

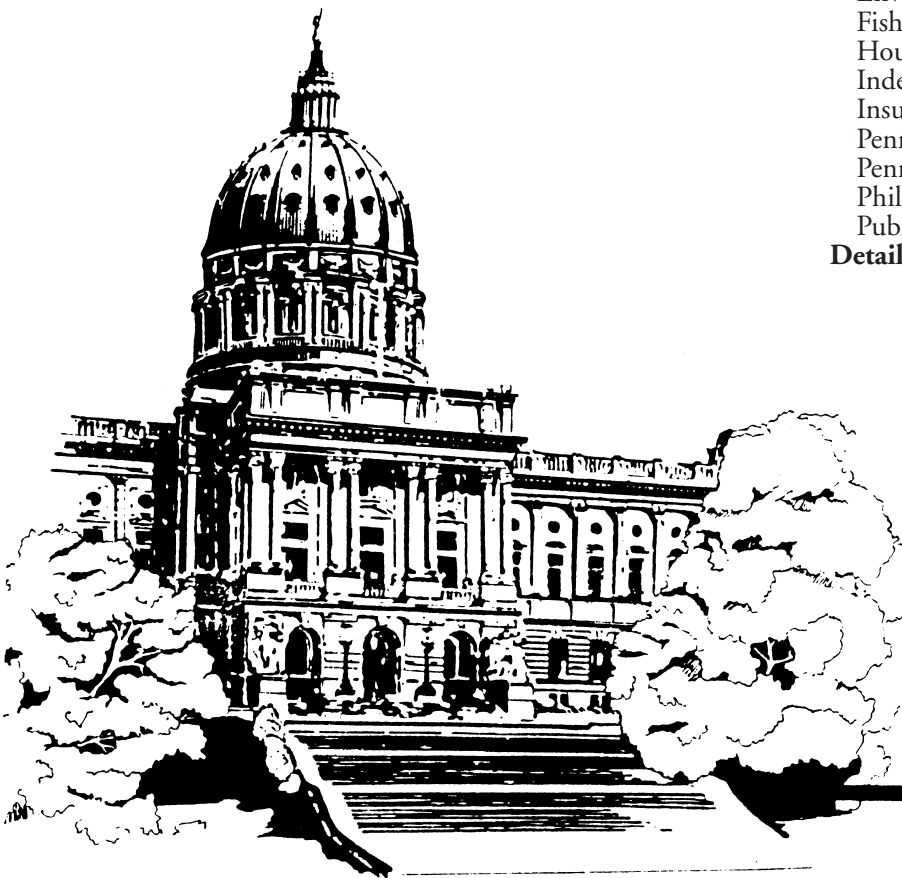
PENNSYLVANIA BULLETIN

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The Courts
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Department of Revenue
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(Master Transmittal Sheet):**

No. 529, December 2018

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2018-05]

Governor's Census 2020 Complete Count Commission

September 10, 2018

Whereas, every 10 years beginning in 1790, as mandated by the United States Constitution, the Census of Population and Housing has been taken by the U.S. Government to count all persons and housing units in the United States to reapportion the membership of the U.S. House of Representatives among the States and for other purposes; and

Whereas, the next decennial census will be conducted on April 1, 2020; and

Whereas, the 2020 Census will be used for Congressional reapportionment, redistricting, and for legislative redistricting, such that having a complete and accurate count of Pennsylvania's population is essential for the fair representation of the citizenry in the U.S. Congress, the General Assembly of this Commonwealth, and the legislative bodies of local government; and

Whereas, individuals, businesses, local governments, and nonprofit organizations will rely on census data for planning and decision-making; and

Whereas, it is well established that certain households, special populations, and hard-to-enumerate areas are at risk of being under-counted and under-represented; and

Whereas, the populations that have traditionally been under-counted have a significant presence throughout this Commonwealth; and

Whereas, the state and federal governments will use information gained through the census, including population counts, housing and other data, to distribute billions of dollars in funding to essential programs, including health care and human services programs that are intended to help low-income children and their families; and

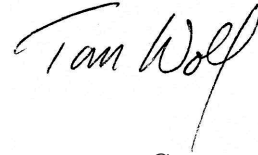
Whereas, the Commonwealth and its local jurisdictions utilize census data to provide descriptions of the social and economic characteristics of geographic areas and population groups to determine those areas and groups' funding needs for infrastructure projects, economic development programs, job training, schools, and other activities; and

Whereas, it is important to the Commonwealth that a complete and accurate census count be obtained; and

Whereas, to achieve a complete and accurate census count, the Commonwealth must support efforts to share address and other geographic information with the U.S. Census Bureau and other census partners, work with the U.S. Census Bureau on the recruitment of Pennsylvania Census workers, and implement communication strategies to reach hard-to-count populations and hard-to-enumerate areas; and

Whereas, to achieve a complete and accurate census count, it is important to involve representatives of the private and public sectors, Pennsylvania's local governments, state agencies, and other important stakeholders.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of this Commonwealth of Pennsylvania and the laws of the Commonwealth, do hereby establish the Governor's Census 2020 Complete Count Commission, as follows.



Governor

Fiscal Note: GOV-2018-05. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

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6.727.	Meetings and Communications.
6.728.	Pennsylvania Census 2020 Interagency Workgroup.
6.729.	Effective Date.
6.730.	Termination Date.

§ 6.721. Mission.

The Governor's Census 2020 Complete Count Commission shall recommend methods and policies to facilitate the most complete and accurate census count in the year 2020, including implementing strategies to reach hard-to-count populations and hard-to-enumerate areas.

§ 6.722. Functions.

The Governor's Census 2020 Complete Count Commission shall coordinate this Commonwealth's involvement in preparing for the decennial census and recommend actions necessary to complete the following:

(a) Coordinate the Commonwealth's involvement in the U.S. Census Bureau's recruitment of Pennsylvanians to assist in a variety of census-related activities.

(b) Promote and educate Pennsylvanians regarding the importance of the census.

(c) Develop partnerships between the public and private sectors to maximize resources used to achieve a complete and accurate count.

(d) Implement cooperative arrangements among local governments, non-profit organizations, and other public and private entities to share addresses and other geographic information.

(e) Develop and implement strategies to reach hard-to-count populations and hard-to-enumerate areas.

§ 6.723. Composition.

The Governor's Census 2020 Complete Count Commission (Commission) shall consist of up to 45 individual members appointed by the Governor, including representation from business, academia, community and nonprofit organizations, religious communities, health care communities, elected and appointed officials and employees from all levels of government, and the Pennsylvania State Data Center, as necessary.

(a) The Governor will designate a chairperson or chairpersons who shall serve at the pleasure of the Governor.

(b) The following individuals shall serve as ex-officio members:

(1) A representative from the Office of the Governor

(2) Executive Director of the Governor's Advisory Commission on African-American Affairs

(3) Executive Director of the Governor's Advisory Commission on Latino Affairs

(4) Executive Director of the Governor's Advisory Commission on Asian Pacific American Affairs

(5) Executive Director of the Pennsylvania Commission for Women

(6) Executive Director of the Pennsylvania Commission on LGBTQ Affairs

(7) Secretary of Aging

(8) Secretary of Agriculture

(9) Secretary of Banking and Securities

(10) Secretary of the Commonwealth

(11) Secretary of Community and Economic Development

(12) Secretary of Conservation and Natural Resources

(13) Secretary of Corrections

(14) Secretary of Drug and Alcohol Programs

(15) Secretary of Education

(16) Secretary of Environmental Protection

(17) Secretary of General Services

(18) Secretary of Health

(19) Secretary of Human Services

(20) Secretary of Labor and Industry

(21) Adjutant General

(22) Secretary of Revenue

(23) Secretary of Transportation

(24) Director of Emergency Management

(25) Insurance Commissioner

(26) Pennsylvania State Police Commissioner

(27) A legislator appointed from each of the four legislative caucuses of the Pennsylvania General Assembly

(c) Each member may designate a person to represent them on the Commission.

§ 6.724. Terms of Membership.

(a) All members shall be appointed for terms commensurate with the life of the Governor's Census 2020 Complete Count Commission (Commission). All members appointed by the Governor shall serve at the pleasure of the Governor.

(b) Should a vacancy occur on the Commission, the Governor will appoint a successor, who shall serve the duration of the unexpired term.

(c) The Term of the Commission shall commence on the Effective Date of this Executive Order and shall expire on March 31, 2021, the Termination Date of this Executive Order.

§ 6.725. Compensation.

Members of the Governor's Census 2020 Complete Count Commission shall receive no compensation for their service, except that such members may be reimbursed for actual travel and related expenses in accordance with the Commonwealth's travel and subsistence policies. See Chapter 40 (relating to travel and subsistence).

§ 6.726. Reports.

The Governor's Census 2020 Complete Count Commission (Commission) shall provide a report to the Governor at least twice; once, prior to April 1, 2020, on the status of this Commonwealth's activities leading up to the Census 2020; and once, prior to its expiration, on the Commission's activity, including recommendations for improving the census process, for utilization in advance of the 2030 Census.

§ 6.727. Meetings and Communications.

The Governor's Census 2020 Complete Count Commission (Commission) shall meet as necessary to carry out the functions of the Commission and, at least quarterly between the Effective Date of this Executive Order and June 30, 2020.

§ 6.728. Pennsylvania Census 2020 Interagency Workgroup.

All agencies under the Governor's jurisdiction and represented on the Governor's Census 2020 Complete Count Commission (Commission) shall cooperate and provide assistance as needed to the Commission in performing its functions. The Commission will receive administrative services and assistance from the Center for Local Government Services in the Department of Community and Economic Development.

§ 6.729. Effective Date.

This subchapter shall be effective immediately.

§ 6.730. Termination Date.

This subchapter shall terminate on March 31, 2021.

[Pa.B. Doc. No. 18-1885. Filed for public inspection December 7, 2018, 9:00 a.m.]

THE COURTS

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1, 2, 3, 11, 12 AND 13]

Proposed New Pa.R.J.C.P. 205 and 1205 and Amendment of Pa.R.J.C.P. 166, 167, 345, 1166, 1167 and 1345

The Juvenile Court Procedural Rules Committee proposes new Rules 205 and 1205, together with amendments to Rules 166, 167, 345, 1166, 1167 and 1345, to establish procedures related to the use of PACFile in juvenile court proceedings for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Daniel A. Durst, Chief Counsel
Juvenile Court Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9541
juvenilerules@pacourts.us

All communications in reference to the proposal should be received by February 1, 2019. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Juvenile Court
Procedural Rules Committee*

JUDGE JENNIFER R. SLETVOLD,
Chair

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART C(2). MAINTAINING RECORDS

Rule 166. Maintaining Records in the Clerk of Courts.

* * * * *

C. *Contents of docket entries.* The docket entries shall include, at a minimum, the following information:

* * * * *

8) all other information required by Rule 345.

D. Electronic Format. If a judicial district has provided for electronic filing pursuant to Rule 205, the juvenile court file in which electronic filing has been utilized may be maintained solely in an electronic format as long as copies of the documents maintained in the juvenile court file may be produced in a physical paper format.

Comment

This rule sets forth the mandatory contents of the list of docket entries and the official court record. This is not intended to be an exhaustive list of what is required to be recorded in the docket entries. The judicial districts may require additional information to be recorded in a case or in all cases.

* * * * *

Paragraph (C)(4) recognizes that occasionally resolution of oral motions presented in open court should be reflected in the docket, such as motions and orders related to omnibus motions as provided in Rule 346.

Paragraph (D) permits electronically filed documents to be part of the juvenile court record in an electronic format. Accordingly, the juvenile court record may exist in both paper and electronic form, provided the electronic form can be produced in a paper form.

Official Note: Rule 166 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended May 21, 2012, effective August 1, 2012. Amended April 6, 2017, effective September 1, 2017. **Amended _____, 2018, effective _____, 2018.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 166 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).

Final Report explaining the amendments to Rule 166 published with the Court's Order at _____ Pa.B. (_____, 2018).

Rule 167. Filings and Service of Court Orders and Notices.

* * * * *

B. *Service.*

1) A copy of any order or court notice shall be served promptly on the attorney for the Commonwealth, the juvenile's attorney, the juvenile, the juvenile probation officer, and any other person, service provider, or agency listed in the court order.

2) The clerk of courts shall serve the order or court notice, unless the president judge has promulgated a local rule designating service to be by the court administrator or other court designee.

3) *Methods of [service] Service.* Service shall be:

a) by:

i) personal delivery to the party's attorney or the juvenile;

ii) mailing a copy to the party's attorney or leaving a copy for the attorney at the attorney's office;

iii) in those judicial districts that maintain in the courthouse assigned boxes for counsel to receive service, leaving a copy for the attorney in the attorney's box;

iv) sending a copy to the juvenile by first class mail addressed to the juvenile's place of residence, detention, or placement;

v) sending a copy by facsimile transmission or other electronic means if the party's attorney or the juvenile has filed written request for this method of service or has included a facsimile number or an electronic address on a prior legal paper filed in the case; or

vi) delivery to the party's attorney or the juvenile by carrier service; or

b) orally in open court on the record[.]; or

c) in a judicial district that permits electronic filing pursuant to Rule 205, service of court orders or notices shall be made as provided in Rule 205(D)(2) and (H)(1).

C. *Unified Practice.* Any local rule that is inconsistent with the provisions of this rule is prohibited, including any local rule requiring a person to file or serve orders or court notices.

* * * * *

Official Note: Rule 167 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended July 28, 2014, effective September 29, 2014. **Amended** , 2018, effective , 2018.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 167 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 167 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 167 published with the Court's Order at 44 Pa.B. 5447 (August 16, 2014).

Final Report explaining the amendments to Rule 167 published with the Court's Order at Pa.B. (, 2018).

CHAPTER 2. COMMENCEMENT OF PROCEEDINGS, ARREST PROCEDURES, WRITTEN ALLEGATION, AND PRE-ADJUDICATORY DETENTION

PART A. COMMENCING PROCEEDINGS

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

Rule 205. Electronic Filing and Service of Legal Papers.

A. *Authorization.* The president judge of a judicial district by local rule promulgated pursuant to Rule 121 and Rule of Judicial Administration 103 may authorize electronic filing of legal papers with the clerk of courts in

cases in delinquency proceedings through the statewide electronic filing system as provided in this rule.

B. Local Rule

1) The local rule required under this rule shall include the following provisions:

a) subject to the provisions in paragraph (B)(2), a statement that the electronic filing system is permissive and specify the legal papers subject to the rule, but in no case shall legal papers prohibited from being filed electronically by this rule be permitted to be filed electronically;

b) a provision for the procedures to ensure that any party who declines to participate in the system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the system, at a minimum, shall be able to file legal papers in a physical paper format and be served legal papers in a physical format which were electronically filed;

c) any additional provisions as the court may deem necessary to provide a full and complete procedure for the use of the system within the judicial district; and

d) a notation that the Administrative Office of Pennsylvania Courts and the judicial district have agreed upon an implementation plan for PACFile in the judicial district.

2) Any judicial district that authorized electronic filing for a period of two years thereafter may amend their local rule, subject to the requirements of Rule 121 and Rule of Judicial Administration 103, to make participation in electronic filing mandatory. For the purpose of establishing the commencement of the period, a judicial district may rely upon an authorization established pursuant to Pa.R.Crim.P. 576.1(B).

C. *Definitions.* As used in this rule, the following words shall have the following meanings:

"electronic filing," the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the clerk of courts;

"filing party," an attorney, juvenile, or other person who files a legal paper by means of electronic filing;

"legal paper," a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, exhibits, and attachments, but excluding

1) applications for search warrants;

2) applications for arrest warrants; and

3) submissions filed ex parte as authorized by law.

"original document," a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

"the system," the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

D. Participation

1) The system shall permit attorneys, juveniles proceeding without counsel, law enforcement officers, and juvenile probation officers to file electronically.

a) In order to participate in the system, an attorney shall establish an account in the system by procedures established by the Administrative Office of Pennsylvania Courts.

b) A non-attorney shall be permitted to utilize the system through an authorization process established by the Administrative Office of Pennsylvania Courts.

2) Establishment of an account by an attorney or authorization of a non-attorney in the system shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed on the system in any judicial district that permits electronic filing.

3) An attorney or non-attorney participating in the system is permitted to file a legal paper either in an electronic format or in a physical paper format. Service upon an attorney or non-attorney participating in the system shall be done electronically.

E. Filing

1) When a legal paper is to be electronically filed, it shall be submitted to the system at the Unified Judicial System web portal at <http://ujportal.pacourts.us>, in accordance with this rule, any local rule adopted pursuant to this rule, and any filing instructions as may be otherwise provided at the web portal site.

2) Electronic filings may be submitted at any time, except during times of periodic maintenance. The electronic submission must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

3) The time and date on which a legal paper is submitted to the system shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been submitted.

4) The time and date on which the legal paper is accepted by the clerk of courts office also shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been accepted.

5) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the clerk of courts. If the clerk of courts determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the clerk of courts finds that the requirements for filing are not met, the clerk may reject the filing.

6) A filing party shall be responsible for any delay, disruption, and interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the system's website.

7) The system shall attribute the filing of an electronic legal paper to the party whose account is used to log onto the system and file the legal paper.

8) Legal papers shall be presented for filing in portable document format (".pdf").

9) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format. Neither the clerk of courts nor the court is required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

10) Any legal paper submitted for filing to the clerk of courts in a physical paper format shall be accepted by the clerk of courts in that format and shall be retained by the clerk of courts as may be required by applicable rules of

court and record retention policies. The clerk of courts shall convert such legal paper in a physical paper format to .pdf and add it to the system. However, those submissions that are excluded from the definition of "legal paper" under paragraph (C) shall not be converted and added to the system.

11) No legal paper that complies with the Pennsylvania Rules of Juvenile Court Procedure shall be refused for filing by the clerk of courts or the electronic filing system based upon a requirement of a local rule or local administrative procedure or practice pertaining to the electronic filing of legal papers.

F. Signature

1) Except as provided in paragraph (F)(3), an electronic signature of the filer as provided for in the system is permitted on electronic filings in the following form: /s/ *John L. Doe*.

2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.J.C.P. 344(C)(1) that the filing party or attorney has filed the motion in good faith.

3) Any motion that, pursuant to Rule 344(C)(3), avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed.

4) The original of a verified legal paper that is an electronic filing or is contained within an electronic filing shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

G. *Official Court Record Form.* The court by local rule shall provide for the maintenance by the clerk of courts of an electronic file only, or of such electronic and physical paper format files as set forth in the local rule. Those legal papers that are not permitted to be electronically filed pursuant to paragraph (C) shall be maintained in a physical paper format only.

H. Service

1) Upon the submission of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements of Rules 167(B) and 345(B) on any attorney or party who has established a system account.

2) Upon the acceptance by the clerk of courts office of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been accepted.

3) Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 167(B) and 345(B).

Comment

This rule permits as a local practice the electronic filing of legal papers. This rule does not require the implementation of electronic filing by a local court. To provide a uniform system for electronic filing, the Administrative Office of Pennsylvania Courts has developed the PACFile

electronic filing system. This is the only authorized system for electronic filing of legal documents in delinquency proceedings.

Paragraph (B) requires that a judicial district that desires to participate in the electronic filing system must adopt a local rule to that effect. As part of the initial “opting into” electronic filing, this local rule must provide that participation is voluntary. Once a judicial district has allowed electronic filing for two years, participation may be made mandatory. Paragraph (B)(1)(b) requires that all judicial districts in which electronic filing is allowed must make accommodations for those parties who are unable to participate. In no event shall access to the court filing be precluded solely on the basis of participation in the electronic filing system.

The UJS Portal contains other automated services beside PACFile. There may be circumstances when an attorney, who has registered as a user on another service of the UJS Portal, may have an established account that would be usable for PACFile. Any questions about the requirements of registration or accessibility to PACFile should be referred to the Administrative Office of Pennsylvania Courts.

The system permits a user to designate other users as proxies on individual cases. These proxies all receive notice of any filing in the case. It is anticipated that offices such as those of a district attorney or public defender would be able to establish general user accounts with particular attorneys assigned and their supervisors or back-ups listed as proxies in individual cases.

An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney’s account.

The local rule required by this rule must conform to the requirements of Rule 121 (Local Rules) and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules).

A file in physical paper format is not required by this rule. If the local rule requires a file in physical paper format, the requirement may extend to all cases or only to certain specified cases. For example, the court may require files in physical paper format for cases where an adjudicatory hearing has been scheduled while maintaining only electronic files for cases proceeding by informal adjustment or admission.

Upon submission of the electronic filing of a legal paper, the electronic filing system shall automatically send notice of the filing to all parties who have agreed to service by electronic transmission or whose e-mail address is included on an appearance or prior legal paper filed in connection with the case. If the electronic filing system sends notice of such filing, the party filing the legal paper only need serve those parties who are not served by the electronic filing system. An e-mail address set forth on letterhead is not a sufficient basis under this rule to permit electronic service of legal papers.

See Rule 167(B) providing for the clerk of courts to serve orders and court notices by facsimile transmission or other means.

See Rule 345(B) governing service of motions and any written answers, and any notices or documents for which filing is required by facsimile transmission or other means.

Official Note: Rule 205 adopted _____, 2018, effective _____, 2018.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 205 published with the Court’s Order at _____ Pa.B. (_____, 2018).

CHAPTER 3. PRE-ADJUDICATORY PROCEDURES

PART D(1). MOTION PROCEDURES

Rule 345. Filing and Service.

A. Filings.

1) *Generally.* Except as otherwise provided in these rules, all written motions, and any notice or document for which filing is required, shall be filed with the clerk of courts.

2) *Clerk of [courts’ duties] Courts’ Duties.* Except as provided in paragraph (A)(3), the clerk of courts shall docket a written motion, notice, or document when it is received and record the time of filing in the docket. The clerk of courts promptly shall transmit a copy of these papers to such person as may be designated by the court.

3) *Filings by [represented juveniles] Represented Juveniles.* In any case in which a juvenile is represented by an attorney, if the juvenile submits for filing a written motion, notice, or document that has not been signed by the juvenile’s attorney, the clerk of courts shall not file the motion, notice, or document in the official court record or make a docket entry, but shall forward it promptly to the juvenile’s attorney.

4) *Method of [filing] Filing.* Filing may be accomplished by:

a) personal delivery to the clerk of courts; [or]

b) mail addressed to the clerk of courts, provided, however, that filing by mail shall be timely only when actually received by the clerk within the time fixed for filing[.]; or

c) in a judicial district that permits electronic filing pursuant to Rule 205, as provided in Rule 205(E).

B. Service.

1) *Generally.* The party filing the document shall serve the other party concurrently with the filing.

2) *Method of [service to parties] Service to Parties.* Service on the parties shall be [by]:

a) **by** personal delivery of a copy to a party’s attorney, or, if unrepresented, the party; [or]

b) **by** mailing a copy to a party’s attorney or leaving a copy for the attorney at the attorney’s office; [or]

c) in [those] a judicial [districts] district that [maintain] maintains in the courthouse assigned boxes for counsel to receive service, **by** leaving a copy for the attorney in the attorney’s box; [or]

d) **by** sending a copy to an unrepresented juvenile by first class mail addressed to the juvenile’s place of residence, detention, or placement[.]; or

e) as provided in Rule 205(D)(2) and (H)(1) in a judicial district that permits electronic filing pursuant to Rule 205.

C. Proof of service. All documents that are filed and served pursuant to this rule shall include a certificate of service.

Comment

See Rule 166 for maintaining records in the clerk of courts.

Under paragraph (A)(2), the court is to designate a court official to process motions and other matters for appropriate scheduling and resolution.

Under paragraph (B), the party filing a document is required to serve the other party.

This rule does not affect court orders, which are to be served upon each party's attorney and the juvenile, if unrepresented, by the clerk of courts as provided in Rule 167.

For the procedures for electronic filing and service as a local option, see Rule 205.

For service of petitions, see Rule 331.

Official Note: Rule 345 adopted April 1, 2005, effective October 1, 2005. Amended July 28, 2009, effective immediately. Amended December 24, 2009, effective immediately. **Amended _____, 2018, effective _____, 2018.**

Committee Explanatory Reports:

Final Report explaining the amendment to Rule 345 published with the Court's Order at 39 Pa.B. 4743 (August 8, 2009).

Final Report explaining the amendments to Rule 345 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 345 published with the Court's Order at Pa.B. (_____, 2018).

**Subpart B. DEPENDENCY MATTERS
CHAPTER 11. GENERAL PROVISIONS
PART C(2). MAINTAINING RECORDS**

Rule 1166. Maintaining Records in the Clerk of Courts.

* * * * *

C. *Contents of docket entries.* The docket entries shall include, at a minimum, the following information:

* * * * *

9) all other information required by Rule 1345.

D. Electronic Format. If a judicial district has provided for electronic filing pursuant to Rule 1205, the juvenile court file in which electronic filing has been utilized may be maintained solely in an electronic format as long as copies of the documents maintained in the juvenile court file may be produced in a physical paper format.

Comment

This rule sets forth the mandatory contents of the list of docket entries and the official court record. This is not intended to be an exhaustive list of what is required to be recorded in the docket entries. The judicial districts may require additional information to be recorded in a case or in all cases.

* * * * *

Paragraph (C)(5) recognizes that occasionally resolution of oral motions presented in open court should be reflected in the docket, such as motions and orders.

Paragraph (D) permits electronically filed documents to be part of the juvenile court record in an electronic format. Accordingly, the juvenile court record may exist in both paper and electronic form, provided the electronic form can be produced in a paper form.

Official Note: Rule 1166 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. Amended April 6, 2017, effective September 1, 2017. **Amended _____, 2018, effective _____, 2018.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1166 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1166 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 1166 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).

Report explaining the amendments to Rule 1166 published with the Court's Order at Pa.B. (_____, 2018).

Rule 1167. Filings and Service of Court Orders and Notices.

* * * * *

B. *Service.*

1) A copy of any order or court notice shall be served promptly on each party's attorney, and the party, if unrepresented.

2) The clerk of courts shall serve the order or court notice, unless the president judge has promulgated a local rule designating service to be by the court or its designee.

3) *Methods of [service] Service.* Service shall be:

a) in writing by:

i) personal delivery to the party's attorney, and if unrepresented, the party;

ii) mailing a copy to the party's attorney or leaving a copy for the attorney at the attorney's office;

iii) in those judicial districts that maintain in the courthouse assigned boxes for counsel to receive service, leaving a copy for the attorney in the attorney's box;

iv) sending a copy to an unrepresented party by first class mail addressed to the party's place of business, residence, or detention;

v) sending a copy by facsimile transmission or other electronic means if the party's attorney, and if unrepresented, the party has filed written request for this method of service or has included a facsimile number or an electronic address on a prior legal paper filed in the case;

vi) delivery to the party's attorney, and if unrepresented, the party by carrier service; or

b) orally in open court on the record[.]; or

c) in a judicial district that permits electronic filing pursuant to Rule 1205, service of court orders or notices shall be made as provided in Rule 1205(D)(2) and (H)(1).

C. Unified Practice. Any local rule that is inconsistent with the provisions of this rule is prohibited, including any local rule requiring a person to file or serve orders or court notices.

* * * * *

Official Note: Rule 1167 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. **Amended _____, 2018, effective _____, 2018.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1167 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1167 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Report explaining the amendments to Rule 1167 published with the Court's Order at _____ Pa.B. (_____, 2018).

CHAPTER 12. COMMENCEMENT OF PROCEEDINGS, EMERGENCY, CUSTODY, AND PRE-ADJUDICATORY PLACEMENT.

PART A. COMMENCING PROCEDURES

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

Rule 1205. Electronic Filing and Service of Legal Papers.

A. Authorization. The president judge of a judicial district by local rule promulgated pursuant to Rule 1121 and Rule of Judicial Administration 103 may authorize electronic filing of legal papers with the clerk of courts in cases in dependency proceedings through the statewide electronic filing system as provided in this rule.

B. Local Rule

1) The local rule required under this rule shall include the following provisions:

a) subject to the provisions in paragraph (B)(2), a statement that the electronic filing system is permissive and specify the legal papers subject to the rule, but in no case shall legal papers prohibited from being filed electronically by this rule be permitted to be filed electronically;

b) a provision for the procedures to ensure that any party who declines to participate in the system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the system, at a minimum, shall be able to file legal papers in a physical paper format and be served legal papers in a physical format which were electronically filed;

c) any additional provisions as the court may deem necessary to provide a full and complete procedure for the use of the system within the judicial district; and

d) a notation that the Administrative Office of Pennsylvania Courts and the judicial district have agreed upon an implementation plan for PACFile in the judicial district.

2) Any judicial district that authorized electronic filing for a period of two years thereafter may amend their local rule, subject to the requirements of Rule 1121 and Rule of Judicial Administration 103, to make participation in electronic filing mandatory.

C. Definitions. As used in this rule, the following words shall have the following meanings:

“electronic filing,” the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the clerk of courts;

“filing party,” an attorney or other person or entity who files a legal paper by means of electronic filing;

“legal paper,” a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, exhibits, and attachments, but excluding submissions filed *ex parte* as authorized by law;

“original document,” a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

“the system,” the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

D. Participation

1) The system shall permit attorneys, parties proceeding without counsel, and non-attorney persons or entities with standing to participate in a proceeding to file electronically.

a) In order to participate in the system, an attorney shall establish an account in the system by procedures established by the Administrative Office of Pennsylvania Courts.

b) A non-attorney shall be permitted to utilize the system through an authorization process established by the Administrative Office of Pennsylvania Courts.

2) Establishment of an account by an attorney or authorization of a non-attorney in the system shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed on the system in any judicial district that permits electronic filing.

3) An attorney or non-attorney participating in the system is permitted to file a legal paper either in an electronic format or in a physical paper format. Service upon an attorney or non-attorney participating in the system shall be done electronically.

E. Filing

1) When a legal paper is to be electronically filed, it shall be submitted to the system at the Unified Judicial System web portal at <http://ujportal.pacourts.us>, in accordance with this rule, any local rule adopted pursuant to this rule, and any filing instructions as may be otherwise provided at the web portal site.

2) Electronic filings may be submitted at any time, except during times of periodic maintenance. The electronic submission must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

3) The time and date on which a legal paper is submitted to the system shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been submitted.

4) The time and date on which the legal paper is accepted by the clerk of courts office also shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been accepted.

5) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the clerk of courts. If the clerk of courts determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the clerk of courts finds that the requirements for filing are not met, the clerk may reject the filing.

6) A filing party shall be responsible for any delay, disruption, and interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the system's website.

7) The system shall attribute the filing of an electronic legal paper to the party whose account is used to log onto the system and file the legal paper.

8) Legal papers shall be presented for filing in portable document format (".pdf").

9) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format. Neither the clerk of courts nor the court is required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

10) Any legal paper submitted for filing to the clerk of courts in a physical paper format shall be accepted by the clerk of courts in that format and shall be retained by the clerk of courts as may be required by applicable rules of court and record retention policies. The clerk of courts shall convert such legal paper in a physical paper format to .pdf and add it to the system. However, those submissions that are excluded from the definition of "legal paper" under paragraph (C) shall not be converted and added to the system.

11) No legal paper that complies with the Pennsylvania Rules of Juvenile Court Procedure shall be refused for filing by the clerk of courts or the electronic filing system based upon a requirement of a local rule or local administrative procedure or practice pertaining to the electronic filing of legal papers.

F. Signature

1) Except as provided in paragraph (F)(3), an electronic signature of the filer as provided for in the system is permitted on electronic filings in the following form: */s/ John L. Doe*.

2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.J.C.P. 1344(C)(1) that the filing party or attorney has filed the motion in good faith.

3) Any motion that, pursuant to Rule 1344(C)(3), avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed.

4) The original of a verified legal paper that is an electronic filing or is contained within an electronic filing shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

G. *Official Court Record Form*. The court by local rule shall provide for the maintenance by the clerk of courts of an electronic file only, or of such electronic and physical paper format files as set forth in the local rule. Those legal papers that are not permitted to be electronically filed pursuant to paragraph (C) shall be maintained in a physical paper format only.

H. Service

1) Upon the submission of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements of Rules 1167(B) and 1345(B) on any attorney or party who has established a system account.

2) Upon the acceptance by the clerk of courts office of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been accepted.

3) Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 1167(B) and 1345(B).

Comment

This rule permits as a local practice the electronic filing of legal papers. This rule does not require the implementation of electronic filing by a local court. To provide a uniform system for electronic filing, the Administrative Office of Pennsylvania Courts has developed the PACFile electronic filing system. This is the only authorized system for electronic filing of legal documents in dependency proceedings.

Paragraph (B) requires that a judicial district that desires to participate in the electronic filing system must adopt a local rule to that effect. As part of the initial "opting into" electronic filing, this local rule must provide that participation is voluntary. Once a judicial district has allowed electronic filing for two years, participation may be made mandatory. Paragraph (B)(1)(b) requires that all judicial districts in which electronic filing is allowed must make accommodations for those parties who are unable to participate. In no event shall access to the court filing be precluded solely on the basis of participation in the electronic filing system.

The UJS Portal contains other automated services beside PACFile. There may be circumstances when an attorney, who has registered as a user on another service of the UJS Portal, may have an established account that would be usable for PACFile. Any questions about the requirements of registration or accessibility to PACFile should be referred to the Administrative Office of Pennsylvania Courts.

