **Lancaster County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Energy Developments, LLC, 481 South Churchtown Road, Narvon, PA 17555, and Chester County Solid Waste Authority/ Lanchester Landfill, 7224 Division Highway, Narvon, PA 17555 submitted a Final Report concerning remediation of site soil contaminated with used motor oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

COP Tract 653 1000, 232 Little Texas Lane, Beech Creek Township, **Clinton County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Alta Resources, 33 West Third Street, Suite 300, Williamsport, PA 17701, has submitted a Final Report concerning remediation of site soil contaminated with produced fluid. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Traffic Accident along I-80 Westbound near Mile Marker 234, City of Bloomsburg, **Columbia County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of ANC Ontime Auto Transport & Services, Inc., 62 White Oak Bend, Churchville, NY 14624, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and motor oil. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

Halliburton Diesel Spill, 343 Riddell Road, Montgomery, Clinton Township, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Halliburton, 4999 East Point Drive, Zanesville, OH 43701, has submitted a Final report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

PennDOT Union County Maintenance Facility, 612 Fairground Road, Lewisburg, East Buffalo Township, **Union County**. Dewberry Engineers, Inc., 600 Parsippany Road, Suite 301, Parsippany, NJ 07054, on behalf of PennDOT District 3-0, 715 Jordan Ave, Montoursville, PA 17754, has submitted a Final Report concerning remediation of site soil and ground water contaminated with hydraulic oil. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Former National Torch Tips & McQuaid Property, 50 Freeport Road & 37 Western Avenue, Pittsburgh, PA 15215, O'Hara Township & Borough of Aspinwall, **Allegheny County**. American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668, on behalf of 50 Freeport Road Partners LP, 50 Freeport Road, Pittsburgh, PA 15215, submitted a Remedial Investigation Report concerning site soil and groundwater contaminated with VOCs. The report was published in the *Pittsburgh Post Gazette* on October 1, 2018.

James McMannis 030-A Well Pad, 0.2 mile northeast of the intersection of Neely School Road/T476 & Jolly Road, Avella, PA 15312, Blaine Township, **Washington County**. Arcadis U.S., Inc., 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090, on behalf of Dallas Energy, LLC, 168 Wolfe Run Road, Freedom, PA 15042, submitted a Final Report concerning site soil and groundwater contaminated with chloride and associated brine metals (aluminum, barium, boron, iron, lithium, manganese, strontium, selenium, vanadium, and zinc) from a brine release. The report was published in the *Observer-Reporter* on September 27, 2018.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of

sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Eric and Robyn Rooney Property, 1015 Jones Drive, Spring Brook Township, **Lackawanna County**. Eric Rooney, P.O. Box 1043, Moscow, PA 18444, submitted a Final Report concerning remediation of site soils contaminated with heating oil. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on October 29, 2018.

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

Baughman's U-Pull-It Auto Parts, 441 Eberts Lane, York, PA 17403, York City, **York County**. Independence Environmental Consulting, LLC, 1750 Kaylor Road, Hummelstown, PA 17036, on behalf of 426 Property Management, LLC, 3631 Trout Run Road, York, PA 17406, submitted a Remedial Investigation Report concerning site soil and groundwater contaminated with inorganics, VOCs and PAHs. The Report was disapproved by the Department on October 19, 2018.

Newman Development Group of Muhlenberg LLC, 4225 North Fifth Street Highway, Muhlenberg, PA 19560, Muhlenberg Township, **Berks County**. Liberty Environmental, 505 Penn Street, Reading, PA 19601, on behalf of Newman Development Group of Muhlenberg LLC, 300 Plaza Drive, P.O. Box 678, Vestal, NY 13851-0678, and

Teresa Friedman, Trustee, 603 Trent Avenue, Wyomissing, PA 19610 submitted a Final Report concerning site soil contaminated with PAHs. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard, and was approved by the Department on October 23, 2018.

ShIPLEY Energy—York Oil Service, 714 Loucks Mill Road, York, PA 17403, Spring Garden Township, **York County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601-1901, on behalf of Shipley Energy Group, 415 Norway Street, York, PA 17403, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard, and was approved by the Department on October 23, 2018.

Allegheny Veterinary Hospital, 110 North Jefferson Street, Mt. Union, PA 17066, Mt. Union Borough, **Huntingdon County**. McKee Environmental, Inc., 86 Quartz Drive, Bellefonte, PA 16823, on behalf of Allegheny Veterinary Hospital, 110 North Jefferson Street, Mt. Union, PA 17066, submitted a Cleanup Plan, Remedial Investigation, and Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline. The Final Report was administratively incomplete and was disapproved by the Department on October 23, 2018.

Lanchester Landfill/UMO Release, 481 South Churchtown Road, Narvon, PA 17555, Caernarvon Township, **Lancaster County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Energy Developments, LLC, 481 South Churchtown Road, Narvon, PA 17555, and Chester County Solid Waste Authority/Lancaster Landfill, 7224 Division Highway, Narvon, PA 17555 submitted a Final Report concerning remediation of site soil contaminated with used motor oil. The report was approved by the Department on October 29, 2018.

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

Cramer Studios, 105 North Potter Street, Borough of Bellefonte, **Centre County**. JK Environmental Services, LLC, 145 Mulligan Drive, Hollidaysburg, PA 16648, on behalf of Cramer Studios, 105 North Potter Street, Bellefonte, PA 16823, has submitted a Final Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with unleaded gas. The reports demonstrated attainment of the Site-Specific Standard and was approved by the Department on October 12, 2018.

Litke Pad 1, 1346 Ridge Road, Burnside Township, **Centre County**. Hull & Associates, Inc., 300 Merchant Lane, Suite 307, Pittsburgh, PA 15205, on behalf of EXCO Resources PA LLC, 260 Executive Drive, Suite 100, Cranberry Township, PA 16066-6446, has submitted a Final Report concerning remediation of site soil contaminated with Brine. The report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on October 12, 2018.

Cynthia M. Knispel Pad A, 386 Cindy Mae Road, Cogan House Township, **Lycoming County**. Leidos, Inc., 6310 Allentown Boulevard, Suite 110, Harrisburg, PA 17112, on behalf of ARD Operating, LLC, 33 West Third Street, Suite 300, Williamsport, PA 17701, has submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with Salt Treatment

Fluid. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 10, 2018.

Eagle Express Lines/Hoovestol, Inc. Diesel Spill Cleanup, I-80 at MM 215.7E, Milton, Turbot Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Eagle Express Lines/Hoovestol, Inc., 925 175th Street, Homewood, IL 60430, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 12, 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, PO Box 69170, Harrisburg, PA 17106-9170.

Hazardous Waste Transporter License Issued

NRC East Environmental Services, Inc., 114 Bridge Road, Salisbury, MA 01952. License No. PA-AH 0876. Effective Oct 29, 2018.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permits issued, suspended, expired, denied, revoked, reinstated or returned 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 a Hazardous Waste Treatment, Storage or Disposal Facility.

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

Letterkenny Army Depot, Permit Number PA6213820503, 1 Overcash Avenue, Chambersburg, PA 17201.

The Department of Environmental Protection has issued a Class 2 Permit Modification for RCRA Part B Permit Number PA6213820503 that allows the operation of a new Flashing Furnace unit to thermally treat outdated small arms munitions at Letterkenny Army Depot's Open Burning/Open Detonation Area, located in Greene, Hamilton and Letterkenny Townships, **Franklin County**. The Class 2 Permit Modification was issued on October 26, 2018.

Persons interested in reviewing this permit may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP4-48-001: Consolidated Storage Companies, Inc. (225 Main Street, Tatamy, PA 18085) on October 29, 2018, for operation of Burn Off Oven at their facility in Tatamy Borough, **Northampton County**.

AG5-58-00006A: NG Advantage, LLC (480 Hercules Drive, Colchester, VT 05446) on October 25, 2018 for installing engines at the Springville Station site located in Springville Twp., **Susquehanna County**.

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

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

GP1-21-03106: UPMC Pinnacle (218 S. 2nd Street, Harrisburg, PA 17104) on October 23, 2018, for the two existing natural gas/No. 2 oil-fired boilers, under GP1, at the West Shore Hospital located in Hampton Township, **Cumberland County**. The general permit authorization was renewed.

GP4-67-03051: Swam Electric dba B. J. Baldwin Electric, Inc. (490 High Street, Hanover, PA 17331) on October 24, 2018, for an existing burnoff oven, under GP4, at the facility located in Hanover Borough, **York County**. The general permit authorization was renewed.

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

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

GP3-08-329G: Johnson Quarries, Inc. (P.O. Box 136 Orange Street, Le Raysville, PA 18829) on October 29, 2018, to authorize the construction and operation of a 2016 vintage McCloskey C44 portable crushing plant, a 2008 vintage Tesab 1012T portable crushing plant, a 2003 vintage Terex Pegson 26x44 portable crushing plant, a 2015 vintage McCloskey J50C portable crushing plant, a 2008 vintage Powerscreen Chiefton 1400 portable screening plant, a 2006 vintage Extec E7 portable screening plant, a 2010 vintage McCloskey S190 portable screening plant, a 2016 vintage McCloskey R155 portable screening plant and a 2011 vintage Tesab 80x42 portable stacker conveyor pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Cobbs Corners Quarry located in Stevens Township, **Bradford County**.

GP11-08-329G: Johnson Quarries, Inc. (P.O. Box 136 Orange Street, Le Raysville, PA 18829) on October 29, 2018 to authorize the construction and operation of a 2014 vintage 440 horsepower Caterpillar C13 diesel engine, a 2008 vintage 440 horsepower Caterpillar C13 diesel engine, a 2003 vintage 300 horsepower Caterpillar C9 diesel engine, a 2015 vintage 350 horsepower Caterpillar C9 diesel engine, a 2008 vintage 100 horsepower Deutz diesel engine, a 2006 vintage 100 horsepower Deutz diesel engine, a 2010 vintage 129 horsepower Caterpillar C4.4 diesel engine and a 2017 vintage 131 horsepower Caterpillar C4.4 diesel engine pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 Fuel-Fired Internal Combustion Engines

(BAQ-GPA/GP-9) at their Cobbs Corners Quarry located in Stevens Township, **Bradford County**.

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.

AG5A-63-00001A: Range Resources Appalachia, LLC (3000 Town Center Boulevard, Canonsburg, PA 15317) on October 11, 2018, received authorization under GP-5A for construction and/or operation of sources and controls associated with a natural gas well pad at its Miller William 10129 facility located in Jefferson Township, **Washington 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.

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

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

09-0197A: Hiossen Inc. (85 Ben Fairless Drive, Fairless Hills, PA 19030) On October 24, 2018 to construct and operate an acid etching machine with two (2) scrubbers at an existing State-Only facility located in Falls Township, **Bucks County**.

23-0003AD: Monroe Energy, LLC (4101 Post Road, Trainer, PA 19061) On October 24, 2018 for the installation of a new, two bay LPG Truck Loading Rack located in Trainer Borough, **Delaware County**.

46-0278C: Tierpoint 2, LLC (1000 Adams Rd, Norristown, PA 19403) On October 30, 2018 to install and operate ten (10) EPA Certified Tier 2 diesel-fired engines having a rated capacity of 2,922 horsepower each for the purpose of providing back-up emergency electrical power at an existing State-Only facility located in Lower Providence Township, **Montgomery County**.

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

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

28-05002R: Letterkenny Army Depot—US Department of Defense (One Overcash Avenue, Chambersburg, PA 17201) on October 23, 2018, for the implementation of Plantwide Applicability Limits (PAL) at the Letterkenny Army Depot in Greene/Letterkenny Townships, **Franklin County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

23-00471: Evonik Corporation (1200 West Front Street, Chester, PA 19013-3438) On October 17, 2018 for

the installation of two mills, a silo and associated baghouses as a control located in Chester City, **Delaware County**.