The system permits a user to designate other users as proxies on individual cases. These proxies all receive notice of any filing in the case. It is anticipated that offices such as those of a county agency or advocate organization would be able to establish general user accounts with particular attorneys assigned and their supervisors or back-ups listed as proxies in individual cases.

An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney's account.

The local rule required by this rule must conform to the requirements of Rule 1121 (Local Rules) and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules).

A file in physical paper format is not required by this rule. If the local rule requires a file in physical paper

format, the requirement may extend to all cases or only to certain specified cases. For example, the court may require files in physical paper format for cases where an adjudicatory hearing has been scheduled while maintaining only electronic files for cases proceeding by informal adjustment or admission.

Upon submission of the electronic filing of a legal paper, the electronic filing system shall automatically send notice of the filing to all parties who have agreed to service by electronic transmission or whose e-mail address is included on an appearance or prior legal paper filed in connection with the case. If the electronic filing system sends notice of such filing, the party filing the legal paper only need serve those parties who are not served by the electronic filing system. An e-mail address set forth on letterhead is not a sufficient basis under this rule to permit electronic service of legal papers.

See Rule 1167(B) providing for the clerk of courts to serve orders and court notices by facsimile transmission or other means.

See Rule 1345(B) governing service of motions and any written answers, and any notices or documents for which filing is required by facsimile transmission or other means.

Official Note: Rule 205 adopted _____, 2018, effective _____, 2018.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1205 published with the Court's Order at _____ Pa.B. (_____, 2018).

CHAPTER 13. PRE-ADJUDICATORY PROCEDURES

PART D(1). MOTION PROCEDURES

Rule 1345. Filing and Service.

A. Filings.

1) *Generally.* Except as otherwise provided in these rules, all written motions, and any notice or document for which filing is required, shall be filed with the clerk of courts.

2) *Clerk of [courts' duties] Courts' Duties.* Except as provided in paragraph (A)(3), the clerk of courts shall docket a written motion, notice, or document when it is received and record the time of filing in the docket. The clerk of courts promptly shall transmit a copy of these papers to such person as may be designated by the court.

3) *Filings by [represented parties] Represented Parties.* In any case in which a party is represented by an attorney, if the party submits for filing a written motion, notice, or document that has not been signed by the party's attorney, the clerk of courts shall not file the motion, notice, or document in the child's official court record or make a docket entry, but shall forward it promptly to the party's attorney.

4) *Method of [filing] Filing.* Filing may be accomplished by:

- a) personal delivery to the clerk of courts; [or]
- b) mail addressed to the clerk of courts, provided, however, that filing by mail shall be timely only when actually received by the clerk within the time fixed for filing[.]; or

c) in a judicial district that permits electronic filing pursuant to Rule 1205, as provided in Rule 1205(E).

B. Service.

1) *Generally.* The party filing the document shall serve the other party concurrently with the filing.

2) *Method of [service to parties] Service to Parties.* Service on the parties shall be [by]:

a) **by** personal delivery of a copy to a party's attorney, or, if unrepresented, the party; [or]

b) **by** mailing a copy to a party's attorney or leaving a copy for the attorney at the attorney's office; [or]

c) in [those] a judicial [districts] district that [maintain] maintains in the courthouse assigned boxes for counsel to receive service, **by** leaving a copy for the attorney in the attorney's box; [or]

d) **by** sending a copy to an unrepresented party by first class mail addressed to the party's place of residence[.]; or

e) as provided in Rule 1205(D)(2) and (H)(1) in a judicial district that permits electronic filing pursuant to Rule 1205.

C. *Proof of [service] Service.* All documents that are filed and served pursuant to this rule shall include a certificate of service.

Comment

See Rule 1166 for maintaining records in the clerk of courts.

Under paragraph (A)(2), the court is to designate a court official to process motions and other matters for appropriate scheduling and resolution.

Under paragraph (B)(1), the party filing a document is required to serve the other party.

This rule does not affect court orders, which are to be served upon each party's attorney and the guardian, if unrepresented, by the clerk of courts as provided in Rule 1167.

For the procedures for electronic filing and service as a local option, see Rule 1205.

For service of petitions, see Rule 1331.

Official Note: Rule 1345 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. **Amended _____, 2018, effective _____, 2018.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1345 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1345 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 1345 published with the Court's Order at _____ Pa.B. (_____, 2018).

REPORT

Proposed New Pa.R.J.C.P. 205 and 1205, and Amendment of Pa.R.J.C.P. 166, 167, 345, 1166, 1167 and 1345

PACFile is a statewide electronic filing system based on the e-filing system used in the Appellate Courts. The

PACFile system provides the ability to file documents with the courts electronically on new and existing cases. It is currently available for filings in appellate, criminal, delinquency, and dependency proceedings. The Pennsylvania Rules of Criminal Procedure have been amended to provide procedures for the use of PACFile. See Pa.R.Crim.P. 576.1. For background concerning that amendment, see 46 Pa.B. 1643 (April 2, 2016); 48 Pa.B. 856 (February 10, 2018).

The Juvenile Court Procedural Rules Committee herein proposes rules similar to the Pennsylvania Rules of Criminal Procedure to facilitate the use of PACFile in delinquency and dependency proceedings. The primary differences between the Rules of Criminal Procedure and the proposed Rules of Juvenile Court Procedure are:

- Pa.R.Crim.P. 576.1 is in the body of the rules addressing motions. The PACFile rule for delinquency submissions is in Chapter 2, Part A (Commencement of Proceedings) as new Rule 205. The dependency rule analog is new Rule 1205.

- Pa.R.Crim.P. 576.1(B)(2) requires a two-year period of PACFile use before a judicial district can make participation in the system mandatory. Rule 205(B)(2) contains a similar requirement, but allows a judicial district to use the date of authorization established by Criminal Rule 576.1(B)(2). It does not make sense for a DA or PD's office to wait two different time periods to use the same system. Rule 1205(B)(2) contains a two-year waiting period before participation can be mandated.

Importantly, the Committee is aware that some judicial districts have already implemented PACFile for either delinquency filings or dependency filings or both. A judicial district seeking a waiver of the two-year optional window to make participation mandatory upon the adoption of these proposed rules should submit a request to the Committee by the public comment deadline. The request should also identify if and when PACFile was previously made mandatory in the judicial district. The Committee will submit any timely waiver requests to the Court for consideration together with the proposed rules.

- Under the definition of "legal paper" in Rule 205(C), grand jury materials were omitted from the exclusion of legal papers because grand juries, whether investigative or indicting, are governed by the Criminal Rules. Therefore, it is presumed that materials related to the grand jury would be filed on the criminal docket and not the juvenile docket, with the exception of a presentment or indictment, which are permitted to be filed via PACFile under the Pa.R.Crim.P. 576.1(C).

- Under the definition of "legal paper" in Rule 205(C), submissions filed under seal were omitted from the exclusion of legal papers because the juvenile record is not publically accessible.

- Under the definition of "legal paper" in Rule 1205(C), the only submissions excluded from PACFile are submissions filed *ex parte*. Accordingly, Rule 1205(C) incorporates only that limitation from the definition of "legal paper" in Pa.R.Crim.P. 576.1.

- In Rule 205(D), in addition to attorneys, unrepresented juveniles, law enforcement officers, and JPOs are allowed to use the system for filing with authorization from AOPC. Other persons, service providers, or agencies were not included because they are not parties. Cf. Pa.R.J.C.P. 167(B) (identifying who should receive service of court orders and notices).

- In Rule 1205(D), in addition to attorneys, unrepresented parties are allowed to use the system with

authorization from AOPC. It is assumed that a solicitor, which is covered by "attorney," will always represent the county agency.

- In Rule 205(F)(2) and Rule 1205(F)(2), a reference is made to Rule 344(C)(1) and Rule 1344(C)(1), respectively, stating that the motion is filed in good faith rather than repeating the requirements of Rule 344(C)(1) and Rule 1344(C)(1) within the PACFile rules.

- In Rule 205(F)(3)-(4) and Rule 1205(F)(3)-(4), the use of "sworn affidavit" and "sworn" were eliminated and replaced with "verification" and "verified" to reflect the terms used in Rule 344(C)(3) and Rule 1344(C)(3).

- For delinquency rules, corollary amendments to reference Rule 205 were made to Rules 166, 167, and 345. For dependency rules, corollary amendments to reference Rule 1205 were made to Rule 1166, 1167, and 1345.

The Committee invites all comments, concerns, and suggestions regarding this rulemaking proposal.

[Pa.B. Doc. No. 18-1886. Filed for public inspection December 7, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Rules of Civil Procedure; Administrative Order Number 12 of 2018

Order of Court

And Now, this 30th day of October, 2018, *It Is Hereby Ordered* that Adams County Rules of Civil Procedure 1910.10 and 1910.11 are vacated in their entirety, and the following Rules adopted:

Rule 1910.4. Commencement of Action.

(a) General. These rules shall govern all actions for child support, spousal support and alimony pendente lite (APL). The rules shall be interpreted as supplementing the Pennsylvania Rules of Civil Procedure governing support and alimony pendente lite (APL) actions.

(b) Actions for child support, spousal support and alimony pendente lite (APL). All actions for child support, spousal support and alimony pendente lite (APL) shall be commenced by filing a complaint with the Adams County Domestic Relations Section located at the Adams County Human Services Building, 525 Boyds School Road, Suite 600, Gettysburg, Pennsylvania. All docketing of the records for child support, spousal support and APL matters shall be conducted by the Adams County Domestic Relations Section, who shall serve as the custodian of the official record for those matters. If filing for APL, the filing party shall provide verification of the divorce filing in the complaint for APL. This verification shall include the docket number and caption of the divorce case. All claims for alimony subsequent to divorce and enforcement thereof shall continue to be filed and docketed with the Adams County Prothonotary, at the parties' divorce case caption and docket number.

Rule 1910.10. Procedure for Establishment of Support and Alimony Pendente Lite (APL).

All actions for child support, spousal support and alimony pendente lite (APL) shall proceed as described by Pa.R.C.P. No. 1910.11.

Rule 1910.11. Office Conference. Subsequent Proceedings. Order.

(a) Office Conference. The office conference shall be a non-record proceeding conducted by a Conference Officer at the Domestic Relations Section. The Conference Officer shall be designated by the Executive Director of the Domestic Relations Section. The office conference shall not be recorded.

(b) Request for Continuance of Office Conference. A written request for continuance of the office conference shall be communicated at least seven (7) days before the conference date via correspondence from the moving party to the Conference Officer assigned to the case. A formal motion is not necessary. The request may be hand-delivered, mailed, faxed or emailed to the Domestic Relations Section. All requests must state the opposing party's position and shall be served by the moving party upon the non-moving party. Ex parte communications are strictly prohibited. If the request is made less than seven (7) days before the conference date, it will be denied absent compelling circumstances. Any party aggrieved by a denial of request for continuance of the office conference may file a formal Motion for Continuance at the Domestic Relations Section which must be served upon the other party. The Domestic Relations Section will forward the motion to the judge assigned to the case. The opposing party's position must be stated in the formal Motion for Continuance, otherwise it may be denied at the discretion of the court.

(c) Demand for Hearing De Novo. Any party may seek review by the court of the order entered following the office conference by filing a Demand for Hearing De Novo. The "Demand For Hearing De Novo" form shall be used to make such a request. An electronic fill-in version of this form is available on the Adams County Court's self-help website under the Domestic Relations Services link at www.adamscounty.us. All Demands for Hearing De Novo shall be filed at the Domestic Relations Section located at 525 Boyds School Road, Suite 600, Gettysburg, Pennsylvania 17325.

(d) Content of the Demand for Hearing De Novo. Designating a Support Case as Complex. The party filing the Demand for Hearing De Novo shall indicate on the form the reasons and issues that the party wishes the court to consider at the hearing, including citations to applicable legal authority. Typically, the court allots twenty (20) minutes to hear each case. In accordance with Pa.R.C.P. 1910.11(j)(1), if a party believes the case will involve complex issues of law or fact, and/or it will take more than twenty (20) minutes to complete, then a Motion to Specially Set Hearing De Novo must be filed and served upon the opposing party. The moving party shall include an estimation of the time needed for hearing in the motion.

(e) Scheduling and Notice of Hearing De Novo. When a Demand for Hearing De Novo is filed, the Domestic Relations Section shall schedule a hearing before the court and issue written notice thereof to the parties. When a party files a Motion to Specially Set Hearing De Novo, this request shall be forwarded by Domestic Relations Section to the executive assistant to the assigned judge for coordination and issuance of notice of a hearing date.

(f) Motion for Continuance of Hearing De Novo. All Motions for Continuance of Hearing De Novo shall be filed at the Domestic Relations Section, which shall forward a copy of the Motion to the judge assigned to the case. All Motions for Continuance of Hearing De Novo must state the opposing party's position on the request and shall be served on the opposing party by the moving party in accordance with the Pennsylvania Rules of Civil Procedure, otherwise the Motion may be denied at the discretion of the court.

(g) Prehearing Memorandum for Hearing De Novo in Complex Cases. For all cases designated as complex, each party shall file a Prehearing Memorandum at the Domestic Relations Section at least five (5) days in advance of the date set for hearing, with service thereof upon the opposing party. The Domestic Relations Section shall forward a copy of the Prehearing Memorandum to the judge assigned to the case.

(h) Discovery in Complex Cases. When a case has been designated by the court as complex, discovery shall be available in accordance with Pa.R.C.P. Nos. 4001 through 4025. See Pa.R.C.P. No. 1910.11(j)(2).

(i) Telephonic participation. Consistent with Pa.R.C.P. No. 1930.3, all requests for a party or a witness to participate in a hearing de novo via telephone, audiovisual or other electronic means shall be made by formal motion with good cause shown filed at the Domestic Relations Section at least seven (7) days in advance of the hearing de novo. The opposing party's position on the request must be noted in the motion, otherwise it may be denied at the discretion of the court.

(j) Motion to Withdraw Demand for Hearing De Novo. A motion to withdraw a demand for hearing de novo must contain the concurrence of both parties, otherwise it will be denied.

Rules 1910.12 to 1910.19. Reserved.

Rule 1910.20. Support Order. Enforcement. General.

(a) Enforcement. Orders for child support, spousal support and alimony pendente lite (APL) shall be enforced by the Domestic Relations Section, pursuant to applicable law.

(b) Notice. The notice required by 23 Pa.C.S.A. § 4303 shall be as follows:

To: Obligor

The law requires the Domestic Relations Office to periodically provide approved consumer reporting agencies with your name and the amount of overdue arrearages that you owe. According to our records, you owe \$_____, and this amount will be reported unless you contest the accuracy of the information within the next twenty days by filing a written objection with this office. Your objection should specifically state the amount of money that you dispute is owed.

Upon timely receipt of an objection, this office will schedule a conference to resolve the dispute.

Dated _____

/s/ Domestic Relations Section Representative

It Is Further Directed that:

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

b. Upon notification from the AOPC that the local rule is not inconsistent with State Rules, file two (2) certified 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*;

c. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website, as well as on the Domestic Relations Section webpage;

d. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Domestic Relations Section and the Adams County Law Library for inspection and copying;

e. The effective date of the local rule change described herein shall be January 1, 2019.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 18-1887. Filed for public inspection December 7, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Publication of Administrative Order Related to the Law Library and the Filing of Municipal Ordinances; AD 3-2018

Administrative Order of Court

And Now, this 14th day of November, 2018, the Court orders and directs that the Administrative Order Of Court dated November 6, 2018 related to the scanning of filed municipal ordinances and related fees shall be published in the *Pennsylvania Bulletin*.

It is further ordered that this Administrative Order shall be effective upon publication.

It is finally ordered that the District Court Administrator shall:

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

(b) Distribute two paper copies and one electronic copy hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,

(c) Deliver a copy of the Administrative Order related to the Butler County Guardian-ad-Litem Policies in Custody Matters to the *Butler County Legal Journal* for publication as that organization deems appropriate.

(d) Distribute a copy of the Administrative Order to the Judges of the Court of Common Pleas in Butler County and to the attorneys on the Butler County Family Court list serve.

(e) Publish this Administrative Order on the Butler County Court website.

(f) File a copy of the Administrative Order in the Butler County office of the Butler County Prothonotary for inspection and copying.

By the Court

WILLIAM R. SHAFFER,
Administrative Judge

Administrative Order of Court

And Now, this 6th day of November, 2018, the Court recognizing the obligation of the several municipalities in the County of Butler to file for review of the citizenry those ordinances which the municipalities promulgate, it is hereby Ordered that those municipalities may submit said ordinances electronically in a .pdf format. The fee for filing shall be waived for all ordinances submitted in this fashion. The Butler County Court Administrator's Office shall in writing inform the several municipalities of the contents of this order and provide an e-mail address to which ordinances may be forwarded.

It is further Ordered that all historical ordinances which have been filed with the Butler County Law Library shall be scanned as soon as is practical and they shall be made available for public view on the public access computers in the Library.

By the Court

WILLIAM R. SHAFFER,
Administrative Judge

[Pa.B. Doc. No. 18-1888. Filed for public inspection December 7, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LEHIGH COUNTY

Clerk of Judicial Records Civil Division—Fee Increase; Case No. 2018-J-99

Order

And Now, this 15th day of November, 2018, upon consideration of the within Petition for Increased Fee Schedule presented by Lehigh County Clerk of Judicial Records, Andrea E. Naugle, and in accordance with Act 164 of 1998, the Prothonotary Fee Law.

It Is Ordered that the Lehigh County Clerk of Judicial Records—Civil Division Fee Schedule, which follows the within Petition as Exhibit "D," is hereby approved and adopted, to be effective January 1, 2019.

It Is Further Ordered that the Court Administrator of Lehigh County is directed to:

1. File one (1) certified copy of this order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one disk copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Pennsylvania Civil Procedural Rules Committee.

4. File one (1) certified copy with the Clerk of Judicial Records Civil Division of the Court of Common Pleas of Lehigh County.

5. Forward one (1) copy for publication in the *Lehigh County Law Journal*.

By the Court

EDWARD D. REIBMAN,
President Judge

**Andrea E. Naugle, Lehigh County Clerk of
Judicial Records
Civil Division Fee Schedule
Effective January 1, 2019**

(42 Pa.C.S. § 21071)
Act 98-164 Effective 1/21/99

Note: CTF = Children's Trust Fund Fee Mandated by State Legislation
JCP = Judicial Computer Project Fee Mandated by State Legislation
Revisions: Act 126 of 2014—eff. 7/10/14, Act 113 of 2014—eff. 8/8/2014
PAF = Prothonotary Automation Fee Authorized by Act 98-164
LCE = Lehigh County E-filing created by Leh R.C.P. 205.3 effective 1/1/04

<i>Document Type</i>	<i>Fee</i>
Acknowledgment of Deeds	\$ 10.60
APPEALS	
Appellate Court Plus check made payable to "Prothonotary of Superior/Commonwealth Court" for \$90.25	\$ 83.90
Magisterial District Judge	\$177.25
Arbitration *plus any add't compensation compensation authorized, but not to exceed 50% of the amount in controversy.	\$600.00
Assignments/Substitution of Party	\$ 10.60
Building Agreements/Stip	\$ 21.40
CERTIFICATION	
Certification Divorce Decree, Name Change	\$ 6.00
Certification of Entire Record	\$ 21.40
COMMENCEMENT OF ACTION	
Action at Law (plus .50 extra per each pltf. or deft over 5 for indexing.)	\$177.50
Miscellaneous Civil Filing	\$ 81.25
Custody Actions	\$206.00
Divorce—(No Fault) Plus add'l counts	\$263.00
Alimony	\$ 73.50
Alimony pendent lite, counsel fees & costs	\$ 73.50
Custody & Visitation	\$ 82.00
Equitable Distribution	\$ 73.50
Support	\$ 73.50
Other, each	\$ 73.50
Praeipce to Transmit Record	\$ 33.40
Motion for Appointment of Master (Div. Alimony, Equitable Distribution & Annulment)	\$500.00
Motion for Appointment of Master (Interim Relief, Counsel Fees & Costs)	\$ 28.50
Motion for Appointment of Master (Modification of Post-Divorce Alimony)	\$ 28.50
Notice to Retake Maiden Name	\$ 18.50

<i>Document Type</i>	<i>Fee</i>
Praeipce to Reinstate or Reissue	\$ 22.50
MOTION/PETITION (Any Motion or Petition filed with the Clerk)	
Civil Court Motion/Petition	\$ 28.50
Family Court Motion/Petition	\$ 28.50
Any action or proceeding to open/strike a judgment	\$156.25
Proceedings on any lien other than revival—(Mechanic's Lien Complaint)	\$116.00
COPIES	
Photo copy per page	\$.25
Docket printout by mail	\$ 3.50
Photo copying by clerk	
1st page by mail	\$ 1.00
Each add'l page	\$.50
Microfilm Copies	\$ 1.00
Transcript Copies (paper format per page)	\$.75
Transcript Copies (electronic copy per page)	\$.50
JUDGMENTS	
Confession (notes, bonds, etc.)	\$ 81.00
Magisterial District Judge Transcript	\$ 81.00
Certification of Judgment	\$ 81.00
Domestic Relations	\$ 81.00
Exemplification/Foreign Judgment (Incoming Exemplified Records)	\$ 81.00
Exemplification of Judgment (Outgoing Exemplified Records)	\$ 21.40
Liens	\$ 81.00
Default, Non-Pros, Lis Pendens	\$ 19.50
Verdict, Award, Court Order, Agreement & Final Decree	\$ 19.50
Release of Judgment	\$ 10.60
Reassess of Judgment	\$ 10.60
Subordination of Judgment	\$ 10.60
Withdraw of Judgment	\$ 10.60
236 Notice E-Filed (Per Mailing Address of Each Debtor)	\$ 5.25
LETTER OF ATTORNEY	
Recording—each name	\$ 10.60
Revoking—each name	\$ 10.60
NOTARY PUBLIC	
Notarizing Fee	\$ 6.00
Notary Certificate	\$ 4.00
Notary Signature Registration	\$ 4.00
POLITICAL SUBDIVISION	
Action at Law or Equity	\$ 71.15
Appeal from District Justice	\$ 70.75
District Justice Transcript	\$ 70.75
Execution	\$ 10.00
Judgment	\$ 10.00

<i>Document Type</i>	<i>Fee</i>
Liens with Satisfaction Fee	\$ 71.15
1. Federal Liens (effective 2006)	
2. Mechanic Liens	
3. Municipal Liens	
4. State Liens (effective 2004)	
5. Unemployment Liens (effective 2006)	
Satisfaction not pre-paid	\$ 10.40
Correction Notices	\$ 10.00
1. Federal Liens	
Re-file Notice	\$ 10.00
Suggestion of Non-payment Federal, State, Unemployment	\$ 10.00
PROTECTION FROM ABUSE	
PFA filing	\$203.50
PA State Police Registry	\$100.00
PFA Contempt or Bench Warrant	\$ 21.40
Petition for Weapons Return	\$ 28.50
Petition/Motion for Reconsideration (Filed by DFT)	\$ 28.50
Removal or Transfer	\$ 25.50
REPORTS	
Detailed Case Type Reports	\$ 25.50
REVIVALS	
Amicable/Agreement	\$ 19.25
Adverse/Writ	\$ 32.75
Averments, suggestion of non-payment, (Continuing any lien not reduced to a judgment)	\$ 19.25
Satisfactions —not prepaid	\$ 10.60
School Audits	\$ 10.60
SUBPOENA	
Subpoena—To Attend and Testify	\$ 4.00
Subpoena—To Produce Documents	\$ 4.00
Surety Financial Statement	\$ 19.40
WRITS	
Bench Warrant	\$ 21.00
Execution	\$ 32.75
Attachment Execution	\$ 33.25
Writs (Seizure, Possession, and Habeas)	\$ 32.75

No personal checks will be accepted

Business checks should be made payable to: CLERK OF JUDICIAL RECORDS—CIVIL DIVISION

All checks returned for insufficient funds will be assessed a \$20.00 service charge.

Pursuant to 42 P.S. § 21073(b), the Clerk of Judicial Records—Civil Division shall not be required to enter on the docket any suit, action or order of court or enter any judgment thereon or perform any service whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid.

The maximum fee to be charged a political subdivision for any one of the services provided for herein shall be \$10.00. Total fee may include satisfaction/discontinuance, automation fees, JCS fee and Tax

Actions started by a political subdivision includes tax and surcharges

Note: A Credit Card Fee will be charged by the credit card company for the use of a credit/debit cards.

A \$1.00 per page conversion fee will be charged by the Clerk of Judicial Records for all documents not submitted electronically

[Pa.B. Doc. No. 18-1889. Filed for public inspection December 7, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONTGOMERY COUNTY

Administrative Order Clerk of Courts Fee Bill; No. AD-391-2018

Order

And Now, this 20th day of November, 2018, the Court approves the following Clerk of Courts Fee Schedule to be effective January 1, 2019.

By the Court

THOMAS M. DeLRICCI,
President Judge

Montgomery County Clerk of Courts

Fee Schedule

Effective 01/01/2019

<i>Description</i>	<i>Fee</i>
Appeal to Superior Court (Clerk of Courts Fee)	\$78.00
Appeal to Superior Court (Superior Court Fee)	\$90.25
Bail Bond Filing Fees (Applicable to Bonding Companies Only)	\$28.75
Bail Pieces	\$23.75
Certified Copies	\$10.75
Checks returned due to Insufficient Funds	\$38.25
Clerk of Courts Fee During and After Trial	\$355.25
Clerk of Courts Fee Prior to Trial	\$305.00
Clerk of Courts Processing Fee—Summary	\$32.50
Constable Appointment Petitions	\$28.75
Copies (Per Sheet)	\$1.00
Copies from Micro Fiche (Per Sheet)	\$2.00
Criminal Record Searches (Computer & Micro Fiche search)	\$23.75
Criminal Record Searches (Computer search back to 1984)	\$23.75
Expungements	\$160.25
Finger Print Cards (Per Card)	\$16.00
Nunc Pro Tunc	\$28.75
Pre-Trial Motions and Miscellaneous Filings	\$28.75
Private Detective License—(New Application)	\$28.75
Private Detective License—(Renewal Application)	\$28.75
Private Detective License—New (Corporation)	\$300.00
Private Detective License—New (Person)	\$200.00

<i>Description</i>	<i>Fee</i>
Private Detective License—Renewal (Corporation)	\$750.00
Private Detective License—Renewal (Person)	\$500.00
Property Bail	\$28.75
Return of Property Filings	\$28.75
Subpoenas	\$3.75
Summary Appeals	\$63.25
Tax Collector Bonds	\$28.75

[Pa.B. Doc. No. 18-1890. Filed for public inspection December 7, 2018, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Sandy N. Webb (# 88217), having been disbarred in the State of Oregon, the Supreme Court of Pennsylvania issued an Order on November 19, 2018, disbarring Sandy N. Webb from the Bar of this Commonwealth, effective December 19, 2018. In accordance with Rule 217(f), Pa.R.D.E., since this for-

merly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary

[Pa.B. Doc. No. 18-1891. Filed for public inspection December 7, 2018, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Jon Ari Lefkowitz having been suspended from the practice of law in the State of New York; the Supreme Court of Pennsylvania issued an Order dated November 15, 2018 suspending Jon Ari Lefkowitz from the practice of law in this Commonwealth for a period of two years, effective December 15, 2018. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary

[Pa.B. Doc. No. 18-1892. Filed for public inspection December 7, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 7—AGRICULTURE

DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 104]

Vegetable Marketing and Research Program

The Department of Agriculture (Department) amends Chapter 104, Subchapter D (relating to Vegetable Marketing and Research Program) to read as set forth in Annex A.

Effective Date

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

Authority

This final-form rulemaking is authorized under 3 Pa.C.S. §§ 4501—4513 (relating to Agricultural Commodities Marketing Act) (act). Section 4511 of the act (relating to rules and regulations for enforcement) authorizes the Secretary of Agriculture (Secretary) to promulgate regulations and establish penalties as necessary to enforce the provisions of an agricultural commodity marketing program established under the act, including the Pennsylvania Vegetable Marketing and Research Program (Program).

Background and Summary

The Program exists and operates under a Program Order published at 48 Pa.B. 2278 (April 21, 2018). That Program Order was issued by the Secretary following a referendum conducted by the Department among affected vegetable growers in this Commonwealth. In that referendum, a majority of those growers, representing a majority of vegetable production, voted to continue the Program in accordance with the Program Order. The Program is the subject of a review referendum among these vegetable growers at intervals of no more than 5 years.

The Program focuses on vegetable producers (affected producers) in this Commonwealth who in a given calendar year grow and market: 1) 1 acre or more of vegetables; 2) 1,000 square feet or more of greenhouse vegetables; or 3) \$2,000 or more worth of vegetables. The Program requires that these producers pay a production-based assessment (producer charges) to support the vegetable marketing and vegetable research efforts of the Program. This collective effort allows the vegetable production industry in this Commonwealth, which is primarily comprised of small farms, to fund marketing and research projects that these small farms would not individually be able to fund, and that are of broad benefit to the vegetable production industry in this Commonwealth.

The Department administers the Program. The Department estimates that over one-third of affected producers who are required to pay producer charges to help support the Program do not. There are about 2,050 affected producers supporting the Program while there are about 1,250 who are either unaware of the Program or who have been able to avoid paying their fair share to support the marketing and research efforts of the Program. Against this backdrop, the regulation is needed to: 1) relieve certain vegetable sales agents of the obligation to verify that affected producers with which they transact business have paid their producer charges to the Program or to collect those charges on behalf of the Program; 2) create a simple process by which vegetable sales agents

can respond to requests from the Department for information to help identify these affected producers and their vegetable production; 3) establish a \$25 civil penalty with respect to affected producers who do not account for and pay their producer charges to the Program by January 31 each year; and 4) accomplish a general “housekeeping” update to the current regulation to reflect the experience the Department has gained in administering the Program and Chapter 104, Subchapter D over the years.

Response to Comments

Notice of proposed rulemaking was published at 47 Pa.B. 6489 (October 21, 2017), with a 30-day public comment period. No comments were received from the public, the Independent Regulatory Review Commission (IRRC) or the General Assembly.

Fiscal Impact

Commonwealth

This final-form rulemaking will have no appreciable fiscal impact upon the Commonwealth.

Political Subdivisions

This final-form rulemaking will have no appreciable fiscal impact on political subdivisions.

Private Sector

This final-form rulemaking will have some positive fiscal impact upon the private sector. Since only about two-thirds (2,050 of 3,300) of affected vegetable producers currently participate in the Program and this final-form rulemaking would bring the other third (approximately 1,250 of 3,300) into the Program, the Department estimates the amount of producer charges the Program collects each year will increase by about \$32,500, to a total of about \$97,500 per year. To the extent this final-form rulemaking helps swell the numbers of affected producers who participate in the Program, and helps fully-fund the Program’s vegetable marketing and research efforts, it will have a net positive fiscal impact on vegetable producers in this Commonwealth and the industries that support them, such as farm equipment suppliers and the like. The fully-funded vegetable marketing and research projects are expected to provide vegetable producers information that will help them more efficiently grow and market their vegetables.

General Public

This final-form rulemaking will have no appreciable fiscal impact on the general public, although to the extent this final-form rulemaking helps maintain a vital vegetable production industry in this Commonwealth the general public will benefit from a ready supply of locally-grown nutritious vegetables. This benefit cannot be quantified.

Paperwork Requirements

This final-form rulemaking will simplify the paperwork requirements imposed on vegetable producers by requiring a single, annual accounting and payment. It will also eliminate reporting requirements (and the attendant paperwork) currently imposed on approximately 25 vegetable sales agents. It will not appreciably impact the Department’s paperwork load.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 5, 2017, the Department

submitted a copy of the notice of proposed rulemaking, published at 47 Pa.B. 6489, to IRRC and the Chairpersons of the House and Senate Agriculture and Rural Affairs Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, the Department is required to submit to IRRC and the referenced Legislative Standing Committees copies of comments received during the public comment period, as well as other documents when requested. Comments were not received with respect to the proposed rulemaking.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on September 13, 2018, this final-form rulemaking was deemed approved by the House and Senate Agriculture and Rural Affairs Committees. IRRC did not comment on, make recommendations regarding or object to any portion of the proposed regulation, and the Department did not make any changes to the proposed regulation. Thus, under section 5.1(e) of the Regulatory Review Act (71 P.S. § 745.5a(e)), IRRC met on September 13, 2018, and this final-form rulemaking was deemed approved under section 5(g) of the Regulatory Review Act.

Additional Information

Additional information may be obtained from William Troxell, Director, Pennsylvania Vegetable Marketing and Research Program, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 694-3596.

Findings

The Department finds that:

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

(2) A public comment period was provided as required by law and no comments were received.

(3) The amendments made to this final-form rulemaking do not enlarge the purpose of the proposed rulemaking published at 47 Pa.B. 6489.

(4) The amendments to the regulations of the Department are necessary and appropriate for the administration of the authorizing statute.

Order

The Department, acting under its authorizing statute, orders that:

(1) The regulations of the Department, 7 Pa. Code Chapter 104, Subchapter D are amended by amending §§ 104.51—140.57 to read as set forth in Annex A.

(2) The Department shall submit a copy of Annex A to the Office of the Attorney General and the Office of General Counsel for approval as required by law.

(3) The Department shall submit this order and Annex A to IRRC, as required by law.

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

(5) The regulations shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

RUSSELL C. REDDING,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 48 Pa.B. 6359 (September 29, 2018).)

Fiscal Note: Fiscal Note 02-185 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 7. AGRICULTURE

PART IV. BUREAU OF MARKET DEVELOPMENT

CHAPTER 104. ENFORCEMENT OF MARKETING PROGRAMS

Subchapter D. VEGETABLE MARKETING AND RESEARCH PROGRAM

§ 104.51. Scope.

This subchapter establishes the procedures by which vegetable producers shall account for and pay the producer charges owed the Program.

§ 104.52. Definitions.

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

Auction—A market where producers provide vegetables in wholesale quantities to be auctioned to wholesale buyers.

Cooperative—A sales agent that markets fresh market vegetables on behalf of two or more producers, and which is owned by the producers for which it markets vegetables.

Fresh market vegetables—Vegetables that have not been processed and that are marketed to persons other than processors.

Greenhouse—

(i) An enclosed structure for growing vegetables, including structures where the internal temperature is controlled or high tunnels where additional heat is not supplied.

(ii) The term does not include low tunnels.

Marketing season—The period from January 1 through December 31 of each calendar year.

Packing house—A facility that receives, washes, grades, packages or packs fresh market vegetables produced by a person other than the owner or operator of that facility.

Person—An individual, firm, corporation, association or other business unit.

Processing—The operation of preserving vegetables for storage by canning, dehydrating, freezing, grinding, crushing, packaging or other means.

Processor—A person who engages in processing.

Producer—

A person who does one or more of the following during a particular marketing season:

(i) Grows 1 or more acres of vegetables in this Commonwealth for the purpose of selling the vegetables.

(ii) Grows vegetables in one or more greenhouses in this Commonwealth if all of the following are accurate:

(A) The greenhouse grows vegetables in 1,000 square feet or more of growing space.

(B) The vegetables are grown for sale.

(C) The vegetables are not grown to be transplanted outdoors.

(iii) Grows vegetables in this Commonwealth and sells \$2,000 or more of the vegetables grown in a given marketing season.

Program—The Pennsylvania Vegetable Marketing and Research Program.

Sales agent—A processor, auction, packing house, fresh market vegetable stand, cooperative, broker, wholesaler, commission merchant or another person who purchases, handles, processes, receives, sells or contracts to sell vegetables originating from a producer. A person may be a sales agent with respect to vegetables of the person's own production.

Vegetable production unit—A unit equal to 1 acre of field vegetable production or 1,000 square feet of greenhouse vegetable production sold in a single marketing season.

Vegetables—Vegetables except Irish potatoes. The term includes: asparagus, beans (snap, dry and lima), beets, cabbage, cauliflower, broccoli, Brussels sprouts, collards, kale, mustard greens, kohlrabi, carrots, celery, corn (sweet, pop and ornamental), cucumbers, eggplant, garlic, horseradish, leeks, lettuce, muskmelons, watermelon, onions, parsley, parsnips, peas, peppers, pumpkins and squash (edible or decorative), gourds, radishes, rutabagas, spinach, sweet potatoes, tomatoes and turnips produced in this Commonwealth for the purpose of sale by a producer.

Verification—A written statement of fact made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

§ 104.53. Producer charges.

(a) A producer owes a producer charge to the Program each marketing season. The producer charge is the lesser of the following:

(1) A flat fee of \$25, plus \$1.50 for each vegetable production unit exceeding five vegetable production units.

Example: A grower conducts field vegetable production on 10 acres of land and also has 6,000 square feet of greenhouse vegetable production. This means the grower's vegetable production occurs on a total of 16 vegetable production units (10 of which are attributable to the 10 1-acre units devoted to field vegetable production and 6 of which are attributable to the 6 1,000-square-foot units devoted to greenhouse vegetable production). The \$1.50-per-vegetable-production-unit producer charge does not apply to the first five of these 16 vegetable production units, but applies to the remaining 11. The producer charge is \$41.50, calculated by adding (the flat fee of \$25) plus (11 vegetable production units multiplied by \$1.50 per vegetable production unit).

(2) An amount equal to 1.25% (0.0125) of gross sales of vegetables during a particular marketing season, but no less than \$25.

(b) Producer charges may be changed by subsequent amendment of the Program in accordance with the referendum procedures in Chapter 103 (relating to referendums).

§ 104.54. Accounting, payment and verification procedures.

(a) *Assessment statement.* The Program will provide producers with assessment statement forms with which to verify the acreage, or the square-footage in the case of greenhouse-grown vegetables, of vegetables which the producer raises within a particular marketing season. The Program will provide these forms upon request and make these forms available for producers to download from the Program's web site at www.paveggies.org. An assessment statement form will require the following information of a producer with respect to each marketing season:

(1) The name, address and telephone number of the producer.

(2) The marketing season with respect to which the form is submitted.

(3) The number of acres of vegetables raised by the producer for processing or fresh market use and sold within that marketing season.

(4) The square footage of greenhouse-grown vegetables raised by the producer and sold within that marketing season.

(5) The calculation of the amount of producer charges owed the Program by the producer.

(6) The date upon which the form was completed.

(7) A verification, signed by the person submitting the form, confirming the accuracy of the information provided.

(b) *Deadline for producers.* A producer shall mail or deliver to the Program a completed assessment statement form and any producer charges due the Program no later than January 31 immediately following the applicable marketing season.

(c) *Form of payment.* Payments of producer charges shall be by check or money order made payable to "PA Vegetable Marketing and Research Program."

(d) *Address.* Assessment statement forms and payments of producer charges shall be mailed or delivered to:

Department of Agriculture
 Bureau of Market Development
 Attn: Pennsylvania Vegetable Marketing and Research Program
 2301 North Cameron Street
 Harrisburg, Pennsylvania 17110-9408

§ 104.55. Responsibilities of the producer.

It is the responsibility of the producer to submit a complete assessment statement form, as described in § 104.54 (relating to accounting, payment and verification procedures) and the appropriate producer charge owed the Program. The producer shall retain a copy of any assessment statement form which is submitted to the Program for at least two marketing seasons beyond the marketing season with respect to which the form is submitted.

§ 104.56. Responsibilities of the sales agent.

(a) *Providing basic producer information.* The Department may issue a sales agent a written notice that the sales agent is to provide the Department the name and address of each producer from which the sales agent purchased \$2,000 or more worth of vegetables in a given marketing season. If the Department issues a written notice, the sales agent shall provide the requested information to the Department within 30 days of the date of the written notice.

(b) *Providing production value information.* After the Department has issued a sales agent the written notice described in subsection (a), the Department may follow-up with a subsequent notice that the sales agent is to provide the Department the dollar value of vegetables purchased in a given marketing season from any of the producers identified in the sales agent's initial response to the Department under subsection (a). If the Department issues a follow-up notice, the sales agent shall provide the requested information to the Department within 30 days of the date of the follow-up notice.

§ 104.57. Penalties for noncompliance.

(a) *Sales agents.* If a sales agent fails to comply, or fails to comply completely or fails to comply with this subchapter within the time specified, the Department may bring a civil action in the appropriate magisterial district seeking a penalty of at least \$100 but not more than \$300.

(b) *Producers.*

(1) *Failure to Mail or Deliver Assessment Statement Form and Payment by January 31.* If a producer fails to mail or deliver an assessment statement form and the required payment of producer charges to the Program by the January 31 immediately following the applicable marketing season, as required under § 104.54 (relating to accounting, payment and verification procedures), the producer owes a penalty of \$25. The \$25 penalty is in addition to the producer charges owed and any penalty imposed under Paragraph (2).

(2) *Penalty.* If a producer fails to comply, or fails to comply completely or fails to comply with this subchapter within the time specified, the Department may bring an action in the appropriate magisterial district seeking a penalty of at least \$100 but not more than \$500, plus payment of producer charges owed. If the producer owes producer charges, the Department will seek a penalty as nearly equivalent to 100% of the delinquent amount as is practicable. A penalty sought by the Department will be in addition to payment of delinquent producer charges.

[Pa.B. Doc. No. 18-1893. Filed for public inspection December 7, 2018, 9:00 a.m.]

Title 58—RECREATION**FISH AND BOAT COMMISSION****[58 PA. CODE CH. 65]****Fishing; Special Fishing Regulations**

The Fish and Boat Commission (Commission) amends Chapter 65 (relating to special fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

A. Effective Date

This final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this final-form rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. Statutory Authority

The amendment to § 65.21 (relating to waters limited to specific purposes—exclusive use fishing areas) are published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. Purpose and Background

This final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the final-form amendment is described in more detail under the summary of proposal.

E. Summary of Proposal

Under section 2307 of the code, the Commission has the authority to promulgate regulations for exclusive use fishing areas. Those regulations are laid out in § 65.21. In subsection (b) the term "children" is defined as a person "12 years of age or under."

In recent discussions Commissioners and staff have questioned why the age is set at 12 years of age when an individual is not required to purchase a license until they have reached 16 years of age. The Commission has explored the history of the age determination and has not found evidence suggesting why the lower age was adopted in § 65.21. Additionally, the Commission has been looking for additional opportunities to get more youth interested in fishing. The rationale in changing the age to 15 years of age and under for these areas is to bring more angling opportunities to a broader range of youth.

The Commission amends § 65.21 to read as set forth in the proposed rulemaking published at 48 Pa.B. 5495 (September 1, 2018).

F. Paperwork

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This final-form rulemaking will not have adverse fiscal impacts on the Commonwealth or its political subdivisions. This final-form rulemaking will not impose new costs on the private sector or the general public.

H. Public Involvement

Notice of proposed rulemaking was published at 48 Pa.B. 5495. The Commission received one public comment supporting the proposal.

Findings

The Commission finds that:

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

(2) A public comment period was provided and the comment received was considered.

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

Order

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.21 to read as set forth at 48 Pa.B. 5495.

(B) The Executive Director will submit this order and 48 Pa.B. 5495 to the Office of Attorney General for

approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 48 Pa.B. 5495 and deposit them with the Legislative Reference Bureau as required by law.

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

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-281 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 18-1894. Filed for public inspection December 7, 2018, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 75]

Fishing; Endangered Species

The Fish and Boat Commission (Commission) proposes to amend Chapter 75 (relating to endangered species). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments update the Commission's lists of endangered and candidate species.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. Statutory Authority

The proposed amendments to § 75.1 (relating to endangered species) are published under the statutory authority of section 2305 of the code (relating to threatened and endangered species). The proposed amendments to § 75.3 (relating to candidate species) are published under the statutory authority of 2102 of the code (relating to rules and regulations).

D. Purpose and Background

The specific purpose and background of the proposed amendments is described in more detail under the summary of proposal.

E. Summary of Proposal

(1) Pugnose Minnow (*Opsopoeodus emiliae*) is a small (40–55 mm), silver and olive colored, slender and compressed minnow with a nearly vertical mouth it uses to feed on microcrustaceans at the water's surface. It inhabits sluggish streams, lakes, wetlands and oxbows, usually where dense vegetation or coarse woody debris is present. It occurs in waters that are clear or turbid. In this Commonwealth, it occurs in a low gradient, turbid stream sections with limited submerged and emergent vegetation, but with considerable downed, in-stream woody debris.

The Pugnose Minnow occurs from the Atlantic Slope in South Carolina across the Gulf Slope to Texas, and northward in the Mississippi River and Great Lakes systems to southern Wisconsin and Ontario (Page and Burr 2011).

The Pugnose Minnow was first collected in this Commonwealth in 2000 (Argent and Spear 2001) and was subsequently collected in 2001 (Criswell and Fischer). In 2016, R. Criswell, D. Fischer and J. Brancato (PADEP) collected 10 individuals of this species, confirming an established population. All collections are from a short section of lower Cussewago Creek, Crawford County, totaling no more than 2 kilometers (km) in length. Although there are no older records for this species, experts consider it native here. Cussewago Creek, particularly the lowermost section where this species was

collected, is difficult to sample, and the microhabitat occupied by the Pugnose Minnow is very limited. It could have very easily been overlooked, and historic sampling effort there, particularly for nongame fishes, has been very limited. In addition, this species occurred historically in northeast Ohio (Trautman 1981) and is represented elsewhere in its range by several disjunct populations (Page and Burr 2011). This species appears to be subject to population fluctuations in this Commonwealth. Five surveys were focused on this species in the occupied section of Cussewago Creek between 2006 and 2016 without success.

The level of turbidity that this population of Pugnose Minnows will tolerate is unknown, but any significant increases could be problematic. The State-endangered Hornyhead Chub, *Nocomis biguttatus*, formerly occurred in this waterway, but is now extirpated. The Commission suspects that increased turbidity during the post-1930 period is responsible for this extirpation. Increases in silt loading must be considered the greatest threat to the Pugnose Minnow.

A dam currently impounds a portion of Cussewago Creek 1.5 km below the area occupied by the Pugnose Minnow. There have been discussions concerning the removal of this dam (B. Lorson, Commission, pers. comm.). It is unclear if the removal of this dam would impact the water level or habitat in the vicinity of the Pugnose Minnow population. It is also unclear if the Pugnose Minnow occupies the impounded area.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. Endangered species criteria were met in four categories: A1 (Population Reduction), B3 (Extent of Occupancy in streams is less than 10 miles), B4 (Sum of Proportion of Watersheds Occupied value < 0.2), and B5 (Severely fragmented < 6 locations). In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S1 meaning it is critically imperiled in the Commonwealth with a high to very high risk of extirpation due to its limited range or few populations, or both, or occurrences. The Fishes Technical Committee of the Pennsylvania Biological Survey (PABS) reviewed this documentation and rank assignment and recommended that the Pugnose Minnow be listed as endangered. Enough information is available to make the determination that it is endangered in this Commonwealth at present and to justify its addition to Commonwealth's list of endangered fishes.

Therefore, the Commission proposes that the Pugnose Minnow be added to the list of endangered species under § 75.1.

(2) Blacknose Shiner (*Notropis heterolepis*) is a small olive to pale yellow minnow (40–65 mm) found in clear lakes and streams, where it is often associated with aquatic vegetation. In this Commonwealth, this species has been collected in pools, with rubble, gravel, and sand substrates, and completely lacks submerged vegetation.

The Blacknose Shiner is distributed from the Hudson Bay drainage east to Nova Scotia in Canada, and from Maine west to Nebraska, with extinct glacial relict populations in southern Kansas and Missouri (Gilbert 1980, Page and Burr 2011). This species is common in the north of its range but disappearing from the southern region (Page and Burr 2011).

In the glaciated northwestern portion of this Commonwealth, there are historic records from the Lake Erie drainage, Shenango River drainage and the upper Allegheny River drainage. The only recent records are from two tributaries to the Allegheny River in Erie and McKean Counties.

The Blacknose Shiner was thought to be extirpated from this Commonwealth until recently, with no collection reports from the late 1930s through 2009. It was formerly known from Erie and Crawford Counties. Following collections in 2009, the status was updated to “undetermined” and the historically occupied waterways were intensively surveyed. Populations were found in a single, small drainage in Erie County within its historically known distribution. Another population is found in a tributary to the upper Allegheny River outside of the known native range in this Commonwealth and is considered to be introduced, but it could possibly be native. The known lineal occupied distance within the native range is only 2 km and justifies a change in status from undetermined to endangered.

The current status of this species was reviewed using the Commission’s documentation and objective listing/delisting process. Endangered species criteria were met in four categories: A1 (Population Reduction), B3 (Extent of Occupancy in streams < 10 miles), B4 (Sum of Proportion of Watersheds Occupied < 0.2), and B5 (Severely fragmented < 6 locations). In addition, it was evaluated with NatureServe’s Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S1—meaning it is critically imperiled in this Commonwealth with a high to very high risk of extirpation due to its limited range or few populations, or both, or occurrences. The Fishes Technical Committee of the PABS reviewed this documentation and rank assignment and recommended that the Blacknose Shiner be listed as endangered. Enough information is available to make the determination that it is endangered in this Commonwealth at present and to justify its addition to the Commonwealth’s list of endangered fishes.

Therefore, the Commission proposes that the Blacknose Shiner be added to the list of endangered species under § 75.1.

(3) Banded Sunfish (*Enneacanthus obesus*) are small sunfish (50–90 mm) with an olive colored body having 5–8 dark vertical bars extending to its ventral side. It occupies sluggish, calm sections of streams and rivers, as well as bogs, marshes, swamps, ponds and lakes. It is closely associated with dense stands of rooted and suspended aquatic vegetation over substrates of silt, sand, mud and detritus.

It is native to the coastal lowlands from southern New Hampshire to central Florida in both the Atlantic and Gulf drainages (Lee 1980). In this Commonwealth, it occurred historically in the tidal portion of Delaware River drainage in Bucks, Delaware and Philadelphia Counties (Fowler 1940, Cooper 1983).

Two circa 1850 collections include 4 specimens (UMMZ 86801) and 8 specimens (ANSP 12876). Three records from 1907–1914 each contain 1 or 2 specimens (ANSP 41855, 41859 and 41874). It is obvious, given these numbers and the very limited extent of suitable Coastal Plain habitat on this Commonwealth side of the Delaware River/Estuary, that the Banded Sunfish was never particularly common or widely distributed in this Commonwealth. The 1977 collection included 3 specimens and likely represented waifs and not a population given the paucity of records before and after.

The Banded Sunfish is currently listed as an endangered species. It has not been collected or verified in this Commonwealth since 1977, when 3 specimens were taken from an impingement screen at a power plant on the Delaware River near Philadelphia in Delaware County (Cooper 1983). All earlier records are from the Coastal Plain in Bucks and Philadelphia Counties, and predate 1915 (Stauffer et al. 2016). Despite targeted sampling by multiple researchers (R. Criswell, Academy of Natural Sciences in Philadelphia and Philadelphia Water Department), no specimens have been collected and most suitable historic habitat has been altered or destroyed (Criswell 1998, Horwitz et al. 2006, unpublished data). Based on this information, it can be surmised that this species no longer occurs in this Commonwealth and should be removed from the Commonwealth’s endangered species list.

The current status of this species was reviewed using the Commission’s documentation and objective listing/delisting process. Because there are currently no extant records of the Banded Sunfish, no threatened and endangered species listing criterion were met. The Fishes Technical Committee of the PABS reviewed this documentation and rank assignment and recommended that the Banded Sunfish be delisted. Enough information is available to make the determination that it no longer occurs within this Commonwealth at present and to justify its removal from Commonwealth’s list of endangered fishes.

Therefore, the Commission proposes that the Banded Sunfish be removed from the Commonwealth’s list of endangered species under § 75.1.

(4) Gravel Chub (*Erimystax x-punctatus*) is a slender, medium-sized (65–95 mm) yellow to olive green chub that inhabits large creeks and rivers with clear to somewhat turbid water, over substrate that includes significant amounts of clean sand, gravel and rock. It is essentially a benthic fish that occurs in riffles and runs, in both shallow and deeper water.

The Gravel Chub is native from southern Ontario and western New York west to Minnesota and south to Arkansas. It was known to inhabit the Ohio River basin of western Pennsylvania (and New York) with most of the verified occurrences associated with the Allegheny River.

The historic distribution of the Gravel Chub is somewhat obscured by its taxonomic past. The Gravel Chub was recognized as distinct relatively recently and wasn’t formally described as a species until 1956 (Hubbs and Crowe), well after the collection record had begun. It is likely that early reports of the generically similar Streamline Chub, *Erimystax dissimilis* included the Gravel Chub. Cope (1881) reported the Streamline Chub to be “especially numerous in the creeks of Western Pennsylvania.”

The Commission is aware of 13 collections of the Gravel Chub from this Commonwealth. Collections made before the species description (Hubbs and Crowe 1956) were re-identified from museum specimens. The earliest was made by Edward D. Cope in the late 1800s from the Youghiogheny River (later identified by Robert E. Jenkins, ANSP1824). This collection indicates that the Gravel Chub was likely much more widely distributed initially in the upper Ohio River basin than indicated by later collections. The subsequent 12 collections were all made during the period 1935–1985 from the Allegheny River or from the lower reaches of tributaries to the Allegheny River. Similarly, Carlson et al. (2016) reported on collec-

tions known from the Allegheny River in New York during this same period with no occurrences reported after 1979.

There are no recent verified reports of Gravel Chubs from the Allegheny River drainage. From approximately 2000 to present, the rivers of the Ohio River drainage in western Pennsylvania have been intensively surveyed with electrofishing and trawling gears at hundreds of sites (Koryak et al. 2009, Freedman et al. 2009, Lorson 2009, Koryak et al. 2011, Stauffer et al. 2016, Commission unpublished data). Efforts by R. Criswell and D. Fischer have also specifically targeted the Gravel Chub at historic collection localities and areas containing seemingly optimum habitat. Despite the collective ability of these efforts to detect changes in the status of species requiring similar environmental conditions (for example, Streamline Chub, Mountain Madtom, Northern Madtom, Channel Darter, Longhead Darter, River Darter, Gilt Darter, Bluebreast Darter, Tippecanoe Darter, Spotted Darter), no verified specimens of Gravel Chubs have been collected. The lack of collections of the Gravel Chub in western Pennsylvania and New York indicate that it is now likely extirpated from the "Three Rivers" drainage area.

This species is of moderate concern globally. Although locally common in some areas, populations are declining over much of its range (Page and Burr 2011). The Ontario and Kentucky populations have been extirpated. Trautman (1981) suggested that increased siltation was responsible for a contraction of its range in Ohio. Impoundments are likely a contributing factor in reducing suitable habitat by altering flow and promoting the deposition of silt. Carlson et al. (2016) reported that one historic locality in New York is now inundated by the Allegheny Reservoir. On the Monongahela River and lower Allegheny River, a series of navigational locks and dams and urban development have extensively altered natural habitats. The dredging industry has utilized the impounded sections of the upper Ohio River and Allegheny River to mine glacial sand and gravel, further altering the river bottoms.

The disappearance of the Gravel Chub from this Commonwealth and New York remains somewhat of a mystery. The Gravel Chub was apparently able to survive in the Allegheny River drainage throughout most of the 1900s as indicated by collections during 1935–1985. Environmental quality generally improved in the Allegheny River drainage in the 1970s and 1980s largely due to the implementation of the Clean Water Act (Koryak et al. 2009). During this period, many lithophilic fishes reinvaded portions of the Allegheny River drainage where pollution had been problematic, and in some areas, these fishes have become abundant (Ortmann 1909, Stauffer et al. 2016; Commission unpublished data). Apparently, the Gravel Chub did not benefit similarly.

Trautman (1981) observed that competition between the Gravel Chub and its congener, the Streamline Chub, appeared to be rather keen, especially while feeding. The Streamline Chub is presently well distributed and common to abundant in the Allegheny River and its larger tributaries (Stauffer et al. 2016, Commission unpublished data). It is also present in the upper Ohio River. In the state of Ohio, where Gravel Chubs and Streamline Chubs are still found together, these species appear to segregate into different habitats. Brian Zimmerman (Ohio State University Museum of Biodiversity) provided the following personal communication discussing his observations in Ohio.

"In Ohio the Streamline Chub *Erimystax dissimilis* and Gravel Chub *E. x-punctatus* both have greatly increased in abundance and distribution over the past 20–30 years. They do seem to differ in habitat in that the Streamline Chub is found in smaller and clearer streams than the Gravel Chub. In our two large river systems that have large populations of both (Muskingum and Scioto rivers) the Gravel Chub stays almost entirely in the main stem and the largest of tributaries where the turbidity of the water is often greater. Streamline Chubs in these two systems are found significantly further upstream and in smaller tributaries to these systems. The water clarity may just be a factor of stream size. These two also differ in habitat preference in that Streamline Chub are more often in deeper water in more "run-like" habitat and Gravel Chub are often found shallower on large gravel riffles of the large rivers they inhabit in Ohio. Clarity and or depth may be playing a role in why Streamline Chub have expanded into the upper Ohio River and a few tributaries on the eastern edge of Ohio. This presumably is a downstream extension of the very large population in PA in the Allegheny and upper Ohio Rivers. Gravel Chub on the other hand have not been found in this area."

Experts speculate that historic habitat modification in the upper Ohio River basin and possibly interspecific competition have contributed to the extirpation of the Gravel Chub from the Allegheny River drainage. It appears that turbidity presently plays a role in the distribution of Gravel Chub populations as they recolonize waters in Ohio. As polluted waters in western Pennsylvania have recovered throughout the late 1900s, they have become clearer. It is possible that this has played an additional role in further reducing optimal conditions for the Gravel Chub or by providing a competitive edge for the Streamline Chub.

The Gravel Chub is currently listed as endangered in this Commonwealth. The Gravel Chub persisted in this Commonwealth and New York in the Allegheny River basin throughout the worst period of pollution during the early and mid-1900s. Despite this, it hasn't been observed in this Commonwealth since 1985. Many intensive fisheries survey efforts have been conducted recently throughout its range here, including specific efforts targeted at the Gravel Chub. Based on this information, it appears that this species no longer occurs in this Commonwealth and should be delisted from the endangered species list.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. Because there are currently no extant records of the Gravel Chub in this Commonwealth, no threatened and endangered species listing criterion were met. The Fishes Technical Committee of the PABS reviewed this documentation and rank assignment and recommended that the Gravel Chub be delisted. Enough information is available to make the determination that it no longer occurs within this Commonwealth at present and to justify its removal from the Commonwealth's list of endangered fishes.

Therefore, the Commission proposes that the Gravel Chub be removed from the Commonwealth's list of endangered species under § 75.1.

(5) Central Mudminnow (*Umbra limi*) is a relatively small (54 mm), elongated fish that occurs in marshes, swamps, springs, ditches, lake margins and the pools of smaller streams. It is usually found in the presence of dense vegetation and soft substrates, but they have been collected in shaded, stagnant, swampy areas that lack vegetation. Suitable substrates include thick organic ma-

terial, gravel, sand and silt (Stauffer et al. 2016). Becker (1983) noted a preference for clear water that may be stained light or dark brown, and it is found less frequently in turbid conditions.

Central Mudminnows are known from the St. Lawrence River drainage west through the Great Lakes to southern Manitoba, and south through the Mississippi River Basin to western Tennessee (Gilbert 1980). In this Commonwealth, they occur in the Shenango and upper Allegheny river systems, and Lake Erie drainages (Stauffer et al. 2016).

Historically, the Central Mudminnow was found to be rather widely distributed in northwestern Pennsylvania during the period 1990—present, and is known to occur in Crawford, Mercer, Erie, Venango and Warren Counties at present (Stauffer et al. 2016). A lack of recent records from Beaver and Lawrence Counties is most likely an artifact of inadequate targeted surveys there. A number of post-1990 collections include 10 or more individuals, and 150 individuals were counted at one Erie County site in 2009. The Central Mudminnow is common to abundant in the Conneaut Marsh and wetlands in the Pymatuning region; these rather extensive wetlands are the largest in this Commonwealth.

There are no recent records from the extreme southernmost portion of its range in this Commonwealth. However, given its preference for vegetated wetlands and other waterways that are difficult to survey or are not typically sampled by fishery managers and ichthyologists, it is likely that a significant number of populations exist that have not yet been detected. Although wetlands acreage has declined significantly in this Commonwealth, and the Central Mudminnow was probably more abundant prior to those losses, it is still rather widespread and locally common.

The Central Mudminnow was listed as a candidate species of this Commonwealth in 1991. It occurs in the Shenango and upper Allegheny river systems, and Lake Erie drainages. Since its listing, a significant amount of field work has been performed in this species' native drainage, and many additional populations have been documented in five counties. At some sites the Central Mudminnow was found to be common or abundant. Experts believe that many undetected populations remain, due to this species' specialized habitat and occupation of wetlands that are not typically surveyed by fishery managers or ichthyologists. Based on this information, we believe that removal of this species from the list of candidate species is appropriate.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds Criterion B.3 (Extent of Occupancy) because it occupies more than 150 river miles of waterway. Additionally, Criterion B.5 for candidate status is exceeded: no extreme fragmentation and no fluctuation or decline of populations has been documented or suspected and more than 20 occurrences have been documented or suspected. In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4—meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range or many populations, or both, or occurrences. The Fishes Technical Committee of the PABS reviewed this documentation and rank assignment and recommended that the Central Mudminnow be delisted. Enough information is available to make the determination that it is secure in

this Commonwealth at present and to justify its removal from the Commonwealth's list of candidate fishes.

Therefore, the Commission proposes that the Central Mudminnow be removed from the Commonwealth's list of candidate species under § 75.3.

(6) Eastern Mudminnow (*Umbra pygmaea*) is a larger mudminnow (107 mm) that inhabits backwaters, braided creek mouths, wetlands, vegetated and soft-bottom lake margins, and sluggish or still sections of streams. It occurs in clear to somewhat turbid water, usually where dense aquatic vegetation or decaying organic material provides adequate cover. Mudminnows can withstand low dissolved oxygen concentrations (utilizing the gas bladder as a lung), low pH and temperature extremes, making them tolerant of harsh conditions (Jenkins and Burkhead 1994, Kuhne and Olden 2014). They have been collected in slightly tannin-stained Pocono Mountains lakes and Hastings (1984) reported it from pH as low as 4.0.

The Eastern Mudminnow occurs from south-eastern New York south to the St. Johns River, Florida and west along the Gulf Slope to the Aucilla River (Gilbert 1980). In this Commonwealth, it is native to the Delaware River drainage (Stauffer et al. 2016). It has recently been reported from the Susquehanna River basin at multiple sites, where the Commission considers it to be introduced (D. Fischer, unpublished data).

The Commission is aware of 23 pre-1920 records for this species, all from the Philadelphia region (Bucks and Philadelphia Counties); between 1920 and 1990 approximately 20 collections were made, which included documentation in Carbon, Chester, Delaware, Monroe and Pike Counties (Stauffer et al. 2016; Criswell and Fischer). Most pre-1990 records document 1—9 individuals per station, but one pre-1920 collection from Bucks County (ANSP 23850) consisted of 23 individuals. There is little doubt, however, that the Eastern Mudminnow was more common than these records reflect, given its preference for debris-laden habitats and the fact that early surveyors were limited to nets and seines. Abundance data for the period 1920—1990 is lacking.

Within the last 25 years, the Eastern Mudminnow was found to be somewhat common in the Bucks, Chester, Delaware and Philadelphia Counties area and some of the Pocono Mountains region during the period 1990—present (Stauffer et al. 2016). Occurrences have been documented by the Academy of Natural Sciences in Philadelphia in Bucks, Philadelphia, Delaware, Lackawanna, Monroe, Philadelphia, Pike and Wayne Counties (R. Horwitz, personal communication). Since 1990, extralimital collections have occurred in Bradford, Dauphin, Lackawanna and Luzerne Counties within the Susquehanna River drainage (Stauffer et al. 2016; D. Fischer and M. Bilger, unpublished data). It is unclear if the collections from the Susquehanna River drainage are indicative of bait releases or established populations. A significant amount of suitable habitat in northeastern Pennsylvania remains unsurveyed due to access issues.

The Eastern Mudminnow was listed as a candidate species of this Commonwealth in 1991. It occurs in the Delaware River drainage. Since its listing, a significant amount of field work has been performed in this species' native drainage. A number of additional populations have been documented and this species continues to exist at sites where it was documented prior to 1991. Experts believe that many undetected populations remain, due to

this species' specialized habitat and occupation of wetlands that are not typically surveyed by fishery managers or ichthyologists; and given the vast amount of private land containing natural ponds and wetlands in northeastern Pennsylvania where access by surveyors is not available. Based on this information the removal of this species from the list of candidate species is warranted.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds Criterion B.3 (Extent of Occupancy), because it occupies more than 150 river miles of waterway. Additionally, Criterion B.5 for candidate status is exceeded: no extreme fragmentation and no fluctuation or decline of populations has been documented or suspected and more than 20 occurrences have been documented or suspected. In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4—meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range or many populations, or both, or occurrences. The Fishes Technical Committee of the PABS reviewed this documentation and rank assignment and recommended that the Eastern Mudminnow be delisted. Enough information is available to make the determination that it is secure in this Commonwealth at present and to justify its removal from the Commonwealth's list of candidate fishes.

Therefore, the Commission proposes that the Eastern Mudminnow be removed from the Commonwealth's list of candidate species under § 75.3.

The Commission proposes to amend §§ 75.1 and 75.3 to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will not have adverse fiscal impact on this Commonwealth or its political subdivisions. This proposed rulemaking will not impose new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking 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/reg comments. 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

Fiscal Note: 48A-282. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 75. ENDANGERED SPECIES

§ 75.1. Endangered species.

* * * * *

(b) *Fish*. The following species are endangered:

- (1) Northern brook lamprey, *Ichthyomyzon fossor*.
- (2) Shortnose sturgeon, *Acipenser brevirostrum*.
- (3) Lake sturgeon, *Acipenser fulvescens*.
- (4) Atlantic sturgeon, *Acipenser oxyrinchus*.
- (5) Spotted gar, *Lepisosteus oculatus*.
- (6) Hickory shad, *Alosa mediocris*.
- (7) Cisco, *Coregonus artedi*.
- (8) Northern redbelly dace, *Phoxinus eos*.

(9) [**Gravel chub, *Erimystax x-punctatus***] **Blacknose Shiner (*Notropis heterolepis*)**.