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

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

67-03178A: White Metal Recycling, Inc. (150 South Orchard Street, Yoe, PA 17313) on October 29, 2018, for the construction of two (2) natural gas-fired secondary aluminum sweat furnaces each controlled by two dedicated afterburners at the metal recycling facility located in York Township, **York County**. The plan approval was extended.

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

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

18-00021B: Avery Dennison Performance Polymers (171 Draketown Road, Mill Hall, PA 17751) on October 23, 2018, for the continued construction and temporary operation of the R-100 emulsion reactor system at their facility located in Bald Eagle Township, **Clinton County**. The plan approval has been extended 180 days from October 30, 2018, to April 28, 2019.

14-00003F: Pennsylvania State University (101P Physical Plant Bldg, University Park, PA 16802) on October 24, 2018, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from October 24, 2018 to April 22, 2019, at their University Park Campus located in College Township and State College Borough, **Centre 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.

63-00930A: Woodruff Partners, LLP (28020 Washington Road, McMurray, PA 15317) on October 25, 2018, to extend the period of temporary operation of the existing Matthews IE-43PPII crematory and construction and temporary operation of the proposed IEB-26 crematory at the facility in North Strabane Township, **Washington County**. The new expiration date is April 28, 2019.

63-00968A: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 1, Suite 1600, Denver, CO 80202-2137) Extension effective October 28, 2018, to extend the period of temporary operation of eight new rich burn natural gas-fired compressor engines rated at 1,980 bhp each and controlled by three-way catalysts authorized under PA-63-00968A until April 28, 2019, at the Smith Compressor Station located in Smith Township, **Washington County**.

32-00436A: John A. Lefdahl Funeral Home (898 Old Route 119 North, Indiana, PA 15701) plan approval extension effective on October 28, 2018, with expiration on April 28, 2019, for continued temporary operation of an animal crematory incinerator at its facility located in White Township, **Indiana County**.

63-00930A: Woodruff Partners, LLP—DBA Peaceful Pastures Pet Cemetery (2820 Washington Road, McMurray, PA 15317) plan approval extension effective on

October 28, 2018, with expiration on April 28, 2019, for continued temporary operation of two (2) animal crematory incinerators at its facility located in North Strabane Township, **Washington County**.

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

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

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

36-05018: Aquatic Company (40 Industrial Road, Elizabethtown, PA 17022-9425) on October 23, 2018, for the fiberglass tub & shower manufacturing facility located in West Donegal Township, **Lancaster County**. The Title V permit was renewed.

28-05003: Columbia Gas Transmission, LLC (455 Racetrack Road, Washington, PA 15301-8910) on October 23, 2018, for the Greencastle natural gas compressor station located in Montgomery Township, **Franklin County**. The Title V permit was renewed.

01-05003: Columbia Gas Transmission, LLC (455 Racetrack Road, Washington, PA 15301-8910) on October 23, 2018, for the Gettysburg natural gas compressor station located in Straban Township, **Adams County**. The Title V permit was renewed.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

48-00047: Highway Materials, Inc./Nazareth Asphalt Plant (409 Stenton Avenue, Flourtown, PA 19031-1327). On October 25, 2018, the Department issued a renewal State-Only (Synthetic Minor) Permit for the manufacture of Asphalt Paving Mixtures and Blocks facility in Upper Nazareth Township, **Northampton County**. The primary sources consist of a Hot Mix Asphalt Plant, Portable Crushing Plant, Elevators, Screens, Bins, and two (2) Diesel IC Engines. The control devices are a baghouse and water sprays. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), particulate matter (PM₁₀), and volatile organic compounds (VOC) emissions. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

36-03142: H&K Group, Inc. (2052 Lucon Road, P.O. Box 196, Skippack, PA 19474-0196) on October 17, 2018, for the stone crushing operations at the Silver Hill

Quarry located in Brecknock Township, **Lancaster County**. The State-only permit was renewed.

21-03078: Carlisle Coatings & Waterproofing, Inc. (1275 Ritner Highway, Carlisle, PA 17013-9381) on October 23, 2018, for the asphalt felts and coatings manufacturing facility located in Carlisle Borough, **Cumberland County**. The State-only permit was renewed.

36-03034: Purina Animal Nutrition, LLC (3029 Hempland Road, Lancaster, PA 17601-1309) on October 22, 2018, for the animal feed mill located in East Hempfield Township, **Lancaster County**. The State-only permit was renewed.

36-05157: Ivy Creek Custom Cabinetry, Inc. (99 Elmwood Avenue, Landisville, PA 17538-1305) on October 22, 2018, for the wood cabinet manufacturing facility located in East Hempfield Township, **Lancaster County**. The State-only permit was renewed.

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

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

30-00109: Equitrans, LP (EQT Plaza, 625 Liberty Ave., Suite 1700, Pittsburgh, PA 15222) On October 26, 2018, the Department issued a renewal State Only Operating Permit for the Rogersville Compressor Station in Center Township, **Greene County**. Equipment at this facility includes one (1) 83.4 bhp natural gas-fired emergency generator engine, one (1) 127 MMscfd triethylene glycol dehydration unit controlled by a 7.0 MMBtu/hr natural gas-fired enclosed ground flare, one (1) 0.77 MMBtu/hr natural gas-fired dehydration unit reboiler, one (1) condensate storage tank, one (1) glycol line heater, one (1) parts washer, blowdown emissions, and fugitive emissions. The facility is subject to the applicable requirements of Title 25 Pa. Code Chapters 121—145. The emergency generator engine is subject to 40 CFR Part 60, Subpart JJJJ, NSPS for Stationary Spark Ignition Internal Combustion Engines. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

56-00298: Garrett Limestone, Inc./Romesburg Quarry (1 Pine Street, New Eagle, PA 15067) on October 30, 2018, the Department of Environmental Protection (DEP) authorized a renewed State-Only Operating Permit for a limestone nonmetallic mineral processing plant and is located in Summit Township, **Somerset County**. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

56-00154: George E. Mason Funeral Home, Inc. (1687 Tire Hill Road, Davidsville, PA 15928) on October 29, 2018, the Department of Environmental Protection (DEP) authorized a renewed State-Only Operating Permit for a facility consisting of two cremation units and is located in Conemaugh Township, **Somerset County**. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

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:

OP17-000031: Nupro Industries Corporation (2925 E. Ontario Street, Philadelphia, PA 19134) issued on

October 30, 2018 for the operation of an oil manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) boilers firing natural gas each rated 24.5 MMBtu/hr or less, one (1) boiler firing No. 2 fuel oil rated 13.4 MMBtu/hr, one (1) 4.5 MMgallons/year inedible animal oils process, one (1) 6,500 gallon ester reactor with associated 350 gallon primary and 350 gallon secondary condenser, one (1) 3,500 gallon ester reactor with associated 275 gallon primary and 275 gallon secondary condenser, and two (2) 54,000 gallon/hr cooling towers.

OP18-000147: Cross Connect Solutions, Inc. (401 N. Broad Street, Philadelphia, PA 19108) issued on October 30, 2018 for the operation of a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source include seven (7) diesel-fired emergency generators with diesel oxidation catalyst (DOC) rated at 1,500 kilowatts (kW) or less. The limit for testing and tuning of the emergency generators has been changed from 30 minutes per week to 100 hours per calendar year. The catalytic activities testing requirement for each emergency generator has been changed to a portable analyzer test.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

56841612 and NPDES No. PA0588491. Wilson Creek Energy, LLC, (1576 Stoystown Rd., P.O. Box 260, Friedens, PA 15541). To renew the NPDES permit for the Wilson Creek Coal Preparation Plant in Black Township, **Somerset County**. No additional discharges. The application was considered administratively complete on February 22, 2017. Application received: April 26, 2016. Permit issued: October 19, 2018.

32961302 and NPDES No. PA0214949. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the NPDES permit for the Ondo Mine in Brush Valley Township, **Indiana County**. No additional discharges. The application was considered administratively complete on February 5, 2018. Application received: February 5, 2018. Permit issued: October 19, 2018.

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

17100104 and NPDES PA0257320. RES Coal, LLC (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Permit renewal for continued operation and restoration of a bituminous surface coal mine located in Chest Township, **Clearfield County** affecting 125.0 acres. Receiving stream(s): UNT to Chest Creek and Chest Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: May 7, 2018. Permit issued: October 26, 2018.

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

63120103 and NPDES Permit No. PA0252310. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Nottingham Township, **Washington County**, affecting 276.4 acres. Receiving streams: Unnamed tributaries to Mingo Creek and Mingo Creek. Application received: July 16, 2018. Renewal permit issued: October 29, 2018.

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

Permit No. 54803019T3 and NPDES Permit No. PA0224995. Rausch Creek Anthracite Coal, LLC, (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite surface mine and NPDES Permit for discharge of treated mine drainage in Hegins and Porter Townships, **Schuylkill County** affecting 951.69 acres, receiving stream: East Branch Rausch Creek, classified for the following use: cold water fishes. Application received: December 8, 2017. Transfer issued: October 24, 2018.

Permit No. 54080201R2. Waste Management & Processors, Inc., (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Mechanicsville, Port Carbon and Palo Alto Boroughs, **Schuylkill County** affecting 162.0 acres, receiving stream: Little Schuylkill River. Application received: May 1, 2018. Renewed issued: October 26, 2018.

Permit No. PAM113040R. Waste Management & Processors, Inc., (10 Gilberton Road, Gilberton, PA 17934), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54080201 in Mechanicsville, Port Carbon and Palo Alto Boroughs, **Schuylkill County**, receiving stream: Little Schuylkill River. Application received: May 1, 2018. Renewed issued: October 26, 2018.

Permit No. 54-305-045GP12. Reading Anthracite Company, (P.O. Box 1200, Pottsville, PA 17901), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54773006 in Cass, Foster and New Castle Townships, **Schuylkill County**. Application received: June 8, 2018. Permit issued: October 26, 2018.

Noncoal Permits Issued

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

37880304. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Renewal of existing NPDES No. PA0204906 in Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributaries to Slip-

pery Rock Creek. Application received: June 11, 2018. Permit Issued: October 16, 2018.

37970302. Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Renewal of existing NPDES No. PA0227579 in Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek. Application received: April 20, 2018. Permit Issued: October 16, 2018.

16860310. Glen-Gery Corporation (1166 Spring Street, P.O. Box 7001, Reading, PA 19610) Renewal of existing NPDES No. PA0107395 in Limestone & Monroe Townships, **Clarion County**. Receiving streams: Unnamed tributary to Piney Creek and unnamed tributary to Little Piney Creek. Application received: June 21, 2018. Permit Issued: October 16, 2018.

3076SM13. White Rock Silica Sand Company, Inc. (331 Methodist Road, Greenville, PA 16125) Renewal of existing NPDES No. PA0207535 in Hempfield Township, **Mercer County**. Receiving streams: Unnamed tributary to Shenango River. Application received: July 16, 2018. Permit Issued: October 16, 2018.

PAM614001. G. L. Carlson, Inc. (P.O. Box 97, Turtlepoint, PA 16750) Renewal of General NPDES Permit for stormwater discharge associated with mining activities on MDP No. 4675SM18 in Annin Township, **McKean County**. Receiving streams: Allegheny River. Application received: September 21, 2018. Permit Issued: October 16, 2018.

24070301. Advanced Disposal Services Greentree Landfill, Inc. (635 Toby Road, Kersey, PA 15846) Renewal of existing NPDES No. PA0258318 in Fox Township, **Elk County**. Receiving streams: Unnamed tributaries to Bear Run. July 6, 2018. Permit Issued: October 22, 2018.