- (10) Bridle shiner, *Notropis bifrenatus*.
- (11) River shiner, *Notropis blennioides*.
- (12) Ghost shiner, *Notropis buechanani*.
- (13) Ironcolor shiner, *Notropis chalybaeus*.
- (14) Blackchin shiner, *Notropis heterodon*.
- (15) Redfin shiner, *Lythrurus umbratilus*.
- (16) Longnose sucker, *Catostomus catostomus*.
- (17) Bigmouth buffalo, *Ictiobus cyprinellus*.
- (18) Black bullhead, *Ameiurus melas*.
- (19) Mountain madtom, *Noturus eleutherus*.
- (20) Tadpole madtom, *Noturus gyrinus*.
- (21) Northern madtom, *Noturus stigmosus*.
- (22) Burbot, *Lota* (inland populations only).
- (23) Threespine stickleback, *Gasterosteus aculeatus*.
- (24) [**Banded sunfish, *Enneacanthus obesus***]
Pugnose Minnow (*Opsopoeodus emiliae*).
- (25) Warmouth, *Lepomis gulosus*.
- (26) Longear sunfish, *Lepomis megalotis*.
- (27) Iowa darter, *Etheostoma exile*.
- (28) Eastern sand darter, *Etheostoma pellucida*.
- (29) Hornyhead chub, *Nocomis biguttatus*.

* * * * *

§ 75.3. Candidate species.

* * * * *

- (b) *Fish*.
- (1) Least brook lamprey, *Lampetra aepyptera*.
 - (2) [**Central mudminnow, *Umbra limi***.
 - (3) **Eastern mudminnow, *Umbra pygmaea***.
 - (4)] **Brook stickleback, *Culaea inconstans***.

* * * * *

[Pa.B. Doc. No. 18-1895. Filed for public inspection December 7, 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 November 27, 2018.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-20-2018	S & T Bank Indiana Indiana County	2032 Front Street Cuyahoga Falls Summit County, OH	Approved
11-27-2018	Orrstown Bank Shippensburg Cumberland County	920 Lititz Pike Lititz Lancaster County	Approved
11-26-2018	Republic First Bank Philadelphia Philadelphia County	830 Third Avenue New York New York County, NY	Filed
11-27-2018	S & T Bank Indiana Indiana County	4599 Cemetery Road Hilliard Franklin County, OH	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-09-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1701 JFK Boulevard Philadelphia Philadelphia County	Closed
11-09-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1970 Red Lion Road Philadelphia Philadelphia County	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
11-27-2018	Stonebridge Bank West Chester Chester County	Effective

Amendment to Section 1 of the institution's Articles of Incorporation provides for a change in the bank's name to LINKBANK.

CREDIT UNIONS

No activity.

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. 18-1896. Filed for public inspection December 7, 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>
PA0043311 (Sewage)	Camp Towanda 700 Niles Pond Road Honesdale, PA 18431	Wayne County Lebanon Township	Unnamed Tributary of Big Brook (1-B)	Yes
PAS802228 (Storm Water)	B & B Fuel, LLC Clifton Beach Road & Interstate 380 Intersection Clifton Township, PA 18444	Lackawanna County Clifton Township	Unnamed Tributary to Rucks Run (2-A)	Yes

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0055131 (Sewage)	Lehigh Valley Zoo 5150 Game Preserve Road Schnecksville, PA 18078-3305	Lehigh County North Whitehall Township	Jordan Creek (2-C)	Yes
PA0062243 (Sewage)	Nesquehoning Regional STP East of SR 93 along railroad tracks Nesquehoning, PA 18240-1511	Carbon County Nesquehoning Borough	Nesquehoning Creek (2-B)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0113948 (Sewage)	State Correctional Institution Quehanna Motivational Boot Camp 1920 Technology Parkway Mechanicsburg, PA 17050-8507	Clearfield County Karthaus Township	Marks Run (8-D)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0253227 (Sewage)	Adrian STP 649 Adrian Road Adrian, PA 16201	Armstrong County East Franklin Township	Limestone Run (17-E)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0102679 (Sewage)	Camp Runamuck 8896 US Highway 6 Conneaut Lake, PA 16316-2255	Crawford County Sadsbury Township	Unnamed tributary to Conneaut Lake (16-D)	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.

PA0050750, Sewage, SIC Code 4952, **UMH Properties, Inc.**, 3499 US Highway 9, Suite 3C, Freehold, NJ 07728-3277. Facility Name: Oxford Village MHP. This existing facility is located in 2 Dollinger Drive, West Grove, PA 19390, Penn Township, **Chester 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), East Branch Big Elk Creek, is located in State Water Plan watershed 7-K and is classified for Mi and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .047 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .047 MGD.—Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	20	XXX	40

Sludge use and disposal description and location(s): West Chester Waste Water Dept (Goose Creek Facility).

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

Propose Part C Conditions:

I. Other Requirements

A. No Stormwater

B. Acquire Necessary Property Rights

C. Sludge Disposal Requirement

D. Abandon STP When Municipal Sewers Available

E. Total Residual Chlorine Requirement

F. Notification of Designation Operator

G. 2/Month Sampling

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

The EPA Waiver is in effect.

PA0245062, Sewage, SIC Code 1521, **Richard and Helen Petrondi**, 3141 Hollow Road, Malvern, PA 19355. Facility Name: Petrondi Residence. This proposed facility is located in Charlestown Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Pickering Creek, is located in State Water Plan watershed 3-D and is classified for Mi and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Daily Min	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

Sludge use and disposal description and location(s): Septic tank shall be pumped every eighteen to twenty-four months.

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

I. Other Requirements

A. AMR to DEP

B. DMR to DEP if Attached

C. 1/year Measure Depth of Septage and Scum

- D. Septic Tanks Pumped Out Every Three Years
- E. No Stormwater
- F. Necessary Property Rights
- G. Proper Sludge Disposal
- H. Abandon STP when Municipal Sewers Available

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

The EPA Waiver is in effect.

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

PA0082333, Sewage, SIC Code 6515, **Conestoga Hills Community, LLC**, P.O. Box 375, Gap, PA 17527. Facility Name: Conestoga Hills Community. This existing facility is located in Conestoga Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Stehman Run, is located in State Water Plan watershed 7-J 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 .0107 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0107 MGD.—Limits.

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

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

The EPA Waiver is in effect.

PA0261939, Sewage, SIC Code 6514, **Sprout Brandy & Sprout Jason**, 790 Oliver Street, Newport, PA 17074-8901. Facility Name: Sprout Res. This existing facility is located in Oliver Township, **Perry County**.

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

The receiving stream(s), Unnamed Tributary to Juniata River, is located in State Water Plan watershed 12-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

PA0260151, Sewage, SIC Code 4952, **Maxatawny Township Municipal Authority**, 127 Quarry Road, Suite 1, Kutztown, PA 19530-9697. Facility Name: Maxatawny Township Municipal Authority WWTP. This existing facility is located in Maxatawny Township, **Berks 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), Sacony Creek, is located in State Water Plan watershed 3-B and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .14 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .14 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids (Total Load, lbs) (lbs)	XXX	12,785 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	426 Total Annual	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .14 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	29	46	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	35	52	XXX	30.0	45.0	60
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	23	XXX	XXX	20.0	XXX	40
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

PA0070122, Sewage, SIC Code 6515, **UMH Properties Inc.**, 3499 Route 9, Suite 3C, Freehold, NJ 07728-3277. Facility Name: Highland Estates MHP. This existing facility is located in Greenwich Township, **Berks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .08325 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids (Total Load, lbs)	XXX	7,583 Total	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	253.4 Total Annual	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .08325 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .08325 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC) Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	Daily Min XXX	0.25	XXX	0.81
Nov 1 - Apr 30	XXX	XXX	XXX	25.0	XXX	50
May 1 - Oct 31	XXX	XXX	XXX	20.0	XXX	40
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Total Suspended Solids (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

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

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

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

The EPA Waiver is not in effect.

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

PA0233005, Sewage, SIC Code 4952, **Michael W. & Robin J. Fleming**, 1197 Pleasant Hills Road, Williamsport, PA 17701. Facility Name: Michael W & Robin J Fleming. This proposed facility is located in Eldred Township, **Lycoming County**.

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

The receiving stream(s), Unnamed Tributary of Millers Run, is located in State Water Plan watershed 10-B 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 0.0004 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

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

PA0271853, Sewage, SIC Code 4952, 8800, **Tyler Laird**, 2490 Route 957, Russell, PA 16345-2606. Facility Name: Tyler Laird SRSTP. This proposed facility is located in Farmington Township, **Warren County**.

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

The receiving stream is an unnamed tributary to Johnny Run, located in State Water Plan watershed 16-B and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

Sludge is anaerobically stored for off-site disposal.

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 4618411, Sewage, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Construction and operation of a sewage pump station.

WQM Permit No. 4618412, Sewage, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Construction and operation of a sewage pump station.

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

WQM Permit No. 6618405, Sewage, **Lemon Township Tunkhannock Township Joint Municipal Sewer Authority**, 113 Tunkhannock Twp Drive, Tunkhannock, PA 18657.

This proposed facility is located in Tunkhannock Township, **Wyoming County**.

Description of Proposed Action/Activity: This is a proposal to build and operate a Low Pressure Conveyance System which will service 382 existing homes and up to an additional 98 new residences in the Lake Carey area. The sewage will be pumped to a new sewage treatment plant that will discharge to Tunkhannock Creek under NPDES Permit PA0276073.

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

WQM Permit No. 6518408, Sewage, **Stacey Barnhart**, 2398 State Route 982, Mount Pleasant, PA 15666-2520.

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

Description of Proposed Action/Activity: The applicant proposes to construct a SR STP to serve the Barnhart Property, with a 400 GPD design capacity.

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

WQM Permit No. 4318413, Sewage, **Sean Gill**, 154 Quarry Road, Greenville, PA 16125.

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

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

WQM Permit No. 6118402, Sewage, **Diane Melnick**, 806 Farren Surrena Road, Harrisville, PA 16038.

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

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

WQM Permit No. 4318414, Sewage, **James McLusky**, 718 Greenfield Road, Mercer, PA 16137.

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

Description of Proposed Action/Activity: Small Flow Treatment Facility.

WQM Permit No. 1618412, Sewage, **Edward W Dunkerley Jr.**, 7621 Stewart Sharon Road, Masury, OH 16214.

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

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

WQM Permit No. 2518416, Sewage, **Joseph Balter**, 845 Samick Drive, Erie, PA 16509.

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

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

WQM Permit No. 1096407 A-3, Sewage, **West Sunbury Borough Municipal Authority Butler County**, P.O. Box 202, West Sunbury, PA 16061-0202.

This existing facility is located in West Sunbury Borough, **Butler County**.

Description of Proposed Action/Activity: Installation of a tertiary treatment unit to reduce ammonia in treated effluent.

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>
PAD150100	By Design Homes, LLC 1505 Generals Way West Chester, PA 19380	Chester	East Whiteland Township	Ridley Creek HQ-TSF
PAD150091	Black Horse ELU, LLC 485 Devon Park Drive Wayne, PA 19087-1807	Chester	Upper Uwchlan Township	Brandywine Creek HQ-TSF
PAD150105	Downingtown Area School District 540 Trestle Place Downingtown, PA 19335	Chester	Uwchlan Township	Unnamed Tributary to East Branch Brandywine Creek HQ-TSF-MF
PAD150106	Islamic Society of Delaware 28 Salem Church Road Newark, DE 19713	Chester	Upper Oxford Township	Unnamed Tributary to East Branch of Big Elk Creek HQ-TSF-MF
PAD510036	Brandywine 3025 JFK, LP 2929 Walnut Street Suite 1700 Philadelphia, PA 19104	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130016	Blue Ridge Real Estate Co P.O. Box 707 Blakeslee, PA 18610	Carbon	Kidder Twp	Tunkhannock Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450060	Hirshland & Co 1055 Westlakes Dr Ste 300 Berwyn, PA 19312	Monroe	Mt Pocono Boro	UNT Forest Hills Run (HQ-CWF, MF) Pocono Summit Lake (HQ-CWF, MF)
PAD450072	Kenneth A Schuchman P.O. Box 404 East Stroudsburg, PA 18301	Monroe	Smithfield Twp	Candle Creek (HQ-CWF, MF)

Wyoming County Conservation District, 31 Hollow Crest Road, Tunkhannock, PA 18657.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD660003	Silver Springs Ranch LLC 567 Star Hill Rd Harveys Lake, PA 18618	Wyoming	Monroe Twp	South Run (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>
PAD670025	Borough of Red Lion 11 East Broadway P.O. Box 190 Red Lion, PA 17356	York	Red Lion Borough & York Township	Mill Creek (CWF-WF)

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD 410007	DCNR 500 Market Street Harrisburg, PA 17105	Lycoming	McIntyre Twp.	Pleasant Stream HW-CWF (EV)

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

PAG-12 CAFOs

CAFO Notices of Intent Received.

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

NPDES Permit No. PAG123611, CAFO, **Petre Daniel L**, 3409 Smoketown Road, Spring Grove, PA 17362.

This existing facility is located in Manheim Township, **York County**.

Description of size and scope of existing operation/activity: Poultry (Layers), Beef (Finishing): 513.34 AEU's.

The receiving stream, Unnamed Tributary to Codorus Creek and Unnamed Tributary to West Branch Codorus Creek, is in watershed 7-H and classified for: Migratory Fishes, Warm Water Fishes, and Trout Stocking.

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

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.

NPDES Permit No.	Applicant Name & Address	Municipality, County	Waiver Application Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAG136367	South Heights Borough P.O. Box 302 South Heights, PA 15081-0302	South Heights Borough Beaver County	Y	N

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

The permit application and related documents are on file at the office listed before the application and available

for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

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

Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5980.

Permit No 1518523, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	East Whiteland
County	Chester
Responsible Official	Joseph G. Thurwanger 762 West Lancaster Avenue Bryn Mawr, PA 19010

Type of Facility PWS
 Consulting Engineer Fred P. Gerloff
 762 West Lancaster Avenue
 Bryn Mawr, PA 19010
 Application Received Date October 23, 2018
 Description of Action New booster station facilities to improve supply reliability.

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

Permit No. 3618522 MA, Public Water Supply.

Applicant **Mount Joy Borough Authority**
 Municipality Mount Joy Borough
 County **Lancaster**
 Responsible Official Joseph M. Ardini, Assistant Manager
 21 East Main Street
 Mount Joy, PA 17552

Type of Facility Public Water Supply
 Consulting Engineer Matthew D. Warfel
 The ARRO Consulting, Inc.
 108 West Airport Road
 Lititz, PA 17543

Application Received: 11/14/2018
 Description of Action Refinishing and repainting of the existing Lumber Street finished water storage tank.

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

Application No. 6513528-A1, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] Plum Borough
 Responsible Official Michael Kukura, Resident Manager
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water system
 Consulting Engineer Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Application Received Date November 7, 2018
 Description of Action Relocation of the chlorine and ammonia injection point at the Hankey Farm tank site.

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. § 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

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

WA-09-962A, Water Allocations. **Township of Falls Authority**, 557 Lincoln Highway, Fairless Hills, PA 19030, Falls Township, **Bucks County**. Renewal of allocation permit for interconnection of the Township of Falls Authority and Morrisville.

WA-46-1006, Water Allocations. **PA American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033. Whitpain Township, **Montgomery County**. Allocation permit approval to purchase 520,000 gallons per day from North Wales Water Authority.

WA-46-1007, Water Allocations. **PA American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033. David Kaufman, 800 West Hershey Park Drive, Hershey, PA 17033. Allocation permit approval to purchase 92,000 gallons per day from Aqua Pennsylvania, Inc.'s Main System.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

Markley Properties LLC Residence, 1861 Markley Street, Norristown Borough, **Montgomery County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Brian Burke, Travelers Insurance, P.O. Box 430, Buffalo, NY 14240-0430 submitted a Notice of Intent to Remediate. A release of petroleum occurred at the site with impacts to soil. The current use and proposed future use of the property is residential. The Notice of Intent to Remediate was published in the *Ambler Gazette* on October 8, 2018.

Vague Residence, 1807 Delancey Place, City of Philadelphia, **Philadelphia County**. Craig Herr, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Richard Vague, 1807 Delancey Place, Philadelphia, PA 19103 submitted a Notice of Intent to Remediate. A release of No. 2 fuel oil was release in the soil. The property use is to remain residential. The Notice of Intent to Remediate was published in the *Philadelphia Weekly* on September 06, 2018.

Bridesburg Riverfront Park, 3101 Orthodox Street, City of Philadelphia, **Philadelphia County**. Spencer Finch, Langan Engineering and Environmental Service, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19103 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with PAH's, arsenic, and lead in soil and groundwater. The proposed future use of the property will be as recreational open-space and park. The Notice of Intent to Remediate was published in the *Philadelphia Tribune* on August 17, 2018.

1240 Providence Road, 1240 Providence Road, Upper Providence Road, **Delaware County**. Angelo Fatiga, Pennoni Associates, Inc., 1900 Market Street, Philadelphia, PA 19104 on behalf of Michael Cooley, The Provco Group, 795 East Lancaster Avenue, Building 2, Suite 200, Villanova, PA 19085 submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been found to be contaminated with VOC's and MTE. Historic use at the property was for residential and commercial purpose with no history of storage of motor fuels. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on August 28, 2018.

South Philadelphia Shopping Center, 2301-2311 Oregon Avenue, City of Philadelphia, **Philadelphia County**. Jeff Walsh, Penn Environmental and Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Ehud Kupperman, Cedar Realty Trust, Inc., 44 South Bayless Avenue, Port Washington, NY 11050 submitted a Notice of Intent to Remediate. Site soil and groundwater have been impacted with chlorinated volatile organic compounds. The proposed future use of the property will be for a mixed residential and non-residential purpose.

The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on October 8, 2018.

Giles & Ransome, 2975 Galloway Road, Bensalem Township, **Bucks County**. Jennifer L. Gresh, P.G., Duffield Associates, Inc., 211 North 13th Street, Suite 704, Philadelphia, PA 19107 on behalf of Wayne Bromley, Giles & Ransome, Inc., 575 Pinetown Road, Unit 288, Fort Washington, PA 19034 submitted a Notice of Intent to Remediate. Site groundwater and soil have been found to be impacted by VOCs. The proposed future use of the property will continue to be non-residential. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on September 6, 2018.

30 Holland Avenue, 30 Holland Avenue, Lower Merion Township, **Montgomery County**. Michael Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 submitted a Notice of Intent to Remediate. Soil and groundwater were impacted with the release of benzene, cis-1,2 dichloroethylene and vinyl chloride. The property is a residential unit. The Notice of Intent to Remediate was published in the *Main Line Times* on October 14, 2018.

(REVISED) 237 & 239 Tasker Street, 237 & 239 Tasker Street, City of Philadelphia, **Philadelphia County**. Doug Schott, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Aaron Chau, MMB Contractors, 242 North 22nd Street, Philadelphia, PA 19147 submitted a Notice of Intent to Remediate. Soil and groundwater have been contaminated with the release of leaded gasoline constituents. The Notice of Intent to Remediate was published in the *Philadelphia Inquirer* on October 21, 2018.

2935-2965 North 2nd Street, 2935-2965 North 2nd Street, City of Philadelphia, **Philadelphia County**. Natalie Griffith, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Maria Gonzales, Hispanic Associate of Contractors and Enterprises, 167 West Allegheny Avenue, Suite 200, Philadelphia, PA 19140 submitted a Notice of Intent to Remediate. The NIR states that soil has been contaminated with the release of arsenic, benzo(a)pyrene at the site. The site is currently undeveloped, vacant land. The site is planned for redevelopment for residential use. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on September 10, 2018.

Werthman Residence, 93 Upland Road, Middletown Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Bonnie Caraisco, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169 submitted a Notice of Intent to Remediate. A release of petroleum impacted shallow soil and groundwater on the property. The current use and proposed future use of the source property is residential. The Notice of Intent to Remediate was published in the *Courier Times Incorporated* on August 15, 2018.

The Woodlyne School, 445 Upper Gulph Road, Tredyffrin Township, **Chester County**. Walter Hungarter, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of George King, The Woodlyne School, 445 Upper Gulph Road, Stratford, PA 19087 submitted a Notice of Intent to Remediate. Site soil and groundwater have been contaminated with the release of fuel oil. The planned future use of the site is commercial. The Notice of Intent to Remediate was published in the *Daily Local News* on August 11, 2018.

(REVISED) 33 Tomlinson Road, 33 Tomlinson Road, Lower Moreland Township, **Montgomery County**. David Everitt, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 on behalf of Mary Kay Parsek, Indigo Investment Servicing, LLC, 5318 East 2nd Street # 502, Long Beach, CA 90803 submitted a Notice of Intent to Remediate. Groundwater has been contaminated with the release of chlorinated solvents. The future use of the property will include commercial offices and/or a warehouse. The Notice of Intent to Remediate was published in the *Times Herald* on June 22, 2017.

Tinicum Release Site, 76 Industrial Highway, Tinicum Township, **Delaware County**. Stephanie Grillo, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Bradford L. Fish, Energy Transfer Partners, 100 Green Street, Marcus Hook, PA 19061 submitted a Notice of Intent to Remediate. The site has been impacted with petroleum hydrocarbons which are present in both soil and groundwater on the site. The proposed future use of the site is to remain the right-of-way for pipeline and the surrounding parking lot. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on August 2, 2018.

225 Lincoln Highway, 225 Lincoln Highway, Falls Township, **Bucks County**. J. Matthew Brainard, Brightfields, Inc., 801 Industrial Street, Wilmington, DE 19801 on behalf of Bill Koelewyn, 225 Lincoln Properties, LP, 225 Lincoln Highway, Suite 150, Fairless Hill, PA 19030 submitted a Notice of Intent to Remediate. The site has been found to be impacted primarily with volatile organic compounds which are suspected to have contaminated soil and groundwater at the site. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on September 25, 2018.

Withy Residence, 871 Dukes Drive, Lower Makefield Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Andrea Gluch, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169 submitted a Notice of Intent to Remediate. A release of petroleum impacted the shallow soil and groundwater on the property and has been remediated. The current use and proposed future use of the property is residential. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on August 7, 018.

Hoff Property, 1615 Hambone Lane, Bridgeton Township, **Bucks County**. Karen Polidoro, EnviroTrac, Ltd, 400 Corporate Court, Suite E, South Plainfield, NJ 07080 on behalf of Alex Wozniak, Travelers, 111 Schilling Road, Hunt Valley, MD 21031 submitted a Notice of Intent to Remediate. Soil at the site has been contaminated with the release of diesel fuel. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in the *Intelligence Incorporated* on September 13, 2018.

1340-1348 South 13th Street, 1340-1348 South 13th Street, City of Philadelphia, **Philadelphia County**. Andrew D. Miller, Ally Services Company, 7047 Germantown Avenue, Suite 101, Philadelphia, PA 19119 submitted a Notice of Intent to Remediate. The site has been contaminated with the release of petroleum hydrocarbon in the soils. The proposed future use of the property will be commercial/residential mixed-use. The Notice of Intent to Remediate was published in the *Philadelphia Public Record* on May 24, 2018.

National Construction Rentals, 6401 West Passyunk Avenue, City of Philadelphia, **Bucks County**. Andrew Basehoar, PG, TTI Environmental, Inc., 1253 North Church Street, Moorestown, NJ 08057 on behalf of Lawrence Abrahamian, National Construction Rentals, 15319 Chatsworth Street, Millsion Hills, CA 91345 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with benzene, 1,2,4-trimethylbenzene, naphthalene, and lead in soil and groundwater. The intended future use of the property is the continued use as a storage area for rental construction materials. The Notice of Intent to Remediate was published in the *South Philly Review* on October 3, 2018.

1010 Lancaster Avenue, 1010 Lancaster Avenue, Adam Harbaugh, Synergy Environmental Inc., 155 Railroad Plaza, Royersford, PA 19468 on behalf of John McGee, Saligman Associates, I LP, 14 Union Hill Road, West Chester, PA 19428 submitted a Notice of Intent to Remediate. The soil and groundwater at the site have been found to be contaminated with chlorinated solvents. The future use of the property will remain the same. The Notice of Intent to Remediate was published in the *Main Line Times & Suburban* on October 14, 2018.

109 Water Street, 109 Water Street, Norristown Borough, **Montgomery County**. James Mulry, PG, Mulry and Cresswell Environmental, Inc., 1679 Horseshoe Pike, Glenmoore, PA 19343 on behalf of Bonnie Geist, c/o Andrew Kasman, Obemayer Rebmann, 100 Four Fall Corporation Center, Suite 625, Conshohocken, Street Road, West Conshohocken, PA 19428 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with petroleum compounds which have contaminated soil and groundwater on the site. The proposed future use of the property will be the same. The Notice of Intent to Remediate was published in the *Times Herald* on October 16, 2018.

Loonstyn Holdings LP, 2333-2347 Fairmount Avenue, City of Philadelphia, **Philadelphia County**. John W. Strob, Jr. PG, Storb Environmental Incorporated, 410 North Easton Road, Willow Grove, PA 19090 on behalf of John Loonstyn, Wallace Street Construction, LLC, 2048A Fairmount Avenue, Philadelphia, PA 19130 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with No. 2 fuel oil. The proposed future use of the property is mixed use residential and commercial. The Notice of Intent to Remediate was published in the *Philadelphia Tribune* on August 7, 2018.

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

Former Wilbur Chocolate Factory, 48 North Broad Street and 120 Warwick Street, Lititz, PA 17543, Lititz Borough, **Lancaster County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of 48 North Broad Street, LLC, 2450 Marietta Avenue, Lancaster, PA 17601, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with inorganics and semi-volatile organic compounds from historical fill. The site will be remediated to the Site-Specific Standard. Future use of the site includes redevelopment with apartments. The Notice of Intent to Remediate was published in the *LNP* on October 30, 2018.

Former Reading Outlet Center Building # 1, Northeast Corner, 9th and Douglass Streets, Reading, PA 19601, Reading City, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA

19601, on behalf of Shuman Development Group, 645 Penn Street, Reading, PA 19601, submitted a Notice of Intent to Remediate site soil contaminated with No. 6 fuel oil from a leaking underground storage tank. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is planned to be redeveloped for residential use or as a school. The Notice of Intent to Remediate was published in the *Reading Eagle* on November 8, 2018.

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

EQT Phoenix Pad C Methanol Release, 782 Antrim Road, Wellsboro, Duncan Township, **Tioga County**. Groundwater Services Corporation, 2601 Market Place, Suite 310, Harrisburg, PA 17110, on behalf of EQT Production Company, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222, has submitted a Notice of Intent to Remediate site soil contaminated with Methanol. The applicant proposes to meet the Statewide Health Standard for Non-Residential use. A summary of the Notice of Intent to Remediate is to be published in the *Wellsboro Gazette* on November 29, 2018.

Interstate 80 Eastbound at Mile Marker 190.4, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Bhullar & Virk Trucking, Inc., 3360 Shaw Avenue, Unit # 204, Fresno, CA 93722, has submitted a Notice of Intent to Remediate site soil contaminated with diesel fuel, motor oil and antifreeze. The applicant proposes to meet the Statewide Health Standard for residential use. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on November 6, 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 17106-9170.

General Permit Application No. WMGR052SW001. Champion Processing Inc., P.O. Box 1073, Coraopolis, PA 15108. The site is located at 1150A Beech Hollow Road, Bulger, PA 15019 in **Washington County**, Robinson Township. General Permit Number WMGR052 is for the processing, by mixing of approved materials, to produce stabilized flue gas desulfurization material (stabilized FGD material) or beneficial use of stabilized FGD material for mine reclamation activities at coal activity mine sites or abandoned mine lands, provided the reclamation is occurring in accordance with a mining permit or reclamation contract executed with the Department. The application was determined to be administratively complete by Central Office on November 26, 2018.

Written comments concerning the application should be directed to Chris Solloway, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting com-

ment via e-mail, place "Comments on WMGR052SW001" 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. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit Application No. 100022. Chrin Brothers, Inc., 1225 Industrial Lane, Easton, PA 18042. An application for permit renewal for the continued operation of the Chrin Brothers Sanitary Landfill located in Williams Township, **Northampton County**. The application was received by the Regional Office on October 22, 2018, supplemental information was received on November 21, 2018 and the application was and deemed administratively complete on November 26, 2018.

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

Applications deemed administratively complete under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018-1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal area or Site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

Permit No. 101544, Greater Lebanon Refuse Authority Municipal Waste Landfill, 1610 Russell Road, Lebanon, PA 17046.

An application for a major permit modification was submitted by the Greater Lebanon Refuse Authority to expand its municipal waste landfill over an older, currently closed section of the landfill. The landfill is located in both North Lebanon and North Annville Townships, **Lebanon County**. This application was deemed administratively complete by the Southcentral Regional Office on November 5, 2018. The Department will accept comments from the general public recommending revisions to, and approval or denial of, the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD

users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

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

OPERATING PERMITS

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.

15-00054: Highway Materials, Inc. (409 Stenton Ave., Flourtown, PA 19031) for renewal of the State Only Operating Permit for its Malvern Plant 13, a batch asphalt plant located in East Whiteland Township, **Chester County**. The renewal will also include incorporation of Plan Approval 15-0054C, for a baghouse extension. The facility is a synthetic minor, limited to 500,000 tons of production per year. The plant is authorized to be fueled by natural gas (currently the dominant fuel) and No. 2, 4, 5 and "on specification" waste derived fuel oils. Particulate emissions from the asphalt plant are controlled by a baghouse. The facility is subject to the prohibition of fugitive emissions limitations of 25 Pa. Code § 123.1, particulate matter limitations of 25 Pa. Code § 123.13, particulate matter and opacity limitations of 40 CFR 60.92(a) and sulfur oxides limitations of 25 Pa. Code § 123.21. The facility shall remain a synthetic minor facility with the following emissions limits in tons/year when firing natural gas: 10.50 (particulate matter), 6.75 (particulate matter less than 10 microns), 6.25 (nitrogen oxides), 7.75 (volatile organic compounds), 1.25 (sulfur dioxide), and 21.25 (carbon monoxide). The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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.

29-03004: Mellott Company, Warfordsburg Facility (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) for the operation of a mining equipment manufacturing facility in Bethel Township, **Fulton County**. This is for renewal of the existing State-only permit. Potential air emissions from the facility are estimated to be 6.67 tpy HAPs, and 22.1 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

67-05114: BAE System Land & Armaments, LP (1100 Bairs Road, York, PA 17408) for operation of their armored military vehicle manufacturing/refurbishing facility in West Manchester Township, **York County**. The actual emissions in year 2017 were 3.6 tons of CO, 4.2 tons of NO_x, 0.4 ton of PM, 0.03 ton of SO_x, 5.6 tons of VOC, and 0.004 ton of Total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the

applicable air quality regulations. The facility is subject to 40 CFR 63, Subpart HHHHHH—National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources and 40 CFR Part 63 Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

56-00160: Keystone Lime Company, Inc. (P.O. Box 278, Springs, PA 15562-0278) Synthetic Minor Operating Permit is for a stone processing plant and an asphalt plant located in Addison Township, **Somerset County**. In accordance with 25 Pa. Code § 127.424 and § 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously-mentioned facility. Sources of emissions at the site consist of three crushers, two screens, storage piles, and the asphalt plant. Emissions at the facility are primarily particulate matter (PM₁₀) emissions. Emissions are controlled by a number of baghouses and water sprays where applicable. The facility is a synthetic minor and has elected to take a production limit to stay below Title V thresholds. With this limit in place, actual emissions at the facility are projected to be 6.2 tons per year (TPY) NO_x, 31.0 TPY CO, 0.8 TPY SO_x, 83.7 TPY PM₁₀, 48.3 TPY PM_{2.5}, 7.7 TPY VOC, 0.74 single HAP, and 1.31 TPY total HAP. The facility is required to conduct daily surveys of the site to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The air quality permit includes operation requirements, monitoring requirements, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Bradley Spayd, Air Quality Engineering Trainee, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the following: name, address and telephone number of the person submitting the comments; identification of the proposed Operating Permit (56-00160); and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

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

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.

04-00707: Colona Transfer, LP (P.O. Box 296, Currie Road, Portersville, PA 16051), The Department intends to issue a renewal State Only Operating Permit for the operation of a bulk materials transfer and shipping terminal known as Colona Dock # 1 located in the borough of Monaca, **Beaver County**. The facility contains air contamination sources consisting of bulk storage areas, barge, railcar, and truck loading/unloading operations, and plant roads. Air pollution prevention equipment includes water sprays for loading/unloading operations and a water truck for plant roads. This proposed permit also incorporates the requirements of previous operating permit 04-00709 for Colona Transfer's Colona Dock # 2 facility. Colona Dock # 2 is adjacent to Colona Dock # 1 and is owned and operated by Colona Transfer, LP. Potential emissions from this facility are estimated at 12.0 tons of PM₁₀ per year. The facility is subject to the applicable requirements of Title 25 Pa. Code Chapters 121—145. The proposed operating permit includes emission limitations, and operational, monitoring, work practice, reporting, and recordkeeping requirements for the facility.

Colona Transfer, LP 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 following: the name, address and telephone number of the person filing the protest; identification of the proposed permit issuance being opposed (State Only Operating Permit 04-00707); 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 Nick Waryanka, P.E., Air Quality Engineer, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222, nwaryanka@pa.gov, fax 412-442-4194.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Harvey Mine in Richhill and Morris Townships, **Greene County** and related NPDES permit for installation of two (2) degas boreholes. Surface Acres Proposed 15.3. No additional discharges. The application was considered administratively complete on November 19, 2018. Application received: July 30, 2018.

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

63120104 and NPDES Permit No. PA0252255. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Renewal application for continued mining to an existing bituminous surface mine, located in Deemston Borough, **Washington County**, affecting 212.5 acres. Receiving streams: unnamed tributaries to Fishpot Run and Black Dog Run, classified for the following use: WWF. PA American Water—Brownsville Borough is the potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 19, 2018.

63080102 and NPDES Permit No. PA0251429. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Renewal application for continued mining to an existing bituminous surface mine, located in Somersett Township, **Washington County**, affecting 187.8 acres. Receiving streams: unnamed tributaries to Center Branch Pigeon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 19, 2018.

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

Permit No. 49120102R. Clinton M. Wynn Mining, (419 Shingara Lane, Sunbury, PA 17801), renewal of an existing anthracite surface mine operation in West Cameron and Zerbe Townships, **Northumberland County** affecting 98.5 acres, receiving stream: Zerbe Run, classified for the following uses: cold water and migratory fishes. Application received: November 2, 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.

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

10120303. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Renewal of NPDES Permit No. PA0259322 in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek and Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: November 15, 2018.

10180305. Three Rivers Aggregates, LLC (2807 Shenango Road, New Galilee, PA 16141) Commencement, operation and restoration of a large industrial mineral mine in Worth Township, **Butler County**, affecting 32.2 acres. This application includes a land use change from forestland to unmanaged natural habitat. Receiving streams: Unnamed tributaries to Black Run and Black Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: November 5, 2018.

24589-10180305-E-1. Three Rivers Aggregates, LLC (2807 Shenango Road, New Galilee, PA 16141) Application for a stream encroachment to build a haul road crossing over an unnamed tributary to Black Run in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Black Run and Black Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: November 5, 2018.

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

Permit No. 7775SM12C8 and NPDES Permit No. PA0223573. Highway Materials, Inc., (409 Stenton Avenue, Flourtown, PA 19031), correction to an existing quarry operation to update the post-mining land use to commercial/industrial and to merge two permits (06980301) in Alsace Township, **Berks County** for a total of 223.1 acres, receiving streams: unnamed tributary to Laurel Run and unnamed tributary to Bernhart Creek, classified for the following uses: cold water and migratory fishes and warm water and migratory fishes. Application received: October 31, 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 (BMP) 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

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

NPDES No. PA0588601 (Mining permit No. 65860105), M.B. Energy Inc., 175 McKnight Road, Blairsville, PA 15717. Renewal NPDES permit for a bituminous surface mine in Donegal and Mt. Pleasant Townships, **Westmoreland County**, affecting 372 acres. Receiving stream: Unnamed Tributary to Four Mile Run, classified for the following use: TSF. This receiving stream is included in the Kiskiminetas—Conemaugh TMDL. Application received: September 4, 2018.

The following treated wastewater outfall discharges to Unnamed Tributary to Four Mile Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
TP-A2		MDT

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	5.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35	70	90

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. PA0123811 (Mining Permit No. 28010301), RA Hill, Inc., 1364 Lincoln Way, Chambersburg, PA 17202, renewal of an NPDES permit for discharge of water resulting from surface shale mining in Hamilton Township, **Franklin County**, affecting 31.54 acres. Receiving stream: unnamed tributary to Conococheaque Creek classified for the following use: warm water fishes. Application received: October 22, 2018.

The following outfall discharge to unnamed tributary to Conococheaque Creek:

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

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

<i>Outfalls: 001 (Dry Weather & ≤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 at all times.

*Outfalls: 001 (>10-yr/24-hr Precip. Event)
Parameter*

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

NPDES No. PA0594300 (Mining Permit No. 7574SM1), Pennsy Supply, Inc., 1001 Paxton Street, Harrisburg, PA 17105, renewal of an NPDES permit for discharge to surface waters resulting from the surface mining of limestone in Silver Spring Township, **Cumberland County**, affecting 133 acres. Receiving stream: Conodoguinet Creek, classified for the following use: warm water fishes. Application received: November 8, 2018.

The following outfalls discharge to Conodoguinet Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Stormwater Pond)	N
002 (Stormwater Pond)	N
003 (Stormwater Pond)	N
005 (Pit Sump)	N

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

<i>Outfalls: 005</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Average Discharge (MGD)	10.08	N/A	N/A
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

<i>Outfalls: 001, 002, & 003</i> <i>(Dry Weather & ≤10-yr/24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

Outfalls: 001, 002, & 003 (>10-yr/24-hr Precip. Event)
Parameter
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E09-1027. Andrew Klimenko, 105 Jakes Way, Feasterville, PA 19053, Northampton Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a single home dwelling along the 100-year floodway of the UNT Little Neshaminy Creek (WWF, MF) impacting 0.01650 acre of calculated Floodway.

The site is located approximately 250 feet northeast of the intersection of Spencer Road and Skyview Drive (Hatboro, Latitude 40.2384773; Longitude -75.032253).

E23-548. Middletown Township Sewer Authority, 27 N Pennell Road, Lima, PA 19063, Aston and Middletown Townships, **Delaware County**, ACOE Philadelphia District.

To construct and maintain a new 21-inch diameter gravity sewer interceptor in and along 100-year Floodway of Chester Creek and its tributaries associated with the Chester Creek Sanitary Sewer Interceptor Phase 3 Project, impacting 0.28 acre of wetland, (5) stream crossings, (8) floodway crossings, and (7) floodplain crossings.

The proposed work will start at W. Baltimore Pike (US Route 1) and terminate near south Pennell Road (PA 452), (Media PA USGS map, Lat: 39.89232; Long: -75.445005).

E09-1025. Sellersville Borough, 140 East Church Street, Sellersville, PA 18960, Borough of Sellersville, **Bucks County**, ACOE Philadelphia District.

To realign and maintain approximately 92-feet of eroded stream channel, UNT to the East Branch Perkiomen Creek (TSF-MF) associated with the damages occurred during storm events. D.A is about 36.82 acres.

The site is located along the Willow Street, east of Park Avenue (Telford, PA USGS Quadrangles Latitude: 40.358934; Longitude: -75.304275).

E51-288. City of Philadelphia, Department of Commerce, Division of Aviation, Terminal D-E, 3rd Floor, Philadelphia, PA, 19153, Philadelphia City, **Philadelphia County**; ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the Philadelphia International Airport, Improvements to Church Creek. The proposed project will include clearing vegetation and debris from Church creek and re-grading of approximately 3 acres. The proposed project will have temporary upland impacts of 2.03 acres and temporary stream impacts of 0.52 acre (Church Creek). The project is located in the floodplain.

The site is approximately at Church Creek adjacent to the Economy Parking Lot. (Philadelphia, PA-NJ Lat. 39° 53' 1.72"; Long. 75° 14' 19.71").

E09-1029. United Federal Data of Pennsylvania, LLC, 210 York Street, Suite 200, York, PA 17403, New Hope Borough, **Bucks County**, ACOE Philadelphia District.

To install and maintain a 1.25 fiber optic cable through an existing 4-inch conduit beneath a sidewalk in a superstructure of the East Bridge Street Bridge across the Delaware River (WWF) associated with the telecommunication project.

The site is located along the East Bridge Street bridge (Lambertville, NJ-PA-USGS Quadrangle latitude: 40.364865, longitude: -74.948779).

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

F40-039. Conyngham Township, 10 Pond Hill Road, Mocanaqua, PA 18655, in Conyngham Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in Conyngham Township, Luzerne County.

1. 144 Lincoln Street (Shickshinny, PA Quadrangle Latitude: 41.14075°; Longitude: -76.142381°)

2. 92-94 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.139303°; Longitude: -76.140686°)

F40-040. Hunlock Township, P.O. Box 164, Hunlock Creek, PA 18621, in Hunlock Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following site in the floodplain of the Susquehanna River. Site will be restored to open space. Site is located in Hunlock Township, Luzerne County.

1. 40 Garden Drive (Nanticoke, PA Quadrangle Latitude: 41.212533°; Longitude: -76.043681°)

F40-041. City of Pittston, 35 Broad Street, Pittston, PA 18640, in City of Pittston, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in the City of Pittston, Luzerne County.

1. 101 Towpath Court (Pittston, PA Quadrangle Latitude: 41.334947°; Longitude: -75.787464°)

2. 103-105 Towpath Court (Pittston, PA Quadrangle Latitude: 41.335167°; Longitude: -75.787578°)

3. 111 Towpath Court (Pittston, PA Quadrangle Latitude: 41.335444°; Longitude: -75.787722°)

4. 119 Towpath Court (Pittston, PA Quadrangle Latitude: 41.335633°; Longitude: -75.787789°)

F40-042. Shickshinny Borough, 35 West Union Street, Shickshinny, PA 18655, in Shickshinny Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in Shickshinny Borough, Luzerne County.

1. 158 North Susquehanna Avenue (Shickshinny, PA Quadrangle Latitude: 41.157596°; Longitude: -76.145634°)

2. 24 West Union Street (Shickshinny, PA Quadrangle Latitude: 41.153572°; Longitude: -76.151056°)

3. 35 South Main Street (Shickshinny, PA Quadrangle Latitude: 41.151911°; Longitude: -76.150897°)

4. 20 East Union Street (Shickshinny, PA Quadrangle Latitude: 41.152972°; Longitude: -76.149336°)

F40-043. West Pittston Borough, 555 Exeter Avenue, West Pittston, PA 18643, in West Pittston Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in West Pittston Borough, Luzerne County.

1. 1118 Susquehanna Avenue (Pittston, PA Quadrangle Latitude: 41.323217°; Longitude: -75.799028°)

2. 1200 Susquehanna Avenue (Pittston, PA Quadrangle Latitude: 41.323072°; Longitude: -75.799622°)

3. 1202 Susquehanna Avenue (Pittston, PA Quadrangle Latitude: 41.322978°; Longitude: -75.799844°)

4. 1322 Susquehanna Avenue (Pittston, PA Quadrangle Latitude: 41.321669°; Longitude: -75.803261°)

5. 8 Philadelphia Avenue (Pittston, PA Quadrangle Latitude: 41.323483°; Longitude: -75.799408°)

6. 10-12 Philadelphia Avenue (Pittston, PA Quadrangle Latitude: 41.3236°; Longitude: -75.799517°)

7. 14 Philadelphia Avenue (Pittston, PA Quadrangle Latitude: 41.323725°; Longitude: -75.799647°)

8. 20 Atlantic Avenue (Pittston, PA Quadrangle Latitude: 41.323469°; Longitude: -75.800644°)

F54-005. Upper Mahantongo Township, 6 Municipal Road, Klingerstown, PA 17941, in Upper Mahantongo Township, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of Pine Creek. Sites will be restored to open space. Sites are located in Upper Mahantongo Township, Schuylkill County.

1. 134 Main Street (Klingerstown, PA Quadrangle Latitude: 40.661944°; Longitude: -76.691389°)

2. 81 Main Street (Klingerstown, PA Quadrangle Latitude: 40.659722°; Longitude: -76.689167°)

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

E02-1801, AR Building Company, Inc., 310 Seven Fields Blvd, Suite 350, Seven Fields, PA 16046, Monroeville Borough, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

Remove and replace an existing arch culvert over Leak Run (WWF) for the purpose of providing access to a new 120-unit apartment building on property along Old William Penn Highway in Monroeville, PA. The proposed culvert dimensions will be 65 feet in length and 45 feet in width with permanent and temporary impacts respectively.

The project site is bound by the Parkway East to the north and Leak Run to the south, Braddock, PA USGS topographic quadrangle; N: 40°, 26', 35"; W: -79°, 46', 38"; Sub-basin 19A; USACE Pittsburgh District), in Monroeville Borough, Allegheny County.

E03-475, PennDOT District 10-0, 2550 Oakland Avenue, Indiana, PA 15701-0429, Kiskiminetas Township, Apollo Borough and North Apollo Borough, **Armstrong County**; Pittsburgh ACOE District.

The applicant proposes to:

Remove a 39 LF single-span bridge carrying SR 56 over an UNT to Kiskiminetas River (WWF) and construct and maintain a 61 LF precast reinforced concrete replacement box culvert at the same location, for the purposes of replacing a structurally deficient bridge. Mitigation will occur on-site.

The project site is located 35 feet southeast of the intersection of River Road and Gravel Bar Road (Vandergrift, PA USGS topographic quadrangle; N: -40°, 36', 16.74"; W: -79°, 32', 58.71"; Sub-basin 18B; USACE

Pittsburgh District), in Kiskiminetas Township, Apollo Borough and North Apollo Borough, Armstrong County.

E03-476, PennDOT District 10-0, 2550 Oakland Avenue, Indiana, PA 15701-0429, Apollo Borough and North Apollo Borough, **Armstrong County**; Pittsburgh ACOE District.

The applicant proposes to:

Remove the existing single-span 27' 8" wide bridge with an underclearance of 6' and adjoining upstream and downstream 500' long and 180' long 72" reinforced concrete pipes carrying SR 56 over Sugar Hollow Run (WWF) with a drainage area of 0.93 square mile; construct and maintain 462' of new relocated open stream channel, to replace the upstream 500' long 72" RCP, and construct and maintain a 207' long 10' by 8' concrete box culvert depressed 1' for a minimum underclearance of 7', to replace the bridge and downstream 180' long 72" RCP. In addition, construct and maintain roadway associated stormwater outfalls and temporarily impact 800' of stream for the purpose of constructing these encroachments. Mitigation will occur onsite. The project site is located at the intersection of SR 56 (North Warren Avenue) and North 11th Street (Vandergrift, PA USGS topographic quadrangle; N: 40° 35' 21.93" W: -79° 33' 49.93"; Sub-basin 18B; USACE Pittsburgh District), in Apollo Borough and North Apollo Borough, Armstrong County.

Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

E62-438, PA DCNR, P.O. Box 8768, Rachel Carson State Office Building, Harrisburg, PA 17101-8767. Chapman State Park Dry Hydrant, in Pleasant Township, **Warren County**, ACOE Pittsburgh District (Cherry Grove, PA Quadrangle N: 41°, 44', 57"; W: -79°, 10', 45.4").

To install and maintain a dry hydrant along and projecting into Chapman Lake to be utilized by local fire departments. The hydrant will be installed while the lake is drawn down due to the rehabilitation of the Chapman Lake dam. Because of the current rehabilitation, very minimal disturbance will be created with this project.

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>
PA0030023 (Sewage)	Bryn Athyn Borough P.O. Box 683 Bryn Athyn, PA 19009-0683	Montgomery County Bryn Athyn Borough	Huntingdon Valley Creek 3-J	Y

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>
PA0044270 (Sewage)	Keystone Mobile Home Park 5230 Keystone Road Laurys Station, PA 18059	Lehigh County North Whitehall Township	Lehigh River (2-C)	Yes
PA0062821 (Industrial)	Schuylkill County Municipal Authority—Indian Run WTP 31 Indian Run Road Pottsville, PA 17901	Schuylkill County Branch Township	West Branch Schuylkill River (03A)	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>
PA0088706 CAFO	Fine Swine LLC 5170 Blazer Highway Dublin, OH 43017	West Cocalico Township Lancaster County	Unnamed Tributary to Cocalico Creek Watershed(s) 7-J	Y
PAS203505 SWI	Lane Enterprises Inc. 3905 Hartzdale Drive Suite 514 Camp Hill, PA 17011-7837	Middlesex Township Cumberland County	Unnamed Tributary to Letort Spring Run in Watershed(s) 7-B	Y
PAS203502 SWI	Bonney Forge Corporation P.O. Box 330 Mount Union, PA 17066-0330	Shirley Township Huntingdon County	Juniata River and Unnamed Tributary to Juniata River in Watershed(s) 12-C	Y
PA0247774 SWI	Mueller's Auto Recycling & Sales Inc. 1555 Mill Run Road Altoona, PA 16601-7607	Logan Township Blair County	Unnamed Tributary to Mill Run in Watershed(s) 11-A	Y

Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701.

<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>
PA0027359 (Industrial)	Danville Municipal Water Authority 12 W Market Street Danville, PA 17821-1842	Montour County Danville Borough	Unnamed Tributary to Susquehanna River (5-E)	Yes
PA0209457 (Industrial)	Jeld Wen, Inc. Fiber Division PA P.O. Box 311 825 Shiner Road Towanda, PA 18848-0311	Bradford County Wysox Township	Laning Creek (4-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0098914 (Sewage)	Unionville Works STP 1376 Route 68 New Brighton, PA 15066-4125	Beaver County New Sewickley Township	UNT to Brush Creek (20-C)	Yes

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

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

NPDES Permit No. PA0244571, Sewage, Amendment 1, **CRC Industries Inc.**, 885 Louis Drive, Warminster, PA 18974.

This proposed facility is located in Warminster Township, **Bucks County**.

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

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

NPDES Permit No. PA0271632, Sewage, SIC Code 4952, 8800, **Rose Foster**, 9805 German Road, North East, PA 16428-5801.

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

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

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

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

WQM Permit No. WQG02361801, Sewerage, **Lititz Borough**, 7 S. Broad Street, Lititz, PA 17543.

This proposed facility is located in Lititz Borough, **Lancaster County**.

Description of Proposed Action/Activity: This permit approves the construction/operation of sewer extension and pump station.

WQM Permit No. 2118202, Sewerage, **Upper Allen Township**, 100 Gettysburg Pike, Mechanicsburg, PA 17055-5604.

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

Description of Proposed Action/Activity: This permit approves the construction/operation of the Canterbury Estates Trunk Sewer Replacement Project.

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

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

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

Description of Proposed Action/Activity: Install chlorination facilities.

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

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

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

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

WQM Permit No. 2518412, Sewage, **Rose Foster**, 9805 German Road, North East, PA 16428-5801.

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

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions.

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

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI132270	Pocono Township P.O. Box 197 Tannersville, PA 18372	Pocono Township Monroe	Pocono Creek, Cranberry Creek, Bulgiers Run, Butz Run, Tributary 4935 to Butz Run, Tributary 4939 to Butz Run, Tributary 4807 to Bulgiers Run, Tributary 4791 to Pocono Creek, Tributary 4811 to Pocono Creek, Tributary 4929 to Brodhead Creek/HQ-CWF and MF	N	Y

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

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI133514	Silver Spring Township Cumberland County 8 Flowers Drive Mechanicsburg, PA 17050-1701	Silver Spring Township Cumberland County	UNT Simmons Creek, Hogestown Run, Simmons Creek, Trindle Spring Run, and UNT Conodoguinet Creek, WWF, CWF and MF	Y	Y

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

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI136149	Canton Township 655 Grove Avenue Washington, PA 15301-5321	Canton Township Washington	Georges Run, Unnamed Tributary to Buffalo Creek, Catfish Creek and Chartiers Creek HQ/WWF	N	Y
PAI136148	North Franklin Township 620 Franklin Farms Road Washington, PA 15301-5908	North Franklin Township Washington	Catfish Creek, Unnamed Tributary to Chartiers Creek, and Chartiers Creek/WWF HQ-WWF	N	Y
PAI136147	Baldwin Township 10 Community Park Drive Pittsburgh, PA 15234-2402	Baldwin Township Allegheny	Sawmill Run/WWF	Y	N

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI136102	Fox Chapel Borough 401 Fox Chapel Road Pittsburgh, PA 15238-2225	Fox Chapel Borough Allegheny	Stony Camp Run, Campbell Run, Guyasuta Run, Glade Run and Squaw Run/WWF and HQ-WWF	N	Y
PAI136101	Indiana Township 3710 Saxonburg Boulevard Pittsburgh, PA 15238	Indiana Township Allegheny	Little Deer Creek, Unnamed Tributary to Long Run, Unnamed Tributary to Little Deer Creek, Long Run, Blue Run, Deer Creek, and Squaw Run/TSF, CWF, and HQ-WWF	N	Y

V. NPDES Waiver Stormwater Discharges from MS4 Actions.

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the following MS4s instead of NPDES permit coverage.

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

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136349	Middle Taylor Township 504 Waterfall Drive Johnstown, PA 15906-3818	Middle Taylor Township Cambria	Unnamed Tributary to Conemaugh River/CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD090027	Warminster Township 401 Gibson Avenue Warminster, PA 18974-4163	Bucks	Warminster Township	Little Neshaminy Creek WWF-MF Southampton Creek WWF-MF
PAD090033	Select Properties, Inc. 2312 North Broad Street Colmar, PA 18915-9725	Bucks	West Rockhill Township	Ridge Valley and Unami Creeks HQ-TSF
PAD150086	Ms. Diane Herbert 432 Timber Lane Devon, PA 19333-1233	Chester	West Pikeland Township	Pickering Creek HQ
PAD150077	Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Middletown, PA 17057	Chester	Upper Uwchlan Township	Marsh Creek HQ-TSF-MF
PAD230011	Newtown Township Delaware County Municipal Authority (NTMA) 209 Bishop Hollow Road Newton Square, PA 19073-3219	Delaware	Newtown Township	Crum Creek & Lewis Run HQ-CWF-MF
PAD150111	Walsh And Associates 1578 McDaniel Drive West Chester, PA 19380	Chester	Penn Township	Unnamed Tributary to East Branch Big Elk Creek HQ-TSF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390073	PA Department of Transportation (Engineering District 5-0) 1002 Hamilton St. Allentown, PA 18101	Lehigh	Upper Milford Township	UNT to Little Lehigh Creek—HQ-CWF, MF Leibert Creek— HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450070	Pocono Manor Investors, LP P.O. Box 38 2 Oak Lane Pocono Manor, PA 18349	Monroe	Tobyhanna Township	Swiftwater Creek, EV, UNT to Indian Run, EV, Indian Run, EV

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>
PAD480060	Mountain View Development, LLC c/o Greg Kindt 611 Fehr Road Nazareth, PA 18064	Northampton	Bushkill Township	Bushkill Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD540007	PPL Electric Utilities Corp. c/o Colleen Kester Two North 9th Street Allentown, PA 18101-1139	Schuylkill County	Mahanoy Township West Mahanoy Township Butler Township Gilberton Borough Frackville Borough Shenandoah Borough	Little Mahanoy Creek (CWF, MF) Mahanoy Creek (WWF, MF) Mill Creek (CWF, MF) Shenandoah Creek (CWF, MF) EV Wetlands
PAD540005	NP New Castle, LLC 4825 NW 41st Street Suite 500 Riverside, MO 64150	Schuylkill County	New Castle Township	Mud Run (CWF, MF) UNT to Mud Run (CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD280005 Issued	Columbia Gas of PA 1600 Colony Road York, PA 17408	Franklin	Guilford Township	Falling Spring Branch (HQ-CWF, MF)

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

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

List of NPDES and/or Other General Permit Types.

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bristol Township Bucks County	PAC090217	Bristol Township 2501 Bath Road Bristol, PA 19072-2150	Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Northampton Township Bucks County	PAC090216	Council Rock School District 30 North Chancellor Street Newtown, PA 18940-2202	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Britain Township Bucks County	PAC090212	PECTOPAH LLC 2424 State Road, Unit 7 Bensalem, PA 19020	Unnamed Tributary to Poquessing Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAC090218	Toll PA XIV, L.P. 250 Gibraltar Road Horsham, PA 19044-2323	Unnamed Tributary to Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAC090219	Toll PA XIV, L.P. 250 Gibraltar Road Horsham, PA 19044-2323	Unnamed Tributary to Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Chalfont Borough Bucks County	PAC090188	School House Meadows LP 101 Stewart Lane Chalfont, PA 18914-1809	Unnamed Tributary to North Branch Neshaminy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAC460196	Federal Realty Investment Trust 50 East Wynnewood Road Suite 200 Wynnewood, PA 19096	Wissahickon Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAC460211	Paul Moyer & Sons 2412 Swamp Pike Gilbertsville, PA 19525	West Branch Swamp 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>
Franconia Township Montgomery County	PAC460225	Caracausa Building and Development 601 West Prospect Avenue North Wales, PA 19454	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Douglass Township Montgomery County	PAC460227	Moyer Mooney West End, LP 1090 Macarthur Road Whitehall, PA 18052	Minister Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Pottsgrove Township Montgomery County	PAC460230	Castle Sanatoga, LLC 2052 Lucon Road Skippack, PA 19474	Sanatoga Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAC460241	Commerce Pursuit Capital, LP 1300 Virginia Drive Suite 200 Fort Washington, PA 19034	Schuylkill WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Douglass Township Montgomery County	PAC460248	Graterford Road Properties, LP 1202 Slough Drive Collegetown, PA 19426-1561	Oley Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Salford Township Montgomery County	PAC460269	S H R Harleysville LP 527 Main Street Harleysville, PA 19438	Tributaries of the Skippack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Pottsgrove Township Montgomery County	PAC460250	1934 Bleim Road Partners LP 1805 Berks Road Worcester, PA 19490	UNT to Sprogels Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franconia Township Montgomery County	PAC460295	Franconia Sewer Authority 671 Allentown Road Telford, PA 18696	Tributary to Indian Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Dublin Township Montgomery County	PAC460151	Lindenwold Residential Associates, LLC 861 Village Lane Bensalem, PA 19020	Honey Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Gwynedd Township Montgomery County	PAC460172	SEPTA 1234 Market Street Philadelphia, PA 19107	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510093	Albert Einstein Medical Center 5401-56 Old York Road Philadelphia, PA 19141-3030	Tacony-Frankford Watershed WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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*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>
PAC350056	Scranton Lackawanna Industrial Bldg Co 222 Mulberry St Scranton, PA 18501	Lackawanna	Jessup Boro	Grassy Island Creek (CWF, MF)
PAC350057	Scranton Lackawanna Industrial Bldg Co 222 Mulberry St Scranton, PA 18501	Lackawanna	Jessup Boro	Grassy Island Creek (CWF, MF)
PAC350055	Scranton Lackawanna Industrial Bldg Co 222 Mulberry St Scranton, PA 18501	Lackawanna	Jessup Boro	UNT to Lackawanna River (CWF, MF) Grassy Island 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>
PAC390067	Emily Purinton 6141 Valley Forge Rd Coopersburg, PA 18036	Lehigh	Upper Saucon Twp	Saucon Creek (CWF, MF)
PAC390035	Upper Saucon Twp 5500 Camp Meeting Rd Center Valley, PA 18034	Lehigh	Upper Saucon Twp	UNT to Saucon 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>
PAC480047	Brent Stringfellow Lehigh University Campus and Planning Projects 461 Webster St, 3A Bethlehem, PA 18015	Northampton	Bethlehem City	Lehigh River (WWF, MF)
PAC480051	Anthony Caciola 3666 Robin Ln Coopersburg, PA 18036	Northampton	Lower Saucon Twp	Saucon Creek (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC540049	Daniel Kauffman Sarah Kauffman 212 Pear Ln Spring Glen, PA 17979	Schuylkill	Hublely Twp	Deep Creek (CWF, MF)
PAC540046	Thomas D Lang Cleveland Brother Equip Co Inc 4565 William Penn Hwy Murrysville, PA 15668	Schuylkill	Mahanoy Twp	Mahanoy Creek (WWF, MF)

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Robesonia Borough Berks County Issued	PAC060131	Snap-On, Inc. P.O. Box 1410 Kenosha, WI 53141	UNT Furnace Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657

<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>
Amity Township Berks County Issued	PAC060154	Karen Norheim 106 Sycamore Road Douglassville, PA 19518	UNT Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Upper Allen Township Cumberland County Issued	PAC210094	Hertzler Road Associates, LP 4400 Deer Path Road Suite 201 Harrisburg, PA 17110	UNT Yellow Breeches (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Silver Spring Township Cumberland County Issued	PAC210102	Spring Meadow Reserve, LLC 474 Mount Sidney Road Lancaster, PA 17602	Hogestown Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Londonderry Township Dauphin County Issued	PAC220133	Harrisburg Rugby Football Club P.O. Box 161 Federal Square Station Harrisburg, PA 17108	Susquehanna River (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County Issued	PAC220132	The Hershey Company 19 East Chocolate Avenue Hershey, PA 17033	Spring Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County Issued	PAC220116	Bret Russell, Inc 31100 Telegraph Road Bingham Farms, MI 48025	Paxton Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Susquehanna Township Dauphin County Issued	PAC220140	Susquehanna Township Authority 1900 Linglestown Road Harrisburg, PA 17110-3302	Slotznick Run (CWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Hamilton Township Franklin County Issued	PAC280072	Glen Dice 14 North Main Street Suite 550 Chambersburg, PA 17201	UNT Dennis Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
St. Thomas Township Franklin County Issued	PAC280105	Harry Fox Jr 45 Junction Road Dillsburg, PA 17019	Back Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

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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>
Guilford Township Franklin County Issued	PAC280087	Shalom Christian Academy 126 Social Island Road Chambersburg, PA 17202	UNT Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Southampton Township Franklin County Issued	PAC280109	Bonnie Heights Homes 7048 Carlisle Pike Carlisle, PA 17015	UNT Rowe Run (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Waynesboro Franklin County Issued	PAC280090	Otterbein Church 801 Park Street Waynesboro, PA 17268	East Branch Antietam Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Chambersburg Franklin County Issued	PAC280098	Parkview Corner LP 82 West Queen Street Chambersburg, PA 17201	UNT Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Chambersburg Franklin County Issued	PAC290096	Golden Leaf, LLC 440 Limekiln Drive Chambersburg, PA 17201	UNT Falling Springs (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County Issued	PAC280110	Washington Township 13013 Welty Road Waynesboro, PA 17268	West Branch Antietam Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Township Franklin County Issued	PAC280113	Nitterhouse Concrete Products P.O. Box 2013 Chambersburg, PA 17201	Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Montgomery Township Franklin County Issued	PAC280115	Robert Hill 11301 Grouse Lane Hagerstown, MD 21742	Licking Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

<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>
Greene Township Franklin County Issued	PAC280099	Francesco Caretti 2625 Philadelphia Avenue Chambersburg, PA 17201	Conococheague Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280089	Aubrey Burkholder 947 Wayne Avenue, # 223 Chambersburg, PA 17201	Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Township Franklin County Issued	PAC280120	Antrim Township 10655 Antrim Church Road Greencastle, PA 17225	UNT Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Chambersburg Franklin County Issued	PAC280106	Troy Valenti 2015 Stonegate Trail Suite 101 Vestavia Hills, AL 35242	UNT Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280121	Greene Township Supervisors P.O. Box 215 Scotland, PA 17254	Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Fermanagh Township Juniata County Issued	PAC340020	Steve Reinford 505 Cedar Grove Road Mifflintown, PA 17059	Schweyer Run (CWF, MF)	Juniata County Conservation District 146 Stoney Creek Drive Suite 4 Mifflintown, PA 17059-8709 717.436.8953, ext. 5
East Lampeter Township Lancaster County Issued	PAC360329	Brookfield Development Corporation 227 Granite Run Drive Suite 100 Lancaster, PA 17601	UNT Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Borough Lancaster County Issued	PAC360310	Carel USA 385 South Oak Street Manheim, PA 17545	Tributary 07999 Chickies Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

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*Facility Location:
Municipality &
County*

Penn Township
Lancaster County
Issued

Permit No.
PAC360328

Applicant Name & Address
KN Farms LP
1452 Woodlot Road
Manheim, PA 17545

*Receiving
Water/Use*
Chiques Creek
(WWF)

*Contact Office &
Phone No.*
Lancaster County
Conservation District
1383 Arcadia Road
Room 200
Lancaster, PA
17601-3149
717.299.5361, ext. 5

Leacock Township
Lancaster County
Issued

PAC360335

Dutch Windmill Properties LLC
P.O. Box 50
Intercourse, PA 17534

UNT Muddy Run
(WWF)

Lancaster County
Conservation District
1383 Arcadia Road
Room 200
Lancaster, PA
17601-3149
717.299.5361, ext. 5

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

*Facility Location &
Municipality*

6670 Low St.
Bloomsburg, PA
17815
South Centre
Township

Permit No.
PAC 190026

Applicant Name & Address
Big Heart Pet Brands
6670 Low St.
Bloomsburg, PA 17815

*Receiving
Water/Use*
Susquehanna River

*Contact Office &
Phone No.*
Columbia County
Conservation District
702 Sawmill Rd
Ste 204
Bloomsburg, PA
17815
(570) 784-1310 X 102

728 East Fifth St.
Bloomsburg, PA
17815
Town of Bloomsburg

PAC 190028

Bloomsburg Area School District
728 East Fifth St.
Bloomsburg, PA 17815

Susquehanna River

Columbia County
Conservation District
702 Sawmill Rd
Ste 204
Bloomsburg, PA
17815
(570) 784-1310 X 102

437 East Hillcrest
Bloomsburg, PA
17815

PAC 190027

Mark S. Williams
Nicole L. Williams
437 East Hillcrest
Bloomsburg, PA 17815

Susquehanna River
Catawissa Creek

Columbia County
Conservation District
702 Sawmill Rd
Ste 204
Bloomsburg, PA
17815
(570) 784-1310 X 102

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

*Facility Location:
Municipality &
County*

Cranberry Township
Butler County

Permit No.
PAC100112

Applicant Name & Address
Rochester Road Investment
Company
1190 Dillersville Road
Lancaster, PA 17601

*Receiving
Water/Use*
UNT to Brush Creek
WWF

*Contact Office &
Phone No.*
Butler County
Conservation District
122 McCune Drive
Butler, PA 16001
724-284-5270

Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.