3175SM13. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) Revision to reclamation fill to the mine drainage permit in Scott Township, **Lawrence County**, affecting 617.4 acres. Receiving streams: Taylor Run. Application received: September 6, 2018. Permit Issued: October 18, 2018.

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

Permit No. 64112501C2 and NPDES Permit No. PA0225045. Robert A. Coleman, (P.O. Box 3, Susquehanna, PA 18847), renewal of NPDES Permit for discharge of treated mine drainage in Scott Township, **Wayne County**, receiving stream: Sherman Creek. Application received: April 27, 2018. Renewal issued: October 23, 2018.

Permit No. 48980301C8 and NPDES Permit No. PA0223875. Chrin Brothers, Inc., (635 Industrial Drive, Easton, PA 18042), renewal of NPDES Permit for discharge of treated mine drainage in Williams Township, **Northampton County**, receiving stream: unnamed tributary to Lehigh River. Application received: April 30, 2018. Renewal issued: October 25, 2018.

Permit No. 64940302C12 & NPDES Permit No. PA0223387. Bedrock Quarries, Inc., (P.O. Box 79, Skippack, PA 19474), correction to an existing quarry operation to remove area as unaffected and add new area for a total of 98.0 acres, receiving stream: unnamed tributary to North Branch Calkins Creek. Application received: March 5, 2018. Correction issued: October 29, 2018.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

08184106. M & J Explosives, LLC (P.O. Box 1248, Carlisle, PA 17013). Blasting on project SGL 12N FWI for fresh water impoundment located in Leroy Township, **Bradford County** with expiration date of September 30, 2019. Permit issued: September 26, 2018.

08184107. Valley Rock Solutions, LLC (P.O. Box 246, Macungie, PA 18062). Blasting at the Broadleaf Holdings for a well pad located in Columbia, Springfield, Troy Townships, **Bradford County** with an expiration date of October 22, 2019. Permit issued: October 26, 2018.

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

Permit No. 48184113. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Majestic Lot 3 Extension in the City of Bethlehem, **Northampton County** with an expiration date of October 20, 2019. Permit issued: October 23, 2018.

Permit No. 40184108. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Hanover 9 Warehouse in Hanover Township, **Luzerne County** with an expiration date of August 17, 2019. Permit issued: October 26, 2018.

Permit No. 58184116. DW Drilling & Blasting, DW Drilling & Blasting, LLC (2733 East Battlefield Street # 320, Springfield, MO 65804), construction blasting for Pavelski J P1 gas pad in Gibson Township, **Susquehanna County** with an expiration date of October 22, 2019. Permit issued: October 26, 2018.

Permit No. 58184117. DW Drilling & Blasting, DW Drilling & Blasting, LLC (2733 East Battlefield Street # 320, Springfield, MO 65804), construction blasting for Anderson Compressor Pad in Auburn Township, **Susquehanna County** with an expiration date of October 22, 2019. Permit issued: October 26, 2018.

Permit No. 66184105. Meshoppen Blasting, Inc., (P.O. Box 127, Meshoppen, PA 18630), construction blasting for Hunter Pad in Meshoppen Township, **Wyoming County** with an expiration date of October 16, 2019. Permit issued: October 26, 2018.

Permit No. 67184118. Valley Rock Solutions, LLC, (P.O. Box 246, Macungie, PA 18062), construction blasting for DHL Reindeer Project in East Manchester Township, **York County** with an expiration date of October 19, 2019. Permit issued: October 26, 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.

E51-283. Philadelphia Regional Port Authority, 3460 N. Delaware Avenue, Philadelphia, PA 19134, Philadelphia City, **Philadelphia County**; ACOE Philadelphia District.

To perform the below listed water obstruction and encroachment activities associated with the Autoport Site 2 Development. The proposed project will place fill in approximately 4.07 acres of wetlands to provide a parking area. The proposed project will have 2,275 linear feet of floodway impact and 177,290 square feet of permanent wetland impact. The project is located in the floodplain.

The site is approximately at 5001 League Island Boulevard (Philadelphia, PA-NJ Lat. 39° 53' 26.94"; Long. 75° 9' 27.44").

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.

E48-446. City of Bethlehem, 10 East Church Street, Bethlehem, PA 18018. City of Bethlehem, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 12-foot wide by approximately 500-foot long trail within the floodplain of Saucon Creek (HQ-CWF, MF) and to construct and maintain other floodplain activities including vegetated swales, grade tie-ins, stormwater management facilities and minor grading. The project will impact approximately 1.32 acre of the floodplain of Saucon Creek. No floodway impacts are proposed.

The project is located along State Route 412 north of the intersection with State Route 78. (Hellertown, PA Quadrangle; Latitude: 40° 36' 23"; Longitude: -75° 20' 34") in the City of Bethlehem, Northampton County. Subbasin 2C.

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

E22-644: Hershey Entertainment & Resorts Company, 27 West Chocolate Avenue, Suite 100, Hershey, PA 17033 in Derry Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To 1) construct and maintain stream restoration activities on an approximately 1,200 linear foot reach of Spring Creek (WWF, MF) consisting of grading the stream corridor, stabilizing and seeding the banks, and reconstructing the stream bed with native material, rock boulders, stone deflectors, and rock vane deflectors. 2) install and maintain 68 ride piers each impacting 36 ft² of floodway of Spring Creek (WWF, MF). 3) remove one former roadway and two pedestrian bridges. 4) install and maintain a 40 ft wide by 200 ft long utility corridor consisting of one four-inch (4") steel natural gas line, two electric line duct bank with four (4), four-inch (4") conduits, and one-telecommunications line duct bank crossing with four (4) four-inch (4") conduits. 5) install and maintain access roads impacting 6,043 ft² of floodway of Spring Creek (WWF, MF); all for the purpose of constructing a proposed amusement park attraction and renovating existing facilities. The project property is located at 108 Chocolate World Way (Lat: 40° 17' 11" N, Lon: 76° 39' 33" W) and is approximately 367.20 acres in size. No wetlands will be impacted by this project. The permit was issued on October 23, 2018.

E28-395: Wilson College, 1015 Philadelphia Avenue, Chambersburg, PA 17201 in Chambersburg Borough, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing bridge structures and to 1) construct and maintain a single-span prestressed composite adjacent box beam bridge with an out-to-out width of 34.0 feet, a clear span of 68.0 feet and an average underclearance of 5.5 feet over Conococheague Creek (WWF), 2) install and maintain a 34.0 foot long corrugated metal pipe arch with a span of 71 inches and a rise of 47 inches located in the floodway of Conococheague Creek (WWF), and 3) relocate an existing sewer line adjacent to the bridge crossing, necessitating three 6.0-inch manholes and 190 linear feet of 30.0-inch cast/ductile iron pipe located in the floodway of Conococheague Creek (WWF), all for the purpose of upgrading an existing

roadway to improve safety standards. The project is located along Wilson College Lane on campus of Wilson College in Chambersburg Borough, Franklin County (Latitude: 39.953057; Longitude: -77.651673). The permit was issued on October 25, 2018.

E07-468: Aaron Ritchey, 153 West 200 South, Smithfield, UT 84335 in Freedom Township, **Blair County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a 64.0-foot long, 12.0-foot wide single span steel beam bridge over Poplar Run (CWF, MF) and a portion of its floodway for the purpose of providing access to a private land parcel. The project is located approximately 0.10 mile southwest of the intersection of Findley Lane and Puzzletown Road (Latitude: 40° 23' 2" N; Longitude: 78° 28' 38" W) in Freedom Township, Blair County. No wetlands will be impacted by this project. The permit was issued on October 29, 2018.

E67-943: Spring Grove Borough, 1 Campus Avenue, P.O. Box 126, Spring Grove, PA 17362 in Spring Grove Borough, **York County**, U.S. Army Corps of Engineers Baltimore District.

To 1) restore approximately 1,305 linear feet of stream channel and 2) relocate direct discharge points to the stream for the purpose of repairing highly eroded areas and reducing sediment discharge from an unnamed tributary to Codorus Creek (WWF, MF) into the lower Susquehanna watershed. The project is located between Campus Avenue and Roths Church Road in Spring Grove Borough, West York Quadrangle, (Lat: 39° 53' 3.3294" N, Long: 76° 51' 57.4829" W). No wetlands will be impacted by this project. The permit was issued on October 29, 2018.

E21-457: Mt. Zion Associates, L.P., 1877 South Federal Highway, Suite 304, Boca Raton, FL 33432 in Hampden Township, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

To 1) construct and maintain a 98.0 foot long 112" by 75" Corrugated Metal Pipe arch culvert in and along an unnamed tributary to Sears Run (WWF, MF) (40.272311, -76.982461), and 2) construct and maintain an 8" drinking water main, an 8" sanitary sewer main, a 4" natural gas main, a 4" electrical conduit, a 2" cable conduit and a 2" telephone conduit, all crossing an unnamed tributary to Sears Run (WWF, MF) and located within the roadway footprint (40.272311, -76.982461), all for the expansion of Cumberland Technology Park along Technology Parkway Drive in Hampden Township, Cumberland County. No wetland impact is proposed with this project. The permit was issued on October 29, 2018.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1585-A3, Pennsylvania American Water Company, 800 West Hershey Park Drive, Hershey, PA 17033, Baldwin Borough and City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Amend permit number E02-1585 to replace three (3) existing, 24-inch diameter raw water mains with a single, 42-inch diameter water main, to provide raw water to the Hays Mine Water Treatment Plant. The proposed 42-inch water main will connect to the existing water mains at

both ends of the proposed alignment. Boring under the culverts associated with this amendment will impact approximately 15 linear feet of stream channel. Mitigation will not be required. This was originally published under the Permit Number E02-1585-A2.

The original permit authorized Pennsylvania American Water to remove and replace water intake structures, pump station and associated transmission lines that resulted in three stream crossings. The project is near Becks Run Road from its intersection with Agnew Avenue to approximately 400 feet southwest of its intersection with Bajo Street/Parkwood Road (Pittsburgh East, PA USGS Topographic Quadrangle; Latitude: 40° 24' 15"; Longitude: -79° 58' 33"; Pittsburgh ACOE District; Sub-basin 19A), in Baldwin Borough/City of Pittsburgh, Allegheny County.

E02-1777, Bursca Frontgate, LP, 3109 Washington Pike, Bridgeville, PA 15017, South Fayette Township, Allegheny County, Pittsburgh ACOE District.

Has been given consent to:

Construct and maintain fill, a 10,400-square foot commercial building, utilities, stormwater management facilities, and other necessary infrastructure in the floodway of Coal Run (WWF), and to construct and maintain a 20' wide by 9' high arch culvert that will permanently impact 42 linear feet of Coal Run, and will include 40 linear feet of temporary impacts to Coal Run. Mitigation is not required based on configuration of the open bottom arch culvert. The project is located at 3109 Washington Pike. (Bridgeville PA, USGS Topographic Quadrangle; Latitude 40° 20' 52N", Longitude -80° 06' 40.45", Sub-basin 20F, Army Corps of Engineers Pittsburgh District), in South Fayette Township, Allegheny County.

E02-1781, Elizabeth Borough Municipal Authority, 1 Locust Street, Elizabeth, PA 15037-0268, Elizabeth Borough, Allegheny County, Pittsburgh ACOE District.

Has been given consent to:

Construct and maintain a new pump station and associated infrastructure, including the relocation of the existing interceptor, CSO 3, Fall Timber lines, replacement of an existing 8-inch transit forcemain, a new 6-inch effluent reuse line, and a 30-inch wet weather forcemain, for The Elizabeth Borough Municipal Authority. This project will permanently impact 5 linear feet of stream. Mitigation is not required. The project is located near Church Street and River Alley in the FEMA floodplain of the Monongahela River (WWF) and the floodway of Fallen Timer Run (WWF) (Glassport, PA USGS topographic quadrangle; Latitude: 40° 16' 37"; Longitude: -79° 52' 56"; Sub-basin 19C; ACOE: Pittsburgh District), in Elizabeth Borough, Allegheny County.