*Facility Location:
Municipality &
County*

Adams Township and
South Fork Borough
Cambria County

Permit No.
PAC680016

Applicant Name & Address
Bureau of Abandoned Mine
Reclamation
Cambria Office
286 Industrial Park Road
Ebensburg, PA 15931-4119

*Receiving
Water/Use*
South Fork Little
Conemaugh River
(CWF) and Unnamed
Tributary to South
Fork Little
Conemaugh River
(CWF)

*Contact Office &
Phone No.*
Attention: Patrick M.
Webb
PA DEP
Cambria Office
286 Industrial Park
Road
Ebensburg, PA
15931-4119
814-472-1800

*General Permit Type—PAG-8 (SSN)**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Pittsfield & Brokenstraw Townships Warren County	PAG088312	Brokenstraw Valley Area Authority 770 Rouse Avenue Youngsville, PA 16371	LGL Tree Farm 95 Christmas Tree Lane Pittsfield, PA 16340	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-13**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Coopersburg Borough Lehigh County	PAG132213	Coopersburg Borough 5 North Main Street Coopersburg, PA 18036	Laurel Run (CWF/MF), Tributary 3371 of Laurel Run (CWF/MF), Tributary 3373 of Laurel Run (CWF/MF)—2-C	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Whitehall Township Lehigh County	PAG132214	Whitehall Township 3219 Macarthur Road Whitehall, PA 18052-2900	Jordan Creek (TSF/MF) Spring Creek (CWF/MF) Coplay Creek (CWF/MF) and Lehigh River (TSF/MF)—2-C	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Avoca Borough Luzerne County	PAG132230	Avoca Borough 950 Main Street Avoca, PA 18641	Mill Creek (CWF/MF)—5-A	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
West Homestead Borough Allegheny County	PAG136307	West Homestead Borough 456 W 8th Avenue West Homestead, PA 15120-1030	West Run, Streets Run and Monongahela River 19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

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>
Kiliti Family Farms, LLC David Kiliti 62 Kiliti Road Berwick, PA 18603	Luzerne	80.2 with 54.3 for nutrient	106.23	Duck & Beef	NA	Approved
Downs Racing LP DBA— Mohegan Sun at Pocono Downs 1280 Highway 315 Wilkes-Barre, PA 18702	Luzerne	216	416.61	Horse	NA	Approved
Weiler Farms # 1 350 East Mill Avenue Myerstown, PA 17067	Lebanon	126.7	605.75	Swine	NA	Approved
Weiler Farms 3 Eugene Weiler 226 Ridge Road Jonestown, PA 17038	Lebanon	152.2	999.49	Swine	HQ	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

Operations Permit # 1518501 issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr,

PA 19010. PWS ID # 1150098, East Bradford Township, **Chester County** on November 21, 2018 for the operation of a hydrofluorosilic acid day tank and transfer pump and a blended phosphate day tank and transfer pump all facilities approved under construction permit # 1518501.

Operations Permit # 4618513 issued to: **Telford Borough Authority**, 122 Penn Avenue, Telford, PA 18969, PWS ID # 1460050, Telford Borough, **Montgomery and Bucks Counties** on November 19, 2018 for operation of five interconnections North Penn Water Authority-Clymer Avenue, Telford Pike, County Line Road, School Lane and Hilltown Township-Schoolhouse Road all facilities approved under construction permit # 4618513.

Operations Permit # 1518524 issued to: **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976, PWS ID # 1150210, West Vincent Township, **Chester County** on November 21, 2018 for the operation of two wells, sodium hypochlorite, hypopneumatics tank, three 10,000-gallon storage tanks, chlorine contact pipe, two high lift pumps, distribution system, and certification of 4-log treatment of viruses all facilities approved under construction permit # 1518524.

Operations Permit # 1518526 issued to: **Pennsylvania American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033, PWS ID # 1150166, East Vincent Township, **Chester County** on November 19, 2018 for amended operational conditions of the Schuylkill River Source of the Shad Lane Plant in order to comply with the long-term 2 Enhanced Surface Water Treatment Rules approved under construction permit # 1518526.

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

Permit No. 0718504 MA, Minor Amendment, Public Water Supply.

Applicant	Sinking Valley Country Club
Municipality	Tyrone Township
County	Blair
Responsible Official	Neil Gartland, Superintendent 595 Gold Course Road Altoona, PA 16601

Type of Facility The Sinking Valley Country Club has submitted a PWS permit application for the approval to install a sodium hypochlorite disinfection system and four 120-gallon contact tanks to provide 4-log treatment of viruses at Entry Point No. 101.

Consulting Engineer Joseph J. Hunt, P.E.
JHA Companies
466 South Main Street
Montrose, PA 18801

Permit to Construct Issued 11/19/2018

Permit No. 3618521, Public Water Supply.

Applicant **City of Lancaster**
Municipality East Lampeter Township
County **Lancaster**
Responsible Official Charlotte Katzenmoyer, Public Works Director
120 North Duke Street
Lancaster, PA 17608-1559

Type of Facility Repainting and modifications to the existing Lafayette finished water storage tank.

Consulting Engineer Matthew D. Warfel
The ARRO Consulting, Inc.
108 West Airport Road
Lititz, PA 17543

Permit to Construct Issued 11/14/2018

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

Permit No. 1704501A1—Operation—Public Water Supply.

Applicant **Houtzdale Municipal Authority**
Township/Borough Gulich Township
County **Clearfield County**
Responsible Official Mr. John Gallagher
Houtzdale Municipal Authority
561 Kirk Street
Houtzdale, PA 16651

Type of Facility Public Water Supply—Operation

Consulting Engineer Mr. Jeffrey Garrigan, P.E.
HRG, Inc.
474 Windmere Drive, Suite 100
State College, PA 16801

Permit Issued November 21, 2018

Description of Action Authorizes a reduction in the maximum pumping rate of Well 14R from 1,000 gpm to 700 gpm and operation of the two wetland augmentation areas.

Permit No. 4716501MA—Operation—Public Water Supply.

Applicant **Danville Municipal Authority**
Township/Borough Danville Borough

County **Montour County**
Responsible Official Mr. Richard Johns, Chairman
Type of Facility Public Water Supply—Operation
Consulting Engineer Mr. David E. Marks
Gannett Fleming, Inc.
P.O. Box 67100
Harrisburg, PA 17106-7100
Permit Issued November 20, 2018
Description of Action Authorizes Danville Municipal Authority to operate the rehabilitated East and West clarifiers in which new, VFD, mixer-and-scrapers-drive motors have been installed, and an aluminum dome cover has been installed over each clarifier with electric ventilation and lighting along with modified stairs and railing to dormers to both clarifier walkway bridges. This permit supersedes all previous partial-operation permits.

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

Construction/Operation Permit issued to **Allegheny Clarion Development Corporation**, PWSID No. 5101010, Allegheny Township, **Butler County**, for the construction/operation of four 500-gallon chlorine contact tanks for 270 days from November 16, 2018. Construction and Operation authorized simultaneously under Permit Number Emergency issued November 16, 2018.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Fermanagh Township	109 Municipal Road Mifflintown, PA 17059	Juniata

Plan Description: Approval is granted for an update to the Official Plan of Fermanagh Township, Juniata County. The project is known as the Fermanagh Township Act 537 Sewage Facilities Plan 2018 (DEP Code No. C1-34904-ACT). The plan provides for the extension of public sewer to the areas of the Township delineated in Appendix 4 of the Plan as area 1, 2 and 4 within five years of this Act 537 Plan approval. A low-pressure collection system will be constructed to serve these residents. All flow will be conveyed to the Twin Boroughs Sanitary Authority's (TBSA) Wastewater Treatment Plant. Existing agreements are in place that reserve adequate capacity for the treatment of the proposed flows from Fermanagh Township to the TBSA facility in Mifflin Borough. The proposed wastewater treatment collection system will be owned by Fermanagh Township, and operated and maintained by TBSA through a lease agreement. The Plan also provides for the development and implementation of an on-lot sewage disposal system (OLDS) management program with a three-year inspec-

tion and pumping cycle to begin in 2019. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Limekiln Golf Club, 1176 Limekiln Pike, Horsham Township, **Montgomery County**. Michael Potts, Terraphase Engineering Inc., 100 Canal Pointe Boulevard, Suite 108, Princeton, NJ 08540 on behalf of Ken Griffin, Envision/Matrix Limekiln, LLC, Forsgate CN 4000, Cranbury, NJ 08512 submitted a Final Report concerning remediation of site groundwater and soil contaminated with organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Byberry Woods, 1282 Byberry Road, Bensalem Township, **Bucks County**. Richard Lake, Geo-Technology As-

sociates, Inc, 14B World's Fair Drive, Somerset, NJ 08873 on behalf of Sandra DiNardo, Dauphine Building & Development, LLC, 920 Wayland Circle, Bensalem, PA 19020 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

309 Camer Drive, 309 Camer Drive, Bensalem Township, **Bucks County**. Joseph E. LaPann, PG., Keith Valley Environmental, Inc., P.O. Box 5376, Deptford, NJ 08096 on behalf of Phillip Yampolsky, Esq., Law Office of Phillip Yampolsky, 32 Montgomery Avenue, 3rd Floor, Narberth, PA 19072 submitted a Final Report concerning remediation of site soil and groundwater contaminated with metals, VOCs, lead and PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Brandywine Station, 300 Brandywine Avenue, Downingtown Borough/East Caln Township, **Chester County**. Carl Bones, PE, Marathon Engineering and Environmental Services, 553 Beckett Road, S-608, Swedesboro, NJ 08085 on behalf of Neal Fischer, PE, River Station LP, 707 Eagleview Boulevard, Exton, PA 19341 submitted a Cleanup Plan concerning remediation of site soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Chick-fil-A Restaurant # 3225, 794-798 Bethlehem Pike, Montgomery Township, **Montgomery County**. Edward Layton, PG, BAI Group, Inc., 341 10 Street, Royersford, PA 19468 on behalf of John Martinez, Chick-fil-A, Inc., 200 Buffington Road, Atlanta, GA 30349 submitted a Final Report concerning remediation of site soil and groundwater contaminated with motor oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

PECO Bristol MGP, Mifflin and Linden Streets, Bristol Borough, **Bucks County**. Douglas Kier, PG., AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428 on behalf of Peter Farrand, PECO Energy Company, 2301 Market Street, Philadelphia, PA 19103 submitted a Final Report concerning remediation of site groundwater and soil contaminated with PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Solid State Scientific Inc, 160 Commerce Drive, Montgomery Township, **Montgomery County**. Paul C. Miller, PE, Environmental Alliance, Inc., 5341 Limestone Road, Wilmington, DE 19808 submitted a Final Report concerning remediation of site soil and groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Markley Properties LLC Residence, 1861 Markley Street, Norristown Borough, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Brian Burke, Travelers Insurance, P.O. Box 430, Buffalo, NY 14240-0430 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Acme Store # 7721, Starr Street and Nutt Road, Borough of Phoenixville, **Chester County**. Michael S. Welsh, PE, Welsh Environmental, Inc, 131 Clearview Drive, Downingtown, PA 19335 on behalf of Dean

Fredrickson, PE, New Albertsons Inc., P.O. Box 20, Boise, ID 83726 submitted a Cleanup Plan concerning remediation of site groundwater contaminated with tetrachloroethylene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

1940 West Allegheny Avenue, 1940 West Allegheny Avenue, City of Philadelphia, **Philadelphia County**. Paul Martino, Pennoni Associates, Inc., 1900 Market Street, Philadelphia, PA 19103 on behalf of R. Max Kent, New Courtland Senior Service, 6950 Germantown Avenue, Philadelphia, PA 19013 submitted a Remedial Investigation Report concerning remediation of site soil contaminated with polyaromatic hydrocarbons and metals. The report is intended to document remediation of the site to meet the Site-Specific Standard.

1242 West Baltimore Pike, 1242 West Baltimore Pike, Middletown Township, **Delaware County**. Thomas A. Petrecz, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kathryn McKee Black, The McKee Group, 940 West Sproul Road, Suite 301, Springfield, PA 19064 submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Rubinstein Property, 250 East Market Street, 308 East Market Street, 100 East Minor Street and 126 South Franklin Street, Borough of West Chester, **Chester County**. Michael S. Welsh, PE, Welsh Environmental Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Eli Kahn, 250 East Market Partners, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Remedial Investigation Report/Final Report concerning remediation of site groundwater contaminated with PCE and TCE. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Bridesburg River Front Park, 3101 Orthodox Street, City of Philadelphia, **Philadelphia County**. Spencer Finch, Langan Engineering & Environmental Services, 1818 Market Street, Suite 3300, Philadelphia, PA 19103 submitted a Remedial Investigation Report/Risk Assessment Report concerning remediation of site soil and groundwater contaminated with PAHs, lead and arsenic. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Chrins Cleaners, 3738 Easton Nazareth Highway, City of Easton, **Northampton County**. Woodard & Curran, 50 Millstone Road, East Windsor, NJ 08520, on behalf of Gemstone Resources LP, 3 Manhattanville Road, Purchase, NY 10577, submitted a final report concerning remediation of site soil contaminated with tetrachloroethylene (PCE) from dry cleaning solvent. The report is intended to document remediation of the site to meet Statewide Health Standards.

Bethlehem Commerce Center—Lot 14, 2120 Spillman Drive, City of Bethlehem, **Northampton County**. HDR Engineering, 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015 has submitted a final report concerning the remediation of soil contamination from historical operations at this site. The report is intended to document remediation of the site to meet Site-Specific Standards.

Linney Residence, 600 Apple Street, Hellertown Borough, **Northampton County**, The Vertex Companies,

400 Libbey Parkway, Weymouth, MA 02189, on behalf of Dieter Brothers Fuel Company, 1226 Steffko Boulevard, Bethlehem, PA 18017, submitted a final report concerning remediation of site soil contaminated with heating oil from an aboveground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

Fabri-Kal, 955 Oak Hill Road, Wright Township, **Luzerne County**, United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Pocono Produce, P.O. Box 669, Stroudsburg, PA 18360, submitted a final report concerning remediation of site soil contaminated with diesel fuel from a delivery truck. The report is intended to document remediation of the site to meet Statewide Health Standards.

Jainnini Property, 2555 Creek Road, Jackson Township, **Susquehanna County**, GeoLogic NY, P.O. Box 350, 37 Copeland Avenue, Homer, NY 13077, on behalf of Lindsey Oil Company, P.O. Box 277, New Milford, PA 18834, submitted a final report concerning remediation of site soil contaminated with heating oil from an aboveground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

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

Harley-Davidson Motor Company/Southern Property Boundary/South Plume Area, 1425 Eden Road, York, PA 17402, Springettsbury Township, **York County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110-9340, on behalf of Harley-Davidson Motor Company, 1425 Eden Road, York, PA 17402, submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Edward Ridings Property, 1 Pine Lane, Lewistown, PA 17044, Derry Township, **Mifflin County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Edward Ridings, 1 Pine Lane, Lewistown, PA 17044, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil released from UST piping. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Former Blue Ridge Country Club, 3940 Linglestown Road, Harrisburg, PA 17112, Lower Paxton Township, **Dauphin County**. Geo-Technology Associates, Inc., 3445A Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of BRCC LP, 5351 Jaycee Avenue, Harrisburg, PA 17112, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with arsenic. The report is intended to document remediation of the site to meet the Residential Statewide Health and Site-Specific Standards.

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

EQT Phoenix Pad C, 782 Antrim Road, Wellsboro, Duncan Township, **Tioga County**. Groundwater Sciences Corporation, 2601 Market Place, Suite 310, Harrisburg, PA 17110, on behalf of EQT Production Company, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222, has submitted a Site Characterization Report and Final Remedial Action Completion Report concerning remediation of site soil contaminated with inorganics and diesel fuel.

The report is intended to document remediation of the site to meet the Statewide Health Standard.

Interstate 80 Eastbound at Mile Marker 190.4, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Bhullar & Virk Trucking, Inc., 3360 Shaw Avenue, Unit # 204, Fresno, CA 93722, has submitted a Final Report concerning site soil contaminated with diesel fuel, motor oil and antifreeze. The report is intended to document remediation of the site to meet the Statewide Health Standard for residential use.

Guillaume 714 Well Pad, 10562 Route 414, Liberty Township, **Tioga County**. Civil & Environmental Consultants, 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Rockdale Marcellus, LLC, 4600 J Barry Court, Suite 120, Canonsburg, PA 15317, has submitted a Final Report concerning site soil contaminated with drilling mud. The report is intended to document remediation of the site to meet the Statewide Health Standard for residential use.

Former H. Warshow & Sons Site, 250 Mahoning Street, Milton Borough, **Northumberland County**. Blackrock Environmental, LLC, P.O. Box 288, Nazareth, PA 18064, on behalf of Pinpoint Federal Credit Union, 603 Center Street, Milton, PA 17847 has submitted a Remedial Investigation Report concerning site soil and groundwater contaminated with chlorinated solvents and other organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area

remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Acme Store # 7721, Starr Street and Nutt Road, Borough of Phoenixville, **Chester County**. Michael S. Welsh, PE, Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Adam Loew, P-Ville Associates, LP, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Remedial Investigation Report/Cleanup Plan/Risk Assessment Report concerning the remediation of site groundwater contaminated with inorganics. The Report was approved by the Department on October 12, 2018.

1940 West Allegheny Avenue, 1940 West Allegheny Avenue, City of Philadelphia, **Philadelphia County**. Paul Martino, PG, Pennoni Associates, Inc., 1900 Market Street, Philadelphia, PA 19103 on behalf of R. Max Kent, NewCourtland Senior Services, 6950 Germantown Avenue, Philadelphia, PA 19119 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with lead, thallium, benzo(a)anthracene, benzo(a)pyrene and benzo(b)fluoranthene. The Report was approved by the Department on October 17, 2018.

First Blue Bell Cleaners Service, 1734 DeKalb Pike, Whitpain Township, **Montgomery County**. James Carey, GHD Services, Inc., 135 Raritan Center Parkway, Suite 5, Edison, NJ 08837 on behalf of Robert Carson, Regency Blue Bell, LP, c/o Levin Management Corporation, 975 US Highway 22 West, North Plainfield, NJ, 07060 submitted a Final Report concerning the remediation of site soil contaminated with PCE and TCE. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on September 27, 2018.

301, 2041, & 3051 Philmont Avenue, 301, 2041, and 3051 Philmont Avenue, Lower Moreland Township, **Montgomery County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, King of Prussia, PA 19406 on behalf of Peter J. Clelland, BT Philmont, LP, 200 Witmer Road, Suite 200, Horsham, PA 19004 submitted a Final Report concerning the remediation of site groundwater contaminated with other organics. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 20, 2018.

Loonstyn Holding LP, 2333-2347 Fairmount Avenue, City of Philadelphia, **Philadelphia County**. John W. Storb, Jr., Storb Environmental Incorporated, 410 North Easton Road, Willow Grove, PA 19090 on behalf of John Loonstyn, Wallace Street Construction, LLC, 2048A Fairmount Avenue, Philadelphia, PA 19130 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on October 16, 2018.

Grocery Store Site, 420 MacDade Boulevard, Ridley Township, **Delaware County**. Jeffrey T. Bauer, PG, Whitestone Associates, Inc., 160 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Patrick Lyon, Lidi US, LLC, 2005 Market Street, Suite 1010, Philadelphia, PA 19103 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 heating oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 17, 2018.

Fizzano Residence, 400 Major Circle, Springfield Township, **Delaware County**. Fred Diehl, Bluestown Environmental, Inc., 196 Beach Lake Highway, Honesdale, PA 18431 on behalf of Laura Sperratoe, Sperr's Fuel and Heating Company, 4421 Smith Bridge Road, Glen Mills, PA 19342 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 10, 2018.

Park 10, 12th Street and North Main Street, Sellersville Borough, **Bucks County**. Richard S. Werner, PG, Environmental Consulting Inc., 2002 Renaissance Boulevard, Suite 1110, King of Prussia, PA 19406 on behalf of Robert White, Buck County Redevelopment Authority, 216 Pond Street, Bristol, PA 19007 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with VOCs. The Report was disapproved by the Department on October 17, 2018.

Kalis Residence, 919 Briar Lane, Lower Pottsgrove Township, **Montgomery County**. Brittany Potter, Center Point Tank Services, Inc., 536 East Benjamin Franklin Highway, Douglasville, PA 19518 submitted a 90-day Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 10, 2018.

Hamilton Residence, 1574 Shadyside Road, West Bradford Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plaines Road, Pennsburg, PA 18973 on behalf of Andrea Gluch, State Farm, P.O. Box 106169, Atlanta, GA 30348-6169 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 23, 2018.

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

J. Reynen Pad 1, 221 Beaver Meadow Road, Harford Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, 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 documented remediation of the site to meet a combination of Background and Statewide Health Standards and was approved by the Department on November 19, 2018.

Repsol Oil & Gas USA-Taylor Buckhorn Land Company Well Site, 777 Moran Road, Apolacon Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, 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 documented remediation of the site to meet a combination of Background and Statewide Health Standards and was approved by the Department on November 19, 2018.

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

NGK Metals Manufacturing Corporation, 150 Tuckerton Road, Temple, PA 19560, Muhlenberg Township, **Berks County**. HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of NGK Metals, 917 US Highway 11 South, Sweetwater, TN 37874, submitted a Remedial Investigation Report concerning remediation of site soil contaminated with inorganics, PAHs and chlorinated solvents. The Plan was disapproved by the Department on November 14, 2018.

Regents Glen, Copper Beech Drive & Crows Nest Lane, York, PA 17403, Spring Garden Township, **York County**. Advantage Engineers, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of RG Services, 290 Seaks Run Road, Glen Rock, PA 17327, submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with arsenic from use as an orchard. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on November 16, 2018.

Frank and Cindy Geiser Property, 26 West 6th Street, Boyertown, PA 19512, Boyertown Borough, **Berks County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Jerome H. Rhodes, 624 South Prince Street, Lancaster, PA 17603, and Frank and Cindy Geiser, 26 West 6th Street, Boyertown, PA 19512 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report was administratively incomplete and was disapproved by the Department on November 19, 2018.

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

EQT Phoenix Pad C, 782 Antrim Road, Wellsboro, Duncan Township, **Tioga County**. Groundwater Sciences Corporation, 2601 Market Place, Suite 310, Harrisburg, PA 17110, on behalf of EQT Production Company, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222, has submitted a Site Characterization Report and Final Remedial Action Completion Report concerning remediation of site soil contaminated with inorganics and diesel fuel. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 20, 2018.

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 demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 19, 2018.

Coal Township Release Site, South side of Little Mountain, Coal Township, **Northumberland County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Sunoco Pipeline, L.P., 100 Green Street, Marcus Hook, PA 19061, has submitted a Final Report concerning site soil contaminated with unleaded gasoline. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 19, 2018.

Emporium Shurfine Food Market, 441 East 3rd Street, Emporium Borough, **Cameron County**. Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 0810, Valley Forge, PA 19482, on behalf of Olivett Market, Inc., 519 East Allegheny Ave., Emporium, PA 15834, has submitted a Combined Groundwater Remedial Investigation Report and Final Report concerning remediation of site groundwater contaminated with diesel fuel. The report demonstrated attainment of the Site-Specific Standard and was approved by the Department on November 21, 2018.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

New Applications Received

DI Trucking, LLC, 110 Jabez St., Newark, NJ 07202. License No. PA-AH 0881. Effective Nov. 20, 2018.

Renewal Applications Received

Heritage-Crystal Clean, LLC, 2175 Point Boulevard, Elgin, IL 60123. License No. PA-AH 0672. Effective Nov. 07, 2018.

Hazardous Waste Transporter License Issued

Harold Marcus Limited, 15124 Longwoods Road, Bothwell, ON N0P 1C0. License No. PA-AH 0207. Effective Nov. 07, 2018.

Hazardous Waste Transporter License Reissued

Bed Rock, Inc. dba TSMTCO, 8141 East 7th Street, Joplin, MO 64801. License No. PA-AH 0697. Effective Nov. 14, 2018.

Disttech, LLC dba Disttech, 4366 Mt Pleasant Street NW, North Canton, OH 44720. License No. PA-AH 0799. Effective Nov. 14, 2018.

Heritage-Crystal Clean, LLC, 2175 Point Boulevard, Elgin, IL 60123. License No. PA-AH 0672. Effective Nov. 13, 2018.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

Conservative Environmental Services, Inc., P.O. Box 745, Mechanicsburg, PA 17055. License No. PA-HC 0224. Effective Nov. 13, 2018.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

CYNTOX, LLC, 64 Beaver Street, New York, NY 10004. License No. PA-HC 0260. Effective Nov. 14, 2018.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permit(s) issued under the Solid Waste Management Act of July 7, 1980, P.L. 380 No. 97, 35 P.S. §§ 6018.101—6018.1003 and Regulations to Operate or for the Closure and Post-closure Care of a Hazardous Waste Treatment, Storage or Disposal Facility.

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

Permit No. PAD004810222: Kelly Run Sanitation, Inc., Western Disposal Area, 1500 Hayden Blvd, Elizabeth, PA 15037. Post-closure monitoring and care of the hazardous waste management facility located in Forward Township, **Allegheny County**. A minor permit modification approving the final installation of a replacement leachate conveyance pipeline was issued by the Regional Office on November 19, 2018.

REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

Registration issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

General Permit Application No. WMGR123SW029. Chevron Appalachia, LLC, 800 Mountain View Drive, Smithfield, PA 15478. A registration for coverage under General Permit WMGR123 for the processing and beneficial use of oil and gas liquid waste at the Herminie South Centralized Water Facility to be located in South Huntingdon Township, **Westmoreland County** was issued by the Regional Office on November 16, 2018.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811 relating to authorization for general permit).

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

General Permit No. WMGM027SC002. Evergreen Community Power, LLC, 720 Laurel Street, Reading, PA 19602, City of Reading, **Berks County**. On September 30, 2016, the Department of Environmental Protection issued General Permit No. WMGM027SC002 to Evergreen Community Power, LLC for the storage and processing of organic and non-organic wastes for beneficial use as alternative fuels. Following the review and approval of Evergreen Community Power, LLC's final closure certification for the facility, the Department revoked General Permit No. WMGM027SC002 on November 27, 2018.

Persons with questions concerning the revocation of this permit may contact John Oren, P.E., Permits Section Chief, PA DEP—Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110 or via phone at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits renewed under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

Permit No. 300977, Standard Steel, LLC, 500 North Walnut Street, Burnham, PA 17009.

The permit for the Standard Steel, LLC, residual waste landfill which expires on January 3, 2019, was renewed on November 26, 2018, and is extended until January 3, 2029, for Solid Waste Permit No. 300977, for the continued operation of the onsite residual waste landfill in accordance with Article V of the Solid Waste Management Act, 35 P.S. §§ 6018.101, et seq.

RESIDUAL WASTE GENERAL PERMITS

Modification to General Permit No. WMGR052 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 17106-9170.

General Permit No. WMGR052 Base. The Department of Environmental Protection (Department) has issued a permit modification to General Permit No. WMGR052 (WMGR052). The previously effective version of WMGR052, issued March 5, 2016, authorized the beneficial use of low permeability cementitious (LPC) material, a mixture of lime, flue gas desulfurization (FGD) sludge, and coal ash from coal-fired power plants. The term "LPC material" was revised to "stabilized FGD material" in this modified WMGR052. Stabilized FGD material is defined in modified WMGR052 as a mixture of lime, FGD and coal ash. FGD may include one, or a combination of, the following: Gypsum, non-oxidized FGD sludge or dry FGD residue.

A person that proposes to process, by mixing of approved materials, to produce stabilized FGD material for beneficial use in mine reclamation by operating under the terms and conditions of modified WMGR052 after the date of permit issuance must apply for and obtain a "Determination of Applicability" (DOA) from the appropriate Department Regional Office having jurisdiction over the processing or beneficial use facility (see list attached to the general permit) prior to commencing authorized activities under WMGR052. A completed application on forms available from the Department must be submitted to the appropriate Department Regional Office.

Persons intending to beneficially use stabilized FGD material for mine reclamation activities must first obtain a mining permit or revision to a mining permit or to execute a reclamation contract with the Department for the use of the stabilized FGD material in the reclamation of the site. The suitability of the stabilized FGD material for beneficial use, including a review of the existing groundwater and surface water quality and flow, along with an evaluation of the separation between the area where stabilized FGD material will be placed and the seasonal high groundwater to prevent contact between the stabilized FGD material and groundwater or saturated soil, will be evaluated at each site where it is proposed to be beneficially used as part of the reclamation activities. Use of the stabilized FGD material on an active mine site must also comply with the existing mining regulations that include a demonstration that use or placement of the stabilized FGD material will not cause pollution or potential pollution of surface water and groundwater or result in a violation of air quality standards for fugitive dust. In addition to obtaining a mining permit or revision to a mining permit or to execute a reclamation contract with the Department for use of the stabilized FGD material, a person that proposes to beneficially use stabilized FGD material in mine reclamation activities by operating under the terms and conditions of modified WMGR052 after the date of permit issuance must apply for and obtain a "Determination of Applicability" (DOA) from the appropriate Department Regional Office having jurisdiction over the processing or beneficial use facility (see list attached to the general permit) prior to commencing authorized activities under WMGR052.

The Department has made a number of modifications to the general permit to:

1. Expand the scope of the General Permit No. WMGR052 to authorize the beneficial use of stabilized FGD material in reclamation of both coal mining activity sites and abandoned mine lands, provided that the reclamation activities are conducted in accordance with 25 Pa. Code §§ 290.104—290.105, and one of the following:

a. A mining permit or a revised mining permit issued for a coal mining activity site that specifically identifies the source of the stabilized FGD material, or

b. A reclamation contract with the Department for use at abandoned mine lands that specifically identifies the source of the stabilized FGD material.

2. Improve the requirements for characterization of waste materials prior to processing and beneficial use, site preparation prior to beneficial use, storage of stabilized FGD material, placement and compaction of stabilized FGD material, and groundwater monitoring.

3. Improve coordination between the Department's waste management and mining programs regarding the approval and use of stabilized FGD material at coal mining activity sites or abandoned mine lands.

4. Increase public notice and opportunity for public comment.

The Department published proposed modification to WMGR052 in the *Pennsylvania Bulletin* on June 10, 2017 and held a 60-day public comment period. Public comments were considered and addressed in the comment and responses document prepared for this general permit. Persons interested in receiving a copy of the comment and responses document may submit their request by email to ra-epbenuseall@pal.gov. Email requests should have "WMGR052 Comment & Responses Document" in the subject line. A copy may also be obtained by contacting the Division of Municipal and Residual Waste by telephone at 717.787.7381.

The permit was issued by the Department and became effective on November 21, 2018.

Persons interested in obtaining a copy of the amended general permit can download a copy at <https://www.dep.pa.gov/Business/Land/Waste/SolidWaste/Residual/Permitting/Pages/BeneficialUsePermits.aspx> or may request a copy by contacting the 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.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP3-46-0157: Highway Materials, Inc (1750 Walton Road, Blue Bell, PA 19422) On November 20, 2018 for Portable Nonmetallic Mineral Processing Plant (Source ID 1015) in Whitmarsh Township, **Montgomery County**.

GP9-46-0104: Highway Materials, Inc (1750 Walton Road, Blue Bell, PA 19422) On November 20, 2018 for two (2) Diesel or No. 2 Fuel Oil Fired Internal Combustion Engines (Source ID 1013 and Source ID 1014) in Whitmarsh Township, **Montgomery County**.

GP3-46-0156: Contact Crushing/Construction, Inc (432 Quarry Road, Elysburg, PA 17824) On November 19, 2018 for Fintec Screener, Model 640 Metso Minerals Model LT1213 Crusher in Montgomery Township, **Montgomery County**.

GP11-46-0085: Contact Crushing/Construction, Inc (432 Quarry Road, Elysburg, PA 17824) On November 19, 2018 for one (1) Caterpillar, 3054C-DIT diesel-fired combustion engine, rated at 99 bhp and one (1) Caterpillar, BDL03662 diesel-fired combustion engine, rated at 425 bhp in Montgomery Township, **Montgomery County**.

GP7-46-0049: Alcom Printing, Inc (140 Christopher Lane, Harleysville, PA 19438) On November 26, 2018 for Sheet-fed Offset Lithographic Printing Press (Source ID 111) in Lower Salford Township, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

GP4-05-03022: Crominet Speciality Metals USA, Inc. (209 Reynolds Industrial Park Road, Greenville, PA 16125) on November 15, 2018, for two new burnoff ovens, under GP4, at the metals recovery and recycling facility located in Bedford Township, **Bedford 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.

GP5-04-00747: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202-2126) on November 16, 2018, for authorization to operate: one (1) tri-ethylene glycol dehydrator, 230 MMscf/day, with a natural gas fired reboiler rated at 2.75 MMBtu/hr; three (3) G3608A4 Caterpillar, lean burn natural gas-fired compressor engines, each rated at 2,590 bhp; two (2) G3616A4 Caterpillar, lean burn natural gas-fired compressor engines, each rated at 5,000 bhp; four (4) storage tanks; each 400-bbl capacity; one (1) Gun-barrel tank, 500-bbl capacity; one (1) Vapor Recovery Unit (VRU) rated at 330,000 scf/d; tanker truck load out operations; ten (10) intermittent gas-driven pneumatic controllers; fugitive emissions components; two (2) Enclosed flares each rated at 7.0MMBtu/hr, and Piggings Operations pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the McMichael Compressor Station located in Independence Township, **Beaver 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.

46-0267B: Peak 10 + Via West (1000 Black Road, Collegetown, PA 19426) On November 20, 2018 for the reactivation of an internal combustion engine used in a

generator set at the company's Data Center in Upper Providence Township, **Montgomery County**.

15-0104E: Flowers Baking Company of Oxford, Inc. (700 Lincoln Street, Oxford, PA 19363) On November 27, 2018 for the installation of a new bun oven at their Title V facility located in Oxford Borough, **Chester County**.

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

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

31-05022B: AC Products, Inc.—Mt. Union Plant (12393 William Penn Highway, Thompsontown, PA 17094-8649) on November 14, 2018, for the cabinet manufacturing facility in Shirley Township, **Huntingdon County**. Conditions from the existing Plan Approval No. 31-05022A were modified to clarify the conditions under which the RTO would be required to operate.

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

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

33-210A: Lost Hills Energy LLC (North Shore Place 1, 358 N Shore Dr., Ste 201, Pittsburgh, PA 15212), on November 15, 2018 issued a Plan Approval for the installation of a 22 MW electric generation station in Ringgold Township, **Jefferson County**.

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

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

OP-18-000012: WuXi AppTec (4751 League Island Boulevard, Philadelphia, PA 19112) for the operation of a biopharmaceutical facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include fourteen (14) air handling units firing natural gas, each of which is less than 1.5 MMBtu/hr, one (1) 1,000 kW emergency generator firing diesel, and assorted small bench-scale equipment, fume hoods, and bio-safety cabinets.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

46-0020K: Superior Tube Company, Inc (3900 Germantown Pike, Collegeville, PA 19426-3112) On November 19, 2018 for the installation of a new lubrication station (Source ID No. 170) in Lower Providence Township, **Montgomery County**.

46-0013F: Clemens Food Group (P.O. Box 902, 2700 Clemens Rd, Hatfield, PA 19440-0902) On November 20, 2018 for the removal and replacement of existing control devices in Hatfield Township, **Montgomery County**.

46-0031F: GlaxoSmithKline (1250 S Collegeville Rd, Collegeville, PA 19426-2990) On November 20, 2018 for installation of a 2,000 kw emergency Caterpillar Engine using diesel/No. 2 fuel oil in Upper Providence Township, **Montgomery County**.

46-0295A: Airgas USA LLC (107 Park Dr, Montgomeryville, PA 18936-9613) On November 20, 2018 for construction and operation of a spray booth to coat compressed air cylinders in Montgomery Township, **Montgomery County**.

23-0119D: Sunoco Partners Mkt & Term LP (100 Green St, Marcus Hook, PA 19061-4800) On November 28, 2018 to install four (4) new cryogenic storage tanks for the storage of liquid ethane, butane, and propane. The facility is located in Marcus Hook Borough, **Delaware 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.

30-00089D: Dominion Transmission, Inc. (5000 Dominion Boulevard—2NW, Glen Allen, VA 23060) for Extension effective November 28, 2018, to extend the period of construction and temporary operation of two natural gas-fired compressor turbines controlled by an oxidation catalyst, microturbine generators, boiler, one produced fluids storage tank, 2,500 gallon capacity; one lube oil tank, 1,000 gallon capacity; and piping components in natural gas service authorized under PA-30-00089D, until May 28, 2019 at the Crayne Compressor Station located in Franklin Township, **Greene County**.

PA-63-00990B: Donora Dock LLC (11 Lloyd Ave, Suite # 200, Latrobe, PA 15650-1711), on November 26, 2018, 180-day plan approval extension issued for Donora Dock Terminal to continue operation for their existing coal handling facility located in Carroll 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.

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

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

65-00028: Lehigh Specialty Melting, Inc. (107 Gertrude Street, Latrobe, PA 15650-2963) Title V Operating Permit issuance date effective November 26, 2018, to authorize the continued operations of their steel manufacturing facility located in Latrobe Borough, **Westmoreland County**.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

23-00068: Private Crematory (43 E. Baltimore Ave., Media, PA 19063) On November 20, 2018 for a renewal of a State Only Operating Permit for their human crematory located in Media Borough, **Delaware County**.

15-00093: West Chester Animal Hospital (1140 Pottstown Pike, West Chester, PA 19380), On November 20, 2018 for renewal of a State Only, Natural Minor Operating Permit for their animal crematory located in West Goshen Township, **Chester County**.

46-00186: Tri Valley Crematory (667 Harleysville Pike, Telford, PA 18969) On November 20, 2018 for a non-Title V Facility, State-Only Natural Minor Operating Permit for their crematory located in Franconia Township, **Montgomery County**.

46-00094: Highway Materials, Inc. (5100 Joshua Road, Plymouth Meeting, PA 19462) On November 26, 2018 for a renewal/modification of State Only (Synthetic Minor) Operating Permit No. 46-00094 for the combination batch/drum hot mix asphalt (HMA) plant at its facility located in Whitmarsh Township, **Montgomery County**.

23-00102: Brandywine Veterinary Hospital (1270 Baltimore Pike, Chadds Ford, PA 19317) On November 26, 2018 for operation of their animal crematory at their veterinary hospital in Chadds Ford Township, **Delaware County**.

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

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

35-00073: ESAB Group, Inc. (982 Griffin Pond Road, Clarks Summit, PA 18411). On November 20, 2018 the Department issued an initial State-Only Natural Minor Permit for ESAB Group, Inc. located in South Abington Township, **Lackawanna County** for their manufacturing of fabricated wire product. The plant operates a hydrochloric acid tank. This 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.

39-00036: St. Luke's University Hospital (801 Ostrum Street, Bethlehem, PA 18015-1000). On November 19, 2018 the Department issued a renewal State-Only Synthetic Minor Permit for St. Luke's Hospital located in Fountain Hill Borough, **Lehigh County**. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00125: Sunlight Crematory of Wilkes-Barre LLC (628C Nanticoke Street, Hanover Twp., PA 18706) for the administrative amendment to include all applicable requirements from plan approval number 40-00125B at the site located in Hanover Twp., **Luzerne County**.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

48-00101: Airlite Plastics Company (2860 Bath Pike, Nazareth, PA 18064) on November 26, 2018, in Upper Nazareth Township, **Northampton County** for an amendment to incorporate process modification. The conditions from Plan Approval 48-00101B were copied into the State Only Operating Permit. Administrative Amendment of State Only Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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.

01-05018: McClarin Plastics, LLC (15 Industrial Drive, Hanover, PA 17331). Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for de minimis emissions increases of 0.52 TPY NO_x; 0.43 TPY CO; 0.04 TPY PM₁₀; and 0.03 TPY VOC resulting from the recent construction of a bake booth that is equipped with a natural gas-fired dryer having a maximum rated heat input capacity of 1.2 MMBtu/hr for the hardening of adhesives at its facility located in Conewago Township, **Adams County**. This is the first de minimis emissions increase event at the facility during the term of the current operating permit.

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.

03-00133: Penn Mag Inc/Adrian (719 Tarrtown Road, Adrian, PA 16210) on November 21, 2018 received a conditioned approval for a de minimis emission increase at a facility located in East Franklin Township, **Armstrong County**, in accordance with 25 Pa. Code § 127.449. The project consists of the installation and operation of a cement transfer system, four (4) cement storage silos, and associated air cleaning devices. The total de minimis emission increases (in tons per year) are as follows: PM₁₀/PM_{2.5}—0.14 ton per year. The emission increases from all pollutants resulting from the individual, as well as the aggregate, changes do not exceed those levels listed under 25 Pa. Code § 127.449 and qualify as de minimis. The permit will include monitoring, recordkeeping and work practice requirements designed to keep the facility within all applicable air quality requirements.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

17060112. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Permit revisions in land use change from forestland to unmanaged natural habitat and access road to remain postmining to a bituminous surface and auger mine in Bell Township, **Clearfield County** affecting 367.0 acres. Receiving streams: Laurel Run and Lost Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 21, 2018. Permit issued: November 21, 2018.

Noncoal Permits Issued

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

20180303 and NPDES Permit No. PA0280615. Lakeland Sand & Gravel, Inc. (11203 Ellion Road, Conneaut Lake, PA 16316) Commencement, operation and restoration of a large industrial mineral mine and associated NPDES permit in Sadsbury Township, **Crawford County**, affecting 24.0 acres. Receiving streams: Unnamed tributary to Mud Run. Application received: June 25, 2018. Permit Issued: November 14, 2018.

PAM618068. Louis M. Heath, Jr. (2383 Cherrytree Road, Cooperstown, PA 16317) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 61012801 in Oakland Township, **Venango County**. Receiving streams: Unnamed tributary to Two Mile Run. Application received: October 4, 2018. Permit Issued: November 19, 2018.

PAM618071. Brent Schoonover (P.O. Box 393, Shinglehouse, PA 16748) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 42080804 in Foster Township, **McKean County**. Receiving streams: Harrisburg Run. Application received: October 22, 2018. Permit Issued: November 19, 2018.

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

PAM218019, Thomas B. Swank Excavating (285 Upper Georges Valley Road, Spring Mills, PA 16875), hereby approves the Notice of Intent (NOI) submitted for

coverage to discharge stormwater associated with Small Noncoal Permit 14880801 to the following surface water(s) in Potter Township, **Centre County**. Receiving stream(s): Potter Run and Sinking Creek. Application received: July 9, 2018. Permit Issued: November 13, 2018.

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

Permit No. 58182501. Powers Stone, Inc., (15644 SR 267, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Middletown & Forest Lake Townships, **Susquehanna County** affecting 10.0 acres, receiving stream: Baldwin Creek. Application received: May 4, 2018. Permit issued: November 26, 2018.

Permit No. PAM118018. Powers Stone, Inc., (15644 SR 267, Montrose, PA 18801), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58182501 in Middletown & Forest Lake Townships, **Susquehanna County**, receiving stream: Baldwin Creek. Application received: May 4, 2018. Permit issued: November 26, 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

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

65184004. Senex Explosives, Inc. (234 Landfill Road, Scottsdale, PA 15683). Blasting activity permit to conduct seismic activity located in East Huntingdon Township, **Westmoreland County** with an expiration date of December 31, 2019. Blasting permit issued: November 26, 2018.

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

Permit No. 06184115. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Acadia Behavioral Health in Bern Township, **Berks County** with an expiration date of November 1, 2019. Permit issued: November 16, 2018.

Permit No. 38184117. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Lincrest Development in South Lebanon Township, **Lebanon County** with an expiration date of October 30, 2019. Permit issued: November 16, 2018.

Permit No. 45184103. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Twin Lake Estates in Smithfield Township, **Monroe County** with an expiration date of October 25, 2019. Permit issued: November 16, 2019.

Permit No. 06184116. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Town Square Plaza in Muhlenberg Township, **Berks County** with an expiration date of November 1, 2019. Permit issued: November 20, 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.

E23-544. Hueber Launch Services, 45 East Delaware Avenue, Marcus Hook, PA 19061, Marcus Hook Borough, **Delaware County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activity within the Delaware River (WWF):

1. To maintain the existing 100-foot by 6-foot dock facility.

2. To perform mechanical dredging for the existing boat slip to 9 feet below Mean Diurnal Tide Level with an over dredging limit of 2 feet resulting in 4,405 square feet (0.10 acre) of permanent waterway impact or the removal of up to 93 cubic yards of accumulated material.

3. To construct and maintain a riprap revetment resulting in 1,895 square feet (0.47 acre) of permanent waterway impact.

4. To stockpile of dredged materials in an on-site dewatering zone that consists of either stacked sand bags or jersey barriers and land applied on-site.

The project is located adjacent to Municipal Park near East Delaware and Church Streets in Marcus Hook Borough (Marcus Hook, PA, USGS Quadrangle—Latitude 39.812821 N, Longitude 75.410078 W).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E09-1023. Borough of Perkasio, 620 W. Chestnut Street, P.O. Box 96, Perkasio, PA 18944-0096, Borough of Perkasio, **Bucks County**, ACOE Philadelphia District.

To construct and maintain an additional eight parking stalls in the 100-year floodplain of the East Branch of Perkiomen Creek near Lenape Park.

The site is located near the intersection of S.R. 152 & S.R. 309 (Telford, PA USGS map, Lat: 40.363960; Long: -75.300125).

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.

E35-468. Walter Jr. & Katherine Stocki, 501 Oak Street, Old Forge, **Lackawanna County**, Army Corps of Engineers Baltimore District.

Application for a permit to construct and maintain a private access road crossing of Keyser Creek (CWF, MF) has been denied. The project is located along Depot Street in Taylor Borough (Scranton Quadrangle Latitude: 41°23'00"; Longitude: -75°42'14").

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

E36-974: Manor Township, 950 West Fairway Drive, Lancaster, PA 17603 in Manor Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To install, operate, and maintain a 66-foot 11 3/4-inch by 6-foot 6-inch single-span prefabricated steel truss bridge across Little Conestoga Creek (WWF, MF) and excavate 15,599 square feet of floodway for the purpose of connecting walking trails on both sides of Little Conestoga Creek. The project is located south of Blue Rock Road near the intersection of Ironstone Ridge Road and Blue Rock Road (40.004908, -76.375147). No wetlands will be impacted by this project. The permit was issued on November 19, 2018.

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

E41-691. Pennsylvania Department of General Services, Bureau of Engineering and Architecture, Room 307, Harrisburg, PA 17125. New Pine Creek Trail Infrastructure in McHenry, **Lycoming County**, ACOE Baltimore District (Jersey Mills PA Quadrangle; Lat: 41° 21' 34"; Long: -77° 24' 34").

PA Department of General Services has applied for a Joint Permit Application to construct, operate and maintain two (2) new permanent buildings along State Route 414 & Pine Creek Rail Trail in McHenry Township, Lycoming County. The work involves the construction of two (2) new buildings (maintenance and storage), gravel paving for parking, utility installation and storm-water management. The proposed, 5-bay, storage-building, footprint is 3,561 ft² and proposed-maintenance building

footprint is 5,683 ft². Mass grading for the site will consist of 266 cubic yards of cut and 3,490 cubic feet of fill.

A total of one (1) permanent floodway impact is proposed to Pine Creek and is classified with a designated use of High Quality—Trout Stocked Fishery (HQ-TSF) and with an existing use of Exceptional Value (EV). Project watercourse impacts shall include, and be limited to, a total of 23,522 square feet (0.54 acre) of permanent floodway impacts.

The proposed project will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites.

FLOODWAY IMPACT TABLE:

<i>Resource Name</i>	<i>Municipality</i>	<i>Activity</i>	<i>Listed Trout</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Lat. Long.</i>
Pine Creek	McHenry	Fill in Floodway	Stocked			340	23,522	41° 21' 34" 77° 24' 34"
TOTAL						340	23,522	

E49-350. Borough of Northumberland, 175 Orange Street, Northumberland, PA 17857. The Point, in Northumberland Borough, **Northumberland County**, ACOE Baltimore District (Northumberland, PA Quadrangle Latitude: 40°53'12.38"; Longitude -76°47'33.44").

This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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 # ESX11-125-0019
 Applicant Name Range Resources—Appalachia, LLC
 Contact Person Karl Matz
 Address 3000 Town Center Blvd
 City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) Morris
 Receiving Stream(s) and Classification(s) UNT to Tenmile Creek (TSF)

ESCGP-2 # ESX10-125-0002
 Applicant Name Range Resources—Appalachia, LLC
 Contact Person Karl Matz
 Address 3000 Town Center Blvd
 City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) Cross Creek
 Receiving Stream(s) and Classification(s) UNTs to Cross Creek (HW-WWF), Middle Fork Cross Creek (WWF) North Fork Cross Creek (WWF)/Raccoon Creek

ESCGP-2 # ESX18-059-0022
 Applicant Name CNX Gas Company, LLC
 Contact Person Adam White
 Address 1000 Consol Energy Drive
 City, State, Zip Canonsburg, PA 15317
 County Greene County
 Township(s) Richhill Township
 Receiving Stream(s) and Classification(s) UNTs to Dunkard Fork (WWF) and UNTs to Wharton Run (WWF)/Wheeling Creek Watershed
 Secondary Receiving Water—Dunkard Fork and Wharton Run (WWF)

ESCGP-2 # ESX16-125-0011
 Applicant Name SWN Production Company, LLC
 Contact Person Carla Suskowski
 Address P.O. Box 12359
 City, State, Zip Spring, TX, 77391
 County Washington County

Township(s) Independence Township
Receiving Stream(s) and Classification(s) UNTs to Cross
Creek (WWF), Ohio River

ESCGP-2 # ESG13-125-0092

Applicant Name Range Resources—Appalachia, LLC

Contact Person Karl Matz

Address 3000 Town Center Blvd

City, State, Zip Canonsburg, PA 15317

County Washington County

Township(s) Cross Creek Township

Receiving Stream(s) and Classification(s) UNTs to South
Fork Cross Creek (HQ-WWF)/Raccoon Creek, Cross
Creek

ESCGP-2 # ESX14-125-0069

Applicant Name MarkWest Liberty Midstream and Re-
sources, LLC

Contact Person Rick Lowry

Address 4600 J. Barry Court, Suite 500

City, State, Zip Canonsburg, PA 15317

County Washington County

Township(s) West Finley & Donegal Township

Receiving Stream(s) and Classification(s) UNTs to Middle
Wheeling Creek (WWF), Middle Wheeling Creek
(WWF)/Upper Ohio—Wheeling (HUC 8 0530106) Water-
shed

ESCGP-2 # ESX13-003-0017 Renewal

Applicant Name CNX Gas Company, LLC

Contact Person Adam White

Address 1000 Consol Energy Drive

City, State, Zip Canonsburg, PA 15317

County Allegheny County

Township(s) Findlay Township

Receiving Stream(s) and Classification(s) UNTs to
Montour Run (TSF)/Montour Run Watershed
Secondary Receiving Water—Montour Run (TSF)

ESCGP-2 # ESX18-125-0019

Applicant Name CNX Midstream Operating Company,
LLC

Contact Person Carol Phillips

Address 1000 Consol Energy Drive

City, State, Zip Canonsburg, PA 15317

County Washington County

Township(s) Morris Township

Receiving Stream(s) and Classification(s) UNTs to
Tenmile Creek (TSF)/Tenmile Creek Watershed

*Northwest Region: Oil and Gas Program Manager, 230
Chestnut St., Meadville, PA 16335.*

ESCGP-2 # ESX18-019-0018—Monoceros 8" Pipeline Pro-
ject

Applicant ETC Northeast Pipeline LLC

Contact Tom Glisson

Address 6051 Wallace Road Ext., 3rd Floor

City Wexford State PA Zip Code 15090

County Butler Township(s) Parker

Receiving Stream(s) and Classification(s) Trib 49126

North Branch of Bear Creek (CWF) and Bear Creek

ESCGP-2 # ESG18-019-0024 W55 to W57 Pipeline

Applicant Pine Run Midstream LLC

Contact Scott Sweder

Address 1000 Commerce Dr Parke Place One, Suite 400

City Pittsburgh State PA Zip Code 15275

County Jefferson & Winfield Township(s) Butler

Receiving Stream(s) and Classification(s) Sarver Run,

UNTs to Sarver Run, UNT to Little Buffalo, Little

Buffalo Creek Watershed (HQ,TSF)

*Eastern Region: Oil & Gas Management Program Man-
ager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESG29-117-18-0029

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) Ward Twp.

Receiving Stream(s) and Classification(s) Fellows Creek
(CWF)

ESCGP-2 # ESX29-115-18-0061

Applicant Name Cabot Oil and Gas Corporation

Contact Person Kenneth Marcum

Address 2000 Park Lane, Suite 300

City, State, Zip Pittsburgh, PA 15275

County Susquehanna

Township(s) Bridgewater Twp.

Receiving Stream(s) and Classification(s) Unnamed tribu-
taries to Snake Creek (CWF-MF)

ESCGP-2 # ESX29-115-18-0062

Applicant Name Williams Field Services Company, LLC

Contact Person Matt Anderson

Address 310 State Route 29 North

City, State, Zip Tunkhannock, PA 18657

County Susquehanna

Township(s) Forest Lake and Jessup Twps.

Receiving Stream(s) and Classification(s) Stonestreet

Creek (CWF-MF), Middle Branch Wyalusing Creek

(CWF-MF) and unnamed tributaries thereto, Snell

Creek (CWF-MF), and Roe Creek (CWF-MF) and un-

named tributaries thereto

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
18-02-043	Brenntag Northeast, LLC 81 West Huller Lane Reading, PA 19605-9728 Attn: Tim Melnick	Allegheny	Oakmont Borough	4 ASTs storing hazardous substances and petroleum products	120,000 gallons total

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
18-08-005	Williams Lubricants, Inc. 6221 Mile Lane Road Sayre, PA 18840-2862 Attn: Gary Wilcox	Bradford	Athens Township	43 ASTs storing petroleum products	121,000 gallons total

[Pa.B. Doc. No. 18-1897. Filed for public inspection December 7, 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 www.elibrary.dep.state.pa.us. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final TGD: New Guidance

DEP ID: 393-2129-001. **Title:** Revised Total Coliform Rule Guidance. **Description:** The 25 Pa. Code Chapter 109 (relating to safe drinking water) regulations were revised in September 2016 to incorporate the Federal revisions to the Total Coliform Rule. This TGD will: summarize changes enacted under the Revised Total Coliform Rule (RTCR); clarify how to determine a public water system's population for establishing monitoring requirements; explain new start-up procedure requirements for seasonal public water systems; and describe the RTCR assessment process and provide examples of sanitary defects. In response to public comments received, the Department revised the document to provide additional examples and clarifying language.

Contact: Questions regarding this TGD should be directed to Jeff Allgyer at jallgyer@pa.gov or (717) 772-4015.

Effective Date: December 8, 2018

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1898. Filed for public inspection December 7, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 17(6801,6806)101.1, Abandoned Mine Reclamation Project, Weber Run South, Cooper Township, Clearfield County. The principal items of work and approximate quantities include: maintenance and protection of traffic, job; clearing and grubbing, job; access road, No. 2A coarse aggregate, 1,200 tons; grading, 971,830 cubic yards; drainage excavation, 8,950 cubic yards; rolled erosion control products, 54,825 square yards; rock lining with filter material, 3,770 square yards; smooth interior corrugated polyethylene pipe, 213 linear feet; subsurface drain, 11,750 linear feet; chimney/blanket drain, No. 8 coarse aggregate, 645 tons; and seeding, 99.3 acres.

This bid issues on November 30, 2018, and bids will be opened on January 8, 2019, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1899. Filed for public inspection December 7, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

EC234291318 Trainer Auto Tank Removal, Trainer Borough, Delaware County. The principal items of work and approximate quantities include: Department of Environmental Protection certified tank remover, 1 job; excavation/removal of 6 underground storage tanks (UST), piping, 8 dispensers and ancillary equipment, 1 job; removal/disposal of water/petroleum mixture from inside USTs, approximately 7,500 gallons; site restrictions/safety measure, 1 job; backfill, estimated 650 tons; sampling and analysis of soil for petroleum compounds, 23 samples; sampling and analysis of water for petroleum compounds, 11 samples; UST registration form

and Closure Report, 1 job; and disposal of contaminated soils (if encountered), estimated 200 tons.

This bid issues on November 30, 2018, and bids will be opened on January 3, 2019, at 2 p.m. There is a mandatory prebid site inspection at 10:30 a.m. on December 13, 2018, at 3608 West 9th Street, Trainer Borough, Delaware County, PA 19061. Failure to attend the mandatory prebid site inspection will be cause for rejection of the bid. Bid documents may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1900. Filed for public inspection December 7, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Critical Access and Qualifying Rural Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2018-2019 disproportionate share hospital (DSH) payments to qualifying Medical Assistance enrolled critical access hospitals and qualifying rural hospitals. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2018-2019 impact, as a result of the funding allocation for these payments, is \$28.482 million (\$13.600 million in State general funds and \$14.882 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

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-1282. (1) General Fund; (2) Implementing Year 2018-19 is \$13,600,000; (3) 1st Suc-

ceeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$6,997,000; 2016-17 Program—\$6,997,000; 2015-16 Program—\$5,676,000; (7) Medical Assistance—Critical Access Hospitals; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1901. Filed for public inspection December 7, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Fee-for-Service Payment for Outpatient Drugs in the Medical Assistance Program

The Department of Human Services (Department) announces an adjustment to the fee-for-service (FFS) professional dispensing fee paid to pharmacy providers for outpatient drugs dispensed in the Medical Assistance (MA) program.

On April 1, 2017, the Department issued a public notice that announced changes to the FFS payment methodology for outpatient drugs in the MA program, as required in the “Medicaid Program; Covered Outpatient Drugs” final rule of the Centers for Medicare & Medicaid Services (CMS) published at 81 FR 5170 (February 1, 2016) amending 42 CFR Part 447 (relating to payments for services) (47 Pa.B. 1921 (April 1, 2017)). The final rule requires states to use actual acquisition cost (AAC), rather than estimated acquisition cost, to pay for pharmacy ingredient costs. The final rule also requires states to pay a professional dispensing fee, rather than a “reasonable dispensing fee,” and describes the pharmacy costs that are to be included in the calculation of the professional dispensing fee.

In the public notice issued last year, the Department announced the use of National Average Drug Acquisition Cost (NADAC) to determine AAC to pay for pharmacy ingredient costs and payment of a \$7 professional dispensing fee. After implementation of the revised payment methodology, and in response to the Department’s submission of a State Plan Amendment, the CMS expressed concern that the \$7 professional dispensing fee was lower than the approved professional dispensing fees of neighboring states. The Department reconsidered the professional dispensing fee, taking into consideration the approved professional dispensing fees of states bordering this Commonwealth. As a result, the Department determined that the professional dispensing fee could be increased to \$10, which is consistent with the \$10 professional dispensing fee of New York and Delaware. On August 7, 2018, the CMS notified the Department that the State Plan Amendment was approved. The CMS approval included a letter from the CMS Director of the Division of Pharmacy, dated July 30, 2018, which advised the Department that it had demonstrated that the use of NADAC and a professional dispensing fee of \$10 is consistent with the Federal requirement for efficiency, economy, and quality of care, and sufficient to ensure that care and services are available at least to the extent they are available to the general population in the geographic area.

Fiscal Impact

The fiscal impact of the revised payment methodology is estimated at \$8.218 million in total funds (\$3.960 million in State funds) in Fiscal Year 2017-2018.

Effective Date

The final rule requires that the new payment methodology be effective April 1, 2017. The Department implemented the \$10 professional dispensing fee on August 8, 2018, and developed a process to adjust claims that were paid before the implementation of the \$10 professional dispensing fee. The Department is notifying all enrolled pharmacies of the process by means of an MA Bulletin.

Copies of Notice

This public notice is available for review at local County Assistance Offices throughout this Commonwealth.

Public Comment

Interested persons are invited to submit written comments regarding the revised payment methodology within 30 days to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120, OMAP-Pharmacy@pa.gov.

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-1280. (1) General Fund; (2) Implementing Year 2018-19 is \$8,884,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$3,930,000; (4) 2017-18 Program—\$477,690,000; 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1902. Filed for public inspection December 7, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Rates of Tax on Aviation Gasoline and Jet Fuel for 2019; Oil Company Franchise Tax Rate for 2019; Alternative Fuels Tax Rates for 2019

I. Aviation Gasoline and Jet Fuels

A. Aviation Gasoline Rate for 2019

Under 74 Pa.C.S. § 6121(b) (relating to tax on aviation fuels), the Secretary of Revenue (Secretary) announces that for calendar year 2019 the rate of tax on aviation gasoline and all other liquid fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in propeller-driven piston engine aircraft or aircraft engines will increase to the rate of 6.0¢ per gallon or fractional part thereof.

B. Jet Fuel Rate for 2019

Under 74 Pa.C.S. § 6131(b) (relating to tax on jet fuels), the Secretary announces that for calendar year 2019 the rate of tax on jet fuels used or sold and delivered by distributors within this Commonwealth for

use as fuel in turbine-propeller jet, turbojet and jet-driven aircraft and aircraft engines will increase to the rate of 2.0¢ per gallon or fractional part thereof.

C. Calculating the 2019 Aviation Gasoline and Jet Fuel Rates

The rate of tax on aviation gasoline is adjusted annually beginning on January 1, 1985 and each January 1 thereafter.

The rate of tax on jet fuels is adjusted annually beginning on January 1, 1986 and each January 1 thereafter. Under 74 Pa.C.S. §§ 6121(b) and 6131(b) the rate of each tax increases or decreases 0.1¢ per gallon for each 10% increase or decrease in the producer price index for jet fuel as determined by the United States Department of Labor, Bureau of Labor Statistics, for the most recent 12-month period available as of November 1 each year subject to a maximum rate of 6.0¢ per gallon for aviation gasoline and 2.0¢ per gallon for jet fuels.

On October 22, 2018, the most recently available 12-month period was September 2017 to September 2018, as reported in the Bureau of Labor Statistics, United States Department of Labor, Producer Price Indexes, September 2018, USDL-18-1627, released October 10, 2018, for which the percentage change was an increase of 30.0%. Accordingly, the aviation gasoline tax rate will increase to the rate of 6.0¢ per gallon; the jet fuel tax rate also will increase to the rate of 2.0¢ per gallon.

II. Oil Company Franchise Tax

A. Transportation Funding Act of 2013

Governor Corbett signed into law the act of November 25, 2013 (P.L. 974, No. 89) which amended 75 Pa.C.S. (relating to Vehicle Code) to both eliminate the inflationary cap on the Oil Company Franchise Tax and the fixed 12¢ per gallon Liquid Fuels and Fuels tax. Specifically, 75 Pa.C.S. § 9002 (relating to definitions) provides for the future removal of the cap and specific wholesale prices for use in the interim years.

B. Calculating the 2019 Oil Company Franchise Tax Rate

The rate of the oil company franchise tax imposed under 75 Pa.C.S. Chapter 95 (relating to taxes for highway maintenance and construction), 75 Pa.C.S. § 9502 (relating to imposition of tax), and collected under 75 Pa.C.S. Chapter 90 (relating to Liquid Fuels and Fuels Tax Act), 75 Pa.C.S. § 9004(b) (relating to imposition of tax, exemptions and deductions), is determined annually by the Department of Revenue (Department) and announced by each December 15 for the following calendar year. The tax rate is determined on a "cents per gallon equivalent basis," which is defined by 75 Pa.C.S. § 9002 as:

The average wholesale price per gallon multiplied by the decimal equivalent of any tax imposed by section 9502 (relating to imposition of tax), the product of which is rounded to the next highest tenth of a cent per gallon. The rate of tax shall be determined by the Department of Revenue on an annual basis beginning every January 1 and shall be published as a notice in the *Pennsylvania Bulletin* no later than the preceding December 15. In the event of a change in the rate of tax imposed by section 9502, the Department shall redetermine the rate of tax as of the effective date of such change and give notice as soon as possible.

“Average wholesale price” as used previously is defined by 75 Pa.C.S. § 9002 as:

The average wholesale price of all taxable liquid fuels and fuels, excluding the Federal excise tax and all liquid fuels taxes shall be as follows:

(1) After December 31, 2013, and before January 1, 2015, the average wholesale price shall be \$1.87 per gallon.

(2) After December 31, 2014, and before January 1, 2017, the average wholesale price shall be \$2.49 per gallon.

(3) After December 31, 2016, the average wholesale price shall be as determined by the Department of Revenue for the 12-month period ending on the September 30 immediately prior to January 1 of the year for which the rate is to be set. In no case shall the average wholesale price be less than \$2.99 per gallon.

For the 12-month period ending September 30, 2018, the Department has determined that the average wholesale price for all grades of gasoline and diesel fuel is \$2.04 per gallon, which was less than the statutory minimum; therefore, the average wholesale price for 2019 is set at the floor of \$2.99 per gallon.

The oil company franchise tax imposed under 75 Pa.C.S. § 9502 is separated into two portions: mills per gallon not subject to discount (NSTD) and mills per gallon subject to discount (STD). The following table details the underlying calculations:

Composition of Oil Company Franchise Tax (OCFT)

OCFT Per Gallon NSTD

<i>Imposed By:</i>	<i>Liquid Fuels</i>	<i>Fuels</i>
75 Pa.C.S. § 9502(a)(1)	60.0	60.0
75 Pa.C.S. § 9502(a)(2)	55.0	55.0
75 Pa.C.S. § 9502(a)(3)	38.5	38.5
<u>75 Pa.C.S. § 9502(a)(4)</u>	<u>00.0</u>	<u>55.0</u>
NSTD Mills per Gallon:	153.5	208.5
Decimal Equivalent:	0.1535	0.2085
Average Wholesale Price:	<u>× \$2.99</u>	<u>× \$2.99</u>
Product:	45.90¢	62.34¢
OCFT per Gallon, NSTD, rounded to next highest tenth per 75 Pa.C.S. § 9002:	45.9¢	62.4¢

OCFT Per Gallon STD

<i>Imposed By:</i>	<i>Liquid Fuels</i>	<i>Fuels</i>
<u>75 Pa.C.S. § 9502(a)(5)</u>	<u>39.0</u>	<u>39.0</u>
STD Mills per Gallon:	39.0	39.0
Decimal Equivalent:	0.0390	0.0390
Average Wholesale Price:	<u>× \$2.99</u>	<u>× \$2.99</u>
Product:	11.66¢	11.66¢
OCFT per Gallon, STD, rounded to next highest tenth per 75 Pa.C.S. § 9002:	11.7¢	11.7¢

Total OCFT per Gallon, rounded to next highest tenth

	<i>Liquid Fuels</i>	<i>Fuels</i>
Total OCFT = NSTD + STD:	57.6¢	74.1¢

C. Imposition of Oil Company Franchise Tax on Liquid Fuels and Fuels

The act of April 17, 1997 (P.L. 6, No. 3) provides that the oil company franchise tax as previously computed is imposed when liquid fuels or fuels are used or sold and delivered in this Commonwealth. Accordingly, the tax imposed upon the use or sale and delivery of 1 gallon of liquid fuels (primarily gasoline) shall be 57.6¢, and the tax imposed upon the use or sale and delivery of 1 gallon of fuels (primarily undyed diesel fuel) shall be 74.1¢.