E65-995, Derry Township Municipal Authority, P.O. Box 250, New Derry, PA 15671, Derry Township, Salem Township and New Alexandria Borough, Westmoreland County; Pittsburgh ACOE District.

Has been given consent to:

1. Permanently impact 434 linear feet of stream, including 11 stream crossings. Streams impacted include Loyalhanna Creek (WWF), McCune Run (WWF), and unnamed tributaries to McCune Run.

2. Permanently impact 0.15 acre of wetland overall, including 9 wetland crossings. Wetland types impacted include PEM, PSS, and PFO.

For the purpose of extending an existing sanitary sewer line from Keystone State Park to New Alexandria. The project will include the installation of approximately 4,900 linear feet of 8-inch gravity sewer line leading from Keystone State Park to SR 981, a pump station along SR 981, and 9,500 linear feet of 6-inch force main line from the proposed pump station to the Borough of New Alexandria. Approximately 5,440 linear feet of additional gravity sewers are proposed along portions of Flowers Road and SR 981 to provide public sewage to existing homes. The project will serve Keystone State Park and adjacent areas in Derry Township.

The project site is located near Keystone State Park in Saltsburg and Latrobe, PA USGS topographic quadrangles. The sewer line begins near Greywing Community Park at 40° 23' 38.7"; -79° 25' 25.5" and ends near Keystone Lake at 40° 22' 29.69"; -79° 23' 45.93" (Sub-basin 18C; USACE Pittsburgh District), in Derry Township, Salem Township and New Alexandria Borough, Westmoreland County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-2 # ESX18-125-0010
Applicant Name Nineveh Compressor Station
Contact Person Carol Phillips
Address 1000 Consol Energy Drive
City, State, Zip Cannonsburg, PA 15317
County Washington
Township(s) Morris
Receiving Stream(s) and Classification(s) UNTs to
Tenmile Creek (TSF)/Tenmile Creek (TSF)

ESCGP-2 # ESX18-051-0006
Applicant Name Chevron Appalachia, LLC
Contact Person Branden Weimer

Address 700 Cherrington Parkway
 City, State, Zip Coraopolis, PA 15108
 County Fayette County
 Township(s) Luzerne Township
 Receiving Stream(s) and Classification(s) UNT to Cox
 Run (WWF), Cox Run (WWF), UNT to Rush Run
 (WWF), Rush Run (WWF), UNT to Monongahela River
 (WWF)
 Secondary Receiving Stream: Monongahela River
 (WWF)

ESCGP-2 # ESX18-051-0004
 Applicant Name Chevron Appalachia, LLC
 Contact Person Branden Weimer
 Address 700 Cherrington Parkway
 City, State, Zip Coraopolis, PA 15108
 County Fayette County
 Township(s) German Township
 Receiving Stream(s) and Classification(s) UNTs to Browns
 Run (WWF)
 Secondary Receiving Stream: Monongahela River
 (WWF)

ESCGP-2 # ESX18-051-0003
 Applicant Name Chevron Appalachia, LLC
 Contact Person Branden Weimer
 Address 700 Cherrington Parkway
 City, State, Zip Coraopolis, PA 15108
 County Fayette County
 Township(s) German Township
 Receiving Stream(s) and Classification(s) UNTs to Browns
 Run (WWF)
 Secondary Receiving Stream: Monongahela River
 (WWF)

ESCGP-2 # ESX12-125-0099
 Applicant Name WFN6HS Well Site
 Contact Person Matthew McGuire
 Address 5260 Dupont Road
 City, State, Zip Parkersburg, WV 26101
 County Washington
 Township(s) West Finley
 Receiving Stream(s) and Classification(s) UNT to Robin-
 son Fork (WWF)/Robinson Fork (WWF)

ESCGP-2 # ESX18-051-0005
 Applicant Name Chevron Appalachia, LLC
 Contact Person Branden Weimer
 Address 700 Cherrington Parkway
 City, State, Zip Coraopolis, PA 15108
 County Fayette County
 Township(s) Luzerne Township
 Receiving Stream(s) and Classification(s) UNT to Her-
 eford Hollow (WWF), Hereford Hollow (WWF), UNT to
 Monongahela River (WWF)
 Secondary Receiving Stream: Monongahela River
 (WWF)

ESCGP-2 # ESX18-005-0008
 Applicant Name Snyder Brothers, Inc.
 Contact Person David Snyder
 Address 90 Glade Drive
 City, State, Zip Kittanning, PA 16201-7116
 County Armstrong
 Township(s) Rayburn, Valley
 Receiving Stream(s) and Classification(s) Cowanshannock
 (WWF)

ESCGP-2 # ESX18-129-0004
 Applicant Name Huntley & Huntley Energy Exploration,
 LLC
 Contact Person Jennifer Hoffman
 Address 2660 Monroeville Boulevard
 City, State, Zip Monroeville, PA 15146
 County Westmoreland
 Township(s) Penn
 Receiving Stream(s) and Classification(s) Bushy Run/
 Turtle Creek (TSF)

*Northwest Region: Oil and Gas Program Manager, 230
 Chestnut St., Meadville, PA 16335.*

ESCGP-2 # ESG18-065-0001
 Applicant XTO Energy
 Contact Melissa Breitenbach
 Address 190 Thorn Hill Rd
 City Warrendale State PA Zip Code 15086
 County Jefferson Township(s) McCalmont
 Receiving Stream(s) and Classification(s) Little Sandy
 Creek, Hickok Run, Clutch Run (CWF)

*Eastern Region: Oil & Gas Management Program Man-
 ager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESG29-117-18-0025
 Applicant Name REPSOL Oil and Gas USA, LLC
 Contact Person Lance Ridall
 Address 337 Daniel Zenker Drive
 City, State, Zip Horseheads, NY 14845
 County Tioga
 Township(s) Liberty Twp.
 Receiving Stream(s) and Classification(s) Zimmerman
 Creek (HQ-CWF)

ESCGP-2 # ESG29-015-18-0035
 Applicant Name Rockdale Marcellus, Inc.
 Contact Person Sean Wainwright
 Address 4600 J Barry Court, Suite 120
 City, State, Zip Canonsburg, PA 15317
 County Bradford
 Township(s) Canton Twp.
 Receiving Stream(s) and Classification(s) UNT to Beech
 Flats Creek (CWF, MF), UNT to Towanda Creek
 (CWF, MF)
 Secondary: Beech Flats Creek and Towanda Creek

ESCGP-2 # ESG29-015-18-0041
 Applicant Name EOG Resources, Inc.
 Contact Person Greg Shaffer
 Address 2039 South Sixth Street
 City, State, Zip Indiana, PA 15701
 County Bradford
 Township(s) Smithfield Twp.
 Receiving Stream(s) and Classification(s) UNT to Tomjack
 Creek (TSF)
 Secondary: Tomjack Creek

ESCGP-2 # ESG29-015-18-0040
 Applicant Name EOG Resources, Inc.
 Contact Person Greg Shaffer
 Address 2039 South Sixth Street
 City, State, Zip Indiana, PA 15701
 County Bradford
 Township(s) Springfield, Ridgebury and Smithfield Twps.
 Receiving Stream(s) and Classification(s) UNT to Bentley
 Creek (WWF), Bentley Creek (WWF)
 Secondary: Chemung River

STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

SSIP

Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
18-37-002	Hickory Run Energy, LLC 7500 College Boulevard Overland Park, KS 66210 Attn: Matthew DeSorbo	Lawrence	North Beaver Township	11 ASTs storing hazardous substances and petroleum products	72,482 gallons total

SPECIAL NOTICES

Notice of Requests for Proposals for Municipal Solid Waste Disposal and/or Processing Capacity, Adams County Board of Commissioners, Gettysburg, Pennsylvania

In accordance with *Pennsylvania Code* Title 25, Chapter 272.225 Municipal Waste Planning Recycling and Waste Reduction, as amended, the Adams County Board of Commissioners has determined that additional waste disposal or processing capacity for Municipal Solid Waste, including construction/demolition waste and sewage sludge generated within Adams County, is required for a period covering the next ten years. The Adams County Office of Planning and Development on behalf of the Adams County Board of Commissioners is hereby soliciting proposals for disposal capacity for MSW generated in Adams County, Pennsylvania, with contract approval and execution anticipated by December 31, 2018.

The Request for Proposals (RFP) will be available from the Adams County Office of Planning and Development on or after October 31, 2018. All proposals must be made on and inclusive of the required Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals. The Adams County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal, and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

The Controller of Adams County will receive sealed proposals until 4 p.m. Prevailing Time on November 27, 2018. The Proposer is required to submit four copies of the proposal addressed to the Controller of Adams County, 117 Baltimore Street, Room 207B, Gettysburg, PA 17325. All copies must contain all of the required information and forms. Two of the copies must be marked "Original" and include original signatures of the authorized representative of the facility. The proposals must be packed, sealed, and clearly labeled to show the statement "Proposal for Municipal Solid Waste Disposal and Processing Capacity" and the name and address of the Proposer.

DRINKING WATER STATE REVOLVING FUND

Special Notice Under the Federal Safe Drinking Water Act (SDWA); 42 U.S.C. 300f, et. seq.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Project Location:

Applicant	Applicant Address	County
Clymer Borough Municipal Authority	470 Adams Street Clymer, PA 15728-1156	Indiana

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project.

Problems: The residents of Clymer Borough are experiencing unpleasant taste and odor issues caused by the presence of hydrogen sulfide and old pipes. The existing pipes are old, asbestos concrete and are leaking in several areas. This proposed project will correct the leakage and antiquated pipes. The new aerator scrubber will remove hydrogen sulfide at the existing water treatment plant. The existing clearwell's roof experienced holes and partial collapse exposing the finished water to contaminants. An emergency permit was issued to Clymer to repair holes and have an interconnection with ICMSA to provide finished water. The clearwell was out of operation for approximately 1 month.

Description: The Authority is proposing to install a forced draft aerator for the removal of hydrogen sulfide prior to filtration. In addition, due to the age and condition of the 200,000-gallon tank, it will be replaced along with the plant's above ground clearwell. Also, 7,750 feet of leaking transite waterline will be replaced with 8" C-900 PVC pipe. Installation of 7,750 linear feet of PVC waterline includes 150 3/4" services, 39 gate valves, 11 interconnections, replace 7 existing fire hydrants with new ones, all waterline and appurtenances shall be in Clymer Borough. A new 250,000-gallon water storage tank will be constructed on Clymer Road in Cherryhill Township.

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

33181002. McKay Coal Company, Inc. (P.O. Box 343, Punxsutawney, PA 15767) Authorization to extract noncoal (industrial minerals) in Punxsutawney Borough, **Jefferson County**, to supply fill material for the LCMC Project (Indiana Hill Bridge). Receiving streams: Unnamed tributary to Mahoning Creek. Application received: August 17, 2018. Permit Issued: October 24, 2018.

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

Notice is hereby given that the **Department of Environmental Protection, District Mining Operations**, 131 Broadview Road, New Stanton, PA 15672, has received a request for a public hearing on the draft NPDES Permit for the Amerikohl Mining, Inc., 1384 State Route 711, Stahlstown, PA 15687, regarding a proposed new NPDES permit PA0278271 for the proposed Revtai Government Financed Construction Contract (GFCC), No. 26-17-01, consisting of reclamation of abandoned mine land, located in Saltlick Township, **Fayette County**. In accordance with 25 Pa. Code § 92a.82, DEP published notice of the draft NPDES permit in the *Pennsylvania Bulletin* on October 6, 2018 to allow for public comment regarding this proposal. The site has four proposed NPDES outfalls located in Saltlick Township, Fayette County.