III. Alternative Fuels Tax Rates for 2019

Under 75 Pa.C.S. § 9004(d) the Secretary is required to compute the rate of tax applicable to each alternative fuel on a gallon-equivalent-basis. Under 75 Pa.C.S. § 9002 “gallon-equivalent-basis” is defined as the “amount of any alternative fuel as determined by the Department to contain 114,500 BTU’s.” The amount determined on a “gallon-equivalent-basis” for each alternative fuel is subject to the oil company franchise tax currently imposed on 1 gallon of gasoline. The rate of tax on 1 gallon of gasoline during the period of this notice is 57.6¢ which is equal to the Oil Company Franchise Tax.

The 2019 tax rates for Compressed Natural Gas (CNG) and Hydrogen are calculated by utilizing the unit of measurement referred to as the gasoline gallon equivalent (GGE). A GGE is the amount of alternative fuel it takes to equal the energy content of one liquid gallon of gasoline.

The 2019 tax rate for Liquefied Natural Gas (LNG) is calculated by utilizing the unit of measurement referred to as the diesel gallon equivalent (DGE). A DGE is the amount of alternative fuel it takes to equal the energy content of one liquid gallon of diesel.

GGE and DGE are the most common forms of measurement for these products at the retail level. Measuring alternative fuels by GGE and DGE allows the consumer to make energy and cost comparisons with gasoline and diesel.

The Secretary announces that the 2019 tax rates for alternative fuels are as follows:

<i>Alternative Fuel (Liquids)</i>	<i>Rate of Conversion (BTU/Gal of Alternative Fuel)</i>	<i>Tax Rate per Gallon of Alternative Fuel</i>
Ethanol	76,330	\$0.384
Methanol	57,250	\$0.289
Propane/LPG	84,250	\$0.425
E-85	82,056	\$0.413
M-85	65,838	\$0.332
Electricity	3,414 BTU/kWh	\$0.0172/kWh
<i>Alternative Fuels under GGE Formula (Gaseous)</i>	<i>GGE Equivalent to One Gallon of Gasoline</i>	<i>Tax Rate per GGE</i>
CNG	1	\$0.576
Hydrogen	1	\$0.576
<i>Alternative Fuels under DGE Formula (1 DGE = 1.7 gallons)</i>	<i>DGE Equivalent to One Gallon of Diesel</i>	<i>Tax Rate per DGE</i>
LNG	1	\$0.648

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-1903. Filed for public inspection December 7, 2018, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

North Union Township v. Schuylkill Conservation District and Aqua Pennsylvania, Inc., Permittee; EHB Doc. No. 2018-113-M

North Union Township has appealed the approval by the Schuylkill Conservation District of a minor amendment for coverage under the PAG-02 NPDES General Permit No. PAC-54-0011 for Stormwater Discharges associated with Construction Activities to Aqua Pennsylvania, Inc., located in East and North Union Townships, Schuylkill 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. 18-1904. Filed for public inspection December 7, 2018, 9:00 a.m.]

HOUSING FINANCE AGENCY

Homeowner's Emergency Mortgage Assistance Program; 2019 Rates and Updates

Under Section 406-C of the Housing Finance Agency Law (35 P.S. § 1680.406c), the Housing Finance Agency (Agency) is to determine prior to the end of each calendar year the rate of interest for Homeowner's Emergency Mortgage Assistance Program (HEMAP) loans closed in the next calendar year, which rate is not to exceed the rate of interest established by the Department of Banking and Securities under section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), referred to as the Loan Interest and Protection Law, and referred to commonly as the Usury Law.

The Agency has determined that the rate of interest for HEMAP loans closed during calendar year 2019 shall be 4.50%.

Attorneys' Fees and Costs Reimbursement Rate for HEMAP Loans Closed in 2019

Under 12 Pa. Code §§ 31.201—31.211 (relating to policy statement on Homeowner's Emergency Mortgage Assistance Program), the Agency shall reimburse lenders for reasonable attorneys' fees and reasonable and necessary costs, which are actually incurred by a mortgagee, in beginning or pursuing an action of mortgage foreclosure and which meet the requirements or limitations on the Agency's web site at www.phfa.org. The Agency will reimburse lenders based upon a reasonable hourly rate as may be established by the Agency annually and published by the Agency in the *Pennsylvania Bulletin*.

The Agency has determined the rate of reimbursement of attorneys' fees and costs incurred during the calendar year 2019 shall be \$150 per hour.

Schedule of Updates to the List of Consumer Credit Counseling Agencies for the Year 2019

Under 12 Pa. Code §§ 31.201—31.211, the Agency will annually publish a schedule for updates to the list of consumer credit counseling agencies required to be attached to the uniform Appendix A notice.

Updates to the list of consumer credit counseling agencies shall occur on the following dates: March 29, 2019; June 28, 2019; September 27, 2019; and December 27, 2019.

This notice shall take effect immediately.

BRIAN A. HUDSON, Sr.,
Executive Director

[Pa.B. Doc. No. 18-1905. Filed for public inspection December 7, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION
2019 Public Meeting Schedule

The Independent Regulatory Review Commission (Commission) will hold public meetings in 2019 as follows:

February 21, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
March 21, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
April 18, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
May 16, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
June 20, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
July 18, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
August 15, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
September 19, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
October 17, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
November 21, 2019	10 a.m.	14th Floor Conference Room 333 Market Street
December 5, 2019	10 a.m.	14th Floor Conference Room 333 Market Street

Individuals who are planning on attending or speaking at a public meeting should notify the Commission no later than 72 hours prior to the date of the meeting. For any changes to the meeting schedule, refer to the Commission web site at www.irrc.state.pa.us. If an executive session is deemed necessary, it shall be held immediately following the close of the public meeting in the 14th Floor Conference Room, 333 Market Street, Harrisburg, PA. Persons in need of special accommodations, as provided for in the Americans with Disabilities Act of 1990 should contact Cheryl Yohn at (717) 772-3455.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1906. Filed for public inspection December 7, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION
Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
125-218	Pennsylvania Gaming Control Board Down Under Blackjack; Table Game Rules of Play 48 Pa.B. 5860 (September 22, 2018)	10/22/18	11/21/18

Pennsylvania Gaming Control Board Regulation # 125-218 (IRRC # 3213)

Down Under Blackjack; Table Game Rules of Play

November 21, 2018

We submit for your consideration the following comments on the proposed rulemaking published in the September 22, 2018 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

Clarity

We have identified three minor clarity concerns with this proposed rulemaking. First, the definitions listed in § 685a.1 (relating to definitions) should be listed in alphabetical order. Second, § 685a.3 (relating to cards; number of decks; value of cards) contains two subsections cited as *d.* (Emphasis added.) The second subsection should be amended to *e.* Third, § 685a.4(e) (relating to opening of the table for gaming) states that subsections (a) and (c)—(e) do not apply if the deck of cards received at the table are preinspected and reshuffled. The reference to subsections (a) and (c)—(e) should be amended to read subsections (a)—(d). This would be consistent with other regulations of the Board governing different Blackjack games.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1907. Filed for public inspection December 7, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Appeal of Spangler Oil Company under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2017-0169(I); Doc. No. UT18-11-011

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant provisions of law.

A prehearing telephone conference initiated by this office is scheduled for January 10, 2019, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before January 8, 2019. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102 on or before December 21, 2018. Answer to protests, petitions to intervene or notices of intervention, if any, shall be filed on or before January 8, 2019.

Persons with a disability who wish to attend the previously-referenced administrative proceedings 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. 18-1908. Filed for public inspection December 7, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Guardian Elder Care at Nanticoke II, LLC

Guardian Elder Care at Nanticoke II, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Birchwood Healthcare and Rehabilitation Center in Nanticoke, PA. The initial filing was received on November 19, 2018, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Karen M. Feather, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, kfeather@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1909. Filed for public inspection December 7, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Guardian Elder Care at Taylor, LLC

Guardian Elder Care at Taylor, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Riverside Healthcare and Rehabilitation Center in Taylor, PA. The initial filing was received on November 19, 2018, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Karen M. Feather, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, kfeather@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1910. Filed for public inspection December 7, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On November 27, 2018, the Insurance Department received from the Coal Mine Compensation Rating Bureau (Bureau) a filing for a loss cost level change for workers' compensation insurance. This filing was made in accordance with section 705 of the Workers' Compensation Act (77 P.S. § 1035.5).

The Bureau requests an overall 10.3% increase in loss costs, effective April 1, 2019, on a new and renewal basis. Additionally, the Bureau has calculated the Employer Assessment Factor effective April 1, 2019, to be 1.83%, as compared to the currently approved provision of 2.18%.

The entire April 1, 2019, loss cost filing is available for review on the Bureau's web site at www.cmcrbpa.com under "Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@pa.gov, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1911. Filed for public inspection December 7, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearing; Cancellation or Refusal of Insurance

The following insured has 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 insured's automobile insurance policy. The hearing 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). This administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Frederick T. Altland, Jr.; Erie Insurance Exchange; File No. 18-118-229656; Doc. No. P18-11-010; January 9, 2019, 10 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. 18-1912. Filed for public inspection December 7, 2018, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Assessment Approval for PENNVEST Funding Consideration

Scope: Clean Water and Drinking Water State Revolving Fund Projects for January 30, 2019, Pennsylvania Infrastructure Investment Authority (PENNVEST) Board Meeting Consideration

Description: PENNVEST, which administers the Commonwealth's Clean Water Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF), is intended to be the funding source for the following projects. The Department of Environmental Protection's (Department) review of these projects, and the information received in the Environmental Report for these projects, has not identi-

fied any significant, adverse environmental impact resulting from any of the proposed projects. The Department hereby approves the Environmental Assessment for each project. If no significant comments are received during this comment period, the Environmental Assessment will be considered approved and funding for the project will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval on or by January 7, 2019. Electronic comments should be submitted using the Department's eComment site at www.ahs.dep.pa.gov/eComment. Written comments can be submitted by e-mail to ecomment@pa.gov or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "PENNVEST SRF-Environmental Assessment" as the subject line in written communication.

For more information about the approval of the following Environmental Assessments or the Clean Water and Drinking Water State Revolving Loan Programs contact Richard Wright at riwright@pa.gov or the Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4059, or visit the Department's web site at <http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx>.

Any comments received during the comment period, along with the Department's comment response document will be available on the Department's web site at <http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx>.

Upon their approval the full list of approved projects and their costs can be found on PENNVEST's web site at www.pennvest.pa.gov.

CWSRF Projects Being Considered

<i>Applicant:</i>	Confluence Borough Municipal Authority
<i>County:</i>	Somerset
<i>Applicant Address:</i>	P.O. Box 6 711 Logan Place Confluence, PA 15424

Project Description: The project will replace the existing collection system with a low-pressure sewer system. Treatment will be provided at the existing Confluence Borough sewage treatment plant (STP).

Problem Description: Due to the condition of the existing collection system, the ground and surface water runoff (infiltration and inflow) enters the existing collection system. The excess infiltration and inflow has caused a hydraulic overloading of the STP and unpermitted discharge to the recreational waters of the Youghiogheny River.

<i>Applicant:</i>	Derry Township Municipal Authority
<i>County:</i>	Westmoreland
<i>Applicant Address:</i>	P.O. Box 250 5760 Route 982 New Derry, PA 15671

Project Description: The project will construct a pump station, force main, and sanitary sewers to serve Key-

stone State Park and 37 existing residences with onlot septic systems. Treatment will be provided at the existing New Alexandria STP.

Problem Description: The existing Keystone State Park STP is at the end of its useful life. In addition, malfunctioning onlot septic systems exist in this community.

<i>Applicant:</i>	Elizabeth Borough Municipal Authority
<i>County:</i>	Allegheny
<i>Applicant Address:</i>	1 Locust Street Elizabeth, PA 15037

Project Description: The project will replace the existing Elizabeth Borough pump station for a new capacity of 1.2 million gallons per day (MGD). The pump station will be constructed with additional wet well and channel capacity to accommodate future wet weather flows as approved by the Department in the Combined Sewer Overflow Long-Term Control Plan (CSO LTCP) and Act 537 plan update. The screening and grit removal capacity will be 5.3 MGD. Treatment will be provided at the existing Elizabeth Borough sewage treatment plant.

Problem Description: Wet weather overflows in excess of the Department approved CSO LTCP occur in the system. In addition, the pump station is near the end of its useful life.

<i>Applicant:</i>	City of Johnstown
<i>County:</i>	Cambria
<i>Applicant Address:</i>	401 Main Street Johnstown, PA 15901

Project Description: This is a sanitary sewer rehabilitation project to correct existing defective sewers in the Old Conemaugh and Hornerstown areas of the City of Johnstown. The City plans to replace or rehabilitate approximately 30,000 linear feet of 8-inch, 10-inch and 12-inch sewer collection line. Construction methods will include open cut and trenchless/slip lining technologies. Manholes within the design will also be replaced and rehabilitated. All existing laterals will be replaced within the public right-of-way (the collection line to the property line). The City will take the appropriate steps to ensure that all customers have their lateral line either televised or pressure tested upon reconnecting to the newly installed system. Treatment will be provided at the existing Johnstown—Dornick Point STP.

Problem Description: Under a Consent Order and Agreement, the City is obligated to implement a rehabilitation plan that would reduce the amount of infiltration and inflow entering the City's collection system during wet weather events and thus eliminate sanitary sewer overflow (SSO) discharges of raw sewage into the waters of this Commonwealth.

<i>Applicant:</i>	Peters Township Sanitary Authority
<i>County:</i>	Washington
<i>Applicant Address:</i>	111 Bell Drive McMurray, PA 15317

Project Description: The project will install replacement sanitary sewers in the Shoreline Drive area, construct a new Shoreline Drive pump station and force main, and modify existing Giant Oaks interceptor and Oakwood

Road interceptor. The Giant Oaks interceptor section of the project will include approximately 4,000 linear feet of in-trench replacement and 2,500 linear feet of new pipe alignment. The pipe size will be increased from 12-inch to 18-inch diameter. The Oakwood Road interceptor segment of the project will include approximately 3,600 linear feet of new pipe alignment. The pipe size will be increased from 12-inch to 21-inch diameter. Treatment will be provided at the existing Brush Run STP and Donaldson's Crossroad STP.

Problem Description: As stipulated in the July 2015 Department approved Corrective Action Plan, the capacity of the Giant Oaks and Oakwood Road interceptors is to be expanded to address the hydraulic overloads and sanitary system surcharges experienced in the conveyance system during wet weather conditions. The existing interceptors are 45 to 55 years old and are at the end of their useful lives. The Hidden Brook area has failing gravity sewers.

<i>Applicant:</i>	Rochester Area Joint Sewer Authority
<i>County:</i>	Beaver
<i>Applicant Address:</i>	395 Adams Street Rochester, PA 15074-2128

Project Description: This is a construction project to modify the existing Rochester Borough STP, Center Street pump station, West Madison Street pump station and force main, and Freedom Borough pump station and force main in compliance with a Department approved CSO LTCP.

Problem Description: Most of the collection system in Rochester Borough is a combined sewer system conveying both storm water runoff and sanitary sewage. Peak flows to the Freedom pump station occasionally result in SSOs which are not permitted. Consequently, flows to the treatment facility are greatly affected by precipitation events. While the wastewater treatment plant (WWTP) is neither hydraulically nor organically overloaded as defined in 25 Pa. Code Chapter 94 (relating to municipal wasteload management), the conveyance system remains hydraulically overloaded, causing peak flows to exceed the carrying capacity of certain portions of the system resulting in combined sewer overflows (CSO) and SSOs. Periods of high flow are attributed to above average precipitation and snow melt. The motive behind the WWTP upgrade project is to provide greater control of the CSOs and eliminate SSOs in accordance with the Department approved CSO LTCP.

<i>Applicant:</i>	Allegheny Clarion Valley Development Corporation
<i>County:</i>	Butler
<i>Applicant Address:</i>	P.O. Box 311 Foxburg, PA 16036

Project Description: The proposed project includes the construction of one 42,000 gallons per day (GPD) sewage pump station and a 22,500 GPD extended aeration WWTP. The WWTP will be used in conjunction with one existing train from the existing plant to maintain the current 45,000 GPD desired treatment capacity.

Problem Description: The current system does not have the capability to meet the required National Pollutant Discharge Elimination System effluent limits on a consis-

tent basis. As a result, a Consent Order and Agreement was entered into to obtain compliance by December 31, 2019. This will be achieved by combining a portion of the existing treatment train with the proposed new one. This will be aided by the inclusion of a flow equalization tank and an aerated sludge holding tank.

<i>Applicant:</i>	Perry Township
<i>County:</i>	Mercer
<i>Applicant Address:</i>	1096 Fredonia Road P.O. Box 69 Hadley, PA 16130

Project Description: The proposed project includes the construction of the following: the Hadley service area consists of 25,800 linear feet of pressure mains, 120 simplex grinder pumps, one triplex grinder pump, pressure service laterals and a 0.046 million GPD extended aeration WWTP; the Clarks Mills service area consists of a pumping station, approximately 2,100 linear feet of 8-inch diameter gravity sewer and a community onlot disposal system. The project will serve 128 equivalent dwelling units (EDU) in the Hadley service area and 14 EDUs in the Clarks Mills service area.

Problem Description: This project addresses sewage needs for the Hadley, Camp Perry and Clarks Mills areas of Perry Township that are currently served by onlot systems. These are the more heavily developed areas within the township. A malfunction rate of approximately 84% exists. This includes a wildcat sewer currently serving seven homes. The recommended solution of installing a WWTP and low-pressure sewers for the Hadley and Camp Perry areas and gravity sewers and a community onlot system for the Clarks Mills area will address these issues. These onlot systems leach untreated and partially treated wastewater onto the ground surface and into the waters of this Commonwealth. This project will eliminate the malfunctioning sewage systems thereby improving water quality.

<i>Applicant:</i>	Knox Township Municipal Authority
<i>County:</i>	Clarion
<i>Applicant Address:</i>	27345 Route 66 P.O. Box 64 Lucinda, PA 16235

Project Description: The proposed project includes the construction of 10,100 feet of 8-inch diameter sanitary sewer main and 43 concrete manholes through Lucinda to serve as the collection system. Six-inch diameter polyvinyl chloride laterals will be installed to each property to facilitate their connection. A duplex grinder pump is required to allow one of the connections. The grinder pump will discharge through 780 feet of high-density polyethylene pipe to a manhole. This gravity collection system will discharge into a recirculating sand filter WWTP for treatment. After treatment, the discharge enters the waters of Step Creek. Overall, the project will serve 63 residential houses, seven small businesses and a church complex.

Problem Description: This project addresses the sewage needs of approximately 72 properties located in the Lucinda area of the Township. Confirmed onlot malfunctions were determined at 57.5% of the properties. These systems leach untreated and partially treated wastewater onto the ground surface and into the waters of this

Commonwealth. This project will eliminate the malfunctioning sewage systems thereby improving water quality.

<i>Applicant:</i>	Hegins-Hubley Authority (HHA)
<i>County:</i>	Schuylkill
<i>Applicant Address:</i>	915 West Maple Street Valley View, PA 17983-9732

Project Description: The proposed sanitary sewer system will service about 1,337 EDUs in Hegins Township and 266 EDUs in Hubley Township. At 300 GPD per EDU, the system will generate about 480,900 GPD. The proposed WWTP will be designed with a capacity of 600,000 GPD to accommodate existing and future flows. The WWTP will discharge treated effluent to Deep Creek, which drains to Pine Creek, which drains to Mahantango Creek, and finally enters the Main Branch of the Susquehanna River.

Problem Description: A wastewater needs analysis conducted as part of the Hegins Township and Hubley Township Joint Act 537 Plan identified a need for a regional public sanitary sewer system to service portions of both municipalities. A needs analysis identified malfunctioning onlot systems in the area which will be connected to the proposed public sewer system. The construction of the proposed sanitary sewer system will allow for the connection of these malfunctioning systems to a WWTP and will provide a long-term method of sewage disposal.

<i>Applicant:</i>	Lower Paxton Township
<i>County:</i>	Dauphin
<i>Applicant Address:</i>	425 Prince Street Harrisburg, PA 17109

Project Description: The proposed construction projects are part of Lower Paxton's inflow and infiltration (I/I) reduction program. Sewer collection system repair, rehabilitation, replacement, and lining work will be performed for the mini-basins in Lower Paxton's Beaver Creek (BC—2A, 2B, 2C and 5B) and Spring Creek (SP—2B) basins to meet the expectations described in The Second Amendment to the Second Consent Decree and corrective action plan (CAP) for significant and cost-effective I/I reductions.

Problem Description: The collection system in the Beaver Creek's mini-basins 2A, 2B, 2C and 5B are required to reduce I/I as required under The Second Amendment to the Second Consent Decree and CAP, and in the Spring Creek mini-basin 2B is required to control I/I to reduce peak flow.

<i>Applicant:</i>	Franconia Sewer Authority
<i>County:</i>	Montgomery
<i>Applicant Address:</i>	671 Allentown Road P.O. Box 128 Franconia, PA 18924-0128

Project Description: The proposed sewerage project will serve the Village of Morwood and other nearby neighborhoods. A sanitary sewer collection system will be constructed on the following roads to eliminate the use of failed onlot disposal systems (OLDS): Morwood Road, Keller Creamery Road, Ridgeview Drive, Camp Road, Landis Road, Creamery Road, Hunsicker Road, Allentown Road, Indian Creek Road and Godshall Road.

Problem Description: The Village of Morwood and surrounding neighborhoods are plagued with failed and failing OLDS.

DWSRF Projects Being Considered

<i>Applicant:</i>	Towanda Municipal Authority
<i>County:</i>	Bradford
<i>Applicant Address:</i>	724 Main Street Towanda, PA 18848

Project Description: The Towanda Municipal Authority (TMA) proposes to construct a new membrane filter water treatment plant, three new groundwater source wells, approximately 8,600 feet of waterline, 106,000-gallon water storage tank, booster pump station rehabilitation and related appurtenances.

Problem Description: The project intends to replace two existing groundwater sources with three new groundwater sources. The project will increase the reliability of the current system and eliminate the potential for adjacent industrial activity to negatively impact the TMA's raw water supply. The proposed improvements will serve to address an inadequate fire suppression system.

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

Project Description: The Clymer Borough Municipal 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 linear feet of leaking transite waterline will be replaced with 8-inch C-900 polyvinyl chloride (PVC) pipe. Installation of 7,750 linear feet of PVC waterline includes 150 service lines, 39 gate valves, 11 interconnections and seven fire hydrants. All waterline and appurtenances will be in Clymer Borough. A new 250,000-gallon water storage tank will be constructed on Clymer Road in Cherryhill Township.

Problem Description: The residents of Clymer Borough are experiencing unpleasant taste and odor issues caused by the presence of hydrogen sulfide in old pipes. The existing asbestos concrete pipes 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 Indiana County Municipal Service Authority to provide finished water. The clearwell was out of operation for approximately one month.

<i>Applicant:</i>	Williamsburg Municipal Authority
<i>County:</i>	Blair
<i>Applicant Address:</i>	305 East 2nd Street Williamsburg, PA 16693

Project Description: The Williamsburg Municipal Authority (Authority) has proposed to install a new well pump at well number 1, construct a new disinfection system/building, install two new packaged water booster pump stations, replace existing water mains, and extend the distribution system. Approximately 3,400 linear feet and 3,900 linear feet of existing asbestos cement waterline in the Fayetown and Sage Hill areas, respectively, will be replaced. Approximately 3,700 linear feet of new waterline will be installed along Ridge Road to connect to 14 additional customers.

Problem Description: The existing facilities/equipment, which were installed in the late 1960s with minor upgrades made in the late 1990s, have met or exceeded their operational lifespan. To avoid major equipment failures or a total system shutdown, the Authority proposes to upgrade the plant to improve potable water supply reliability to the service area.

PATRICK McDONNELL,
Secretary

Department of Environmental Protection

BRION JOHNSON,
Executive Director

Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 18-1913. Filed for public inspection December 7, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed in the event that there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by December 24, 2018. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.

A-2018-3006056. David E. Stoltzfus (6 Runway Avenue, New Holland, Lancaster County, PA 17557) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.

A-2018-3006098. Metro Ride, LLC (322 North Shore Drive, Building 1B, Suite 200, Pittsburgh, Allegheny County, PA 15212) in paratransit service in wheelchair and stretcher vans, from points in the Counties of Armstrong, Beaver, Berks, Bucks, Butler, Clarion, Crawford, Cumberland, Dauphin, Delaware, Lancaster, Lawrence, Lebanon, Montgomery, Philadelphia, Warren, Washington, Westmoreland and York, to points in Pennsylvania, and return

Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.

A-2018-3006081. OurBus, Inc. (79 Madison Avenue, New York, NY 10016-7802) for a brokerage license evidencing the Commission's approval of the right and privilege to operate as a broker, to arrange for the transportation of persons between points in Pennsylvania.

Applications of the following for approval to begin operating as common carriers for transportation of household goods by transfer of rights as described under each application.

A-2018-3005979. Rocket Moving, LLC (330 North Wyoming Avenue, Shillington, Berks County, PA 19610) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

A-2018-3006051. Armbruster Moving & Storage, Inc. (2800 Center Road, Brunswick, OH 44212) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1914. Filed for public inspection December 7, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due December 24, 2018, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Craig Allen Williams, t/a Shipman Van Service;
Docket No. C-2018-3000718

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Craig Allen Williams, t/a Shipman Van Service, (respondent) is under suspension effective March 16, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 727 A Tarry Hall Road, Millersburg, PA 17061.

3. That respondent was issued a Certificate of Public Convenience by this Commission on May 16, 2016, at A-6217487.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6217487 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/17/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Fuzzco Trucking, Inc.; Docket No. C-2018-3001427

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Fuzzco Trucking, Inc., (respondent) is under suspension effective April 15, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 902 Primos Avenue, Secane, PA 19018.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 30, 1999, at A-00115749.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00115749 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/26/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. George G. Lane,
t/a G Lane & Son Trucking;
Docket No. C-2018-3005354**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to George G. Lane, t/a G Lane & Son Trucking, (respondent) is under suspension effective October 03, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 423 Stants Rd., Ruffsdale, PA 15679.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 09, 2014, at A-00113898.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00113898 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/17/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. David Hydo, t/a Bedford Transportation Co.;
Docket No. C-2018-3005364

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to David Hydo, t/a Bedford Transportation Co., (respondent) is under suspension effective October 02, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 13696 Lincoln Highway, Everett, PA 15537.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 01, 2006, at A-00121861.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00121861 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/17/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Kern Industries, Inc.; Docket No. C-2018-3005537

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Kern Industries, Inc., (respondent) is under suspension effective October 11, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 16 Rachael Road, Dover, PA 17315.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 23, 2018, at A-8920689.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8920689 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/23/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. BHN Financial, LLC, t/a BHN Limousine Services;
Docket No. C-2018-3005519**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to BHN Financial, LLC, t/a BHN Limousine Services, (respondent) is under suspension effective October 09, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 821 Levick Street, 2nd Floor, Philadelphia, PA 19111.

3. That respondent was issued a Certificate of Public Convenience by this Commission on September 08, 2017, at A-6419754.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6419754 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/23/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Connections Transway, LLC; Docket No. C-2018-3005540

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Connections Transway, LLC, (respondent) is under suspension effective October 11, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 204 Aspen Commons, East Stroudsburg, PA 18302.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 29, 2018, at A-8921064.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8921064 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/23/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

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Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Cahill Trucking, LLC; Docket No. C-2018-3005542

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Cahill Trucking, LLC, (respondent) is under suspension effective October 11, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 147 Ola Drive, Easley, SC 29642.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 21, 2012, at A-8914170.

4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8914170 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/23/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Wyomissing Car Service and Taxi, LLC, t/a Wyomissing Car Service & Taxi, LLC; Docket No. C-2018-3005550

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Wyomissing Car Service and Taxi, LLC, t/a Wyomissing Car Service & Taxi, LLC, (respondent) is under suspension effective October 10, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 4 Darlin Dr., Wyomissing, PA 19610.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 13, 2015, at A-6416457.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6416457 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/23/2018

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

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ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 18-1915. Filed for public inspection December 7, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications Services

A-2018-3005894. AT&T Corp. Application of AT&T Corp. for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of Windstream Pennsylvania, LLC Windstream Pennsylvania, LLC; Armstrong Telephone Company—North; Armstrong Telephone Company—Pennsylvania; Bentleyville Communications Corporation, d/b/a Consolidated Comm./Bentleyville; Windstream Buffalo Valley, Inc.; Citizens Telephone Company of Kecksburg; Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company; Windstream Conestoga, Inc.; Windstream D&E, Inc.; Frontier Communications of Breezewood, LLC; Frontier Communications of Canton, LLC; Citizens Telecommunications of New York, Inc.; Frontier Communications of Pennsylvania, LLC; Frontier Communications of Lakewood, LLC; Frontier Communications of Oswayo River, LLC; Hancock Telephone Company; Hickory Telephone Company; Ironton Telephone Company; Lackawaxen Telephone Company; Laurel Highland Telephone Company; Marianna and Scenery Hill Telephone Company, d/b/a Consolidated Comm./MSH; North Penn Telephone Company; Consolidated Communications of Pennsylvania Company; The North-Eastern Pennsylvania Telephone Company; Palmerton Telephone Company; Pennsylvania Telephone Company; Pymatuning Independent Telephone Company; South Canaan Telephone Company; TDS Telecom/Mahanoy & Mahantango Telephone Company; TDS Telecom/Sugar Valley Telephone Company; TDS Telecom/Deposit Telephone Company; Venus Telephone Corporation; West Side Telephone Co., d/b/a West Side Telecommunications; and Yukon-Waltz Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 24, 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: AT&T Corp.

Through and By Counsel: Joseph Monaghan, Esquire, AT&T, One AT&T Way, Room 3A114, Bedminster, NJ 07921

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 18-1916. Filed for public inspection December 7, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications Services

A-2018-3005872. Teleport Communications America, LLC. Application of Teleport Communications America, 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 Armstrong Telephone Company—North; Armstrong Telephone Company—Pennsylvania; Bentleyville Communications Corporation, d/b/a Consolidated Comm./Bentleyville; Windstream Buffalo Valley, Inc.; Citizens Telephone Company of Kecksburg; Windstream Conestoga, Inc.; Windstream D&E, Inc.; Frontier Communications of Breezewood, LLC; Frontier Communications of Canton, LLC; Citizens Telecommunications of New York, Inc.; Frontier Communications of Pennsylvania, LLC; Frontier Communications of Lakewood, LLC; Frontier Communications of Oswayo River, LLC; Hancock Telephone Company; Hickory Telephone Company; Ironton Telephone Company; Lackawaxen Telephone Company; Laurel Highland Telephone Company; Marianna and Scenery Hill Telephone Company, d/b/a Consolidated Comm./MSH; North Penn Telephone Company; The North-Eastern Pennsylvania Telephone Company; Palmerton Telephone Company; Pennsylvania Telephone Company; Pymatuning Independent Telephone Company; South Canaan Telephone Company; TDS Telecom/Mahanoy & Mahantango Telephone Company; TDS Telecom/Sugar Valley Telephone Company; TDS Telecom/Deposit Telephone Company; Venus Telephone Corporation; West Side Telephone Co., d/b/a West Side Telecommunications; and Yukon-Waltz Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 24, 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: Teleport Communications America, LLC

Through and By Counsel: Joseph Monaghan, Esquire, AT&T, One AT&T Way, Room 3A114, Bedminster, NJ 07921

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1917. Filed for public inspection December 7, 2018, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than December 24, 2018. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-18-11-05. M.Khalil, Inc. (6105 Walnut Street, Philadelphia, PA 19139): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-18-11-06. Riva Trans, Inc. (1914 Chandler Street, Philadelphia, PA 19111): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-18-11-07. Nazmahian, LLC (327 Cedar Lane, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-18-11-08. Omm Medea, LLC (436 Dudley Street, Philadelphia, PA 19148): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 18-1918. Filed for public inspection December 7, 2018, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

March 5, 2019	Mark A. Madden (Disability and Change of Option)	10 a.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lori Koch, Assistant to the Executive Director, at (717) 720-4606 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

GLEN R. GRELL,
Executive Director

[Pa.B. Doc. No. 18-1919. Filed for public inspection December 7, 2018, 9:00 a.m.]