The proposed discharges are to unnamed tributaries to Little Champion Creek/Little Champion Creek, with a 25 Pa. Code § 93.3 designated use as Cold Water Fisheries (CWF).

The new draft NPDES permit lists the following NPDES outfalls:

Outfall 001—Lat: 40° 04' 12.5" Long: 79° 24' 13.7"—UNT to Little Champion Creek

Outfall 002—Lat: 40° 04' 16.4" Long: 79° 24' 28"—UNT to Little Champion Creek

Outfall 003—Lat: 40° 04' 08.5" Long: 79° 24' 11.1"—UNT to Little Champion Creek

Outfall 004—Lat: 40° 04' 19.5" Long: 79° 24' 31.1"—UNT to Little Champion Creek

The Department will hold a public hearing on the new draft NPDES permit application at the Saltlick Township Municipal Building located at 147 Municipal Building Road, Melcroft, PA 15462 on December 12, 2018 from 1 p.m. until 3 p.m. The nature of the public hearing is to solicit concerns and comments regarding the new draft NPDES permit for the Revtai GFCC. The public hearing will be held in accordance with 25 Pa. Code § 92a.83. Hearings may conclude earlier if all testifiers in attendance have spoken prior to the designated end time.

The public hearing is being held at the request of The Mountain Watershed Association, to state their concerns about proposed discharges and other related issues.

A Department representative will be available to receive both written and oral testimony regarding the draft NPDES permit. Individuals will have the opportunity to present up to 5 minutes of oral testimony relevant to the NPDES application and draft NPDES permit. Those who wish to present testimony are asked to register in advance by contacting DEP's community relations coordinator Lauren Fraley at lfraley@pa.gov or 412.442.4203. Testimony will be placed into public record for the draft NPDES permit and considered by Department staff in the review process.

Person with a disability who wish to attend this public hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lauren Fraley at 412.442.4203 to discuss how the Department may accommodate needs. If necessary, use the Pennsylvania AT&T Relay Service by calling

(800).654.5984 (TDD users) or (800).654.5988 (voice users) and request that the call be relayed to Lauren Fraley at 412.442.4203.

Copies of the draft NPDES permit are on file for public review, by appointment, at the Department of Environmental Protection, District Mining Operations, P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, (724).925.5500.

[Pa.B. Doc. No. 18-1748. Filed for public inspection November 9, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Draft Technical Guidance—Substantive Revision

DEP ID: 258-2182-773. **Title:** Management of Fill Policy. **Description:** A person placing solid waste onto the ground is generally required to obtain a permit under the Solid Waste Management Act (SWMA). A person is not required to obtain a permit under SWMA if the person can demonstrate that the material qualifies as clean fill in accordance with the municipal and residual waste regulations, 25 Pa. Code §§ 271.101(b)(3) and 287.101(b)(6) (relating to permit requirement; and general requirements for permit). The Management of Fill Policy defines the universe of materials that qualify as "fill" and provides the Department's procedures for determining whether fill is "clean fill," as defined in the municipal and residual waste regulations in 25 Pa. Code §§ 271.1 and 287.1 (relating to definitions) or "regulated fill," as defined in the policy.

The Department's proposed amendments to the Management of Fill Policy include the following:

- The proposed policy has been revised for clarity and reorganized for ease of use, providing expanded or revised

definitions of existing terms and adding definitions for terms frequently used in the implementation of the existing policy but have not been previously defined.

- The proposed amendments include a stepwise procedure for making a fill determination that clearly identifies the steps necessary to perform environmental due diligence; clarifies the procedures for performing analytical testing, if required, in a manner that is acceptable to the Department; and clarifies the requirements for filing forms or obtaining required approvals prior to transporting fill from one site to another.

- The chemical concentration limits contained in the Management of Fill Policy that are used to determine whether materials are uncontaminated, as that term is defined in the policy, are derived from numerical limits for residential use specified in 25 Pa. Code Chapter 250 (relating to administration of Land Recycling Program). The existing chemical concentration limits were last modified in 2007 and are not consistent with the revisions made in 2011 and 2016 to Chapter 250. The Department is proposing amendments to the Management of Fill Policy to directly reference the applicable limits from 25 Pa. Code Chapter 250, and eliminate Tables FP-1a (organic constituents) and FP-1b (metals and inorganic constituents) from the policy so that future revisions to the numeric limits in Chapter 250 are automatically updated and included in the Management of Fill Policy.

- The Department is proposing amendments to Appendix A of the existing policy relating to sample collection and analytical testing requirements for performing environmental due diligence. The proposed amendments include guidance on developing a sampling plan that meets the data quality objectives required by the Department; expansion of existing sampling instructions to include a sampling protocol for fill contained in piles and fill that is sampled in-situ.

- The Department is proposing the addition of a new section in Appendix A that provides a mechanism for demonstrating that an observed exceedance of a numeric limit is due to background at the donor site. The proposed amendments include the use of an equivalent site evaluation that is performed once a successful background demonstration is made. The proposed equivalent site evaluation is intended to ensure that no new regulated substances are placed on the receiving site other than those that are already determined to be present and that the concentrations of regulated substances in the donor fill have been compared to the concentration of the same regulated substances at the receiving site.

Written Comments: Interested persons may submit written comments on this draft TGD by January 8, 2019. All comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments may be mailed to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD should be directed to Ali Tarquino Morris, (717) 787-7381 or ra-epbenuseall@pa.gov. When submitting questions by e-mail, place "Draft Management of Fill Policy" in the subject line.

Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1749. Filed for public inspection November 9, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Federal Consistency under the Coastal Zone Management Act; Maintenance Dredging at Fort Mifflin Terminal

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that Sunoco Partners Marketing and Terminals (applicant) is proposing to conduct maintenance dredging activities at the Fort Mifflin Terminal in Tinicum Township.

The applicant is proposing to conduct maintenance dredging at the Fort Mifflin Terminal under the authorization of a United States Army Corps of Engineers (USACE) 10-Year Maintenance Dredging Permit (CENAP-OP-R-2017-00207-75). The berthing areas of Docks A and B will be mechanically dredged with a closed clamshell bucket to a depth of no greater than 42 feet (40 feet plus 2 feet of allowable overdredge) below mean low water. Approximately 47,000 cubic yards of material will be removed per dredge event and a total of up to 235,000 cubic yards will be removed over the duration of the 10-year USACE permit. Dredged material will be placed at either White's Basin or Biles Islands disposal facilities.

This project is subject to Department review for Federal consistency because it is a Federal license and permit activity and will have reasonably foreseeable effects on the Commonwealth's coastal resources or uses.

In accordance with National Oceanic and Atmospheric Administration (NOAA) regulations in 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), the applicant has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, at RA-Fed_Consistency@pa.gov or (717) 772-2196.

The Department will consider all comments received on or before November 26, 2018, before issuing a final Federal consistency concurrence or objection. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are encouraged to submit comments using the Department's eComment system at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments may be

submitted by mail to the Policy Office, Department of Environmental Protection, 400 Market Street, Harrisburg, PA 17101.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1750. Filed for public inspection November 9, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Proposed State Implementation Plan Revision; Redesignation Request and Maintenance Plan for the Delaware County Nonattainment Area for the 2012 Annual Fine Particulate Matter National Ambient Air Quality Standard; Public Hearing

The Department of Environmental Protection (Department) is seeking public comment on a redesignation request and a proposed revision to the State Implementation Plan (SIP) concerning a maintenance plan demonstrating that the Delaware County Area can maintain the 2012 annual fine particulate matter National Ambient Air Quality Standard (NAAQS) for the next 10 years as required under section 175A(a) of the Clean Air Act (42 U.S.C.A. § 7505a(a)). This maintenance plan SIP revision will also establish new motor vehicle emission budgets for transportation conformity purposes in the Delaware County Area.

Particulate matter includes both solid and liquid particles suspended in the air. Fine particle pollution describes particulate matter that is less than or equal to 2.5 micrometers in diameter ($PM_{2.5}$). $PM_{2.5}$ concentrations above the Federal health-based standard pose a serious human health threat. On January 15, 2015, the United States Environmental Protection Agency (EPA) designated Delaware County as a moderate nonattainment area for the 2012 annual $PM_{2.5}$ NAAQS (80 FR 2205, 2264-2265). The Delaware County Area has since come into attainment based on 2013–2015 air quality monitoring data, which the Department submitted to the EPA on April 1, 2016. The EPA determined that Delaware County has attained the 2012 annual $PM_{2.5}$ NAAQS based on 2013–2015 complete, quality assured, and certified ambient air monitoring data that shows that the area is monitoring attainment (81 FR 89868).

With significant improvements in air quality in Delaware County, this nonattainment area now meets the 2012 annual $PM_{2.5}$ NAAQS. Therefore, the Department intends to submit this proposed maintenance plan SIP revision and redesignation request for the Delaware County Area to the EPA for approval.

This proposed SIP revision and redesignation request are available on the Department's web site at <http://www.ahs.dep.pa.gov/eComment> or by contacting Amanda Rodriguez at amarodrigu@pa.gov or (717) 787-9702.

The Department will provide the opportunity for a public hearing to receive comments on the proposed SIP revision on December 12, 2018, at 10 a.m. at the Department's Southeast Regional Office, 2 East Main Street, Norristown, PA. Persons wishing to present testimony

should contact Amanda Rodriguez, P.O. Box 8468, Harrisburg, PA 17105, (717) 787-9702 or amarodrigu@pa.gov to reserve a time. Speakers will be limited to 5 minutes and should provide two written copies of their comments.

The hearing will be cancelled if no person has requested to testify at the hearing by 12 p.m. on Monday, December 10, 2018. The Department will provide public notice on the Bureau of Air Quality webpage at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> if the hearing is cancelled. Persons may also contact Amanda Rodriguez at amarodrigu@pa.gov or (717) 787-9702.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Amanda Rodriguez at amarodrigu@pa.gov or (717) 787-9702. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than December 13, 2018. Commentators are encouraged to submit comments using the Department's eComment system at www.ahs.dep.pa.gov/eComment or by e-mail at ecomment@pa.gov. Written comments may be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Delaware County $PM_{2.5}$ " as the subject line in written communication.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1751. Filed for public inspection November 9, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Recognized Lifeguard Certifying Authorities for 2019

The Department of Health (Department) has determined that the following lifeguard certifying authorities meet the requirements in 28 Pa. Code § 18.42 (relating to certified lifeguards) and are recognized by the Department as lifeguard certifying authorities for 2019: The American Red Cross; Jeff Ellis and Associates; Lifeguard-Pro; YMCA; The Boy Scouts of America; StarGuard ELITE; and National Aquatic Safety Company.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Tyese Swain, Limited English Proficiency Coordinator, Department of Health, Bureau of Community Health Systems, 30 Kline Plaza, Harrisburg, PA 17104, (717) 787-4366, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-1752. Filed for public inspection November 9, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Nursing Facility Assessment Program for Fiscal Year 2018-2019

This notice announces the amount of the assessment that the Department of Human Services (Department) is implementing for Fiscal Year (FY) 2018-2019, provides an explanation of the assessment methodology that the Department is using in FY 2018-2019 and identifies the estimated aggregate impact on nursing facilities which will be subject to the assessment.

Background

Article VIII-A of the Human Services Code (code) (62 P.S. §§ 801-A—815-A) authorizes the Department to impose an annual monetary assessment on nursing facilities and county nursing facilities in this Commonwealth each fiscal year through FY 2018-2019. Under Article VIII-A of the code, the Department may impose the assessment only to the extent that the assessment revenues qualify as the State share of Medical Assistance (MA) Program expenditures eligible for Federal financial participation (FFP). See 62 P.S. § 803-A. To ensure receipt of FFP, Article VIII-A of the code requires the Department to seek a waiver from the Centers for Medicare & Medicaid Services if necessary to implement the Assessment Program. See 62 P.S. § 812-A.

For each fiscal year that the Assessment Program is implemented, the code authorizes the Secretary of the Department (Secretary) to determine the aggregate amount of the assessment and the annual assessment rate in consultation with the Secretary of the Budget. See 62 P.S. § 804-A. The code specifies that annual assessment rates must be sufficient to generate at least \$50 million in additional revenue, but not more than the maximum aggregate assessment amount that qualifies for Federal matching funds. See 62 P.S. § 804-A.

The Secretary must publish a notice in the *Pennsylvania Bulletin* before imposing an annual assessment for a fiscal year. The notice must specify the amount of the assessment being proposed, explain the proposed assessment methodology, identify the estimated assessment amount and aggregate impact on nursing facilities subject to the assessment and provide interested persons a 30-day period to comment. See 62 P.S. § 805-A.

After consideration of any comments received during the 30-day comment period, the Secretary must publish a second notice announcing the rate of assessment for the fiscal year. See 62 P.S. § 805-A. The annual aggregate assessment amount and assessment rate for the fiscal year must be approved by the Governor. See 62 P.S. § 804-A.

The Secretary published a notice at 48 Pa.B. 3378 (June 2, 2018) announcing the proposed assessment rates, the aggregate amount and the impact for FY 2018-2019. No comments were received by the Department in response to the proposed rates notice.

Assessment Methodology and Rates for FY 2018-2019

The following nursing facilities will continue to be exempt from the Assessment Program in FY 2018-2019:

- (1) State owned and operated nursing facilities.

- (2) Veteran's Administration nursing facilities.

- (3) Nursing facilities that have not been licensed and operated by the current or previous owner for the full calendar quarter prior to the calendar quarter in which an assessment is collected.

- (4) Nursing facilities that provide nursing facility services free of charge to all residents.

The Department will continue to assess nonexempt nursing facilities at two rates. One rate will apply to four categories of nursing facilities: county nursing facilities; nursing facilities that have 44 or fewer licensed beds; qualified nursing facilities affiliated with continuing care retirement communities (CCRC) (see 40 Pa.B. 7297 (December 18, 2010)); and nursing facilities with an MA occupancy rate of at least 94% based on the four consecutive assessment quarters beginning April 1, 2016, and ending March 31, 2017, for each nursing facility as of November 13, 2017. The other rate will apply to all other nonexempt facilities, including nursing facilities that began participation in a CCRC on or after July 1, 2010. Using the applicable rate, the Department will calculate an annual assessment amount for each nonexempt facility by multiplying its assessment rate by the facility's historical non-Medicare resident day for the four consecutive assessment quarters beginning April 1, 2016, and ending March 31, 2017. The Department will collect the annual assessment amount in four equal quarterly installments.

The Department will maintain the same rate structure for FY 2018-2019 as in FY 2017-2018, but the assessment rates represent a uniform decrease of \$0.61 from last year's rates. For FY 2018-2019, the assessment rates for nonexempt nursing facilities will be as follows:

- (1) For county nursing facilities, for nursing facilities that have 44 or fewer licensed beds, for qualified CCRC nursing facilities, and nursing facilities with an MA occupancy rate of at least 94% based on the four consecutive assessment quarters beginning April 1, 2016, and ending March 31, 2017, for each nursing facility as of November 13, 2017, the assessment rate will be \$7.40 per historical non-Medicare resident day.

- (2) For all other nonexempt nursing facilities, the assessment rate will be \$31.49 per historical non-Medicare resident day.

The Assessment Program due dates are established in accordance with 72 P.S. § 1729-E(2)(ii) (relating to Department of Human Services) and will be available on the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemixinformation/index.htm>.

Aggregate Assessment Amounts and Fiscal Impact

The Department estimates that the annual aggregate assessment fees for nonexempt nursing facilities will total \$498.352 million. The Department will use the State revenue derived from the assessment fees and any associated FFP to support payments to qualified MA nursing facility providers in accordance with applicable laws and regulations.

Public Comment

Interested persons are invited to submit written comments regarding the contents of this notice to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1279. (1) General Fund;

(7) Long-Term Care; (2) Implementing Year 2018-19 is \$311,728,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$1,099,000,000; 2016-17 Program—\$1,083,000,000; 2015-16 Program—\$968,083,000;

(7) Community HealthChoices; (2) Implementing Year 2018-19 is \$186,624,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$0; 2016-17 Program—\$0; 2015-16 Program—\$0;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1753. Filed for public inspection November 9, 2018, 9:00 a.m.]

DEPARTMENT OF STATE

Corporation Bureau Advisory Committee Meeting

The Corporation Bureau Advisory Committee, under 15 Pa.C.S. § 155(c) (relating to disposition of funds), has scheduled a meeting for Thursday, December 13, 2018, at 11 a.m. for discussion of the Bureau of Corporations and Charitable Organizations' budget. The meeting will be held in Room 303, Executive Office Conference Room, Department of State, North Office Building, 3rd Floor, Harrisburg, PA 17120. The public is invited to attend. Persons who need accommodation due to a disability and wish to attend the meeting should contact Barbara Kennedy at (717) 783-9210 so that arrangements can be made.

ROBERT TORRES,
Acting Secretary

[Pa.B. Doc. No. 18-1754. Filed for public inspection November 9, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by Shenango Crossings, LLC, 462 Blue Heron Drive, New Castle, PA 16105, seeking to lease highway right-of-way located along SR 422 near Hoover Road, Shenango Township, Lawrence County, containing 8,333.99 ± square feet for the purpose of customer parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Cheryl

Moon-Sirianni, PE, District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Jeff Powell, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 18-1755. Filed for public inspection November 9, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Public-Private Partnerships Board Meeting

The Public-Private Partnerships Board will hold a meeting on November 29, 2018, from 1 p.m. to 3 p.m. in the KBMC Forest Room, Plaza Level, Keystone Building, Harrisburg, PA. For more information, contact Kathryn Tartaglia, (717) 214-7222, katartagli@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 18-1756. Filed for public inspection November 9, 2018, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

American Rock Salt Co., LLC v. Department of Environmental Protection; EHB Doc. No. 2018- 103-C

American Rock Salt Co., LLC has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0232874 to American Rock Salt Co., LLC for its facility located in Sandy Township, Clearfield County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 18-1757. Filed for public inspection November 9, 2018, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Middle Susquehanna Riverkeeper and Sierra Club v. Department of Environmental Protection and Montour, LLC; EHB Doc. No. 2018-106-L

Middle Susquehanna Riverkeeper and Sierra Club have appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0008443 to Montour, LLC for its facility located in Derry Township, Montour County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 18-1758. Filed for public inspection November 9, 2018, 9:00 a.m.]

FISH AND BOAT COMMISSION

Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) approved the addition of ten stream sections to its list of Class A

Wild Trout Streams as set forth at 48 Pa.B. 4937 (August 11, 2018). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 18-1759. Filed for public inspection November 9, 2018, 9:00 a.m.]

FISH AND BOAT COMMISSION

Classification of Wild Trout Streams; Additions, Revisions and Removal

The Fish and Boat Commission (Commission) approved the addition of 99 new waters to its list of wild trout streams and the revision to the section limit of 4 waters on the list published at 48 Pa.B. 4932 (August 11, 2018). Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout streams and it is available on the Commission's web site at <http://www.fishandboat.com/Fish/PennsylvaniaFishes/Trout/Pages/TroutWaterClassifications.aspx>.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 18-1760. Filed for public inspection November 9, 2018, 9:00 a.m.]

FISH AND BOAT COMMISSION

Classification of Wild Trout Streams; Proposed Additions and Revisions; January 2019

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commission's Fisheries Management Division maintains the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time-to-time publish the list of wild trout streams in the *Pennsylvania Bulletin*. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams.

At the next Commission meeting on January 14 and 15, 2019, the Commission will consider changes to its list of wild trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

County of Mouth	Stream Name	Section Limits	Tributary to	Mouth Lat/Lon
Cambria	UNT to Chest Creek (RM 30.83)	Headwaters to Mouth	Chest Creek	40.594383 78.650396
Cameron	Hubbard Hollow Run	Headwaters to Mouth	West Creek	41.481914 78.375513
Carbon	Hazle Creek	Headwaters to Mouth	Black Creek	40.945831 75.847221

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat / Lon</i>
Clearfield	Slab Run	Headwaters to SR 219 Bridge	Sandy Lick Creek	41.137289 78.789462
Clearfield	UNT to Chest Creek (RM 1.79)	Headwaters to Mouth	Chest Creek	40.860565 78.707129
Clinton	Kyler Hollow Run	Headwaters to Mouth	Antes Creek	41.132038 77.269516
Clinton	UNT to East Kammerdiner Run (RM 1.39)	Headwaters to Mouth	East Kammerdiner Run	41.116170 77.354540
Clinton	UNT to Holland Run (RM 0.15)	Headwaters to Mouth	Holland Run	41.186779 77.557141
Clinton	UNT to McElhatten Creek (RM 4.98)	Headwaters to Mouth	McElhatten Creek	41.106270 77.333380
Clinton	UNT to McElhatten Creek (RM 7.72)	Headwaters to Mouth	McElhatten Creek	41.075540 77.323450
Dauphin	UNT (RM 0.06) to UNT to Manada Creek (RM 11.50)	Headwaters to Mouth	UNT to Manada Creek (RM 11.50)	40.400710 76.714350
Elk	Bendigo Run	Headwaters to Mouth	East Branch Clarion River	41.526330 78.629970
Elk	Little Bear Run	Headwaters to Mouth	Bear Run	41.475767 78.497849
Elk	UNT to East Branch Clarion River (RM 2.75)	Headwaters to Mouth	East Branch Clarion River	41.519417 78.651556
Franklin	McCasslin Valley Run	Headwaters to Mouth	Wilson Run	39.960529 77.829246
Franklin	Pump Run	Headwaters to Mouth	West Branch Conococheague Creek	39.962368 77.898930
Franklin	Township Run	Headwaters to Mouth	West Branch Conococheague Creek	39.944742 77.907688
Franklin	UNT to West Branch Conococheague Creek (RM 52.35)	Headwaters to Mouth	West Branch Conococheague Creek	40.168100 77.686390
Franklin	Weaver Gap Run	Headwaters to Mouth	Yankees Gap Run	39.987236 77.776387
Franklin	Wilson Run	Headwaters to Coble Road Bridge (T-464)	Back Creek	39.942719 77.738489
Franklin	Yankees Gap Run	Headwaters to Mouth	Dennis Creek	39.980163 77.758518
Huntingdon	UNT (RM 0.10) to UNT to Globe Run (RM 4.81)	Headwaters to Mouth	UNT to Globe Run (RM 4.81)	40.649132 78.025627
Lackawanna	UNT to Sand Spring Creek (RM 1.54)	Sunset Lake to Mouth	Sand Spring Creek	41.189996 75.605997
Lebanon	UNT to Swatara Creek (RM 47.38)	Headwaters to Mouth	Swatara Creek	40.491391 76.527804
Lebanon	UNT to Swatara Creek (RM 48.00)	Headwaters to Mouth	Swatara Creek	40.499303 76.527074
Lebanon	UNT to Swatara Creek (RM 49.30)	Headwaters to Mouth	Swatara Creek	40.503293 76.508769
Lebanon	UNT to Swatara Creek (RM 50.01)	Headwaters to Mouth	Swatara Creek	40.510705 76.499446
Luzerne	Spring Branch	Headwaters to Mouth	Pine Creek	41.204722 76.275833
Luzerne	UNT to Beth Run (RM 0.68)	Headwaters to Mouth	Beth Run	41.352581 76.160270
Luzerne	UNT to Nescopeck Creek (RM 4.84)	Headwaters to Mouth	Nescopeck Creek	41.035000 76.191944

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat / Lon</i>
Luzerne	UNT to Nescopeck Creek (RM 17.17)	Headwaters to Mouth	Nescopeck Creek	41.015278 76.080556
Luzerne	UNT to Nescopeck Creek (RM 20.46)	Headwaters to Old St. Johns Lane	Nescopeck Creek	41.018889 76.028611
Luzerne	UNT to Pine Creek (RM 1.09)	Headwaters to Mouth	Pine Creek	41.200046 75.878548
McKean	Foster Brook	Headwaters to East Main Street Bridge	Tunungwant Creek	41.983611 78.625556
McKean	Fuller Brook	Headwaters to Mouth	West Branch Tunungwant Creek	41.914322 78.710975
McKean	UNT to Bradford City Number Five Reservoir (RM 7.47)	Headwaters to Mouth	Bradford City Number Five Reservoir	41.892833 78.730997
McKean	UNT to East Branch Tionesta Creek (RM 5.52)	Headwaters to Mouth	East Branch Tionesta Creek	41.700851 78.939697
McKean	UNT to East Branch Tunungwant Creek (RM 6.92)	Headwaters to Mouth	East Branch Tunungwant Creek	41.872725 78.655895
McKean	UNT to Lewis Run (RM 0.93)	Headwaters to Mouth	Lewis Run	41.864559 78.667941
McKean	UNT to Lewis Run (RM 3.20)	Headwaters to Mouth	Lewis Run	41.842868 78.693378
McKean	UNT to Marilla Brook (RM 1.69)	Headwaters to Mouth	Marilla Brook	41.945506 78.703237
McKean	UNT to Marvin Creek (RM 15.61)	Headwaters to Mouth	Marvin Creek	41.701991 78.608677
McKean	UNT to Marvin Creek (RM 16.85)	Headwaters to Mouth	Marvin Creek	41.694290 78.627874
McKean	UNT to Twomile Run (RM 8.05)	Headwaters to Mouth	Twomile Run	41.724995 78.931886
McKean	UNT to Twomile Run (RM 10.64)	Headwaters to Mouth	Twomile Run	41.706015 78.896456
McKean	UNT to West Branch Clarion River (RM 15.99)	Headwaters to Mouth	West Branch Clarion River	41.684606 78.689090
Monroe	UNT to Leavitt Branch (RM 0.59)	Headwaters to Mouth	Leavitt Branch	41.202905 75.251689
Pike	Tarkill Creek	Headwaters to Mouth	Pecks Pond	41.298547 75.091921
Potter	UNT to Left Branch Young Womans Creek (RM 9.09)	Headwaters to Mouth	Left Branch Young Womans Creek	41.482885 77.681884
Schuylkill	Panther Creek	Headwaters to Mouth	Swatara Creek	40.636940 76.336110
Snyder	Schrader Gap Run	Headwaters to Mouth	North Branch Middle Creek	40.793572 77.201326
Snyder	UNT to Swift Run (RM 6.78)	Headwaters to Mouth	Swift Run	40.809783 77.283294
Somerset	Brush Creek	Headwaters to School House Road Bridge (T-718)	Wills Creek	39.842778 78.809444
Sullivan	UNT (RM 1.01) to UNT to Elk Creek (RM 7.13)	Headwaters to Mouth	UNT to Elk Creek (RM 7.13)	41.551660 76.652890
Sullivan	UNT (RM 2.46) to UNT to Elk Creek (RM 7.13)	Headwaters to Mouth	UNT to Elk Creek (RM 7.13)	41.567564 76.638841
Sullivan	UNT to Elk Creek (RM 9.17)	Headwaters to Mouth	Elk Creek	41.563000 76.684200
Sullivan	UNT to Kettle Creek (RM 4.55)	Headwaters to Mouth	Kettle Creek	41.418740 76.631090

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat / Lon</i>
Sullivan	UNT to Rock Run (RM 0.99)	Headwaters to Mouth	Rock Run	41.493912 76.518517
Venango	UNT to Bullion Run (RM 3.75)	Headwaters to Mouth	Bullion Run	41.261320 79.898110
Venango	UNT to Bullion Run (RM 3.85)	Headwaters to Mouth	Bullion Run	41.260850 79.900090
Venango	UNT to Lower Twomile Run (RM 4.22)	Headwaters to Mouth	Lower Twomile Run	41.373780 79.740220
Venango	UNT to Two Mile Run Reservoir (RM 5.93)	Headwaters to Mouth	Two Mile Run Reservoir	41.475735 79.765785
Warren	UNT to East Branch Tionesta Creek (RM 2.21)	Headwaters to Mouth	East Branch Tionesta Creek	41.672798 78.982201
Warren	UNT to East Branch Tionesta Creek (RM 3.81)	Headwaters to Mouth	East Branch Tionesta Creek	41.684898 78.959122
Warren	UNT to East Branch Tionesta Creek (RM 4.25)	Headwaters to Mouth	East Branch Tionesta Creek	41.690861 78.957718
Warren	UNT to East Branch Tionesta Creek (RM 4.61)	Headwaters to Mouth	East Branch Tionesta Creek	41.695240 78.954399
Westmoreland	Phoebe Run	Headwaters to Mouth	Loyalhanna Creek	40.177418 79.259926
Wyoming	Fox Hollow Run	Outlet of unnamed swamp to Mouth	Mehoopany Creek	41.554722 76.102222
Wyoming	UNT to Cider Run (RM 1.22)	Headwaters to Mouth	Cider Run	41.394890 76.154195

The Commission also will consider the following revisions to the section limits of streams on the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Current Limits</i>	<i>Revised Limits</i>	<i>Tributary to</i>	<i>Mouth Lat / Lon</i>
Clinton	Little Fishing Creek	Headwaters to Roaring Run	Headwaters to Mouth	Fishing Creek	41.011667 77.537222
Columbia	Tenmile Run	Headwaters to T-409	Headwaters to Mouth	North Branch Susquehanna River	41.025278 76.329167
Franklin	Broad Run	Headwaters to Water Company Filtration Plant	Headwaters to 0.50 mile downstream Cold Spring Run	West Branch Conococheague Creek	39.913056 77.902222
Franklin	Rocky Mountain Creek	Headwaters to SR 233 bridge	Headwaters to Mouth	Conococheague Creek	39.908569 77.480377
Huntingdon	Sugar Run	Headwaters to First UNT above mouth	Headwaters to Mouth	Aughwick Creek	40.284019 77.891945
Potter	Moore Hollow Run	Headwaters to 1 kilometer upstream of mouth	Headwaters to Mouth	Cowanesque River	41.916775 77.623436
Susquehanna	Fall Brook	Headwaters to Fisks Mills	Headwaters to Mouth	Silver Creek	41.912222 75.862500

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 18-1761. Filed for public inspection November 9, 2018, 9:00 a.m.]

FISH AND BOAT COMMISSION

Fees for Use Permits for Unpowered Boats

A. Summary and Background

On December 20, 2000, Governor Ridge signed Senate Bill 1117 into law as Act 115 of 2000. Act 115 of 2000 amended 30 Pa.C.S. (relating to Fish and Boat Code) (code) by adding section 742(e). The amendment provides that the Fish and Boat Commission (Commission) shall, by regulations adopted within 1 year after the effective date of the section, provide for issuance of use permits, valid for 1 or 2 years, for unpowered boats that are not registered in accordance with law, to use Commission property. The amendment further provides that the Commission shall establish fees for use permits and that these fees may not exceed the fees charged by the Department of Conservation and Natural Resources (DCNR) for boat launch permits for State parks lakes.

On June 16, 2001, the Commission adopted 58 Pa. Code § 53.27 (relating to use permits for unpowered boats). Section 53.27(f) of 58 Pa. Code set the initial fees for the use permits at \$10 for a 1-year permit and \$18 for a 2-year permit and further provides that the Executive Director may, by notice published in the *Pennsylvania Bulletin*, adjust these fees so that they remain the same as the resident price for 1-year and 2-year boat launching permits as established in the schedule of fees published, and from time-to-time revised, by the DCNR for State parks and forests.

On December 12, 2009 (39 Pa.B. 7015), the DCNR revised its fees for a use permit to \$12 for a 1-year permit and \$22 for a 2-year permit. The Commission now amends its fees so that they remain the same as prices for launching permits established by the DCNR.

B. Contact Person

Any questions may be submitted to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000.

C. Effective Date

The effective date of the new price schedule is January 1, 2019.

D. Fee Schedule

Boat Launching Permit	1 Year	\$12.00
Boat Launching Permit	2 Year	\$22.00

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 18-1762. Filed for public inspection November 9, 2018, 9:00 a.m.]

FISH AND BOAT COMMISSION

Proposed Changes to List of Class A Wild Trout Waters; January 2019

The Fish and Boat Commission (Commission) is considering changes to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent

the best of this Commonwealth's naturally reproducing trout fisheries. With rare exceptions, the Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

Criteria developed for Class A Wild Trout fisheries are species specific. Wild Trout Biomass Class Criteria include provisions for:

(i) Wild Brook Trout Fisheries

(A) Total brook trout biomass of at least 30 kg/ha (26.7 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brook trout biomass must comprise at least 75% of the total trout biomass.

(ii) Wild Brown Trout Fisheries

(A) Total brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brown trout biomass must comprise at least 75% of the total trout biomass.

(iii) Mixed Wild Brook and Brown Trout Fisheries

(A) Combined brook and brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass must comprise less than 75% of the total trout biomass.

(E) Brown trout biomass must comprise less than 75% of the total trout biomass.

(iv) Wild Rainbow Trout Fisheries

Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 2.0 kg/ha (1.78 lbs/acre).

(v) Mixed Wild Brook and Rainbow Trout Fisheries

(A) Combined brook and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

(vi) Mixed Wild Brown and Rainbow Trout Fisheries

(A) Combined brown and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brown trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

During recent surveys, Commission staff documented the following stream sections to have Class A wild trout populations. The Commission intends to consider adding these waters to its list of Class A Wild Trout Streams at its meeting on January 14 and 15, 2019.

<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>	<i>Brook Trout (kg/ha)</i>	<i>Brown Trout (kg/ha)</i>	<i>Rainbow Trout (kg/ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Blair	Spring Run	2	T-476 (Avalon Road) Bridge to Fourth Avenue Bridge	Little Juniata River	40.530272 78.382089	1.82	53.03	—	3.38	2018
Cameron	Right Fork Brooks Run	1	Headwaters to Mouth	Brooks Run	41.422501 78.080559	44.58	—	—	2.46	2018
Clearfield	Erick Hollow Run	1	Headwaters to Mouth	Wilson Run	41.212892 78.579656	37.25	—	—	1.06	2018
Clinton	Bull Run	1	Headwaters to Mouth	Young Womans Creek	41.435001 77.663055	35.94	2.54	—	2.88	2018
Elk	Jimmy Run	1	Headwaters to Mouth	Bennett Branch Sinnemahoning Creek	41.313186 78.372760	42.27	—	—	1.57	2018
Franklin	UNT to West Branch Conococheague Creek (RM 52.35)	1	Headwaters to Mouth	West Branch Conococheague Creek	40.168100 77.686390	55.17	—	—	2.68	2018
Huntingdon	Spruce Creek	3	Upstream boundary of the Commission property to Downstream boundary of the Commission property (Indian Caverns)	Little Juniata River	40.608611 78.136111	—	451.97	—	0.15	2018
Huntingdon	Warriors Mark Run	1	Confluence of Left and Right branch of Warriors Mark Run to Mouth	Spruce Creek	40.638332 78.101387	—	94.33	—	5.72	2018
Juniata	Dougherty Run	2	SR 35 Bridge to Mouth	Willow Run	40.420834 77.589996	—	82.00	—	2.45	2018
Lycoming	Browns Run	1	Headwaters to Mouth	Pine Creek	41.343056 77.398888	23.34	18.80	—	4.97	2018
Lycoming	Callahan Run (Jersey Mills)	1	Headwaters to Mouth	Pine Creek	41.360000 77.412222	40.14	2.08	—	2.23	2018
Lycoming	First Big Fork	1	Headwaters to Mouth	Trout Run	41.401112 77.495003	30.05	6.45	—	3.27	2018
Lycoming	Lower Pine Bottom Run	1	Headwaters to Mouth	Pine Creek	41.314167 77.380833	31.10	—	—	3.57	2018
Lycoming	Rogers Run	1	Headwaters to Mouth	Little Pine Creek	41.408990 77.320876	44.67	—	—	2.17	2018
Lycoming	Second Big Fork	1	Headwaters to Mouth	Trout Run	41.401669 77.500557	86.85	5.22	—	2.55	2018
Lycoming	Shingle Mill Branch	1	Headwaters to Mouth	English Run (English Center)	41.453449 77.306526	35.77	0.08	—	1.52	2018

<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Tributary to</i>	<i>Mouth Lat / Lon</i>	<i>Brook Trout (kg / ha)</i>	<i>Brown Trout (kg / ha)</i>	<i>Rainbow Trout (kg / ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Lycoming/ Tioga	Little Morris Run	1	Headwaters to Mouth	Morris Run	41.529722 77.528056	32.45	—	—	3.04	2018
Mifflin	Jacks Creek	3	SR 2001 (Crossover Drive) Bridge at Maitland to T-315 (Jacks Creek Road) Bridge	Juniata River	40.583333 77.559167	—	40.30	—	3.08	2018
Mifflin	Laurel Creek	2	Outflow of Laurel Creek Reservoir to Lingle Creek	Honey Creek	40.703466 77.550861	—	64.96	—	2.41	2018
Perry	Patterson Run	1	Headwaters to Mouth	Hemlock Run	40.257306 77.631934	34.62	—	—	1.75	2018
Potter	Dyer Branch	1	Headwaters to Mouth	County Line Branch	41.495000 77.606944	38.20	0.97	—	2.74	2018
Potter	Freeman Run	1	Headwaters to Postalweight Hollow	First Fork Sinnemahoning Creek	41.593889 78.057778	46.72	—	—	2.83	2018
Potter	Road Branch Wild Boy Run	1	Headwaters to Mouth	Wild Boy Run	41.615555 77.896111	30.51	0.12	—	1.96	2018
Snyder	Bull Run	1	Headwaters to Mouth	Swift Run	40.811943 77.268059	35.13	6.27	—	3.00	2018
Snyder	Schrader Gap Run	1	Headwaters to SR 4018	North Branch Middle Creek	40.793572 77.201326	34.94	0.53	—	2.69	2018
Snyder	UNT to Swift Run (RM 6.78)	1	Headwaters to Mouth	Swift Run	40.809783 77.283294	38.69	—	—	1.68	2018

Persons with comments, objections or suggestions concerning the additions are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 18-1763. Filed for public inspection November 9, 2018, 9:00 a.m.]

FISH AND BOAT COMMISSION

Special Regulation Designations

The Fish and Boat Commission (Commission) took the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65 (relating to special fishing regulations), effective January 1, 2019:

58 Pa. Code § 65.17. Catch and release lakes

The Commission added the following water as a catch and release lake:

County	Water
McKean	Bradford City Number Two Reservoir

58 Pa. Code § 65.19. Stocked trout waters open to year-round fishing

The Commission added the following waters as a stocked trout water open to year-round fishing:

County	Water
Bradford	Cooks Pond
Carbon	Lehigh River, Section 08
Clearfield	West Branch Susquehanna River, Section 05

58 Pa. Code § 65.5. Catch and release artificial lures only

The Commission added the following water as catch and release artificial lure only:

County	Water
Union	Penns Creek, Section 05

58 Pa. Code § 65.6. Delayed harvest artificial lures only areas

The Commission removed the following water as a delayed harvest artificial lures only area:

County	Water
Blair	Little Juniata River, Section 03

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 18-1764. Filed for public inspection November 9, 2018, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meeting: Thursday, November 15, 2018—Council Meeting at 10 a.m.

The meeting will be held at 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability who wish to attend, should contact Renee Greenawalt at (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,
Executive Director

[Pa.B. Doc. No. 18-1765. Filed for public inspection November 9, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Designation as a Certified Reinsurer

Münchener Rückversicherungs-Gesellschaft Aktiengesellschaft in München (Munich Re) has applied for designation as a certified reinsurer in this Commonwealth for calendar years 2018 and 2019. The application was received on September 25, 2018, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1766. Filed for public inspection November 9, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for Approval of Medical Professional Liability Reciprocal Exchange-to-Stock Conversions and Subsequent Acquisition of Control

Professional Casualty Association (PCA), Physicians' Insurance Program Exchange (PIPE) and Positive Physicians Insurance Exchange (PPIE), Pennsylvania domiciled

reciprocal and inter-insurance exchanges, have filed an application for the conversion of each PCA, PIPE and PPIE to stock form under 40 Pa.C.S. §§ 3501—3517 (relating to medical professional liability reciprocal exchange-to-stock conversion). The PCA Plan of Conversion, PIPE Plan of Conversion and PPIE Plan of Conversion are noted by the applicants to be “interdependent” and involve a series of transactions to include the merger of the converted PCA and the converted PIPE into the converted PPIE and the formation of a stock holding company. The application was received on September 25, 2018.

In conjunction with the filing previously mentioned, Insurance Capital Group, LLC and Enstar Holdings (US) LLC, both organized in Delaware, submitted a request for approval to acquire a controlling interest in the converted PPIE. The acquisition filing, received on September 26, 2018, was made under the Insurance Holding Companies Act (40 P.S. §§ 991.1401—991.1413).

The filings are available on the Insurance Department’s (Department) web site at www.insurance.pa.gov. After first scheduling an appointment at (717) 787-0877, consumers may also view the application and supplemental documents at the Department’s Harrisburg office.

Persons wishing to comment on the grounds of public or private interest are invited to submit a written statement to the Department within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov.

Comments received will be part of the public record regarding the filings and will be forwarded to the applicants for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1767. Filed for public inspection November 9, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds’ automobile insurance policy. The hearings will be held in accordance with the requirements of Act 68; 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 §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). These administrative hearings will be held as follows. Failure by the appellants to appear at the scheduled hearings may result in dismissal with prejudice.

The hearings will be held in Room 2018, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Ron W. Coles, Jr.; Progressive Advanced Insurance Company; File No. 18-114-226753; Doc. No. P18-09-005; December 7, 2018, 9 a.m.

Appeal of Ursula T. Howard; Progressive Advanced Insurance Company; File No. 18-118-225847; Doc. No. P18-08-013; December 7, 2018, 10 a.m.

Following the hearings and receipt of the stenographic transcripts, the Insurance Commissioner (Commissioner) will issue written orders resolving the factual issues presented at the hearings and stating what remedial actions, if any, are required. The Commissioner’s Orders will be sent to those persons participating in the hearings or their designated representatives. The Orders of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearings and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1768. Filed for public inspection November 9, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company’s termination of the homeowners’ policy. The hearing will be held in accordance with the requirements of the act; 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 §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held as follows.

The hearing will be held in Room 2018, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Shi S. Shen and Ying He; Trustguard Insurance Company; File No. 18-119-225100; Doc. No. P18-06-016; December 7, 2018, 11 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner’s Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1769. Filed for public inspection November 9, 2018, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

**Electric Generation Supplier License Cancellations
of Companies with an Expired Financial Security
or Insufficient Financial Security Amount**

Public Meeting held
October 25, 2018

Commissioners Present: Gladys M. Brown, Chairperson;
Andrew G. Place, Vice Chairperson; Norman J. Ken-
nard; David W. Sweet; John F. Coleman, Jr.

*Electric Generation Supplier License Cancellations of
Companies with an Expired Financial Security or
Insufficient Financial Security Amount; M-2018-2640827*

Tentative Order

By the Commission:

The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a

bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS’s current security expiration date. Each financial instrument must be an original document that displays a “wet” signature or digital signature, preferable in blue ink, and displays a “raised seal” or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS’s license issued by the Commission.

Failure to file before the financial security’s expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company’s electric supplier license, removal of each company’s information from the Commission’s website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of October 16, 2018, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount</i>
A-2009-2142612	CHOICE ENERGY SERVICES RETAIL, LP	9/22/2018	Yes
A-2009-2132064	CUSTOMER ACQUISITION SPECIALISTS OF AMERICA, INC.	9/15/2018	Yes
A-2010-2157184	EISENBACH CONSULTING, LLC	10/2/2018	Yes
A-2018-3000917	GLOBAL ENERGY, LLC	9/27/2018	Yes
A-2010-2207031	WINSTAR SOLUTIONS, LLC	9/23/2018	Yes

*Taking title to electricity

As part of its EGS license validation procedures, the Commission’s Bureau of Technical Utility Services sent a 90-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 30 days prior to each entity’s security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small

Business Advocate, the Bureau of Investigation & Enforcement, the Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of an approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission’s Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission’s website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in

which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1770. Filed for public inspection November 9, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications Services

A-2018-3005309. Tri-Co Connections, LLC. Application of Tri-Co Connections, LLC for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company, Frontier Communications of Canton, LLC, Frontier Communications of Oswayo River, LLC, North Penn Telephone Company and Windstream Pennsylvania, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 26, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, 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: Tri-Co Connections, LLC

Through and By Counsel: Pamela C. Polacek, Esquire, McNees Wallace & Nurick, LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1771. Filed for public inspection November 9, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Hope Marie Carneval, LPN; File No. 16-51-06070

On March 30, 2018, Hope Marie Carneval, LPN, license No. PN264262, last known of Erie, Erie County, was indefinitely suspended, retroactive to October 2, 2017, and ordered to pay \$1,800 in costs of investigation, based on her being unable to practice practical nursing with reasonable skill and safety to patients by reason of addiction to alcohol or hallucinogenic, narcotic or other drugs which tend to impair judgment or coordination and failure to submit to a mental and physical examination.

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. 18-1772. Filed for public inspection November 9, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Nichole A. Frontino, LPN; Case No. 16-51-13958

On January 3, 2018, Nichole A. Frontino, LPN, license No. PN264184, of Erie, Erie County, was indefinitely suspended, retroactive to July 12, 2017, and ordered to pay \$700 in costs of investigation, based on being unable to practice practical nursing with reasonable skill and safety to patients by reason of addiction to alcohol or addiction to hallucinogenic or narcotic drugs or other drugs which tend to impair judgement or coordination, so long as the dependence shall continue or has become mentally incompetent.

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. 18-1773. Filed for public inspection November 9, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Foy L. Hastings, RN; File No. 13-51-07973

On September 18, 2018, Foy L. Hastings, RN, Pennsylvania license No. RN350998L, last known of Flagstaff, AZ, was revoked and issued a \$500 civil penalty based on receiving disciplinary action by the proper licensing authority of another state and failing to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Carole Clarke Smith, 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. 18-1774. Filed for public inspection November 9, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.
Julie Lynn King, LPN; File No. 17-51-03512**

On September 17, 2018, Julie Lynn King, LPN, license No. PN265383, last known of Reynoldsville, Jefferson

County, was indefinitely suspended based on pleading guilty to a misdemeanor crime of moral turpitude.

Individuals may obtain a copy of the adjudication by writing to Carole Clarke Smith, 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. 18-1775. Filed for public inspection November 9, 2018, 9:00 a.m.]

